

15 August 2023

To Members of the Australian Parliament,

I write with concerns regarding the clarity and transparency of the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, introduced by the Labor Party.

I hold sincere concerns that this proposed amendment will limit our democratic right to 'Freedom of Speech' and reduce people's right to a voice, for fear of punishment and/or retribution.

In a democratic society like Australia, there are certain rights and freedoms that we cherish. One of these rights is the freedom of speech, which allows us to express our thoughts, opinions, and ideas openly – without fear of punishment or censorship.

Australia, as a democratic society, needs to continue to allow its citizens to discuss important matters, challenge authority and contribute to public debates. Free speech promotes diversity, creativity and progress, by encouraging the exchange of different perspectives. In a democracy, everyone's voice matters, regardless of their age, gender or social status – with the exception of hate speech or incite of violence toward others.

Free speech enables citizens to participate actively in the decision-making process, providing a platform for debate, dissent, and accountability. It ensures that governments are transparent and open to criticism, which helps prevent the abuse of power. Free speech allows citizens to express their concerns and bring attention to social and political issues that need addressing.

As an educator, we teach students to be critical thinkers; and we teach them that all authors have a bias or particular view point in what they write. We also teach students to look for a minimum of three pieces of information saying the same thing, to determine the truthfulness of an article. Then based on our own beliefs and values, culture and societal ideologies, we determine our own version of what is true. Two people can see the same information and still come away with different

perspectives and interpretations. I feel strongly that we need to be allowed to have individual thought and to hear debates from all sides, so that as free thinkers, smart adults, we can find a middle ground of what we believe to be true or to side with the group of similar views – all within the realms of what it means to be an Australian – care for our fellow man with respect for all.

My concerns for the proposed bill are as follows:

Do we need another organisation when we already have organisations in place that manage national security, international issues, terrorism etc?

How many people will form ACMA and what will their credentials be that qualify them to be the authority on what is 'truth', in regard to misinformation and disinformation? Science is ever evolving, facts and situations change eg When I went to university to become a teacher, certain theories and ideologies were presented as current, best practice. 15 years later, those theories are being replaced with new 'best practice based on research-based evidence'. While at university, I questioned some of these theories, because they didn't make sense to me based on what seemed reasonable. What was true then, is not true now, and I was right to question, debate and provide reasoning for my thoughts. Without questioning, ideas get stuck and become limited. Consider how many students we failed because everyone just followed the norm of what they were told was correct, rather than query, ask further questions; look for a better way to achieve more successive outcomes.

Look at covid – many things were said to be untrue or partially untrue at the start of Covid, which later turned out to be corrected. Debate and opinions are essential for growth of thought.

For ACMA to deem certain information to be 'misinformation' or 'disinformation', I would expect their claims to be supported with facts or data, to confirm such judgement; and I would advocate for a process of appeal to be available. How can there be one universal truth when truth is different things to different people?

Why is this amendment targeted at just online digital platforms? What about other modalities like mainstream media, news, newspapers, radio shows, magazines etc – are they not written with a certain bias that could also be seen as disrupting public health responses, inferences to foreign interference in elections and undermining of democratic institutions.

Why are these powers needed? Online platforms already seem to be monitoring and fact checking information. Not that I agree with this, as I believe as smart individuals, we all have a right to have our say and share our thoughts. Critical thinking comes from listening to both sides, then forming an opinion. This is what we teach students at school. This is what is in the Australian Curriculum.

Under your category of 'Serious Harm', laws already exist to deal with these assertions of harm. The Online Safety Act 2021 already exists, along with an eSafety Commissioner. Why do we need an additional organisation (ACMA) with arbitrary power to decide what is true and what is not?

The amendment proposal needs to include more examples of what a breach may possibly look like. I am of the strong opinion that this feels like a Big Brother movement, designed to control and monitor free speech, and prevent freedom of thought. It will subdue Australian citizens from having a voice and move communication underground. Much better for communication to be upfront, transparent and visible for all to see. In today's online world, people are quick to contribute their thoughts and viewpoints if they like or don't like what is being said.

I don't agree that there should be exemptions for politicians, mainstream media, educators and comedians. What is good for the goose, is good for the gander. The exemptions create an imbalance in the treatment of different voices and different viewpoints. Many independent media groups have organically grown over the past few years, and I advocate for their right to continue discussion, debate, conduct interviews, share research papers and advise of documented facts and figures. I am smart enough, educated enough to sift through what I hear to determine what I believe to be true; based on my own moral compass, societal and familial values. I don't see how restrictions on digital media can protect us from serious harm, when

misinformation and disinformation can still be presented to the public via mainstream media, news outlets, magazines, radio etc.

In light of these concerns, I, the undersigned, call on the Parliament to:

Reject the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, recognizing that it poses a threat to freedom of speech in Australia.

Safeguard the principles of freedom of speech and expression as cornerstones of Australian democracy, ensuring that all individuals, media outlets, and political parties are equally protected in exercising their right to free speech.

Conduct a thorough review of the bill to address its subjective definition of misinformation and the imbalance in protections provided to different entities, aiming to foster a fair and inclusive environment for open public discourse.

Thank you for your attention to this matter.