

Proposed "COMMUNICATIONS LEGISLATION AMENDMENT (Combating Misinformation and Disinformation) Bill 2023"

IT IS A 100% NO FROM ME

As a country we, Australia/Australians are supposed to care about freedom of speech and freedom of expression.

Australia has covented into caring about freedom of speech and freedom of expression via the "INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS", which at article 19 states "NOT ONLY DOES EVERYBODY HAVE THE RIGHT TO HOLD FREE OPINIONS BUT EVERYBODY HAS THE RIGHT TO FREELY EXPRESS THOSE OPINIONS THROUGH ANY MEDIA THAT THEY CHOOSE".

I do not agree with the new legislation amendment proposed by Prime Minister Albanese's government to grant the Australian Communications and Media Authority (ACMA) unprecedented unilateral control over dissemination of information online, with civil and criminal penalties for dissenters.

Granting ACMA control and power to penalise people for what they deem as Misinformation and Disinformation on social media platforms is clearly in breach of the International Covenant on Civil and Political Rights that Australia signed up for.

I want the primary means of information sharing in our current society to remain relatively censorship free and indeed to remain an open market place so that we don't fall into corrupt hegemonic ideologies that cannot be shifted or that can only be governed and controlled by the authority, the ruling class, the government.

This Bill is a dangerous and inappropriate abrogation of a fundamental Human Right that will severely restrict freedom of speech and expression in Australia and will essentially allow the Australian Communications and Media Authority "ACMA" to decide what information is true or false and therefore what information should be allowed on the internet and what shouldn't. And if information that ACMA don't like is allowed on the internet massive civil and criminal penalties will be meted out to person or platform that makes publicly available information that ACMA deem to be misinformation and disinformation. This will all be at the discretion of ACMA how and what they define as Misinformation and Disinformation and it will be open to change as ACMA deems fit.

"Section 7" How the words Misinformation and Disinformation are defined as follows "For the purpose of this schedule, (which really means for the purpose of this Bill), dissemination of content using a digital service is Misinformation on the digital service if the content contains information that is false, misleading or deceptive and the content is provided on the digital service to one or more end users in Australia and the provision of the content on the service is reasonably likely to cause or contribute to serious harm.

7.1A The content contains information that is false, misleading or deceptive....There is no definition of false, misleading or deceptive in this Bill.

That's because it would be almost impossible to define information that is false, misleading or deceptive or indeed impossible in Science there is no such thing as truth. There is only such thing as the best currently available evidence and or data all off which is subject to regular change which inevitably occurs.

“We experienced this ever changing information and data over the past 3 years during the hype of Covid when the government body and representatives pumped us up with ever changing information, sometimes daily, from vaccines being Safe and effective, to vaccines giving 99% protection and you won't get Covid or pass it on, then 80% protection with vaccines and you won't pass Covid on, to 60% effective and can catch Covid and pass it on, well until finally it went down to 0 protection from Covid and you can pass it on but you won't die but still keep getting your boosters. Now this is how Misinformation and Disinformation is identified, a classic example of false information without long term Scientific backing, evidence and data being fed to masses as Safe and Effective! A bit like Thalidomide how it was sold to pregnant women as the be all cure for morning sickness and after years of babies being born with deformities due to the effects of the mother taking the drugs during gestation. It took an Australian Doctor, information as reported via link below: <https://www.thalidomidetrust.org/about-us/about-thalidomide/>, However, the first time the link between thalidomide and birth defects was made public was in a letter published in The Lancet from an Australian doctor, **William McBride**, in 1961”.

Hooray for observant, educated, smart, brave and courageous doctors who actually spend time to do their due diligent research and identify the cause and effect of dangerous drugs and provide evidence to back their research. This is true Science and bravo to one of our own Australian Doctors coming up with the answers to the problem. He has saved many more children from being born with deformities as a result. Just a bit off factual research goes a long way in providing evidence to back up truth and information and dispelling Misinformation and Disinformation not draconian policies and laws that are designed to instill fear into people so they are terrified of repercussions should they present something on media platforms that goes against the narrative and ACMA'S views.

This is not a definition of Democracy. It's a definition of TOTALITARIANISM which is defined as follows:

“Totalitarianism is a **form of government that asserts total control over the lives of its citizens**. It is characterized by strong central rule that attempts to control and direct all aspects of individual life through coercion and repression, and does not permit individual freedom.¹ Under a totalitarian regime, all citizens are subject to the absolute authority of the state. It prohibits opposing political parties and ideologies while controlling all aspects of the

public and private lives of the people. Totalitarianism has a political and philosophical perspective and is prevalent in the modern world.⁰

Imagine if Doctor William McBride was told he wasn't allowed to speak out about the consequences of thalidomide, how many more babies worldwide would have died and been born with deformities.

Back to the topic at hand...

The fact that ACMA will be given power to make digital platforms to retain records of any misinformation and disinformation on the service...this includes social media, podcasts, anything on a search engine. ACMA can force digital platform providers to prepare reports and ACMA can even obtain information from other people, so they can obtain it from individuals.

ACMA will be given power almost like a Subpoena power where if a person is an individual they can be forced to appear before ACMA at a time and place specified in the notice to give any evidence oral or in writing and produce any documents and when providing evidence, which if you don't do there's a massive civil penalty attached, it's more than \$500,000 at a minimum for individuals, you don't get the right against self incrimination.

So unlike a Criminal trial for example where you have the right not to incriminate yourself in a Criminal proceeding, in these cases an individual is not excused from giving information or evidence or producing a document or a copy of this document on the ground that giving it might tend to incriminate the individual in relation to an offence. ACMA can force anyone to attend a misinformation hearing and give evidence and you're not allowed to maintain any right against self incrimination.

This is way over the top, it is onerous, it breaches the human rights of Australians and it's undemocratic. It's clearly going to create scope for manipulation, control, authoritarian censorship as seen in nations where communism regime is in power and has been in power.

It is one of the most brazen pieces of legislation I've ever seen or heard off in a supposedly Democratic nation.

There's no formal regulation that allows any aspect the government or any government department to force social media platforms to only have certain content on those platforms.

This Bill would allow change that would allow ACMA to force digital platform providers to create a code of practice around misinformation and disinformation and if ACMA doesn't like the code those digital platforms come up with they can just implement their own standards, their own code where they define what misinformation and disinformation is and they regulate how that is not allowed to be disseminated on the

internet. ACMA will be effectively unilaterally control everything that is published online in Australia...Please explain how this is not like Communist totalitarian regimes around the world that our diggers fought and lost their lives fighting for our freedom.

“Australian Code of Practice on Misinformation and Disinformation” states:

Digital platforms provide a vital Avenue for the open exchange of opinion, speech, information, research and debate and conversation, as well as creative and other expression across the Australian communities. Signatories should not be compelled by governments or other parties to remove content solely on the basis of it's alleged falsity if the content would not otherwise be unlawful given it's subject matter.

The Code gives special attention to International Human Rights as articulated within the Universal Declaration on Human Rights including but not limited to Freedom of Speech.

Signatories are encouraged to in developing proportionate response disinformation and misinformation, be cognizant of the need to protect these rights

ACMA being given power to determine that anything they don't like is Misinformation is clearly a breach of the Universal Declaration of Human Rights to Freedom of Speech and Expression which Australia signed.

Am I correct that the government is exempt from any consequences or penalties from ACMA if they spread Misinformation and Disinformation via any media platforms?

No government or department needs this sort of power over the people unless they are going to use it to control and manipulate the population into submission.

It's Definitely **100% NO** from ME!