

August 2023

TO WHOM IT MAY CONCERN at the Department of Infrastructure, Transport, Regional Development, Communications and the Arts:

The Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 must not proceed. It an appalling piece of proposed legislation that threatens to destroy this nation.

Australia is a democracy. This Bill is a fundamental threat to democracy because it undermines freedom of speech by attempting to 'balance' that fundamental right with the notion of combatting so-called 'misinformation'. Fundamental rights cannot be balanced against anything; instead they are undermined.

Determining what qualifies as so-called 'misinformation' is subjective and entrusting a government agency to decide truthfulness raises enormous concerns. The Bill's vague definitions of "misinformation" and "disinformation" are open to interpretation and abuse by those in power. And then there is the question of who decides what is 'misinformation' and 'disinformation'. There are so many instances where official fact-checkers have gotten it wrong.

The definition of 'harm' in the proposed bill is also highly subjective, encompassing anything deemed hateful, disruptive, or harmful to society, democracy, environment, and economy ... and more. These terms are open to interpretation and cannot be considered facts.

Furthermore, content published by professional news outlets and various levels of government and educational institutions will **not** be considered as misinformation. This assumes and implies ***excluded content*** is information, which is not necessarily true.

What happens when readers and citizens question or discuss ***excluded content*** as misinformation (which "*contains information that is false, misleading or deceptive*")? How can misinformation of ***excluded content*** be discussed using digital services?

The Bill grants excessive control to authorities and will lead to further censorship. Censorship is already a major and increasing problem in Australia.

The proposed "Ministry of Truth" is sinister and dangerous. Please read George Orwell's 1984 and decide if this is the sort of future you wish for your children and grandchildren.

Together we can decide what sort of world we want to live in and the future we want for our children and grandchildren. The proposed new powers for combatting misinformation and disinformation are inconsistent with a democracy which must allow dissenting views to be expressed and discussed freely. Let us not allow Australia to descend into a totalitarian future where our right to speak up is silenced forever.

The legislation is poorly considered and must be withdrawn without further amendment.

Yours faithfully



Tania de Jong AM