

14 August 2023

**Submission relating to the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023***

In response to the proposed bill, I OBJECT to its entire premise, ideology and its underworks. I DO NOT CONSENT to the Australian Government or any 'independent' body being granted any sorts of powers to:

- Dictate and direct what information we, as Australians, are allowed to access, consider and discern for ourselves.
- Gather certain information, or require digital platform providers to keep records/information in relation to certain information, as is proposed by this Bill.
- Utilise enforcement (the circumstances, conditions, and scope of which are unclear) to impose activities that are unconstitutional, and in breach of Australian's right to freedoms, such as free expression.

Amongst my concerns:

- The concepts of 'misinformation' and 'disinformation' are subjective – they are biased and based on personal opinions and interpretations. Whoever holds the power to determine what is misinformation or disinformation will make such judgements subjectively. At best, this is dangerous if such a person does not have the adequate qualifications, experience, or perception to 'make the right call'. At worst, these decisions may be compromised, corrupted, leveraged for personal gain, targeted to quell personal opposition, bought, sold, or manipulated at will (regardless of what harm it may have on Australia's population, economy, environment, or democratic process).
- Further, whether accidentally or intentionally, content that is deemed 'misinformation' or 'disinformation' on any given day, may in fact be a suppression of information that is truthful/accurate and recognised as such once given different circumstances (such as the passing of more time, deeper research, or heightened integrity. Take for example what we know about the number of planets in our solar system, or the causes/conditions of leprosy, or the effects of cigarette smoking. The views on these subjects (among many others) have see-sawed many times over the years, and the information (the 'truth') we have now, could have been (and probably would have been) deemed misinformation or disinformation on numerous occasions throughout the evolution of information on these subjects.
- Information is power – it is through access to all information and a variety of information that individuals, communities, and Australian society as a whole can evolve, advance, thrive, and prosper. It enhances Australia's ability to adapt, evolve, and innovate, ahead of other nations that are being subjected to the suppression of information. Access to information empowers us to leverage off good ideas and minimise bad ideas. It allows us to learn from history's lessons, mistakes, and violations, so we can build a bright future for generations whilst preventing a repeat of historical horrors. With freedom of access to information, there is access to a wide scope of 'what is good' (in the world), 'what is bad' and 'what is ugly'. By comparison of each with one-another and through discernment, we can choose 'good' individually and collectively. However, if the scope of information is narrowed (and narrowed, and narrowed), it is no longer possible to truthfully discern 'good' or 'bad'; instead, a pre-determined path is set and may mask unimaginable horrors under the perception of 'doing good'. I am sure that there were many 'good' German citizens that violated the human rights of Jewish people during the Second World War, as a direct result of the information they had access to (which was at that time, subjected to powers of what we would now call 'combating misinformation and disinformation').
- The Australian Communications and Media Authority (ACMA) is not an independent body. Labelling the Authority as independent does not make it so, especially as it receives funding from and is reliant upon the Australian Government for being issued its powers through legislation. It is clear

that it has been established in such a manner as to appear to be an independent body (perceptibly separate from government), and at arms-length enough to be distanced from the due legal and democratic processes that government agencies should be subjected to as services (servants) to the Australian people. However, still associated enough to the Government to be regulated, funded, and politicised by government agents.

- Furthermore, the increase in powers being proposed for ACMA are to quote the Government website 'are consistent with the key recommendations in the *ACMA's June 2021 Report to government on the adequacy of digital platforms' disinformation and news quality measures.*' I have no doubt that ACMA (or any entity) would recommend greater powers for themselves, given the opportunity to do so. The fact that this is a consideration of this matter, demonstrates the lack of independence of the Authority or this process and, even more concerning, suggests that there are more sinister intentions at-hand.
- Instead of labelling, limiting, and suppressing information, Government resources would be better spent on educating and supporting Australians to conduct independent research, seek out reliable sources of information, compare and critique information across a variety of sources/viewpoints, apply critical-thinking, and employ discernment in relation to information. It is far better to teach someone how to fish for truthful/accurate information so they are appropriately informed for life, than it is to prevent them from (or feed them) information today that could mean long-term prosperity (or failure) for themselves, the community, and the Australian people.
- The powers to gather certain information is a direct attack on Australian freedoms and values. Such activities can be used for the purposes of surveillance and for the purposes of targeting particular individuals or communities who hold, are perceived to hold, or are misrepresented as holding certain views, opinions or ideologies. Such powers, and increases in such powers, are contrary to the rights of Australians to freedom of expression, freedom of access to services, upholding diversity, freedom of political, religious and other views, and freedom of democracy.
- The need for enforcement. If the proposal to 'combat misinformation and disinformation' is truly as good as it is being sold – that is to the safety and wellbeing of Australians; as means of protecting our democracy, society, and economy' – then it will speak for itself and does not require enforcement in any form. Anything that is truly 'good' will sell itself – most people wear seat belts (in cars, planes, buses, trains, on rides) because they protect and save lives. The benefits of wearing a seatbelt are apparent and widely-valued because the purpose of seatbelts, that is the 'good' they do, speaks for itself. Similarly, if combatting misinformation and disinformation was truly 'good' then the benefit of this proposal should be apparent and 'sell itself' and essentially does not necessitate the need for enforcement. Based on the fact that enforcement has been deemed a necessary component of implementing this strategy, makes it difficult to believe that there are no other, sinister reasons/agendas for this proposal. Further, the proposal allows for the ACMA to create the enforcements as they relate to such matters – what will such activities entail? What are the consequences of enforcement? How is it being determined if the enforcement is acceptable or reasonable? Where is the accountability for such matters? It sounds like the ACMA is being given a blank cheque to write for themselves.

In conclusion, I am opposed to the new powers that are being proposed through the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023*, in particular that a) powers are being given to a particular entity to decide what information will be deemed 'misinformation' or 'disinformation'; b) that the ACMA is being given powers that allow for monitoring and surveillance Australians; c) these powers will limit the freedoms of Australians to having access to certain information; and d) that the ACMA is being granted permission to enforce certain matters (the circumstances, conditions, and scope of which are unclear). I OBJECT to this proposal and I OBJECT TO THE BILL!

With respect and sincerity.