

Feedback on an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

The pace the people are losing their common sense is frightening.

I believe the proposal is a risk to democracy and an abuse of its principles. It is anti-constitutional and its lawfulness is doubtful. I strongly object to it for the following reasons:

INCONSISTENCIES INCOMPATIBILITY (NON-CONFORMANCE) AND LEGALITY

It is difficult to find satisfactory descriptions of misinformation and disinformation. Definitions of both terms in Subclause 7 appear to be vague, and incomplete and seem to be provided specifically for the use of the Bill. They are open for interpretation, and potentially for misuse.

This matter carries the danger of further equipping the rulers with the powers of having arbitrary 'final say' without providing valid and acceptable scientific evidence. There appears to be little information on who and how will determine that the information is 'false', 'misleading', or 'deceptive'. safeguards are required against mishandling. Is the Bill sufficiently clear about this?

There appears to be no safeguard against mistaking 'misinformation' for the 'proper' information and against broad misinterpretation and possibly abuse.

DEFICIENCIES AND ADVERSE CONSEQUENCES

Decision-makers are supposed to rely on guidance provided by science, technology, and experts. This advice may potentially be misinterpreted or mislead. There are numerous proven cases when 'approved' advice turned out to be incorrect. The last 3 years have demonstrated that information that guided decision-makers was in fact the very mis-information. Excessive numbers of deaths caused by wrongly adopted advice about preventative measures are unmistakable proof. Mis-information was adopted based on advice provided by experts and computer modeling. This eventually instigated an ongoing debate, while people continue to die.

The above raises concern that misinformation may potentially be arbitrarily adopted by decision-makers as 'righteous' and consequently cause harm. In the One World global government scenario the harm caused by a mistake could be huge and devastating. And this is contrary to the purpose of this exercise.

This legislation would require the government to consistently control all its tiers and agencies to ensure fairness. This would raise numerous concerns.

One of the significant traps is uncertainty if all government instrumentalities are clear about what is right and what is wrong. For example, - in the futuristic digital world - will all agencies agree that 50% grey is black, not white?

HUMAN RIGHTS AND EGALITARIANISM

The Bill is potentially in breach of Section 19 of the UN Universal Declaration of Human Rights which grants rights to everyone to freely express opinion.

Freedom of speech is the fundamental right and strength of a healthy democratic society. Free speech and informed debate are the greatest achievements of the modern free world and must be preserved at all costs. Every piece of information has its value and everyone should be free to share it. Denying or tampering with freedom of expression is a sign of poor authority and a potential lead-up to dictatorship. Instead of filtering or restricting information, measures to be strengthened to improve safeguards against misuse and harmful effects. The focus should be on making people aware of the consequences and penalties of providing information that – at some stage - may prove harmful. The requirements to provide the identity of the sender, references, and advice about implications may need to be further explored. A system of warnings (e.g., a statement 'this is my personal opinion') or a need to provide sources is supported to assist with interpretation.

All references may include elements of 'misinformation' as not all resources will be flawless. The focus should be on facilitating the proper interpretation of data by recipients comprehensively with the participation of a broad range of competent entities. A good educational system is advantageous in such instances. Educated people are more likely to evaluate information accurately, therefore eliminating misinformation and minimizing any harm.

The last thing the community would accept is an arbitrary delivery of unchallenged and unverified authoritarian 'opinion' which would then be called 'information'.

Overall, it is my opinion, that the disadvantages of the proposed amendment would outnumber the advantages, if any, and is unwarranted. It could potentially have serious adverse consequences on the fabric of modern society. It would also create a logistic nightmare in practical implementation. Instead, the focus should be on promoting community awareness and education and securing reasonable control of sources and providers of the information. Data providers to be required to do so in a responsible manner with consequences of wrongdoings outlined adequately. By no means people should be denied the right to express their opinion. Overregulating has many long-term adverse effects and is not supported.

It is simply not possible to turn all shades of gray into black and white.

I strongly oppose the introduction of the proposed laws.

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