

Submission Template

15/08/2023

Department of Infrastructure, Transport, Regional Development, Communications and the Arts  
GPO Box 594, Canberra ACT 2601

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

Dear Sir/Madam,

I am writing this submission to express my deep concerns and strong opposition to the proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. As an Australian citizen, I believe that this bill severely undermines our freedom of speech and threatens the democratic principles that our society is built upon.

The bill creates a worrying division in society, granting certain individuals and institutions the power to spread information, whether true or false, while imposing restrictions and excessive fines on regular citizens. This classification disregards the wealth of knowledge and expertise possessed by everyday Australians, many of whom may even surpass the understanding of those deemed experts or authorities in certain fields.

The Internet has been a transformative platform for democratic discourse, allowing ordinary people to have a voice and participate in important conversations. However, this legislation puts undue restrictions on speech, surpassing even the most restrictive digital services in existence today.

Assessing the veracity of information is an incredibly challenging task, further complicated by the constant emergence of new information that may contradict previously accepted facts. The examples I have provided demonstrate how even authoritative figures and experts have made statements that were later proven false. Under this bill, such statements could be considered misinformation and subject to removal, undermining the freedom of speech that allows for open and honest discussions.

Furthermore, the bill targets even potentially misleading or deceptive true information for removal. Freedom of speech encompasses the importance of allowing individuals to be wrong and engaging in debates to reach a consensus based on truth. Restricting such discussions stifles intellectual growth, erodes public trust, and promotes censorship rather than truth-seeking.

Even experts appointed by the government, such as Dr. Nick Coatsworth, have raised concerns about the scope and application of this bill. His remark on Twitter highlights the inherent difficulties in implementing legislation that can lead to fines levied on information that may not be deliberately false or harmful. This reaffirms the danger of government intervention in determining what is considered truthful or misleading.

Moreover, the bill's potential impact on the democratic process is deeply troubling. The ability of citizens to access necessary information to make informed voting decisions relies heavily on digital platforms, which this bill seeks to regulate and censor. By categorising political viewpoints as misinformation, the bill could effectively remove crucial information from public scrutiny, leaving voters in the dark and undermining the functioning of our democratic system.

Additionally, the bill creates an uneven playing field for independent media organisations, journalists, and bloggers by subjecting them to complex reporting standards and opening them up to reputational harm via misinformation reports. This places them at a disadvantage compared to government-authorized publications, which are exempt from such scrutiny. It is disconcerting to consider that these authorized journalists may be incentivized for favourable coverage, potentially compromising the integrity of the news.

Australia, as a signatory to the Universal Declaration of Human Rights, is obligated to uphold and protect the right to freedom of thought, conscience, religion, and freedom of opinion and expression. Categorising fundamental faith worldview or tenets as misinformation exhibits intolerance and may result in curtailing religious freedoms and violating international human rights norms.

In conclusion, the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023 threatens our democratic values by impeding freedom of speech, undermining the credibility of individuals, and compromising the democratic process. It is my strong belief that addressing misinformation should be approached with caution, focusing on education and fostering critical thinking rather than imposing restrictive measures that may have unintended consequences.

I urge the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider this bill and ensure that any proposed legislation upholds the rights and freedoms of Australian citizens, protects democratic principles, and fosters an environment for open and honest discussions.

Thank you for considering my submission. I trust that you will carefully review the concerns I have raised.

Yours sincerely,