

Have your say, Exposure Draft, Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

I am very concerned about the contents of this draft Bill. It will seriously damage free speech and the freedom of all Australians to be able to read, listen, think and choose for themselves. It is the path to totalitarianism. This Bill must be withdrawn.

1. Standards can be changed (Section 50, page 44)

The fact that the ACMA can change standards any time they consider it necessary is unacceptable. This gives too much power to the ACMA. Any changes must be debated in parliament and approved by parliament.

2. Misinformation and disinformation (Section 7. Page 12)

The ACMA decides what is false, misleading or deceptive and what may cause or contribute to serious harm. 'Serious' is not defined. Those people and organizations listed in relation to excluded content for misinformation purposes, page 5, are considered to be the only arbiters of the truth. Humans are fallible. How can the ACMA and these organizations, including the government, listed on page 5, accurately determine what is the truth and what is not, for every person in Australia? In defence of truth, more and better information is better than less.

3. Meaning of 'harm', Section 2 page 6

The meanings listed indicate that no person or organization, ie the general public and independent media, except those excluded (page 5),

- cannot say anything about the sexualisation of children, and pedophilia,
- cannot question anything related to elections or decisions of government, eg what children are being taught at school,
- cannot question climate change and related government policies,
- cannot protest or call for industrial action.

These meanings of 'harm' seriously stifle the public voice, and free speech. It silences us, which is what this Bill intends to do.

4. Excluded content for misinformation purposes, page 5

It is interesting that so many listed groups and organizations, including Commonwealth, State, Territory and local government have the power to judge what is truth, and so are excluded from being accountable to this Bill. However the public and independent media are to have this Bill applied to them. This is a double standard and is unjust.

5. Standards, rules, codes and records etc

These requirements make it very difficult for digital platform providers to operate. They will not accept or will reject content out of fear of being penalized. They will self censor. The digital platform providers are being forced by the ACMA to prevent misinformation and disinformation. They must comply to survive. This will seriously reduce the amount and diversity of information available to the public. The penalties for non-compliance will be severe.

6. Moves to change misinformation and disinformation laws in USA

On 4 July 2023 the federal district court judge, Terry Doughty imposed a national ban on US government agencies and officials from contacting social media companies to interfere with constitutionally protected speech under the guise of combating misinformation and disinformation. This information needs to be considered when reviewing this draft Bill.

7. How will the implementation of this Bill affect me?

I will no longer be able to access information from a range of diverse sources on topics of concern to me. I will only be able to obtain what the ACMA approves. This is not freedom!

Conclusion

This Bill must be withdrawn.

It is the path to totalitarianism.

It will be death to free speech and the freedom of all Australians to read, listen, think and to choose for themselves. It will damage Australia.

This Bill will cause lasting damage to Australia.