

Peter Turner

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14/08/2023

Department of Infrastructure, Transport, Regional Development,
Communications and the Arts

Subject: Submission to the Communications Legislation Amendment (Combating
Misinformation and Disinformation) Bill 2023

Dear Sir/Madam,

I am writing to express my deep concerns and outrage regarding the proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. As an Australian citizen who values freedom of speech, I strongly believe that this bill undermines the very principles that our democracy is built upon.

First and foremost, this bill creates two classes of citizens, which is deeply unfair and undemocratic. Politicians, journalists, and members of educational institutions will be given the power to spread information, whether true or false, while regular citizens like myself will be subjected to excessive fines and restrictions on speech. This risks disproportionately harming ordinary people who often possess more knowledge on certain topics than those in privileged positions. The internet has given a voice to regular people, and this law threatens to silence and harm them.

Moreover, the task of accurately judging what is true or false is impossible and constantly evolving. History has shown that information that was once widely accepted as fact by authorities and experts later turned out to be false. The prospect of labeling information as misinformation or disinformation, whether intentionally misleading or not, is concerning. It stifles open and honest discussions and prevents the exploration of different viewpoints necessary for finding common ground and discovering the truth.

Even Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, has raised serious concerns about the scope and application of this bill. His scathing rebuke via his personal Twitter account highlights the challenges and pitfalls posed by implementing such legislation.

Furthermore, the extraterritorial application of this bill is unreasonable and ignorant of the global nature of the internet. Expecting foreign digital services to comply with Australian laws and industry codes, without any knowledge or representation, is unrealistic and may result in Australia being isolated from the global internet community. We cannot impose our laws on entities outside our jurisdiction while criticizing other countries for doing the same.

The bill also infringes upon the constitutional freedom of political communication. By creating definitions and criteria for what constitutes harm or misinformation, it restricts public discourse on contested matters of scientific investigation and public policy. Limiting legitimate discussion on these topics curtails the implied constitutional freedom of political communication.

Moreover, the bill disempowers ordinary citizens by assuming that only government-approved sources, such as accredited journalists and educators, can determine what is true. This undermines the diversity of viewpoints necessary for sense-making and prevents ordinary people from engaging in the public conversation.

The threats and impositions imposed on digital platform providers and ordinary users are deeply concerning. Reputational damage, financial penalties, and infringement of personal values and faith are likely outcomes of this bill. Snitching on friends, family, or political co-agitators goes against Australian values rooted in mateship and trust.

By categorizing political party viewpoints as misinformation and removing them from digital platforms, the bill hinders the democratic process and leaves voters in the dark. Independent media organizations, journalists, and bloggers will face undue scrutiny and reputational damage, while government-approved journalists receive preferential treatment. This creates a system that incentivizes biased news coverage and undermines the credibility of non-approved competitors.

I urge the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider this bill, as it clearly infringes upon the fundamental rights and principles that underpin our democracy. The proposed legislation is an overreach of power and an attack on freedom of speech and expression.

I kindly request that you take into account the concerns raised by experts, citizens, and the potential repercussions that may arise from implementing this bill. It is crucial to protect and uphold the values and rights that define us as Australians.

Thank you for your attention to this important matter.

Yours sincerely,

Peter Turner