

I write to express my deep concerns and anger regarding the draft "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023". As an Australian citizen, I strongly believe that this bill undermines the fundamental principle of freedom of speech that is vital to our democracy.

The introduction of this bill creates a clear distinction between two classes of citizens in our society. On one hand, we have politicians, journalists, and members of educational institutions who will have the power to freely spread information, regardless of its accuracy. On the other hand, regular citizens, who often possess more knowledge on certain topics than those in the first group, are treated as second-class citizens. This discrepancy is unfair and risks suppressing the voices of everyday Australians who have valuable insights to contribute.

Furthermore, the bill's excessive fines will undoubtedly lead to a chilling effect on speech, making digital services more restrictive than ever before. The industry-wide application of this code, without any effective checks and balances, exacerbates the harm it will cause. The internet, which is arguably the most powerful democratic invention, has given people a platform to express their thoughts and opinions. This law threatens to disproportionately harm regular citizens by restricting their ability to engage in open and honest discussions.

Additionally, the task of accurately determining what is true or untrue is an impossible one. New information is constantly being discovered, often contradicting previously accepted facts. Take, for example, the ever-evolving understanding of COVID-19. At different points, statements made by authorities and experts regarding masks, transmission, and vaccines have been found to be inaccurate. This legislation could potentially classify such information as public health misinformation, leading to its removal. The bill's focus on "misleading" or "deceptive" information further compounds the problem, as it stifles open dialogue and inhibits the pursuit of truth.

Furthermore, the proposed delegation of legislative power to private entities, and the power granted to the ACMA, raises constitutional concerns. These provisions infringe upon the implied constitutional freedom of political communication, affecting matters of public policy, scientific investigation, and debates. Restricting legitimate discussions on these matters curtails the constitutional freedom that underpins our democratic system.

I must also express my disappointment in the assumption made by this bill that the government and accredited media and educational institutions can solely determine what is true. By suppressing certain viewpoints and deplatforming them before they can be heard, this bill stifles the diversity of viewpoints necessary for a comprehensive sense-making process. In a democracy, it is crucial to consider all possibilities and foster open and informed discussions.

In conclusion, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, through its disregard for freedom of speech and disproportionate impact on regular citizens, poses a threat to our democracy. It is imperative to reconsider the provisions of this bill, allowing for a more inclusive and open approach to combatting misinformation and disinformation. The voices and experiences of ordinary Australians should be taken into account, ensuring diversity in viewpoints and the preservation of our democratic principles.

Yours sincerely,

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