

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

Subject: Feedback on the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

Dear Sir/Madam,

I am writing to express my extreme anger and outrage at the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. As an Australian citizen, I believe that this bill clearly demonstrates the government's lack of respect for the freedom of speech rights of its citizens.

This bill creates a two-tiered system, where politicians, journalists, and members of educational institutions are granted the power to spread information, regardless of its accuracy, while regular citizens are burdened with excessive fines and restrictions on their speech. This is a direct attack on the democratic principles and the power of the internet to give a voice to ordinary people.

The bill fails to recognize the impossibility of accurately judging what is true or false. Why should we trust this sneaky government to determine what is true and what is false? To determine which news and opinion is allowed to be published, and which should be banned to 'protect public health and safety'?

New information is constantly emerging, often contradicting what was once widely accepted as fact. It is unfair to penalize individuals or platforms for sharing information that was considered true at the time. The potential for fines and removal of content under this bill is extremely concerning.

Additionally, the bill's reliance on industry bodies and codes is deeply flawed. These bodies are often influenced by the largest players in the industry, making it likely that the regulations imposed will be anti-competitive and detrimental to smaller digital services. The bill gives undue power to the largest platforms, allowing them to damage their smaller competitors and stifle free market competition.

It is important to recognize that the free market has shown evidence of working in combating misinformation and disinformation. Users naturally migrate away from platforms with lax policies and enforcement in favor of those that fulfill community expectations. This bill undermines this natural competition and innovation in the digital space.

Moreover, the proposed extraterritorial reach of this bill is unreasonable and counterproductive. It places an undue burden on foreign entities and platforms, many of whom may have no knowledge of Australian law or industry codes. It is absurd to expect global compliance with a law that applies to every digital platform, regardless of their familiarity or involvement with Australian law.

This bill also undermines the freedom of political communication and diversity of viewpoints. By designating certain political party viewpoints as misinformation, the bill effectively silences opposition, limiting citizens' access to information necessary for informed voting decisions. This goes against the principles of democracy and citizens' right to access information.

Furthermore, the threats and interference posed by this bill to digital platform providers and ordinary users are unacceptable. The potential for reputational damage, financial penalties, and invasion of privacy is deeply concerning. It creates an environment of fear and censorship, discouraging open and honest dialogue.

We are already seeing this with the Voice Referendum as *Prime Minister Anthony Albanese can be seen to link the growing international wave of misinformation to the campaign against the Indigenous Voice to Parliament, saying he is optimistic Australians will look past a confected culture war and support the referendum.*

So on one hand, Labor says stopping misinformation is about 'keeping Australians safe online'. On the other hand, the Prime Minister says misinformation is people who don't agree with his divisive proposal to embed a new bureaucracy in our Constitution.

For left-wing governments and commentators, 'misinformation' has become the new 'hate speech' – terms used by the left to justify legal punishment against any opposing views.

There are many red flags raised by this Bill. Perhaps the biggest is the fact that Albanese has exempted anything from his own government or the media from being considered 'misinformation'. Yet anything said in response to the government by the Opposition or another political party, or by any member of the public, can be considered misinformation and censored. This is a total double standard.

In conclusion, I strongly believe that the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 is an unreasonable and unjust restriction on freedom of speech and enterprise. It fails to address the complexities of determining truth and misinformation, stifles competition, and disregards the principles of democracy.

I urge you to reconsider this bill and prioritize the protection of freedom of speech and the democratic principles that Australia holds dear.

Thank you for your attention to this matter.

Yours sincerely,

Brenda Griffiths