

Misinformation Disinformation Bill 2023

This bill should be dropped forthwith. The current drafting is poor but that is not my objection: poor drafting could be fixed, the concept behind this legislation is abhorrent for the following reasons:

1. Any submission where the organisation who made the recommendation becomes the recipient of enhanced power from the adoption of said recommendation should be viewed with extreme scepticism. The report upon which this bill relies was produced by ACMA and they stand to benefit in enhanced power should it be legislated.
2. Although the legislation specifically claims ACMA will not have the responsibility or purview to determine “what is true and what is false”, that they are supposed to determine if publishers of information on the internet have adequately prevented misinformation or disinformation means that they are judging whether content on said sites is true or false. Regardless of whether it is ACMA or some other entity, there is no omniscient arbiter available to make the determination of what is true and what is not. Governments of any stripe must never be allowed to make these judgement calls ... EVER!
3. The effect of this legislation, in any guise, is that publishers will self-censor in order to avoid punitive action from ACMA. This means that a great deal of content that is neither misinformation nor disinformation will get filtered out by cautious publishers.
4. What is considered misinformation or disinformation changes over time and part of the process of that transition is the free exchange of ideas and points-of-view. Many things that had been considered misinformation or disinformation even only months ago, are being shown to have a great deal of factual support. Had it been filtered out as misinformation or disinformation, the prevailing sentiment of the group mind would still stand as fact; instead, it has been challenged and found wanting.
5. Exclusion of government from these laws is an indication that even the proponents of the bill realise there are serious flaws in the concept.