Mr. Josiah D. Trigg
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August 2nd, 2023

To: The Department of Infrastructure,
Transport, Regional Development,
Communications and the Arts,
GPO Box 594
Canberra ACT 2601

Re: New ACMA powers to combat misinformation and disinformation (*Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023).*

To whom it may concern,

SUBMISSION

Introduction

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (**The Department**) have invited public feedback and opinion on an exposure draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (**the Bill**). This public feedback is requested by the due date of August 20th, 2023.

This submission is penned by one Mr. Josiah D. Trigg, an Australian citizen, residing in the suburb of [redacted]. I, Josiah, have firm concerns regarding the exposure draft Bill and its immediate and long-term implications and consequences for both the Australian citizenry and residents.

As it states in the Bill's current drafting, if passed, the legislation would allow the Australian Communications and Media Authority (**ACMA**) exorbitant and unreasonable authority to govern all forms of online digital media, with the exception of the handful of specific instances outlined in Bill.

Firstly, the Department has uploaded two other documents, namely the 'Guidance Notes' and 'Fact Sheet', that in the Departments estimation, support the exposure draft Bill. It is imperative to note that the supporting documents provide inadequate summary to the instances outlined in the Bill and thus, provide false witness to the function intended for the Bill. Secondly, the Bill contains subjective and unclear definitions for "misinformation," "disinformation," "serious harm," "false," "misleading," and "deceptive." These definitions, in their ambiguity, do not provide the public with a clear representation of the Bill's intended desires. Lastly, the Bill in its current drafting, with its desired intention to grant the ACMA

power to control information via online digital service providers, directly violates International Human Rights Treaties, namely the *International Covenant on Civil and Political Rights* (**ICCPR**) and the *United Nations Universal Declaration of Human Rights* (**UDHR**). These violations revolve around the human rights issues of freedom of thought, expression and opinion.

The following points of discussion will be outlined in this submission:

Section 1 The Intention of the Bill and why it is 'Problematic' 3

1.1 The Bill's stated intention and what it actually does
1.2 The restrictions placed upon individuals who post content online
1.3 Vague definitions of "misinformation," "disinformation" and "serious harm"
1.4 The Bill grants the ACMA exorbitant power

Section 2 Australia's Obligations to International Human Rights Treaties 9

2.1 International Covenant on Civil and Political Rights (ICCPR)
2.2 United Nations Universal Declaration of Human Rights (UDHR)
2.3 Provisions that acknowledge the right to freedom of expression are tokenistic
2.4. The Australian Human Rights Commission (AHRC)

Section 3 Concluding Remarks and Concerns 14

1 The Intention of the Bill and Why it is 'Problematic'

1.1 The Bill's stated intention and what it actually does

The Bill has been published alongside a 'Fact Sheet' and 'Guidance Note.' The Fact Sheet states the following intention of the Bill:

> "Misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as our democracy, society and economy.
>
> The Bill would give the Australian Communications and Media Authority (ACMA) reserve powers to act, if industry efforts in regard to misinformation and disinformation are inadequate."[1]

Additionally, the Guidance Note states the following in section 1.3:

> "The proposed powers seek to strike a balance between the public interest in combatting serious harms that can arise from the propagation of misinformation and disinformation, with freedom of speech.
>
> The Bill aims to incentivise digital platform providers to have robust systems and measures in place to address misinformation and disinformation on their services, rather than the ACMA directly regulating individual pieces of content. The Bill does not seek to curtail freedom of speech, nor is it intended that powers will be used to remove individual pieces of content on a platform. The proposed definition of misinformation and disinformation is intended to provide guidance on the types of harms the powers are designed to address. The concept of 'serious harm' is intended to ensure that the ACMA's use of its powers, and the platforms' systems and processes, are targeted at harms with significant implications for the community."[2]

In summary, based upon the Guidance Note and Fact Sheet, the Department intends to:

(a) Protect Australians from misinformation and disinformation, which, the Department considers harmful,
(b) Grant the ACMA powers that can be implemented in the case of when the industry standards are not adequately regulating themselves, according to the ACMA's standards,
(c) Primarily target the digital service providers themselves, rather than individuals.

Although these statements from the Guidance Note and Fact Sheet appear to give an insight into an authentic motivation behind the Bill, the concern is that these intentions do not appear within the specific wording of the Bill itself. This is greatly misleading.

The Bill proposes that the ACMA will be granted the following powers (as per 'the issue' documented on the Departments website):

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[1] Fact Sheet, page 1.
[2] Guidance Notes, pages 6-7.

(a) "Enable the ACMA to gather information from digital platform providers, or require them to keep certain records about matters regarding misinformation and disinformation
(b) Enable the ACMA to request industry develop a code of practice covering measures to combat misinformation and disinformation on digital platforms, which the ACMA could register and enforce
(c) Allow the ACMA to create and enforce an industry standard (a stronger form of regulation), should a code of practice be deemed ineffective in combatting misinformation and disinformation on digital platforms."[3]

These three powers display an overreach of power by unelected bureaucrats. The concern is that these unelected individuals will have the power to silence Australian citizens, through the medium of developing and enforcing misinformation codes and standards that the digital service providers will be required to adhere to.

1.2 The restrictions placed upon Individuals who post content online

As noted above, the Guidance Note states that the Bill's intention is to "incentivise digital platform providers to have robust systems and measures in place to address misinformation and disinformation on their services, rather than the ACMA directly regulating individual pieces of content. The Bill does not seek to curtail freedom of speech, nor is it intended that powers will be used to remove individual pieces of content on a platform."[4] These statements can lead an individual to view the Bill as only affecting the digital service providers themselves, and not individual end-users (the everyday citizen who uses the service). However, the Bill clearly outlines that compliance with the digital platform rules and misinformation codes and standards, as determined by the ACMA, is required by the end-user also. Thus the provision of the Guidance Note is significantly misleading.

The Bill, in section 9, states that "content is provided on a digital service if the content is…accessible to ***end-users*** using the digital service" (emphasis added).[5] In other words, individuals who utilise a digital service to post content that reaches an audience greater than one, fall under the powers granted by the Bill to the ACMA. This means that individuals who post content online, would need to comply with the digital platform rules and misinformation codes and standards, as determined by the ACMA. The result would be that the individual would also be subject to the severe civil and potentially criminal penalties that the Bill proposes in the event of those codes and standards being breached.

As mentioned above, the misleading nature of the Guidance Note and Fact Sheet bring into question the integrity of the Department, for it is not only the providers that are governed by this proposed Bill, but it is also anyone who wishes to use any online digital service to share and post content to more than one other user.

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[3] https://www.infrastructure.gov.au/have-your-say/new-acma-powers-combat-misinformation-and-disinformation
[4] Guidance Notes, page 7.
[5] The Bill, section 9.

In summary to the above, the approach that this Bill proposes is clearly incongruous and an unacceptable imposition of power, through an unelected entity, upon the citizenry of Australia. The implications of such a proposal are an outright dismissal of the fundamental human right to freedom of speech and expression (more on this point later). Any individual who wishes to express themselves through any online form, becomes subject to, through the intermediary platform providers, the codes and standards as implemented and enforced by the ACMA. It is a fundamental erosion of democracy and, if passed, would prove the end of a free internet market of ideas and opinions, destroying the fabric of a modern democratic society.

The 'why we want your input' section of the 'New ACMA powers to combat misinformation and disinformation' web page on the Department website states that they are seeking feedback to see "whether it [the Bill] strikes an appropriate balance on a range of issues, including: freedom of expression…"[6]

To answer this question here: No! This Bill does not strike an "appropriate balance" on the notion of freedom of expression. In fact, it radically removes the human right of all individuals within Australia to freedom of expression and opinion. There is no balance possible with such propositions.

1.3. Vague definitions of Misinformation, Disinformation and Serious Harm

As per the name of the Bill, it is founded upon the idea that 'misinformation' and 'disinformation' are harmful to the Australian citizenry, and thus, Australians must be protected by the Government from such a supposed threat. It thus stands to reason, that one must understand what the definitions of 'misinformation' and 'disinformation' are in order to comprehend the proposed Bill in its current form.

The definition of 'misinformation', as per the Bill, is:

> (1) "For the purposes of this Schedule, dissemination of content using a digital service is ***misinformation*** on the digital service if:
> (a) The content contains information that is false, misleading or deceptive; and
> (b) The content is not excluded content for misinformation purposes; and
> (c) The content is provided on the digital service to one or more end-users in Australia; and
> (d) The provision of the content on the digital service is reasonably likely to cause or contribute to serious harm."[7]

Further, and in brevity, the distinguishing factor between 'misinformation' and 'disinformation', according to the Bill's definitions, is that the "person disseminating, or

[6] https://www.infrastructure.gov.au/have-your-say/new-acma-powers-combat-misinformation-and-disinformation
[7] The Bill, section 7(1).

causing the dissemination of, the content ***intends*** that the content deceive another person" (emphasis added).[8]

Problematically, these definitions are completely founded upon the judgement of whether the information/content being assessed is "false, misleading or deceptive".[9] It must be noted that none of these three words are defined in the Bill itself.

The unexplicit definitions of 'misinformation' and 'disinformation' in the Bill relies purely upon a subjective perspective to what is and is not truth. Using the word "false" to define content that is classified as 'misinformation', implies that those within the ACMA will have the jurisdiction to adequately determine the distinction between falsehood and truth. To give this sort of definitional power to an unelected organisation (ACMA), or any organisation for that matter, is extremely dangerous. Not everybody agrees on what is and is not true, and therefore to state that the ACMA will have the right to govern according to their definitions of truth and falsehood, is honestly ridiculous and a flagrant governmental overreach.

Further, the Guidance Note states that "ACMA [will not] have a role in determining what is considered truthful."[10] The Fact Sheet also notes a similar thing: "The ACMA would have no role in determining truthfulness…"[11] Both of these statements are totally misleading and incorrect, given the contents of the Bill and the definitions provided. The Bill itself contains no such claim.

It is clear that the definitions of "false," "misleading," and "deceptive," are entirely subjective, and thus prove a near impossibility to define adequately. In light of this ambiguity, the consequences of such a Bill passing would give power to the ACMA to determine to the citizenry of Australia what is and what is not true. And given the power that the ACMA would have includes the ability to create, overrule and enforce codes and standards upon 'requirement', it will most certainly lead to a form of authoritarian digital censorship being imposed upon the people of Australia.

Further, the definitional distinction between 'misinformation' and 'disinformation', as referred to above, reveals that an individual is guilty of posting disinformation if they post with the "**intent**" to deceive another person. Again, I ask, who arbitrates what is and is not a qualifying intention/motivation? These definitions are subjective, ungovernable, and pose a real risk to the fundamental rights of Australian people. The error lies in granting a small, unelected body of individuals the power to determine, (a) what an individual's motivation of heart is, and (b), what is true and what is not true.

Unfortunately, the subjective and unclear definitions do not stop at 'misinformation' and 'disinformation.' 'Serious harm', as defined in the Bill, is also predicated upon total subjectivity. It is so subjective that it will mean something different to every single individual who reads it. This renders the Bill's definition of 'harm', meaningless. The Bill defines harm as:

[8] The Bill, section 7(2).
[9] The Bill, section 7(1a).
[10] Guidance Notes, page 7.
[11] Fact Sheet, page 9.

"Harm means any of the following:

(a) Hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability.
(b) Disruption of public order or society in Australia;
(c) Harm to the integrity of Australian democratic processes or of Commonwealth, State, Territory or local government institutions;
(d) Harm to the health of Australians;
(e) Harm to the Australian environment;
(f) Economic or financial harm to Australians, the Australian economy or a sector of the Australian economy."[12]

Part (a) of this 'harm' definition is the predominant basis of subjectivity. If one truly understood the populous of Australia, they would understand that amongst Australians there are very diverse, and often polar-opposite sets of opinions and expressions, that fall within the categories listed in part (a). For example, what might be considered harmful to me, may not be considered harmful to the next person, and vice versa. Further, the Bill contains no definition to the boundaries of what is and is not "hatred," adding to the degree of subjectivity. To predicate a Bill upon a definition of subjectivity like this is completely unreasonable and proves the definition to be meaningless. It highlights the danger of giving the ACMA the implicit authority to govern online information in this way. It shouts authoritarianism.

Further, section 7(3) of Schedule 1 states:

"For the purposes of this Schedule, in determining whether the provision of content on a digital service is reasonably likely to cause or contribute to serious harm, have regard to the following matters:

(a) The circumstances in which the content is disseminated;
(b) The subject matter of the false, misleading or deceptive information in the content;
(c) The potential reach and speed of the dissemination;
(d) The severity of the potential impacts of the dissemination;
(e) The author of the information;
(f) The purpose of the dissemination;
(g) Whether the information has been attributed to a source and, if so, the authority of the source and whether the attribution is correct;
(h) Other related false, misleading or deceptive information disseminated;
(i) Any other relevant matter."[13]

My concern with section 7(3) is predominantly part (i), "any other relevant matter." Including this within the framework of the Bill will give the ACMA the power to determine what matter is relevant and what matter is not relevant. It is a "catch-all" definition that leaves boundaries undefined, and provides scope for the ACMA to self-determine the boundaries. Without clear

[12] The Bill, section 2.
[13] The Bill, section 7.

understanding on the boundaries of a definition, such definitions are at risk of being misused. This gives the ACMA unconscionable power, beyond that which is acceptable in a democratic society, and even more so given that they are unelected.

1.4 The Bill grants the ACMA exorbitant power

Based on and further to the prior concerns mentioned, the proposed Bill will grant the ACMA an exorbitant and inappropriate amount of power.

Primarily, the Bill allows the ACMA unilateral power and control over the entire online digital content sharing space, whereby it can create codes and standards, that every end-user of an online service must comply with. In its current drafting, the ACMA would be able to create and enforce any code or standard according to what the ACMA deems "necessary", without accountability, oversight or consideration of opposing views or concerns. In my understanding of democracy, this ruling would subvert the foundation of a democratic structure that is meant to allow for freedom of expression and the right to hold opinions ***without interference***.[14]

Even though the Guidance Note and Fact Sheet ascertain that the ACMA's code and standard creation would only apply in certain circumstances of insufficient regulation by the digital service provider, the Bill states otherwise. For example, according to the Bill, if the ACMA determines an industry code to be "deficient", they will simply be able to produce and implement a new one. Section 48 of the Bill states that a code is "totally deficient if, and only if, the code is not operating to provide adequate protection for the community from misinformation and disinformation on the services."[15] Therefore, the Bill is providing scope for the ACMA to have unilateral authority to deem a code as "deficient" based upon its own insufficient and flawed definition of 'misinformation,' as argued in 1.3 above.

Such proposition for unilateral authority to be given to an unelected organisation (ACMA) is, in my opinion, a breach of fundamental human rights and the Australian vision of democracy. In this current exposure draft, the ACMA is granted unfettered power to determine the truth of what is and is not said, according to their subjective definitions of 'misinformation' and 'disinformation.' To make note again, the Bill and supplying documentation are not congruent with each other, and thus, the Guidance Note and Fact Sheet both display misleading and deceptive commentary on the real function of the Bill. As will be explored next, the current drafting of the Bill is a fundamental breach to International Human Rights Treaties.

[14] ICCPR, Article 19.
[15] The Bill, section 48(6b)

2 Australia's Obligations to International Human Rights Treaties

2.1 International Covenant on Civil and Political Rights (ICCPR)

One of the most relevant international human rights treaties, to which Australia is a covenant member, is the ICCPR. Article 19 of the ICCPR states the following:

1. "Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others;
   (b) For the protection of national security or of public order (*ordre public*), or of public health or morals."[16]

As previously argued and detailed, the Bill will primarily give unilateral power to the ACMA to create 'misinformation' codes and standards which would apply to any individual who disseminates content publicly, excluding the limitations[17] and exclusions detailed in the Bill (approved education providers, professional news media, and Government – among others).[18]

ICCPR Article 19(1) specifies the human right to "hold opinions ***without interference***." Article 19(2) then furthers the definitions by explaining the right "to freedom of expression" with the inclusion of "freedom to seek, receive and impart information and ideas of all kinds…either orally, in writing or in print, in the form of art, or **through any other media of his choice**." The Bill proposes an interference to the expression of one's opinion through a media of their choice. With the powers given to the ACMA, they will be able to unilaterally govern the opinions and content that is published across the online digital landscape, on individual and corporate scales. On this basis alone, the Bill is a violation of Article 19 in the ICCPR, and is a breach of the Australian Government's democratic claim to uphold fundamental human rights.

Further, ICCPR Article 19(3) details that (1) and (2) may be subject to special duties and responsibilities. This may mean that they need to "be subject to certain restrictions…as are provided by law and are **necessary**." The wording of "necessary" refers to something that is unequivocally essential. Following this train of thought, I would have to propose that Parliament will need to justify within a legal framework why the entirety of the Bill is **necessary** "for the protection of national security or of the public order, or of public health or

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[16] ICCPR, Article 19.
[17] The Bill, sections 34, 35 and 36.
[18] The Bill, sections 2 and 6.

morals."[19] From my point of view, the supposed threats of misinformation and disinformation being disseminated online does not constitute such a breach of human rights.

Additionally, ICCPR Articles 1 and 18 are important to note.

Article 1(1) states:

> "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."[20]

Such determination, in today's world especially, is intertwined with the use of online digital services. Individuals, businesses, educational and religious institutions, charities etc, all use websites, blogs, podcasts, and social media to share information with their communities. This Bill grants the ACMA the power to restrict the expressions of many of these institutions, even when most are seeking to aid in cultural and economic development for the betterment of Australian society. On an individual level, such a Bill would hinder a person's right to self-determination and expression, given the cultural intertwining between online digital services and an individual's freedom to express their opinions and contribute to their society. Thus, in our digital age, the Bill violates article 1 of the ICCPR, the individual's right to self-determination.

Article 18(1) states:

> "Everyone has the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practise and teaching."

Freedom of thought and freedom of expression go hand in hand. I am an individual who holds to a devout Christian faith, one who teaches within his Christian communities, and one who runs his own Christian teaching website and blog. I am particularly concerned that our freedom to express this faith will come under the powers and scrutiny of this unelected ACMA entity, thus, restricting a part of our expression. I see this to be a violation of Article 18(1) of the ICCPR. Many Christians use online digital service providers to distribute content, provide updates and disseminate information. Many use websites, social media, podcasts and bulk messaging services for these tasks. In light of this Bill, and given the subjective definitions of harm and misinformation, I am greatly concerned that these opportunities will be taken away from myself and those within many communities who seek to express their opinions and thoughts as guided by and informed by our Christian faith. Article 18(1) includes the right to "manifest his religion in…practise and teaching." Again, to hinder and prohibit such teachings and practises under the subjective definitions of 'misinformation' and 'harm' provided by the current rendition of the Bill, is a breach of the ICCPR Article 18.

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[19] ICCPR, Article 19(3b)
[20] ICCPR, Article 1(1).

In summary, the Department must define the intentions of the Bill adequately and precisely by providing an explanation of what the problems truly are that would render this Bill as "**necessary**" in its requirement for the protection of national security (ICCPR, Article 19(3b)). Such an explanation errs on impossibility given what is proposed through this Bill.

2.2 United Nations Universal Declaration of Human Rights (UDHR)

Akin to the thoughts in 2.1 above, the Bill also violates the United Nations Universal Declaration of Human Rights (UDHR), specifically articles 18 and 19.

Article 18 says the following:

> "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religious of belief in teaching, practise, worship and observance."[21]

Article 19 is as follows:

> "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."[22]

As stated earlier, freedom of thought and freedom of opinion and expression go hand in hand. They are fundamental characteristics of a democratic nation that pursues to uphold such treaties for foundational human rights.

Not much else needs to be stated here in light of the depth of explanation above in 2.1, for the pointers are the same. What I will reiterate though is that the Bill, in its current formulation, completely erodes the fabric of a democratic society, whereby the fundamental human right of the "freedom to hold opinions without interference" is being ignored and discarded entirely.

I remind the reader again, that the modern democratic society we live in utilises digital service providers and the access one has to the internet, to connect and inter-relate personal opinions and feelings. To present an unelected body with the power to govern and censor according to the subjective definitions presented within the Bill, denies the fundamental human right to freedom of thought and expression. This is authoritarian in nature and signals the destruction of any historic vision for an Australian democracy.

[21] UDHR, Article 18.
[22] UDHR, Article 19.

2.3 Provisions that acknowledge the right to freedom of expression are tokenistic

Upon setting forth the above criticisms and concerns of the Bill, whereby the Bill violates international human rights treaties, I will now quote some phrases used in the Guidance Note and Fact Sheet to prove their tokenistic quality.

From the Guidance Note:

> "The proposed powers seek to strike a balance between the public interest in combatting the serious harms that can arise from the propagation of misinformation and disinformation, with freedom of speech."[23]
>
> "In balancing freedom of expression with the need to address online harm, the code and standard-making powers will not apply to professional news and authorised electoral content, nor will the ACMA have a role in determining what is considered truthful."[24]
>
> "The Bill excludes certain content from the definition of misinformation to strike a balance between the public interest in combatting misinformation, with the right to freedom of expression."[25]

From the Fact Sheet:

> "The Bill includes strong protections for privacy and freedom of speech."[26]
>
> "In seeking to implement regulatory measures to ensure digital platform providers actively combat misinformation and disinformation on their services, the government is committed to achieving a balance that upholds the rights and freedoms of Australians whilst protecting Australians from serious harm that can come from the spread of misinformation and disinformation."[27]

The common theme in the above quotations is the Departments desire to balance freedom of speech with their proposed intention to address online harm and misinformation.

As has been discussed in prior sections of this submission, the definitions of misinformation and harm are misleading and subjective. Thus, without bounded definitions, the Bill gives the ACMA exorbitant amounts of power. These statements in the Guidance Note and Fact Sheet prove to not only mislead the reader, but they are also tokenistic in nature, as the Bill does not include or support such claims. The Department must explain to the public why there are clear discrepancies between the 'summary / easier to read' supporting documents, and the Bill itself. Such discrepancies should be noted by the Department and thus, the exposure draft of this Bill be found to be inadequate and unnecessary before Parliament.

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[23] Guidance Notes, section 1.3, page 6.
[24] Guidance Notes, section 1.3, page 7.
[25] Guidance Notes, section 2.1.4, page 12.
[26] Fact Sheet, page 2.
[27] Fact Sheet, page 8.

2.4 The Australian Human Rights Commission (AHRC)

From the *Australian Human Rights Commission Act 1986*, the Australian Human Rights Commission (AHRC) was formed. Within the explicit legislation that governs such an organisation, the AHRC are required to:

(e) "To examine enactments, and (when requested to do so by the Minister) proposed enactments, for the purpose of ascertaining whether the enactments or proposed enactments, as the case may be, are, or would be, inconsistent with or contrary to any human right, and to report to the Minister the results of such an examination; and

(f) To:

  i. Inquire into any act or practise that may be inconsistent with or contrary to any human right; and
  ii. If the Commission considers it appropriate to do so – endeavour, by conciliation, to effect a settlement of the matters that gave rise to the inquiry…"[28]

On the basis that the Department has given the public an exposure draft of the Bill with its proposals, the AHRC are legally obligated to examine the Bill to ensure whether it has any form of inconsistency with regards to human rights. The claim has been made in 2.1 and 2.2 of this submission that the Bill does in fact violate international human rights treaties, namely the ICCPR and UDHR.

Given the scope of this Bill and the powers that it proposes to give the ACMA, I believe the public needs to be informed as to (a) whether the AHRC has examined this draft and (b) what its determination is.

[28] Australian Human Rights Commission Act 1986, section 11 (1e and 1f).

3 Concluding Remarks and Concerns

As an Australian citizen and a devout Christian who understands that his views fall within a minority grouping in Australia,[29] the prospect of the government enacting a Bill that intends to silence any voice that might carry a contrasting opinion to that of the ACMA, appals me. The prospect of personally being censored across the entire digital media landscape with severe civil and possible criminal consequences, brings to my memory historical examples from the past century of totalitarian governments, and their subsequent, horrific failures. History has shown us that when a government seeks to become the arbiters of truth and the determiners of what is "false," the collective trust in that government's authority dwindles immensely.

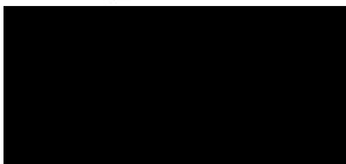
The Bill, as currently proposed, is illogical and undemocratic. It scoffs at the principles of fundamental human rights, to which the nation of Australia has covenanted themselves into upholding. Given the (a) subjective definitions of misinformation and harm, (b) the Bill's inability to balance itself with the human rights of freedom of opinion and expression, and (c) the prospect of severe civil and criminal charges to be brought upon individuals as well as corporate entities, it is unlikely that any amendment to the Bill would garner my own, nor many in the Australian public's support.

In its current exposure draft form, I utterly and resolutely **oppose** the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023*.

In sobriety, if the Bill was allowed to pass, it will hearken to the death of democracy in Australia. Within this nation, the freedom of speech will be non-existent, and the Government will prove that they wish to attain power and control, over above that of serving the Australian people. The desired control of online information sharing, as expressed in the Bill is authoritarian, and the Department needs to be aware of this, as does the AHRC.

August 2nd, 2023.

Sincerely,



Mr. Josiah D. Trigg

[29] Australian Bureau of Statistics, Religious Affiliation 2021 Census data. https://www.abs.gov.au/articles/religious-affiliation-australia