

Subject: Feedback on the Exposure Draft of the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

To: Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Dear Sir/Madam,

I am writing to provide feedback on the exposure draft of the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. I have some concerns regarding the potential misinformation and disinformation powers that may be granted to the Australian Communications and Media Authority (ACMA), or any government body globally. It is important to address these concerns to avoid the risk of granting excessive control and censorship over the internet, leading to a potential totalitarian regime.

I would like to highlight the potential issue of questioning the Combating Misinformation and Disinformation) Bill 2023 itself, as such skepticism could be deemed as misinformation or disinformation under the powers granted. This raises concerns about the freedom of expression, take for example topics like multiple genders and differences between religions. If openly expressing disagreement in a public forum could be considered as producing misinformation, it raises questions about selective censorship based on the platform. Considering the internet's role as a diverse platform for ideas, I believe that censorship is not an effective method to construct stronger arguments or foster logical discussions based on facts. It is crucial to recognize the comprehensive nature of ideas and their potential influence on informed adults. Encouraging self-censorship or enforcing censorship through fiscal repercussions and powers granted to bodies like the ACMA can manipulate people's thoughts, practices typically associated with countries like Communist-run China, North Korea, or Russia, rather than Australia. Instead of outright banning ideas people disagree with, they should be openly debated, disproven, or discredited in the public square.

Furthermore, I would like to address the example presented in the guidance paper concerning damaging critical infrastructure. It is difficult to imagine a person of sound mind making a decision to damage property based solely on advice received from an internet source. Personally, I would prefer engaging in feedback-driven discussions rather than resorting to destructive actions. Similarly, when considering instances of misinformation that led people to ingest or inject bleach products as a treatment for viral infections, it is evident that a person of sound mind would not engage in such actions. The need for

explicit instructions to avoid such behavior raises questions about the level of trust the government places in individuals and the intelligence it attributes to the general population.

I have not come across examples demonstrating the integrity of Australian democratic processes or the institutions of Commonwealth, State, Territory, or local governments being undermined by misinformation and disinformation. Restricting open discussions about politics may not bode well with those who value freedom in our country.

While targeting disinformation by foreign actors who promote imported goods over local producers is understandable, a person who is informed and of sound mind should be able to differentiate between misleading information and make informed decisions. Although such differentiation may be more challenging than identifying calls to ingest poison or cause property damage, it is not an impossible task.

In conclusion, the potential grant of misinformation and disinformation powers to the Australian Communications and Media Authority (ACMA) raises concerns about a slippery slope toward totalitarian control and censorship of the internet, whether intended or unintended. I firmly believe that it is not the role of the government to dictate how the internet is used to express opinions, as long as those expressions do not incite violence. Relevant government agencies should monitor any calls to violence. If we slowly erode the ability to express opinions openly, peaceful political expression will be increasingly restricted, and the purpose of using the internet as a platform for open discourse will be lost. Simply put, in my feedback, I express concerns about the potential grant of powers to regulate misinformation and disinformation on the internet, emphasizing the importance of open discourse, the risks of censorship, and the need to preserve freedom of expression while addressing harmful content.

Thank you for considering my feedback on this important matter.

Yours sincerely,

Darren Gerlach B.Acc