

Reject the Misinformation/Disinformation Bill – Governments should not put themselves in the role of “Arbiter of Truth”.

The proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023 is a disgraceful control measure that has no place in a democracy. It threatens free speech which should be a non-negotiable human right.

The bill indicates that “misinformation” encompasses statements that lead to ‘harm’, including psychological harm. If this bill is passed, Australians will find themselves on a slippery slope moving towards a situation where anyone is able to claim a form of harm if they are offended by someone’s “hatred”. This is very subjective, and someone simply expressing an opinion that is contrary to another could be seen as harmful. What one person considers to be truth, and worthy of expression, or even helpful is deemed harmful by another. The concept of “hatred” is poorly defined in the bill and for this reason is likely to lead to the erosion of freedom of speech. We are seeing the results of similar efforts to contain “hate speech” in the UK through “hate speech laws” where anyone who protests about something or expresses a religious viewpoint contrary to the state risks being subjected to police action.

Australia has developed an increasingly large silent majority who have ceased to have a voice for fear of being subjected to being shamed for holding opinions that align with their traditional values. We have seen our government implement levels of censorship through major media outlets and regulatory bodies to suppress alternative viewpoints regarding medical treatment during the pandemic. Newer research and data in our own government databases supports a different opinion on the safety of the vaccine in contrast to that which was originally disseminated by the government. However, this information was deemed an “inconvenient truth” to the government when it became available and regular news outlets fell into line in censoring it. This bill is akin to allowing the fox to guard the henhouse.

Other targets for censorship under “harm” include climate science and gender politics. Our major news providers tell us that the science is settled and that there is no room for debate on such issues: However, science is science because it is never settled and there is always more research and other viewpoints and models to consider. For example, in respect to the gender identity debate, consider the facts coming out of the ██████████ in the UK which was forced to close due to the shocking outcomes of early transitioned children. Parents are now taking legal action against the ██████████ for medical mismanagement of minors. This is emerging research. It is not settled science, and Australians need access to all the information to make informed decisions. Many examples can also be cited regarding conflicting views and evidence in the areas of environmental and climate science. Shutting down debate and dissenting voices is an Orwellian approach to government and Australian citizens should be alarmed by this bill.

This bill provides government with powers to compel a wide variety of platforms including search engines, social media, web forums, and instant messaging to self-censor the information available to the Australian public under threat of significant financial and criminal penalties. These informational access points cover most ways in which Australians access “informal” information sources. While professional news content, content authorised

by the Australian, State, Territory or Local Governments and content produced by accredited education providers is excluded from the misinformation/disinformation scope, it is notable that any contrary opinion or dissenting comment is not. In effect, this bill endorses the provision of a one-sided, government-controlled “information” dissemination system.

The Fact Sheet pertaining to this bill states that the ACMA will have no role in determining truthfulness, nor in taking down or requesting action regarding individual pieces of content. However, the affected platforms will be forced to adopt systems and measures to ensure information is censored accordingly or risk the consequences of non-compliance. The penalties are substantial, making it likely that the “voluntary code” will tend towards maximum compliance with governmental standards of “truth”. The voluntary aspect of the proposed codes is a sleight of hand.

A key point of the Fact Sheet is that “misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as our democracy, society and economy”. This paternalistic attitude being taken by the Australian government, effectively treats its citizens as children, and not adults who can make their own decisions about their health and other activities. We are a diverse nation with a wide variety of faiths, cultural norms, and political persuasions. We also have a proud history of tolerance for each other’s ways and views. If anything, this bill presents the most egregious threat I have ever seen to our way of life, respect for difference and our democracy. We should not be giving away our right to access and interpret information for ourselves, regardless of whether the government views it as fact or fiction. As Australians we have always had the right to access information from all sources and to come to an informed understanding of issues without governmental or third-party interference designed to bias and shape our viewpoints. Misinformation is not the risk Australians face: instead it is an unnecessary, Communist style information regulation system that is the far more significant threat to our nation.