

Draft Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

**Response Submission**

***Preamble.***

This legislation is possibly the worst I have seen in my life, bar none.

What makes it so bad is that it directly attacks free speech under the guise of protection. I ask, protection from what? From Who? A reasonable person only needs look back over the last three years and see that the only people who have been dealing in false or misleading information are the very people who are specifically protected under this proposed legislation.

The last thing that came close to being true that came out of the mouth of a political 'leader' was when Scott Morrison said of Covid that 'for most people, those of us who are blessed with good health and are in good condition, then this is a mild condition'. (Transcript 42738, 18/3/20, attached) That was true. Every government and news position held on this subject has been proven wrong since, and no amount of political spin would now convince those of us taking notice otherwise.

Those who would be charged with being the arbiters of 'truth' in this instance are the very people the public needs protecting from.

*Jeffrey Dagan, Justice of the Peace (Qual) and extremely concerned citizen.*

***Definitions<sup>1</sup>***

***Democracy*** (*noun*) a system of government **by the whole population** or all the eligible members of a state, typically through elected representatives.

***Disinformation*** (*noun*) False information which is intended to mislead, especially propaganda issued **by a government organisation** to rival a power or the media.

***Misinformation*** (*noun*) False or inaccurate information, especially that which is **deliberately** intended to deceive.

***Lie<sup>2</sup>*** (*verb*) To say something not true **in order to deceive.**

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<sup>1</sup> *Oxford Languages*, <https://languages.oup.com/google-dictionary-en/>

<sup>2</sup> *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/lie>

## **Discussion.**

The Australian Government website<sup>3</sup> claims that '*Misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as to our democracy, society and economy*'.

I would argue that in order for a premise or belief to be correct (or at least valid and sound, i.e., *not* mis/disinformation or an outright lie), it must be able to be challenged and for alternate ideas or deductions to be made or presented as alternative.

Indeed, Australian Parliamentary Privilege is deemed necessary for this very reason. The Parliament Infosheet<sup>4</sup> on Parliamentary privilege states that '*Special rights and immunities are necessary because of the functions of the House, for example, the need to be able to debate matters of importance freely, to discuss grievances and to conduct investigations effectively without interference*' and that '*The privilege of freedom of speech is often described as the most important of all privileges.*'

What right does a democratic government, as servant to the people in a functioning democracy, have to dictate to its constituents what must be thought about any subject at any given moment?

What right does a democratic government have to stifle public debate on any matter just because it has 'settled' on a position on that matter?

What keeps a democratic government accountable to its citizens when willing media do not? Obviously, this is rhetorical – governments more and more do not wish to be held accountable to their citizens.

This act is the deliberate and wilful decision of government to suffocate criticism and prevent debate in our nation; to curtail freedoms hard fought and won by our ancestors who lay down their lives so that those who come after them can live their lives in peace and freedom from tyranny. **This act is tyrannical.**

When I read it, I hardly imagined the day when the dystopian novel by George Orwell, *1984*, would become a volume in the Australian Government playbook by nominating themselves as the 'ministry of truth'. Let's not forget that its *modus operandi* was to keep citizens obedient by creating propaganda and altering history. 'War is Peace'. 'Freedom is Slavery'. 'Ignorance is Strength'. **This act creates a 'ministry of truth'.**

In the interests of human rights, the act of 'Naming and shaming' by international non-governmental organizations (INGOs) such as Amnesty International requires information on local human rights violations from Civil society organisations (CSOs). In response, some governments have imposed an increasing number and variety of restrictions on CSOs operating in their territory, including funding restrictions, arbitrary arrests and travel obstructions. **This act restricts truth being established.**

While it can be a depository for useless, senseless and false information, a reasonable person *must* be permitted to be able to scour the internet - including social media - to determine **for themselves** what is fact, what is fiction, what is feasible and what is fantasy – just as we have for centuries prior to the internet.

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<sup>3</sup> <https://www.infrastructure.gov.au/have-your-say/new-acma-powers-combat-misinformation-and-disinformation?fbclid=IwAR0vcOCEYfLjAijPsRuwOoDrSlv9oL4MhRNUrG4qQCFKPaahz023BTaro0>

<sup>4</sup> *Parliament of Australia, Infosheet 5*

[https://www.aph.gov.au/about\\_parliament/house\\_of\\_representatives/powers\\_practice\\_and\\_procedure/00\\_-\\_infosheets/infosheet\\_5\\_-\\_parliamentary\\_privilege](https://www.aph.gov.au/about_parliament/house_of_representatives/powers_practice_and_procedure/00_-_infosheets/infosheet_5_-_parliamentary_privilege)

We already have debate stifled by big tech, as is demonstrated by the deplatforming of the sitting United States of America and other prominent and other eminent individuals whose narrative did not 'fit' what they deemed acceptable. Who are 'they' to determine what should be heard and not heard in a democracy?

It is improper for any democratic government who believes in freedom and the democratic process to permit big tech, big pharma or other non-sovereign entities to restrict the rights of Australians as such, let alone actively seek to enforce them to restrict it. It is not the democratic governments place to restrict any reasonable opinion on religion, science, education, medicine or any other matter. Nor is it the democratic governments place to restrict *unreasonable* opinion. The only way to silence unreasonable speech, is with more speech.

The definitions of 'harm' in the document are broad and open to abuse, preventing real debate being able to be had in the community, and not just in the Parliament, a body who seems to be drifting further and further from reality each day. Let's not forget who serves who here – you represent us, you don't dictate to us.

This legislation will provide the government with the ability to de-platform any person who expresses views it does not agree with in extreme Orwellian fashion.

For example,

- Those of us who called out the government mandates as folly or harmful in relation to Covid measures, 'vaccines' and other heavy-handed actions during the so-called pandemic.
- Those of us who don't believe in man-made climate change.
- Those of us who resist the centralisation of power, big government and surrender of sovereignty.
- Those of us who reject the concept of a 'great reset'.
- Those of us who disagree with an indigenous voice to parliament.
- Those of us who speak out against indoctrination and sexualisation of children into adult concepts.
- Those of us who give a shit about who we are, where we came from and want to restrict what we will let government subject us to.

In summary, free speech is the cornerstone of democracy - you cannot have one without the other. This legislation is the stuff of Mao, Stalin, Hitler and Mussolini.

As a student of history, I watch with curious interest how the votes fall on this one. I firmly believe that this is the most terrible legislation and it *must* be abandoned, not altered or watered down, but completely abandoned by all Australians who believe in the democratic process.

'THE LAST ACT OF TRUTH' or 'HOW TO LEARN FROM HISTORY'

Transcript 42738 Release date 18/3/2020

Press Conference – Australian Parliament House, ACT

Prime Minister, Scott Morrison.

*(on severity of the virus)*

'Now, as you've heard me say many times and you've heard Dr. Murphy say on many occasions, **for most people, those of us who are blessed with good health and are in good condition, then this is a mild condition.** For the more vulnerable, for the elderly, for those who have other health challenges, this is a far more serious condition for them. And so it is important that we who are healthy, those of us who will contract this and experience a mild illness, that we do what we can to limit the spread to ensure that those who are more vulnerable are not affected. If we slow the spread then we do save lives, and that is very much the strategy the governments of Australia are following as we move through this crisis.'

*(on school closures)*

'**The health advice is that schools should remain open.** That is the health advice. Interestingly, this is also what Singapore has done. Singapore has been one of the more successful countries. In Singapore, the schools are open. In Singapore, they've been quite effective in managing and limiting the transmission of this virus in that country. The health advice here, supported by all the Premiers, all the Chief Ministers and my Government is that **schools should remain open.**'

*(on 'misinformation')*

'Finally, you'll be pleased to know, **there's a lot of misinformation out there. There's a lot of ridiculous stuff circulating on text messages and the internet about lockdowns and all of this and sadly, there's even been cases of wilful fraud and misrepresentation and fraudulent preparation of documents, even recordings, alleging to represent Cabinet meetings and things of this nature. Don't believe it, it's rubbish.** Go to [health.gov.au](http://health.gov.au). Go to the relevant state health websites to get your information on what's happening. Avoid all that nonsense that you're seeing on social media. There are a million experts, it seems, but the experts that the Government is relying on, one of the most important is standing next to me here and now, all of the state Premiers and Chief Ministers and myself are working with those experts, whether it's in supply chains, whether it's in workforce management, whether it's in health, whether it's in power or telecommunications, they're the people we're getting our information from. We'll continue to update you as regularly as is possible with clear decisions on what we're doing, **but on the misinformation - just ignore it. If you hear it from me, if you hear it from a Premier, if you hear it from Dr. Murphy, if you hear it from those official sources and websites, that's the information you should follow.** If you're hearing it from someone just saying whatever pops into their head or whatever their opinion is on a particular topic - opinions are interesting but everybody has them. **Facts are important.** Information is what we need to make proper decisions on and you need to make property decisions on, and that's why we'll give you the information as best we can and as regularly as we can. I thank you for your patience and I'll now pass over to Dr. Murphy.'

Dr Brendan Murphy, Chief Medical Officer

*(on shutting down of society)*

*'Social distancing is really important to prevent delay transmission in the community of this virus over coming months. But be clear, a short term 2-4 week **shutdown of society is not recommended** by any of our experts. **It does not achieve anything.** We have to be in this for the long haul. As the Prime Minister said, it could be six months, more, that we have to practice these new ways of interacting. So therefore our measures have to be sustainable. **There is no way that we can lock down society, make everyone stay home, and then in a month's time undo that because the virus will just flare up again without any real long-term benefit.** So we have to have sustainable measures, but they have to be serious measures. They have to be effective and that's why we've put in a range of measures that the Prime Minister has outlined with more information to come later.'*

*(on school closures)*

*'So it'll be hard for schools, **but it would be much, much, much harder for society if our schools were closed.** We want our children to be looked after in schools, if they were at home, we know that they probably wouldn't stay at home, they would probably congregate anyway and if transmission were occurring it would happen, or they may be looked after by vulnerable elderly relatives who are the people we are worried about.'*

*(on severity of the virus)*

*'As the Prime Minister has said, **most people with this virus have a mild disease.**'*

Now recall what actually happened.