

Feedback on an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

Dear Sir/Madam,

I am deeply concerned and would like to express my serious opposition to the Combating Misinformation and Disinformation Bill proposed by the Albanese Government.

The last 3 years has given us countless government funded lies, propaganda and falsehoods such as “COVID-19 vaccines are safe and effective”, “ there are no vaccine mandates” , “ there are no vaccine passports” and “voting for Labour will make energy bills cheaper” to name a few .

The Bill makes questioning and speaking out against such falsehoods to be misinformation and “dangerous”, whilst government and media having no accountability for truth-telling. The real danger is government and media having the ability to fabricate falsehoods without any challenge and debate on their rationality.

It is critical for democratic society to have the ability to question and challenge the Government and bureaucrat propaganda to ensure they are acting truthfully and to our nation’s and people’s best interests.

I am deeply concerned with the underlying threat to democracy this Bill represents, for the following reasons:

- The Bill is a significant overreach by the government.
- The Bill is inconsistent with fundamental freedoms of speech and communication under international human rights instruments like the UN Declaration of Human Rights and the International Covenant on Civil and Political Rights.
- The Bill puts too much power in the hands of unelected bureaucrats to silence speech in the public square without transparency or accountability.
- The Bill includes a vague and ideological definition of “harm” which risks it being weaponised to shut down legitimate speech on pressing social issues.
- The Bill does not require mechanisms that will hold digital service providers liable for excessive and onerous policing of legitimate speech.
- The exclusion of government-authorized content from this censorship regime is hypocritical and inconsistent and will establish an asymmetry that results in one rule for government and another rule for Australians in what they can say.

- The Bill gives ACMA excessive powers to compel owners and private users of digital platforms to provide information and evidence about misinformation and disinformation that is a worrying breach of privacy.
- The Bill does not provide a sufficient standard of accountability and oversight for misuse of censorship powers.
- The few provisions that have been included to acknowledge the competing right to freedom of expression are tokenistic and do not satisfy the high bar required in international law for the interference with fundamental rights of freedom of expression.
- The severity of the penalties for failing to comply with the misinformation codes and standards and for failing to provide evidence requested by ACMA is excessive and will provide a 'chilling effect' on free speech.

I urge the government to withdraw this Bill and uphold the fundamental rights of every Australian citizens as stated in the Universal Declaration of Human Rights – Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Everyone has a Voice and the right to be heard, no matter how uncomfortable that message is for elected officials and activists.

Anything less will cause serious, detrimental, implications for free speech and democracy in Australia. I urge the Australian government to uphold the principles of transparency and accountability, and foster an environment where open debate and diverse opinions are welcome. We should not allow Australia to degenerate into a communist country, which is where it will be headed should the Bill be passed.

Preserve Free Speech to preserve our democratic society and the ability to make government accountable.

Regards

Name Supplied via Submission Process

Qld