

I write to submit my feedback on the draft bill titled "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023". I am deeply concerned and outraged by the implications of this bill.

Firstly, the existence of this bill raises serious doubts about the government's commitment to upholding the freedom of speech of Australian citizens. By creating two classes of citizens, with one having the power to spread potentially false or misleading information online while the other group is restricted, the bill undermines the principles of a fair and democratic society.

Furthermore, I firmly believe that the Internet is a powerful tool for democracy, giving regular people a voice and empowering them to express their views. However, this bill poses a significant risk to the ability of ordinary citizens to participate in public discourse. The imposition of excessive fines will force digital services to become more restrictive and censor speech to an extent that surpasses even the strictest platforms today.

One of the fundamental flaws of this bill is the impossible task of accurately determining what is true or false. History has shown us that scientific consensus can change over time, and information once considered factual can later be proven false. By criminalizing the dissemination of information that may later be deemed false, this bill stifles open and honest debates, preventing the search for truth and hindering progress.

The inclusion of true information that is deemed misleading or deceptive in the scope for removal is deeply concerning. Freedom of speech is a cornerstone of any democratic society as it allows for open discussions and the exchange of ideas. It is through this process that common ground is found and truth is established. By limiting the ability to express diverse viewpoints, this bill undermines the principles upon which our democracy stands.

Even experts are raising serious concerns about the scope and application of this bill. Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, has publicly criticized the legislation, stating that the accusation of misinformation is thrown so readily that implementing such a law would inevitably lead to fines being levied on information that is not false. If an expert in the field raises such concerns, it calls into question the credibility and effectiveness of this bill.

Moreover, the broad definitions used in this bill inadvertently bring thousands of community websites, including smaller platforms and independent media organizations, under its scope. This lack of specificity and consideration for smaller websites and their potential legal risks imposes an unreasonable restriction on freedom of speech and enterprise.

The proposed legislation also delegates significant lawmaking power to private entities, which are not directly responsible to Parliament. This circumvention of parliamentary checks and balances is an abdication of the fundamental legislative power granted to Parliament.

Additionally, the Bill's definition of harm and the potentially broad prohibition on content that causes harm raise concerns about the violation of Australians' constitutional freedom of political communication. Matters of public policy, scientific investigation, and debate are highly contested among political parties and interest groups. Limiting legitimate discussions on these matters unjustly curtails our constitutional freedom of expression.

This bill assumes that the government and its affiliated institutions are the sole arbiters of truth, dismissing the experiences and viewpoints of ordinary Australians. In doing so, it denies the diversity of perspectives necessary for a comprehensive sense-making process.

Lastly, the threats and impositions on digital platform providers and ordinary users are concerning. The potential consequences, including reputational damage, financial penalties, and business inefficiencies, undermine the principles of fair and free communication that our democracy upholds. Moreover, the requirement for citizens to report on their friends, family, or political co-agitators raises concerns about the erosion of trust and the erosion of our cherished Australian value of mateship.

In conclusion, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 is deeply flawed and risks infringing upon our freedom of speech and democratic principles. I urge the Department to reconsider the provisions of this bill and take into account the concerns raised by various stakeholders. It is essential that any legislation seeking to address misinformation and disinformation does not curtail our right to freedom of speech or interfere with the diverse and robust public discourse that is the foundation of our democracy.

Thank you for considering my feedback. I trust that you will carefully evaluate the concerns raised by citizens and work towards a more balanced and democratic approach to combatting misinformation and disinformation.

Yours sincerely,