

Thank you for this opportunity to make comment to this bill as an Australian citizen.

Below are my arguments that I wish to raise against legislation proposed by the Labor Party aimed at regulating misinformation and disinformation.

**Freedom of Speech Concerns:** My view of the legislation is that regulating misinformation and disinformation could infringe upon freedom of speech rights. They may contend that defining and identifying misinformation can be subjective, potentially leading to the suppression of legitimate and differing viewpoints.

**Selective Enforcement:** Governments could use the regulation as a tool to silence political opponents or viewpoints that they disagree with for example "Exclusions" page 5, it is noted that "Professional News Content" is to be excluded from this bill. They are still regulated which I understand, however, in this new age of information sharing they too should be held accountable for "Misinformation and Disinformation" set by any department which would include ACMA. The reason being is across the globe we see one central influence that time and time again directs attention, this being economy, or more frank terms "Money". This of course equals power and the more power given to one central corporation, institution or individual the more we see genuine freedoms removed. Simple examples of this include the sugar industry which once was tainted as "Healthy" and the cigarette industry, which now is very heavily linked to cancer.

**Chilling Effect on Political Discourse:** My argument that strict regulation of misinformation and disinformation could have a chilling effect on political discourse. Look now with the VOICE to Parliament, Individuals and organizations have become hesitant to engage in public debates or discussions for fear of inadvertently running afoul of the Government narrative. Sky Channel and the IPA have disclosed Labor's dishonesty with what was previously said about Treaty, and the backlash received from Government is disingenuous, Facebook have limited posts from IPA on these current issues even though are factually correct.

**Potential for Abuse:** I have concerns about the potential for the legislation to be abused for political purposes. The Labor Party, as the proposer of the bill, could exploit the regulations to suppress criticism or dissent against their policies and actions.

POWER! It needs to be brought to the attention that providing this level of power to "The Minister" could undermine the freedom of speech we still enjoy in Australia. This found on page 11 spells the possibility of such being given the authority to silence a digital platform basically through his or her opinion under the banner of "adequate protection for the community" is something that needs heavy consideration when debating this bill. What could be seen as "satire" by some, but perhaps something more by a minister leaves the door wide open. A single opinion without any consultation is not democracy. This is also covered on page 9 and page 11 when it comes to "Digital Service" which the minister could also determine as per Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. Open provisions of power unregulated handed over to a single person given ministerial privilege not only to restrict, but to provide exclusions to ones he or she sees fit.

**Impact on Media Freedom:** Critics may argue that the legislation could negatively impact media freedom and investigative journalism. They might suggest that the threat of legal consequences for

publishing potentially misleading information could deter journalists from pursuing important stories or exposing corruption.

**Enforcement Challenges:** Sceptics might argue that effectively enforcing such legislation could be extremely challenging. They could point to the difficulty in distinguishing between genuine misinformation, honest mistakes, and deliberate disinformation campaigns.

**Unintended Consequences:** There's a concern that attempts to regulate misinformation and disinformation could lead to unintended consequences, such as driving such content underground, making it harder to track and counteract. On page 53 it is noted that "Will readily accommodate technological change" and "Encourages the development of technologies relating to digital platform services". Correct me if I'm wrong, but the reason we are having this bill is due to the evolution of technology, isn't it? So how does encouraging more technology going to fix the issue? Let's face it, 95% of all social media and fact checkers are going to be from overseas, and they do not have Australia's best interest.

**Innovation and Technology Challenges:** Many contend that lawmakers, including the Labor Party, do not fully understand the rapidly evolving landscape of digital communication and social media platforms. This could lead to ineffective or outdated regulations that fail to address the root causes of misinformation and disinformation.

**Global Nature of the Internet:** Given the global nature of the internet, I question the effectiveness of national-level regulation in addressing a problem that transcends borders.

Emerging circumstances. 50. - This is what we can see perhaps a "what if" things are not evolving to plan. This clause appears to open up the availability for swift action if things are getting out of hand. Question is, what would this be used for? Where a minister appears to be given extra powers, so would ACMA. Where would that decision come from? Say the public are frustrated with things and putting forward these frustrations across social media where they do have somewhat have a voice, who is to make that decision? Does it remain in Australia, or does it extend to a global organization such as the United Nations? Would the UN (and its affiliates) influence misinformation and disinformation if this bill is passed? Information has been left out here which needs to be addressed. If the topic in question is good for social media one day, but not once either the government in power or the organization attempting to change international law outside of Australia, but the citizens of Australia disagree.

"Fact Checking" - On page 30, we see the wording of "supporting fact checking" but there is no other context to this. We cannot just restrict people's expression just because someone or organization disagree with them. Our future generations deserve the right to question things no matter where they come from, mainly due to blunders listed earlier on sugar and cigarettes. Other concerning points related to this part of the bill include "using technology to prevent or respond to misinformation or disinformation on digital platform services". We have already understood that Artificial Intelligence has its issues and needs to be monitored. Relying on technology to monitor discussion will be subject to the input of that system from the introduction of such a thing all for the sake of convenience and quite frank laziness. Any restriction put on these social media giants or monetary fines will be passed onto the third-party fact checking organizations, while our freedom of expression is compromised. Clarity needs to be addressed here, for example ACMA intends to publish "misinformation or disinformation on digital platform services" (Page 26). Who is to decide what becomes misinformation or disinformation outside the minister involved? Are we relying on technology and employed "fact checkers" to decide?