



The Hon Michelle Rowland MP
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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 write to you with deep concern and outrage in regard to the proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. It is my firm belief that this bill demonstrates a lack of respect for the freedom of speech of Australian citizens and has the potential to significantly harm our democracy.

One of the most alarming aspects of this bill is its creation of two classes of citizens. On one hand, politicians, journalists, and members of educational institutions have the power to disseminate information, whether true or false, without restraint. On the other hand, ordinary citizens, who often possess valuable knowledge and insights on various topics such as industry insiders, will be disproportionately affected and restricted in their ability to express themselves in our democratic society.

The Internet has revolutionized democracy by giving regular people a voice. This bill poses a significant threat to the power and influence regular citizens have gained through this democratic invention. The excessive fines proposed in this bill will result in digital services becoming more restrictive than ever before, stifling the freedom of speech of individuals and inhibiting open and honest discussions.

Furthermore, it is an impossible task to accurately determine what is true or untrue at all times. New information constantly emerges that challenges previously accepted facts.

Listing several examples from the COVID-19 pandemic, such as the efficacy of masks or the number of doses required for vaccination, demonstrates the complexity of judging information as false or misleading. This legislation, through industry or mandatory codes, may restrict access to essential information that can contribute to public health decision-making.

Additionally, the inclusion of true but possibly misleading or deceptive information in the scope of removal is deeply concerning. Freedom of speech allows for open and honest discussions in which people can be wrong and the truth can be debated. Restricting this freedom under the guise of combating misinformation is a slippery slope towards censorship.

Even Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, has raised serious concerns about the scope and application of this bill. His tweet on 25th June 2023 highlights the inherent challenges associated with implementing such legislation.

Moreover, this bill, intended to protect minorities, may inadvertently result in their persecution. Progress is often achieved by challenging previously accepted facts, and minorities are often the ones oppressed by existing political realities. However, this bill will not provide them with shelter or protection from a system that may push back against their views.

Furthermore, the delegation of legislative power to private entities outside the direct responsibility of Parliament raises constitutional concerns. The proposed arrangement permits the creation of Misinformation Codes that become law once registered, without requiring approval by Parliament. This presents an unconstitutional abdication of legislative power.

Additionally, the granted power to the Australian Communications and Media Authority (ACMA) to enact Misinformation Standards and Digital Platform Rules infringes upon the implied constitutional freedom of political communication. Limiting legitimate discussion on matters of public policy, scientific investigation, and debate goes against the principles of our democracy.

This bill assumes that the government and accredited media and educational institutions alone can determine what is true, disregarding the experiences and viewpoints of ordinary Australians. Diversity in viewpoints is essential for the sense-making process and considering all possibilities. By deplatforming certain views as misinformation, this bill erodes the foundational principles of democracy and denies voters access to essential information.

Furthermore, this bill creates a division between citizens. It deems certain individuals, such as government and government-approved media and educational institutions, trustworthy and exempts their content from monitoring. However, it labels others as untrustworthy, limiting their viewpoints and subjecting them to complex reporting standards and misinformation reports. This creates an unfair playing field and incentivizes government-approved journalists to produce favourable news coverage, compromising the integrity of journalism.

In summary, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 threatens the freedom of speech of Australian citizens and undermines the power of the Internet in our democracy. It is crucial to reconsider this bill and ensure that the voices of ordinary citizens are not silenced or restricted unjustly.

Thank you for considering my submission. I trust that you will take my concerns into account and act in the best interest of our democracy.

Yours sincerely,

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