

\*I will use the terms misinformation and misinfo to also refer to disinformation.\*

I am writing to express my strong opposition to the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023.

The bill and its accompanying documents talk about balancing free speech with addressing misinformation, I argue that protection of free speech is paramount, not only because it is the right that is needed to advocate for all other rights and freedoms, but, also because free speech IS itself the best tool to counter misinformation. I am much more sympathetic to a well made argument with supporting evidence being used to counter alleged misinfo - than said misinfo being censored/hidden/shadow-banned, basically being told I am not allowed to even see the other or "wrong" information or argument.

Censorship of alleged misinfo could actually restrict the pursuit of truth. Whoever will be looked to by tech companies to determine what is and is not true - whether it be government, news outlets, fact checkers, activist groups, or non-profit groups - will sometimes be wrong, even if we assume they have the best of intentions. If it becomes difficult or verboten to say "wrong" things, then, officially approved information - which may actually be misinformation - will be protected from critique and exposure as the misinformation it is. The fact that government messaging and "professional news" output are excluded from the demand that social media companies suppress misinfo suggests that the government is fine with misinformation as long as it comes from the right sources. If everyone else is expected to be fact checked - so should the government.

It is claimed that the bill will not give the ACMA power to demand that specific content be removed from social media, this does not do much to ease censorship concerns, websites and web services will be graded by the ACMA on overall effectiveness in removing what is deemed misinformation, this will have a chilling effect on speech as sites and services will over-police speech out of fear that they will be punished with fines for potentially hosting too much misinformation.