



1st August 2023

Minister for Communications
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Via: information.integrity@infrastructure.gov.au

Dear Ms. Rowland,

Re: Feedback on an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

This submission by Regional Development Australia Southern Inland (RDASI) is to provide feedback on the exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

RDASI is represented by local leaders and staff who are passionate about the communities in the Southern Inland region of New South Wales (NSW). Part of a national network of 52 Regional Development Australia (RDA) Boards across Australia, RDASI's role is to support the Local Government Areas (LGAs) in the Southern Inland region of NSW, including Wingecarribee, Goulburn Mulwaree, Upper Lachlan, Hilltops, Yass Valley, Queanbeyan-Palerang, and Snowy Monaro. RDASI works with all levels of government, business, and community groups to promote economic and social development in the region by facilitating regional projects, collaboration, communication, and advocacy.

Residents, aged 18 years and above from across the RDASI region, were asked a series of questions via a survey, to assist in forming this submission. The survey questions included multiple predefined answers, with the option for respondents to contribute their own free text answers and comments.

Demographics

RDASI collected 63 responses to the survey.

Age

Respondent age group results:

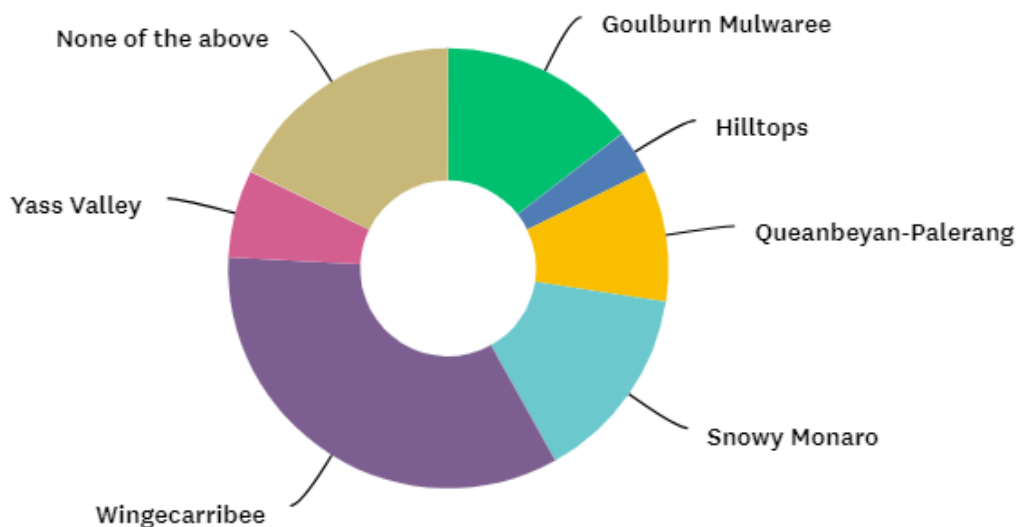
- 65 year or older – 20.63%
- 55-64 years – 19.05%
- 45 – 54 years – 25.40%
- 35-44 years – 22.22%
- 25 – 34 years – 12.70%
- 18 – 25 years – 0%

RDASI Local Government Area

The following chart presents the Local Government Area within the RDASI network in which the respondents either reside or work. Responses for the 11 participants who do not live or work in the region have not been included beyond this section of the submission.

Which region do you live and / or work in?

Answered: 62 Skipped: 1



Misinformation and Disinformation

Via the survey, participants were asked to select statements to define misinformation and disinformation, with the option to provide opinions using a free text option. They were also asked who should have the power to deem what is misinformation or disinformation.

The following feedback was provided:

Question - Select from the following options (tick all that apply).

Misinformation is:

- **inaccurate or false information – 61.54%**
- spread without intent to deceive or manipulate – 50%
- spread with intent to deceive or manipulate – 23.08%
- easy to identify and measure – 0%
- difficult to identify and measure – 57.69%

Respondents provided comments via the free text section **‘Other - please provide more information on what you think misinformation is’**:

- Information that may be accurate and correct but does not meet the government's narrative (which may well in turn be false and misleading).
- Is against the government's adopted narrative.
- It could in fact be REAL information, which should never be censored.
- False or misleading information shared without an intent to deceive.
- Most of what the government and media declare to be truth these days.
- A word that has been extremely mis-used during covid and those who were the accusers were generally the misinformation providers.
- Misinformation in the form described by the government will be anything that does not suit the government narrative. This legislation would take away from the individual citizen's right to receive information and decide the worth of it for themselves. The legislation is an anti-democratic disgrace. None of the measures referred to show how ACMA would be in any position to make objective decisions, and nothing is mentioned of the inevitable politically motivated guidelines that ACMA would receive, either actively or passively in perceiving what the government position is. This is the worst type of Orwellian censorship and worthy only of a fascist state.
- A made-up word used to discredit any text type that doesn't suit the complainant's agenda.

Question - Select from the following options (tick all that apply).

Disinformation is:

- **inaccurate or false information – 57.69%**

- spread without intent to deceive or manipulate – 15.38%
- spread with intent to deceive or manipulate – 53.85%
- easy to identify and measure – 3.85%
- difficult to identify and measure – 46.15%

Respondents provided comments via the free text section **‘Other - please provide more information on what you think disinformation is’**:

- A term created by the government to denigrate opinions which may be accurate but don't meet the government's agreed narrative.
- Is against the government's narrative.
- Could be fact or fiction. Should be left to the reader to investigate or discriminate.
- Including information promoted by government and media to promote the various agendas of powerful corporations and government departments.
- False or misleading information shared with an intent to deceive.
- Most of what the government and media declare to be truth these days.
- As above - word that has been extremely mis-used during covid and those who were the accusers were generally the misinformation providers.
- Propaganda.
- Disinformation is exactly what we have been subjected to with carefully scripted defence and foreign policy campaigns already and ongoing. It is objectively dishonest. It happens in schools to inculcate certain narratives into kids minds before they are old enough to become critically analytical thinkers and it happens in the mainstream media with government produced narratives channelled through a variety of entities including certain co-operative journalists looking to advance their careers.
- Deliberately offering false information with the desire to confuse, cause friction, lie to cause some to be ostracised or belittled or ridiculed.
- A made-up word used to discredit any text type that doesn't suit the complainant's agenda.

Question - Select from the following options (tick all that apply).

Who should have the power to deem if online information is misinformation or disinformation:

- **individuals – 34.62%**
- Australian Government –11.54%
- Australian Communications and Media Authority (ACMA) - 19.23%
- online service providers – 7.69%
- specialised experts using a multidisciplinary, unbiased approach – 30.77%

38.46% of respondents provided comments via the free text section **‘None of the above - please explain why’**:

- This type of censorship is a very dangerous move towards tyranny. This is well documented in history - the Soviet regime was built on a society which knew what they were asked

- believed were lies but were too scared to speak up due to fear of punishment. In 2023 we are asked to call men women; we are told what is ugly is beautiful and we are too scared to discuss policies such as immigration. Meanwhile journalists such as Julian Assange languish in prison for telling the truth.
- This should be left up to the individual to decide and not for government or it's agencies.
 - Who has that skill, that they know all the truth and who does not.
 - Who can be deemed a 'specialised expert' if they are appointed by the Government? Even that is ambiguous. But a multidisciplinary & unbiased approach is necessary.
 - It is not the decision of an individual or an organization. What is proposed is actually called censorship.
 - This whole situation was abused during covid. Most people are now aware of the agendas of certain groups and the people and groups they have been able to control. Most of what was called 'Mis' and 'Dis' information has been proven to be correct. Let everybody learn to discern for themselves. No government, media, or other groups in authority can be trusted after the behaviour of the last 3 years. This Bill looks like a proposal to control and hide true information like in China.
 - The reader should decide for themselves.
 - Censorship is never a good thing. It cannot be justified on the basis these measures are predicated on, that somehow, we are too stupid to think for ourselves or too fragile to be given the truth. What it's really about is the government doing the wrong thing and wanting to get away with it by hiding or misrepresenting the truth.
 - I don't trust gov to get it right, so needs to be multi-pronged approach.
 - Freedom of speech should allow for all opinions to be heard.

Australian Communications and Media Authority (ACMA) Powers

Participants were asked to indicate the powers they thought the ACMA should have, the results are included below.

Question - Select from the following options (tick all that apply).

I think the Australian Communications and Media Authority (ACMA) should have the power to:

- gather information from digital platform providers that the ACMA deem to be disinformation of misinformation – 23.08%
- require digital platform providers to keep records about online information that the ACMA deem to be disinformation of misinformation - 23.08%
- request industry to develop a code of practice covering measures to regulate information shared on digital platforms, which the ACMA could register and enforce – 26.92%
- create and enforce an industry standard (a stronger form of regulation), should a code of practice be deemed ineffective – 23.08%
- request specific content or posts be removed from digital platform services – 23.08%
- extend authority over non-signatories of the existing voluntary framework established by the Australian Code of Practice on Disinformation and Misinformation (the voluntary code) - 15.38%

- impose a penalty (fine or imprisonment) on digital platform services for failing to regulate content or posts deemed by the ACMA to contain disinformation and misinformation - 23.08%
- **None of the above – 69.23%**

Understanding of the information presented

Participants were asked if they had read the supporting documentation supplied as part of the submission process and then asked their beliefs about the Bill, with the following results:

Question – Have you read the:

- Exposure Draft Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 – 76.92 % answered ‘Yes’.
- Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023—guidance note - 76.92 % answered ‘Yes’.
- Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023—fact sheet - 80.77 % answered ‘Yes’.

Questions - Do you believe that the draft Bill supports the freedom of expression:

- **No – 57.69%**
- Yes – 19.23%
- Please provide more detail below, if Yes or No does not adequately describe your view:
 - This is Orwellian double speak - the draft Bill inhibits freedom of expression and forces us to adopt the mainstream narrative even when we strongly oppose it.
 - Maybe support is not the right word - but in supporting factual information then freedom of speech has more value.
 - I think this bill will kill freedom of expression.
 - No, it does not support freedom of expression - It looks like an opportunity to shut us down...looks like we're heading into communism...
 - I have a degree in political science, and I can recognise fascist legislation when I see it.

Questions - Do you believe that draft Bill considers the complexity of content exemptions:

- **No – 61.54%**
- Yes – 15.38%
- Please provide more detail below, if Yes or No does not adequately describe your view:
 - Yes, it considers but I don't understand enough to say how/why.
 - No, it will simply cull anything different to government.
 - No...it cannot be trusted...the fact that it has been developed since the Covid debacle looks like there's an agenda to control free speech. It would be wonderful if the 'fact checkers' were controlled though...They hid the truth and worked for those with an agenda.

- The draft bill would confine discussion to quarters remote from the ordinary voter and the duress against publication would over time see very little other than government approved narrative aired.
- The whole concept changes daily so any regulations/policies etc will always be playing catch-up but I think the Bill is a great step forward.

Questions - Do you believe that draft Bill is fair regarding the size of the penalties:

- **No – 50%**
- Yes – 23.08%
- Please provide more detail below, if Yes or No does not adequately describe your view:
 - There should be no penalties for expressing an opinion.
 - Not fair...period.
 - There should be no penalty for freedom of speech in a democracy.
 - NO - good god they should not have the right to penalise... though the previous 'fact checkers' on social media channels should be penalised for hiding truths and not controlling the real disinformation.
 - There should not be any draft bill or penalties.
 - The excessively large penalties will cause self-censorship of poorer people wanting to participate in questioning or debate leaving the rich capable of asking questions without fear of bankruptcy for daring to question authority. These powers are so obviously capable of abuse by government who are interestingly exempt from prosecution. This will only nurture further tyranny.

Questions - Do you believe that draft Bill addresses any other issues:

- **No – 80.77%**
- Yes - please specify other issues addressed (19.23%):
 - The draft bill is an appalling piece of censorship that is not fit for a democratic state.
 - The loss of our sovereignty and freedom of speech as a democratic country.
 - The draft bill is normative. It fails to comprehend the previous historical pitfalls of this sort of oppression, including in Germany in the 1930's, in Ukraine now, where it has just been made illegal to publicly criticise the government, or in the UK where people are being imprisoned for what amounts to what Orwell termed thought crime.
 - I am sure someone will interpret it differently to their own benefit.

Questions - Do you believe that draft Bill fails to address any other issues:

- No – 42.31%
- **Yes - please specify other issues the Bill fails to address (57.69%):**
 - It allows government to spread information that is exempt from the proposed regulations.
 - It fails to allow people to have rights to make their own inquiry into any subject, no matter what subject it is. It's a total violation of yet another human right.
 - It will be undemocratic.

- The real reason Mr Albanese wants to introduce this legislation.
- The public need more transparency from the Government as to what this bill will exactly entail, who will determine what is dis/misinformation and why it would be questioned if it doesn't follow the Government's idea or narrative. Also fails to address what and who would be exempted from following this bill E.g. Is the Government exempt?
- Freedom of speak.
- When the government is itself the purveyor of misinformation and disinformation.
- It sounds like free speech will be curbed, and indeed it has been curbed horribly in the last 3 years. This bill should be addressing the recent 'fact checking' which has caused the truth to be hidden for far too long...and in the process many people died and were terribly injured from an injection that the developers didn't even call a vaccine themselves. This bill should be addressing the politicians, the media and other groups and organisations that knowingly followed and accepted payment to deliver a narrative that they knew was incorrect.
- The penalties don't apply to those in power!
- It needs to be scrapped. The bill is nothing more than attempt by the military intelligence and law enforcement communities to remove a citizen's right to peruse information and determine its value or lack of, for themselves.
- The fact that "govCorp" is acting in lockstep with World organisations that are NOT area specific, Foreign influence on Sovereign countries is UNLAWFUL and UNCONSTITUTIONAL, What if the "EXPERT" advice is WRONG, due to lack of accurate & correct science,?? (As seen in the FALSE Pandemic).
- Abuse of power. There is no protection or accountability for the judges of what constitutes mis dis non im, in, il, or any other "not" prefix you want to use, information.
- It fails to address how information will be deemed as misinformation and / or disinformation.
- The high penalties on the social media companies will mean they will remove posts without proper investigations.

Outcomes

Community members were asked to provide their opinion on what they thought would be the outcome if the proposed changes to the legislation were, and were not, accepted. The feedback has been included below.

Question - What do you think will be the outcome if the proposed changes to this legislation are accepted?

- An angsty transition period.
- Less fraud and damage for users of the internet.
- Curtailment of free speech, government control of citizens similar to Stalin and the Nazi.
- Loss of free speech, a step towards North Korea style governance.
- Communism.

- Totalitarianism-style government overreach by bureaucratic departments unaccountable to the electorate.
- Loss of freedom of expression and speech.
- We will become another China or Russia.
- If this legislation is accepted the Government would solely control what is mis or disinformation and remove the rights of Australians to free speech. There is not presently a single source of 'truth' nor should there ever be on any issue until a diverse range of unbiased opinions from external sources have been well heard, debated, discussed & exhausted. This would lead to a dystopian future under a tyrannical rule for all Australians.
- Oppression of alternative views to that of the government's disinformation.
- Censorship of all speech Detrimental to our freedom and society
- The death of truth and democracy. Opening the door for discrimination on religious and contrary views. A "brave new world " governed by the "ministry of truth".
- It will be dire.
- Censorship.
- A significant reduction in disinformation and the organisations that publish it and vastly improved fact checking by those organizations prone to issue misinformation.
- I hope it is scrapped.
- Hell on earth for those who question the narrative pushed at us from gov and those in power.
- Reduction in FREEDOM of speech on many issues that is NOT part of a FREE society, I will NOT consent.
- Abuse of process, abuse of power, misrepresentation, censorship with no options to complain in any meaningful way against the few in control of what is information.
- Freedom of express.
- It will make information that we access more reliable and using the Internet just a little bit safer.
- Clear regulated environment in which disinformation and misinformation are better managed by government on behalf of the community.
- If accepted the changes will provide too much power to the ACMA and limit the freedom of individuals.
- Critical reduction to Australian's freedom of speech and opinion.

Question - What do you think will be the outcome if the proposed changes to this legislation are NOT accepted?

- It would be a great day for democracy in Australia and freedom of speech.
- Continued disinformation and online platforms continuing to have this if information on them - which can harm public and society.
- The internet and social media will be overrun with spam, lies and fraud.
- Freedom of thought and the ability to promote ideas and engage in debate.
- We remain a free country with free speech.
- At least people won't be penalised for normal human activities.
- Our freedoms will be intact for a bit longer.
- Status quo.

- A very happy population.
- All Australians will continue to have the right and freedom to express diverse opinions as we have done for many years and the right to freedom of opinion and expression is contained in articles 19 & 20 of the International Covenant on civil & political rights.
- Status quo, freedom of speech, thought and ideas.
- Our country can continue and we can encourage critical thinking and freedom of speech.
- Freedom of thought and belief systems will live another day.
- We will remain a free country.
- Freedom of expression and freedom of speech.
- Increasingly wild assertions will issue from disinformation specialists and with a subsequent loss in the credibility of "honest" organizations and publicists. This could result in widespread loss of reputation for commercial organizations, political parties, community groups and individuals.
- Another step towards fascist government and bureaucracy.
- Hate to think how all the lies and disinformation have already hurt and killed people and that would continue.
- Nothing, the truth always works itself out, lies by whatever source will self-implode, Science is subjective and always changing with EVIDENCE.
- A step in the right direction toward individual autonomy. If we can't have autonomy, we are simply chattles of the state. No thanks.
- No major issues.
- We will continue to spiral down the path of destruction we are on and eventually the Internet will become a digital Wild West.
- Great misinformation and disinformation.
- Individuals will remain in control, with freedom to decide what is misinformation and disinformation.
- Nothing.

In Summary

RDA Southern Inland works across a region encompassing 44,639 square kilometres, including seven local government areas in the south-east of NSW, home to over 210,000 Australians. Our mission is to support the development of regional Australia, acting as a conduit between residents, business owners and government agencies, providing a connection point for growth, prosperity, and liveability. We drive jobs, investment, and innovation through collaboration, communication, advocacy, and the facilitation of regional projects. We strive to disseminate information and resources to our community members and provide unbiased support.

RDASI understands that misinformation is the dissemination or sharing of inaccurate or false information without the intention to deceive. It can be spread unintentionally due to a lack of knowledge, misunderstandings, or errors in reporting.

Whereas disinformation is deliberately false or misleading information which is created and spread with the intention to deceive, manipulate, or influence public opinion. Disinformation can be used as a tool

for propaganda, manipulation, or to spread false narratives to achieve specific objectives. It may involve the deliberate distortion of facts, the omission of important details, or the creation of entirely fabricated stories.

We acknowledge that measuring misinformation can be a challenging and complex task due to its dynamic nature and the vast amount of information available through various channels, including social media, news outlets, word of mouth, and online forums. Approaches and methods used to assess the prevalence and impact of misinformation may include surveys, polls, fact-checking, content and data analysis, and experimental studies, with different methods often yielding varying results.

Similarly, measuring disinformation can be extremely challenging since disinformation involves deliberate efforts to deceive and manipulate. There is no foolproof method to measure disinformation, however, we understand that several approaches are used to assess its prevalence and impact, including digital forensics, network analysis, case studies, media monitoring, surveys, interviews, and collaboration with service providers. It's clear as to why measuring disinformation requires a multidisciplinary approach, involving expertise in fields such as research, computer science, social sciences, communication, and journalism. Despite best efforts, given the covert and sophisticated nature of disinformation campaigns, measurement practices may fail to capture the full extent of disinformation activities.

Based on the feedback provided by the RDASI community and our role as advocates, along with our understanding that the interpretation and analysis of misinformation and disinformation data requires careful consideration and expertise to avoid biases and ensure accurate conclusions, **RDASI strongly recommends that the changes** proposed within the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023, **should not be accepted**.

I thank you for the opportunity to provide feedback via this regionally targeted submission, on the exposure draft of the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023.

Kind regards,



Carisa Wells
CEO and Director of Regional Development