

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

To the Committee Overseeing the Inquiry,

I am writing to express my deep concerns about the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. The urgency and significance of the issue at hand compelled me to voice these concerns, which are based on a letter I recently received detailing the bill's propositions and potential repercussions.

Potential Erosion of Freedom of Speech: George Orwell, in his dystopian novel "1984", warned us about a society where information is controlled by the state, leading to a fearful existence under constant surveillance. The proposed bill, with its vaguely defined terms and broad powers handed to ACMA, eerily resonates with such a chilling narrative. The right to freedom of speech is a cornerstone of any democratic society. This bill, despite its good intentions, can inadvertently trample upon this right.

The Power and Scope of ACMA: Granting the Australian Communications and Media Authority (ACMA) sweeping powers to police online "misinformation and disinformation" is deeply concerning. By placing the responsibility on social media platforms and search engines to self-police or face exorbitant fines, the government effectively nudges them to over-censor, potentially stifling legitimate discourse.

Ambiguity in Defining 'Misinformation' and 'Disinformation': While there's a distinction made between misinformation and disinformation, the bill remains largely ambiguous on what qualifies as either. This can lead to subjective interpretations and may inhibit discussions on topics that are deemed sensitive.

Exemptions Raise Doubts: The bill's decision to exclude mainstream media from its scope suggests an inherent bias, insinuating that such entities are immune to spreading misinformation. This not only undermines public trust but also inadvertently shields these institutions from accountability.

Potential for Overreach: With instant messaging services falling under the scope, and the possibility of private messages eventually being surveilled, there's a potential for considerable overreach. Citizens should not live in fear of discussing sensitive topics privately, lest they be flagged or penalized.

Misrepresentation of Constitutional Protection: The bill's 'guidance note' misleadingly gives the impression that the Australian Constitution offers robust protections against potential infringements on

