

Dear Reviewing Members:

I would like to express my appreciation for the opportunity to provide feedback on the draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

While I support the need for such a Bill, the current draft should not be passed for the following reasons:

1. The Bill should not place regulatory powers solely in the hands of the ACMA to hold digital platforms to account. In addition, the Bill will empower the ACMA to compel digital platforms to provide information and evidence about misinformation and disinformation on organisations or individuals. This is a breach of freedom of speech and privacy.
2. The Bill violates Australia's commitment to human rights under Article 19 of the Universal Declaration of Human Rights (UDHR) which was ratified by Australia. The Article includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
3. The Bill lacks a holistic approach to the management of misinformation and disinformation on digital platforms. The Australian Human Rights Commission submission to the Senate Select Committee on Foreign Interference through Social Media has such a holistic approach.
 - a. A submission by the Australian Human Rights Commission dated 16 February 2023 "Inquiry into the risk posed to Australia's democracy by foreign interference through social media" was made to the Senate Select Committee on Foreign Interference through Social Media.
 - b. In the submission, a wider range of recommendations were made. Highlighting some of the recommendations are:
 - i. The Australian Government establishing a permanent "whole-of-government" taskforce dedicated to preventing and combating cyber-manipulation in Australia.
 - ii. Addressing and proposing recommendation to the risks to privacy through digital literacy and transparent frameworks that apply to all social media and internet companies.
 - iii. Transparency of censorship where social media platforms must publicly disclose the content they have censor and making it an offence to censor content whether that has not publicly disclosed to the users.

The Bill in its current draft requires further consultation and review before it is ready to be considered for legislation. The greatest danger to this Bill is that it lacks sufficient safeguards and is a provision for organisations and interest-groups including the Government to control and manage the perception of the General Public on issues through censorship.

Regards,
Lay Meng