



19 August 2023

The Hon Michelle Rowland MP
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600
Minister.rowland@mo.communications.gov.au

Subject: Submission on the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

Dear Ms Rowland,

I am writing this submission to express my deep concern and outrage regarding the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. As an Australian citizen, I firmly believe that this bill threatens the fundamental principles of freedom of speech and unfairly categorizes citizens into two distinct classes. I urge the department to reconsider the implications of this bill and to take into account its potential harm to regular citizens in our democracy.

First and foremost, the bill's creation of two classes of citizens is deeply troubling. By granting the power to spread potentially false or misleading information exclusively to politicians, journalists, and members of educational institutions, while restricting regular citizens from doing the same, the bill effectively undermines the freedom of speech of ordinary people. Regular citizens often possess valuable knowledge and insights, including industry insiders, and should not be silenced or marginalized in the democratic process.

Furthermore, the excessive fines outlined in the bill will result in digital services becoming more restrictive in their speech than ever before. This restriction, coupled with the lack of "pressure escape valves" in the system, will have a detrimental impact on the freedom of speech on the internet. It is imperative to acknowledge that the internet is a powerful democratic tool that gives voice to regular people, and this bill poses a significant risk to their ability to express themselves openly.

Additionally, the task of accurately judging what is true or untrue is an impossible one. New information is constantly emerging, contradicting what was once accepted as fact by authorities and expert consensus. The bill's scope is so broad that it may encompass content that was once considered factual but has since been proven false. This not only

threatens freedom of speech but also impedes open and honest debates necessary for finding common ground and uncovering the truth.

The bill's inclusion of "misleading" or "deceptive" information raises further concerns. Freedom of speech should allow for open discussions and the exploration of various viewpoints, even if they may be inaccurate or misinformed. The proposed legislation overlooks the value of freedom of speech, which allows for the examination and challenge of ideas and fosters a healthy democratic society.

Even Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, has expressed serious concerns about the bill's scope and application on his personal Twitter account. His criticism raises questions about the credibility and impact of this legislation, particularly on health information. It is imperative to consider the perspectives of experts who have reservations about the bill and its potential consequences.

Moreover, the bill appears to focus solely on larger platforms such as Facebook, Reddit, and Twitter, while inadvertently bringing thousands of community websites within its scope. This lack of specificity and consideration for smaller websites and foreign platforms raises concerns about the disproportionate impact and legal risks imposed on individuals or companies unaware of the industry codes. This bill should not inadvertently penalize and cause undue harm to independent website owners who may not even be aware of their obligations under this legislation.

Furthermore, the granting of legislative power to private entities, such as companies responsible for creating misinformation codes, accentuates the unconstitutional abdication of legislative power. This delegation of power to entities not directly responsible to Parliament contradicts principles of democratic governance and should be reviewed with great caution.

The bill's impact on the freedom of political communication is also concerning. By allowing codes, standards, and rules to censor certain political party viewpoints, the bill jeopardizes the access to diverse and necessary information for informed voting decisions. Independent media organizations, journalists, and bloggers may face reputational damage due to misinformation reports, thereby limiting their capacity to provide alternative perspectives. This influences public opinion and undermines the principles of democracy and free speech.

In conclusion, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 infringes upon the freedom of speech and imposes unreasonable restrictions on citizens' rights and liberties. Its broad scope, lack of clarity, and potential repercussions on smaller websites and independent voices are deeply concerning. I urge the department to reconsider this bill's provisions and work towards a more inclusive and balanced approach that respects the principles of democracy, freedom of speech, and access to diverse viewpoints.

Thank you for considering this submission, and I hope that my concerns are taken into account during the bill's review process. Please do not hesitate to contact me if you require any further information.

Yours faithfully,

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