

As an Australian citizen I am providing my feedback to the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

I DO NOT CONSENT to this proposed legislation.

My concerns/questions are listed as follows:

- The premise of the draft Bill seems to be based on misinformation and disinformation being a growing challenge that poses a threat to the safety and wellbeing of Australians. It also states that *".....Misinformation is online content that is false, misleading or deceptive, that is shared or created without an intent to deceive but can cause and contribute to serious harm...."* and that *"...Serious harm is harm that affects a significant portion of the Australian population, economy or environment, or undermines the integrity of an Australian democratic process..."*. This is very vague and no examples of content that could be classified as misinformation/disinformation are provided in the Bill. Can you give examples of actual content posted in the last few years on social media platforms that resulted in serious harm that affected a significant portion of the Australian population?
- What do you deem as *"...a significant portion of the Australian population..."*? Greater than 20 percent/30 percent/40 percent/etc of the total Australian population?
- In terms of *"...serious harm...."* related to health, does this include psychological harm also?
- If the rules will apply to digital media platforms such as Facebook, Tiktok, etc, which are internationally owned, how can the Australian government dictate what international owners do? Why would they be subject to Australian legislation? Would it be up to those platforms to apply the scrutinization only to content posted by Australian citizens?
- My understanding is that the platform providers themselves must apply whatever methods they choose to prevent and monitor misinformation/disinformation on their platforms according to the rules set by ACMA. How will they do this, for example:
 - Will they have programs performing auto key word/phrase/expression/etc searches on content published on the platforms, with people hired by the platform provider to manually evaluate anything highlighted by the key word/phrase/expression/etc search results?

- If the people hired by the platform providers to do the monitoring and evaluation do not have expertise in the topic of the content, how will they determine whether it is false information or not? For example, if it is a health-related topic, would they consult a 'professional' individual/organisation in the health industry to verify the accuracy of the content? How do we know if those they consult have the necessary 'expertise' to determine if content is accurate or not?
- Does content include written word posts, videos, images, sound?
- My understanding is that government bodies, approved educational bodies, and 'professional' news services are exempt from the rules. Why should they be exempt? Why should the public accept that these entities never provide misinformation, intentionally or otherwise? If misinformation is deemed as "*.....online content that is false, misleading or deceptive, that is shared or created without an intent to deceive but can cause and contribute to serious harm...*", then if a professional news service disseminates misinformation but without an intent to harm, why should they be exempt? An example is the dissemination of information regarding the covid vaccine, whereby governmental agencies promoted the vaccine as 'safe and effective' when clearly it was not on account of the significant injuries and deaths that occurred as an outcome. Do professional news agencies have an obligation to tell the truth to the public, given that most of them are privately owned organisations?
- Professional news services, just like medical services, must obtain a license to practice and must follow their own industry rules and regulations, which is fair enough since they supposedly have a duty of care to the public and earn revenue from their services. But the public are not paid for content they post on online social media platforms, nor are they obliged to 'serve the public', so why should their posts be censored? Isn't the idea of social media platforms to provide the public with a platform to have freedom of expression and post whatever they like?
- Surely people should have the right to determine for themselves what is misinformation/disinformation without a Big Brother censoring what they can access?
- Misinformation/disinformation is already rampant throughout other forms of communication available to the public such as documentaries on Netflix, public speeches, lectures, etc, so are social media platforms only being targeted? Will the next step be the government sending representatives to these type of events to censor content?

This proposed Bill is preposterous in my opinion, for the following reasons:

- It is infantilising the public, having the government as a parental figure dictating what information everyone has access to for their 'welfare' rather than the allowing people to decide for themselves what is misinformation and what is true or otherwise and what is best for their welfare
- It will shut down Free Speech and any chance for an open debate sharing opinions that conflict with the official government narrative
- It will lead to an atmosphere of censorship, fear and silence rather than a healthy one of freedom of thought and expression that Australia has been previously known for

Again, I am stating that **I DO NOT CONSENT** to the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, and I demand that it be wholly rejected.

Yours sincerely,

Pauline Fyans