

Thank you for the opportunity to make a submission relating to the proposed Bill giving new ACMA powers to combat misinformation and disinformation.

We note that freedom of speech has long been a cherished and fundamental value and principle of modern States. Among other foundational documents, it has been enshrined in:

- The American Declaration of Independence (First Amendment) 1776
- Déclaration des droits de l'homme et du citoyen (Article 11) 1789
- United Nations Universal Declaration of Human Rights (Article 19) 1948, to which Australia was an original signatory.
- European Convention on Human Rights (Article 10) 1950

For centuries, even before the examples mentioned above, abuse of power by authorities has led enlightened people to campaign for this basic freedom. We join those who value and hold to this fundamental freedom.

In the case of the proposed Bill, we submit that definitions of “misinformation” and “disinformation” are vague, subjective, subject to change over time, and open to manipulation and abuse. At best, such a Bill is patronising, at worst it is tyrannical.

We believe that the appropriate response of governments and people to threats of incorrect information is to allow more information and to encourage debate and questioning. The references to the Right to Education in the declarations above validate the goal of producing informed citizens who participate in the functions of the State. It is the right and freedom of each citizen to make their own judgment about what is true or false or misleading.

It is legitimate to restrict information which propagates such things as violence and terrorism, but to include matters of opinion as a threat to the State is heading in an unacceptable direction.

In most matters of public interest there is a range of opinion and interpretation of evidence. It is in the interests of a free, open and peaceable society to allow unrestricted public and private debate and discussion.

We strongly urge all Members of Parliament to vote against this proposed Bill.

Yours sincerely,

Douglas and Berlinde Rand

