

SUBMISSION:
New ACMA powers to combat
Misinformation and Disinformation

I strongly object to this bill for the following reasons.

The government's justification in its own fact sheet accompanying the exposure draft of the bill illustrates its inherent dangers because of the broad-brushed (ambiguous) scope of its definitions. In this it states:

“Misinformation and disinformation spread via digital platform services is a major issue worldwide. The rapid spread of false, misleading and deceptive information online has resulted in a multitude of harms from disrupted public health responses to foreign interference in elections and the undermining of democratic institutions.”

For me, introducing any restrictions that affect: political debate; the public health response to COVID-19; the supposed foreign interference in elections, and “undermining” democracy—is abhorrent and totally un-Australian. It also denies Australians their human rights to free-speech using social media.

The fact that the bill denies individual citizens the right to criticise—yet explicitly exempts communication being issued from any level of government that may be considered misinformation or disinformation—demonstrates how Orwellian this law (if approved) will become.

While the bill's penalties won't apply to individuals, it will enforce an oppressive means of suppression of any speech on social media companies.

Digital platforms that do not comply will face substantial penalties—up to, the greater of, AUD\$6.88 million or 5% of global turnover for corporations (in recognition of the size of digital service providers), and up to \$1.38 million for individuals.

This fact alone means that if one individual breaches this bill with a comment posted on Facebook, and the company (Meta) is fined, that breach being 5% of a \$180 billion turnover could become an \$9 billion penalty. This is ridiculous!!

In response to such draconian measures, all social media companies will be forced to use a broad brush approach when applying the edicts issued from ACMA to stifle free speech on behalf of the government. The need to stifle most free-speech on public-interest topics will be necessary for media companies to avoid the extremely harsh penalties that apply if anyone using their platform breaches this law.

If this bill became ‘law’, censorship would most likely affect Climate Change opinions, as currently experienced by Nobel Prize-winning physicist John Clauser, as he discovered recently.

In a recent interview with the Epoch Times, he is quoted as saying:

“I am, I guess, what you would call a ‘climate change denialist,’” Mr. Clauser told The Epoch Times. His training in science makes him “a little bit different” from some others, he said.

The physicist, who also won a third of the Wolf Prize for his quantum mechanics contributions, shared some of his views on climate during a recent speech in South Korea soon after his election to the CO2 Coalition's board of directors.

"I believe that climate change is not a crisis," Mr. Clauser told the audience at Quantum Korea 2023.

He also described the United Nations' Intergovernmental Panel on Climate Change (IPCC) as "***one of the worst sources of dangerous misinformation.***"

Like Robert F. Kennedy Jr., who also opposes many government narratives, Mr. Clauser may find it hard to get his message out there if the opposition remains sufficiently entrenched. For now, the physicist doesn't sound likely to yield.

"We are totally awash in pseudoscience," he told The Epoch Times¹.

I recognise that social media is rife with misinformation and disinformation; but the only way to combat it is to publicly refute it, not censor it.

Article 19 of the Universal Declaration of Human Rights, which Australia helped to draft in 1948 says this:

"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** and regardless of frontiers."
(Emphasis added.)

If (so-called) democratic governments cannot be held to account through their populations and the media questioning their actions using free-speech, any restrictions imposed on free-speech means such governments have become totalitarian towards their people and therefore remain unaccountable for their heinous and often illegal actions.

It is for the above reasons that I strongly oppose this bill.

Yours sincerely,

Alan Manson
3 August 2023

¹ https://www.theepochtimes.com/mkt_app/us/exclusive-we-are-totally-awash-in-pseudoscience-nobel-prize-winning-physicist-on-climate-agenda-5430650