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9/08/2023

SUBMISSION

Combating Misinformation and Disinformation Bill.

To the Hon Michelle Rowland MP

Thank you for the opportunity to make a submission on the Combatting Misinformation and Disinformation Bill (CMDB).

I have a number of concerns over the potential utilisation of the CMDB.

There is a limit of capacity to ethically administer the Bill without overriding the principles of free speech and free exchange of ideas and opinions as expressed in the Universal Declaration of Human Rights. (I understand Australia is signatory to the UN Declaration of Human Rights). The Bill fails to include mechanisms to protect a valid expression of opinion and belief, or to ensure there are clear and defined limits on the suppression of speech.

New information is coming out all the time, therefore unhindered freedom to communicate, debate and assess information is crucial for progress, which this Bill could suppress.

The general terms utilised in this Bill e.g. no practical specificity on the parameters of the term “harms”, which can promote overreach by monitors and allow inappropriate penalisation of social media users. The Bill does not provide a sufficient standard of accountability and oversight for misuse of censorship powers.

The CMDB also reflects a two tier approach to society. If concern with disinformation and misinformation is such that a legislation is required (on top of already existing laws), this is important enough to include all layers of society, including Government agencies, the News and NGOs.

I am also concerned about the potential overreach by the government by utilising NGOs in this manner. ACMA is granted excessive power to compel owners and private users of digital platforms to breach privacy and provide evidence about misinformation and disinformation. Social media is not and should not be treated as an extension of the government.

Finally, the CMDB does not sufficiently address the need for transparency and accountability for actions by both social media and ACMA. To know all the relevant truth on a subject can be impossible and lead to misinformation being promulgated by the censors despite good intentions. I believe that using the CMDB to restrict what people say will lead to a greater loss to society than otherwise.

Thank you for your time
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