

**Submission on the exposure draft of the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023**

**18 August 2023**

I am making this submission as a private citizen and voter.

This proposed legislation must be rejected.

Misinformation is a fake problem. It's not a risk or a threat. It's just people being wrong on the internet or views the government doesn't like.

And so what if people share information that causes them to dislike government policies and to replace the powerful bureaucracy – that is our right under a democracy. You have to share power with the people even if you think they are wrong.

This law is using “misinformation” as an excuse to set up ACMA as the arbiter of what is true and what is not. They can't do that. They can't know what is “misinformation” and what is true.

It's an excuse for the government to silence what it doesn't like as it did in the pandemic – but use the social media platforms to do it, hiding behind corporations.

This is totalitarian.

Censorship is dangerous – not wrong ideas.

The worst mass murders in history happened because governments had power that could not be questioned. The Holocaust. The Holodomor. The Chinese famine under Chairman Mao's Great Leap Forward. All these horrors were made possible by censorship and power that could not be questioned.

ACMA cannot know the truth. Accurate science is not done by consensus. The only safe answer when medical opinions differ is to let doctors be doctors, and air their different opinions.

This proposed legislation must be rejected outright and completely.

Here are just a few points to consider:

\* ACMA will give the digital platforms a chance to come up with their own codes. But whenever ACMA feels it's necessary or convenient, they can determine whatever standard they like, “in order to provide adequate protection for the community from misinformation or disinformation”, for example at (46) c).<sup>1</sup> So it is actually ACMA doing the censoring not the platforms.

\* The social media platforms already censored too much – and at the urging of the Departments of Home Affairs and Health during the pandemic.

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<sup>1</sup> Alison Bevege, “People who can't use a spell check or safety test gene-vaccines want to control everything you can see, hear or say online”, Letters From Australia, Substack, 4 July 2023.

\* This law will encourage even political censorship such as when Liberal Democrat John Ruddick's maiden speech to the NSW Parliament was censored off YouTube for "medical misinformation" because he shared facts the government doesn't like about the covid gene-vaccines.<sup>2</sup>

"Never before in Australian history has a politician's maiden speech to parliament been banned from YouTube. It just happened to Liberal Democrats MLC @JohnRuddick2," the Liberal Democrats official account tweeted in on June 29.<sup>3</sup>

\* This new law states explicitly that it will allow political censorship in some form because it allows ACMA to register a code that restricts ("burdens") political communication as long as it's "reasonable and not excessive, having regard to any circumstances the ACMA considers relevant" (Division 4 - Misinformation Codes (37) d i), ii).

\* ACMA is allowed to make its own laws called "legislative instruments" under this law at [\(64\) Digital platform rules \(1\)](#).

I value our democracy. I don't want unelected bureaucrats sidelining the parliament that is voted in and therefore accountable to me and all the other citizens. The parliaments are elected in and can be voted out. ACMA can't be voted out and shouldn't be passing regulations and laws by itself regarding the censorship of information.

\* I have referenced two Substacks and Twitter in my submission so far – this is because alternate media platforms like Substack are now reporting news that is censored or ignored by Australia's centralised corporate media.

It seems that the government doesn't want these outlets to give a voice to dissidents but wants to crush them here, too. That is what this legislation does.

\* The Australian Medical Professionals Society (AMPS) has written in its submission that the scope of this legislation seems to criminalise content criticising government communications irrespective of supporting evidence.

This is what happened in the pandemic, when dissenting doctors and scientists were kicked off YouTube or Facebook for raising legitimate professional concerns about the covid gene-vaccines.

\* The government has exempted itself, the universities and "professional news media" from the provisions of this legislation – why? They are allowed to be wrong but ordinary Australians and alternative media aren't?

\* On July 4, a US District Court Judge in Missouri banned the US Biden Administration and the FBI from contacting any of the Big Tech platforms for the purpose of asking them to censor free speech protected by the constitutional First Amendment. The case is Biden v Missouri and it is ongoing. This is exactly the terrible behaviour that the proposed Australian legislation makes into law, except it goes one step further to

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<sup>2</sup> Rebekah Barnett, "YouTube censors Australian politician's maiden speech to parliament, cites 'medical misinformation'," Dystopian Downunder, Substack, 2 July 2023 at [https://news.rebekahbarnett.com.au/p/youtube-censors-australian-politicians?utm\\_source=substack&utm\\_campaign=post\\_embed&utm\\_medium=web](https://news.rebekahbarnett.com.au/p/youtube-censors-australian-politicians?utm_source=substack&utm_campaign=post_embed&utm_medium=web)

<sup>3</sup> Liberal Democrats NSW official account tweet, @LibDemNSW, 29 June 2023 at <https://twitter.com/LibDemNSW/status/1674367947454943232>

outsource the micromanaging of the censorship to the platforms themselves. Australia doesn't need this law, it needs a First Amendment free speech protection.

**IN CONCLUSION:**

Nobody – especially not the government nor any of its agencies – has a monopoly on objective truth.

Because we cannot know the truth, we must have freedom of speech, the freedom to be wrong and to dissent.