

## Misinformation and disinformation

Dear Sir/Madam,

I wish to lodge an objection to the proposed "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023". The objection to this bill is based on the following grounds;

1. Extremely poor and excessively wide scope of the definition of "Disinformation and Misinformation";
2. The legislation does not apply equally to all Australians and leaves government, institutional and media exempt even though they may be the very organisations that spread "falsehoods, disinformation and misinformation" which can cause harm to society, economy and the health of Australians;
3. The government/ACMA will dominate all the electronic information space and not allow dissent. Hence, the control of electronic forms of information, including political, now rests in the hands of the ACMA which is run by bureaucrats appointed by the government. No one organisation should have this power. It is a bureaucratic institution with views and agendas that may or may not match that of the Australia people.

### Poor Definition

The bill defines misinformation in the following way;

"For the purposes of this Schedule, dissemination of content using a digital service is ***misinformation*** on the digital service if:

- (a) *the content contains information that is false, misleading or deceptive; and*
- (b) *the content is not excluded content for misinformation purposes; and*
- (c) *the content is provided on the digital service to one or more end-users in Australia; and*
- (d) *the provision of the content on the digital service is reasonably likely to cause or contribute to serious harm.*

The scope of (a) is excessively broad. If something is "false" it needs to be shown to be false by an objective measure. This legislation contains no ability to objectively or scientifically measure what is deemed "false". Who decides what is "false" and what is the portion of a statement that is deemed as "false", is required to trigger the designation of "false"? Additionally, what has been decided upon as false today, may not be false tomorrow as more evidence comes to light. The term "misleading or deceptive" is vague. How do you measure deception unless you establish an intent to deceive or mislead for a certain gain? All advertising or "spin" is designed to cause a desired response from the targeted group. How will you define this? In effect this bill says that anyone that publishes something online, that disagrees with the government, media or bureaucratic "narrative" is guilty of disseminating false, misleading or deceptive content. What we have learned from the Covid pandemic period is that governments, media and corporations tell mistruths to set a narrative to further their own gains. This bill enshrines this propaganda power into law and if it becomes enacted will destroy the Australian democratic process.

### The Law does not apply equally to all

Subparagraph(b) Gives the scope of "excluded content" for misinformation purposes. Why should governments, media and educational institutions not be held to account to this bill to the same standard as individuals or "non-accredited" groups? If you are going to "enforce" "truth telling" apply it to everyone. This bill does not apply the law equally. It is unfair and gives legal advantage to

governments and institutions over individuals. This allows the government, organisations and media to collude and direct public thought rather than promote healthy democratic debate.

**The Government/ACMA will dominate the information space and not allow “dissent”**

This bill will allow the government, through the ACMA, to dominate and control the electronic information space using the loose definition of “harm” as a trigger.

As stated; **“harm means any of the following:**

- (a) *hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability;*
- (b) *disruption of public order or society in Australia;*
- (c) *harm to the integrity of Australian democratic processes or of Commonwealth, State, Territory or local government institutions;*
- (d) *harm to the health of Australians;*
- (e) *harm to the Australian environment;*
- (f) *economic or financial harm to Australians, the Australian economy or a sector of the Australian economy.*

This means that anyone expressing an opinion against government “advertising” or organising a protest, strike or other activity to oppose government or corporate “narratives” will now be subject to total censorship and prosecution because it may be deemed to disrupt the public order, or harm the health of Australians or harm the environment or the economy. The ACMA will now decide what is “harm” based on these imprecise measures. This is rule by arbitrary decree! This is totally undemocratic and will destroy our democratic society. The ability to discuss, debate and if necessary, protest against government or corporate policies is a fundamental right that healthy democracies have but this definition will allow the ACMA to say that an opposing viewpoint may cause ‘harm’. So, it will shutdown the discussion by taking legal action.

In summary, this bill enables the government to dominate the digital media space with its own propaganda and not allow alternative viewpoints be displayed. The consequences of this Bill and the recently introduced legislation that allows “intelligence agencies” to “disrupt, delete and control online discussions” will have severe consequences and seriously harm the democratic processes in Australia. I totally object to this bill and it should be discarded in entirety. Australia must not become a state that only allows a state-controlled narrative. As shown throughout the Covid pandemic, governments and their agencies can and do get things wrong and do spread their own ‘mistruths’. If a law is going to be introduced to stop ‘misinformation’, it must be applied equally to all, allowing proper public debate and not allow vested interests/governments to wage a psychological war against the Australian people.