



# Federation of Ethnic Communities' Councils of Australia

Submission into the Communications Legislation  
Amendment (Combatting Misinformation and  
Disinformation) Bill 2023

20 August 2023



*FECCA pays its respects to Aboriginal and Torres Strait Islander Elders past and present and recognise the land we live and work upon was never ceded. FECCA proudly supports the Uluru Statement from the Heart and its call for the establishment of a First Nations Voice protected by the Constitution.*

*FECCA acknowledges that our work on behalf of multicultural Australia has learnt from and been enriched by First Nations peoples and organisations. We are committed to continuing to listen, learn and support First Nations peoples in the journey to a more inclusive society.*

## Foreword

The Federation of Ethnic Communities' Councils of Australia (FECCA) welcomes the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill, which proposes a new framework for the Australian Communications and Media Authority (ACMA) to hold digital platforms accountable for sharing harmful misinformation and disinformation. Many multicultural communities are highly impacted by the dissemination of mis and disinformation across emerging digital platforms, and it is important for consideration to be given to their experiences and insights into the design of the legislation and reforms.

We commend the new powers for the Australian Communications and Media Authority (ACMA) proposed in the Bill for being in accordance with recommendations from the [National Anti-Racism Framework Scoping Report 2022](#), which calls for better regulation of media, especially social media, to prevent experiences of racism. The regulation of discriminatory, misleading, and harmful information on digital services platform is undeniably necessary.

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## Who we are

FECCA is the national peak body representing people from multicultural communities and their organisations across Australia. Through the membership of state, territory, and regional councils, we represent over 1,500 community organisations and their members.

## What we do

For over 40 years, FECCA has proudly worked alongside culturally and linguistically diverse communities, the broader Australian society and the Commonwealth government to build a successful, productive and inclusive multicultural Australia where everyone, no matter their background or how long they have lived in this country, can belong equally and reach their full potential.

FECCA draws on the lived experiences of the people and their descendants that have migrated to Australia and the expertise of its extensive and diverse membership to develop and promote inclusive, innovative and responsible public policy that reflects the needs and perspectives of multicultural Australia. We are dedicated to building a strong, innovative and inclusive multicultural nation that harnesses its greatest strength, the diversity of its people.

The FECCA network is FECCA's greatest strength. Through our network we can enhance the capacity of governments to strengthen public policy to meet the needs of the diverse Australian population. FECCA is a proven trusted partner to both communities and government, operating as a sophisticated conduit between communities and government and mobilising communities to work with government to develop and enrich public policy through community-led expertise and action.

## Supporting a strong and inclusive nation

Australia is a truly multicultural nation and the proportion of the population who were born overseas has been steadily increasing since 2006. In 2021, over half (51.5 per cent) of the population was either born overseas or had at least one parent who was. Additionally, 23 per cent of Australians spoke a language other than English at home<sup>1</sup>. With the wide range of ethnic, linguistic, cultural, and religious identities represented in our society, we must strive to uphold social trust, cooperation, and togetherness. A fundamental requirement for a strong, harmonious and inclusive society is the ability for all members of society, regardless of language or cultural background, to be able to access relevant, safe and trustworthy information and content, and to be protected from harassment and intimidation when doing so<sup>2</sup>.

It is important to recognise that multicultural communities are not homogenous. People from multicultural backgrounds are often grouped together as culturally and linguistically diverse and treated as homogenous in government policies and services, which overlooks the myriad differences between communities, such as culture and language. This often results in services and messages that do not connect with the intended audience as they are not nuanced to specific differences. Some multicultural communities for example, have highly advanced levels of digital literacy and some very low, which means that information about mis and disinformation to multicultural communities would need to be nuanced beyond just language accessibility.

The experiences of people from multicultural backgrounds are not only affected by their cultural identities, but also by other intersecting social and political identity markers such as age, gender, sexual orientation, impairment, class, religion, and visa status. These identities do not exist independently; each informs the other and can have overlapping and compounding effects. People's experiences are also influenced by other factors – for example, living in a rural or remote area. The intersection of all of these aspects can see some people from culturally and linguistically diverse people having higher levels of vulnerability than others.

## The rise of digital service platforms and misinformation

Patterns of communication and media consumption have significantly changed, and digital platforms have increasingly taken precedence over traditional forms of media. Many studies indicate that ethnically, culturally, and linguistically diverse communities predominantly engage with digital service platforms, such as social media, to stay connected with family and receive information.

While the benefits of digital platforms are vast, there is growing concern about the spread of harmful misinformation on these platforms. In recent years there has been a surge in targeted mis and disinformation campaigns against cultural minority groups in Australia<sup>3</sup> and research has shown that multicultural Australians are more likely than the rest of the population to say that recognising and preventing misinformation is important to them<sup>4</sup>.

The expansion of engagement in digital platforms has seen existing inequalities within the broader community reproduced in digital spaces, particularly the negative stereotyping experienced by marginalised communities. Culturally diverse communities have been targeted in disinformation attacks that have been, at times, antireligious, anti-immigrant, xenophobic, misogynist, ideologically extreme, deliberately misleading, or conspiratorial. The spread of misinformation and disinformation within and beyond multicultural and diasporic communities can have disastrous and long-term public health and safety implications.

Many people from culturally and linguistically diverse backgrounds face additional barriers to accessing clear, reliable and accurate information, particularly newly arrived migrants and refugees. These barriers can include limited digital literacy and literacy, limited English language skills, and limited social support and networks to assist in navigating society and systems,

## **Recommendations**

In consideration of the serious harms people from multicultural communities face from the spread of misinformation and disinformation on digital services platforms, FECCA makes the following recommendations:

### **Recommendation 1: Include poor and misleading translations in scope of harmful misinformation**

Misinformation is defined in the proposed Bill as “content that is disseminated on a digital service where the content is false, misleading, or deceptive, and where the provision of that content on the service is reasonably likely to cause or contribute to serious harm”. Poor and misleading translations should be considered as a form of misinformation which has the potential to cause or contribute to serious harm.

Multicultural Australians have varying levels of English proficiency, and some community members will rely on translations to engage with digital services platforms. This means that their understanding of information presented on these platforms depends upon the quality of translation. Poorly translated information can cause important health and safety messages to be misunderstood or missed, putting entire communities at risk of harm. Furthermore, misinformation through poor translations can contribute to growing mistrust of organisations and digital platforms, thereby reducing the effectiveness of future important health and safety messaging, particularly in emergency situations.

The serious harm caused by poor translations creating misinformation was evident during the COVID-19 pandemic. Many translations of important public health messages were not natural or fluent, and sometimes did not make sense in the target language<sup>5</sup>. This form of misinformation contributed to disproportionately negative outcomes for multicultural Australians throughout the pandemic, including higher rates of virus transmission and virus-related death, which also led to increased experiences of racial hatred, discrimination and harassment<sup>6</sup>.

### **Recommendation 2: Coordinate ACMA regulation with the National Anti-Racism Framework**

Under the new powers proposed by the Bill, the Australian Communications and Media Authority’s (ACMA) consideration of misinformation that causes harm on the basis of ethnicity, nationality, and race should align itself with the National Anti-Racism Framework. The Bill currently considers harm that includes “hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion, or physical or mental disability.”

In 2021, Australia’s Race Discrimination Commissioner proposed the development of a National Anti-Racism Framework to provide a long-term, central reference point for anti-racist standards. The Australian Human Rights Commission is developing the Framework through extensive consultation with communities and organisations and is well placed to determine a national approach to defining, identifying and addressing racism and discrimination. This regulation will be enhanced by closely aligning with a systematic, overarching, and structured framework such as the National Anti-Racism Framework.

### **Recommendation 3: Intersectionality should be a key consideration in policy and practice**

The discrimination and disadvantage a multicultural person or community faces is affected not only by their cultural and ethnic identities and their language, but also by the intersection of other identity markers such as, for example, age, gender, sexual orientation, impairment, class and religion. This understanding needs to be embedded into the way in which serious harm arising from mis and disinformation is defined, identified, experienced and addressed.

### **Recommendation 4: Fund culturally informed and in-language education on mis and disinformation**

Language barriers faced by multicultural Australians may impact their ability to fully engage with and understand the definition of mis and disinformation, what constitutes serious harm, and what the new measures proposed by the Bill mean for them as digital platform users. As prominent users of digital services platforms, multicultural Australians will be impacted by changes brought forward under the Bill. It is therefore crucial that measures to combat mis and disinformation are communicated in a culturally appropriate and accessible way to ensure that all Australians, regardless of language and cultural background, have an equal opportunity to be well-informed, engaged and protected. This is not only important as a measure of inclusion for multicultural Australians but can also lead to more digital service platform users identifying, reporting and mitigating misinformation and disinformation.

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<sup>1</sup> Australian Bureau of Statistics (2021), [Census of Population and Housing](#)

<sup>2</sup> Tran, M. (2020, October 29). Australian news outlets fail migrant communities. Here's what needs to happen. *Arts Hub*. <https://www.artshub.com.au/news/opinions-analysis/australian-news-outlets-fail-migrant-communities-heres-what-needs-to-happen-261338-2368918/>

<sup>3</sup> Mamalipurath, J.M. (2023). Examining the Problem of Misinformation among the Indian Diaspora in Australia – Report, Western Sydney University. Australia. <https://doi.org/10.26183/a6z9-dp19>

<sup>4</sup> Notley, T., Chambers, S., Park, S., Dezuanni, M. 2021, *Adult Media Literacy in Australia: Attitudes, Experiences and Needs*. Western Sydney University, Queensland University of Technology and University of Canberra

<sup>5</sup> Hajek, J., Karidakis, M., Amorati, R., Sengupta, M., Hao, Y., Pym, A. & Woodward-Kron, R. (2022). Understanding the experiences and communication needs of culturally and linguistically diverse communities during the COVID-19 pandemic.

<sup>6</sup> Akolawa, N. (2022, February 18). Effects of the pandemic on multicultural migrants in Australia. *Nisreen Akowala*. <https://nisreenakolawala.com/2022/02/18/effects-of-the-pandemic-on-the-multicultural-australians/>