

Schedule 1 Main Amendments

2 Definitions:

Page 5, line 11 -

excluded content for misinformation purposes means any of the following:

(a) content produced in good faith for the purposes of entertainment, parody or satire;

I believe this will be too difficult to differentiate the purposes of "in good faith" from 'done deliberately with a hidden intent or agenda.'

"Digital platform providers will be responsible for determining whether pieces of content are excluded for misinformation purposes" (resource A). How exactly will ACMA be able to correctly determine this? Often times, the intention and "good faith" angle of a creator's artistic content is DIFFICULT TO DETERMINE. Sarcasm is hard to recognise at times. How many checks and double-checks must content pass through, before it is correctly assigned as "entertainment, parody or satire"? The people and systems within ACMA are **not** infallible.

Entertainment, parody or satire - these may even be deliberately posed as such, simply to get their misinformed message out to the masses. A serious disinformation content video may camouflage itself as a joke, simply to pass under the ACMA's fallible, human-based 'fact-check' radar.

"The key distinguishing feature between misinformation and disinformation in the Bill is intent" [emphasis added] (resource B). The key is... "intent"? How is that discovered? How is that measured? How is that even PROVEN one way or the other?

I firmly believe this entire Bill is vague and extremely dangerous territory in a precious, free democracy such as ours in Australia.

Page 6, line 7 -

harm means any of the following:

(a) hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability;

I believe this Bill has not considered RELIGION or FAITHS at all. The word "religion" appears once in the entire Draft Bill. Just once!

I believe it is not a focus in this proposed Bill because the areas are too grey and vague to be touched by a governing, state-run parliamentary body. Topics such as abortion, end-of-life processes, love and sex only between man and woman, gender being binary only (male and female) - these are some topics that vary greatly between Catholics, Christians and even Muslims.

A Christian posting online publicly about their firmly-held Biblical belief about the purity of marriage between man and woman only, might under this proposed Bill, be considered "**harmful**" by some elements of the public or ACMA and that Christian would be fined and/or thrown in prison! A Bill attempting to suppress the EXPRESSION of such beliefs is squashing freedom of religion, freedom of speech and is challenging the very core of our fantastic democracy.

This proposed Bill makes no attempts to safe-guard beliefs in any religion. There are over 5 million Catholics in Australia (resource C), approximately 11.1 million Christians (resource D) and over 800, 000 Muslims (resource E). Does that mean this proposed Bill is going to SUPPRESS, fine and/or imprison the 17,300,000 (over 17 million) Australians that dare to post a comment about their firmly held religious belief?

I am not saying this Bill should be amended and adjusted to correctly target these various religious beliefs - NO! I am saying this Bill should be utterly cancelled. The very suggestion and attempt to SILENCE over 17 million Australians by inventing a NEW DEFINITION of "harm" is... completely outrageous and shocking.

An online post disagreeing with same-sex marriage or ~~disagreeing~~ with encouraging young, underage children to "transition" their gender, should NEVER be considered as "harm."

Where is the protection of our BELIEFS?

Where is the protection of our BELIEFS?

Where is the protection of our OPINIONS and THOUGHTS?

What about what we firmly THINK is correct and TRUE?

Within this Exposure Draft's 64 pages, these words appear exactly NIL:

- opinion.
- belief.
- thought.
- subjective.
- objective.
- TRUTH.

NIL times do those words appear. This proposed Bill does not even consider such things. It is disgusting (see resource F).

Schedule 2—Consequential amendments and 2 transitional provisions

7 After subsection 4(3AB)

Insert:

Page 53, line 20 -

(3AC) The Parliament also intends that digital platform services be regulated, in order to prevent and respond to misinformation and disinformation on the services, in a manner that:

(a) has regard to freedom of expression;

Within this proposed Bill, the phrase "*freedom of political speech*" is mentioned a total of SIX times (see resource F). This Bill has its sights clearly set to attack the targets of political speech. Thinking of similarities of this with China's controversial media propaganda machine, the controls of this

similarities of this with China's controversial media propaganda machine, the controls of this Government-centric Bill raises some extremely serious concerns. Only the Government is exempt. Only Government-owned and run media sources are exempt! It sounds just like communist China. This Bill must be stopped.

The section above stating, "...digital platform services... respond to misinformation and disinformation on the services, in a manner that... has regard to freedom of expression [emphasis added]" is the ONE AND ONLY mention to Freedom Of Expression! There is nothing else.

Where are the details? What are the boundaries of "has regard"? What exactly is REQUIRED of the digital platform in the case of an expression being freely stated? Should Meta, for example, briefly "regard" the freedom of expression and then progress to the considerably vast fine or consequence?

In the case of Peter Ridd against James Cook University (JCU), "(the Court),... *did find that the objective of intellectual freedom must allow expression that departs from the civil norms of courtesy and respect – as desirable as these norms may be*" (resource J). How does expression of "intellectual freedom" differ from that of regular, ordinary freedom of expression from the average Australian? These types of freedoms of expression should be upheld, no matter the area or level of expertise.

How does this proposed Bill intend to cater to this Court finding below, regarding Peter Ridd: (resource J)

"Although the High Court unanimously dismissed Dr Ridd's appeal against the termination of his employment, the decision is undoubtedly being considered a win by supporters of academic freedom of expression, with the Court finding that policy or code of conduct obligations that purport to prohibit robust debates and polemics detract from intellectual freedom." [emphasis added]

Or what about this?

*"The 2016 Censure and part of the basis of the Final Censure were unjustified because they related to the **expression of honestly held views by Dr Ridd within his academic expertise**" [emphasis added] (resource K).*

I believe this proposed Bill has some extremely serious problems and should be entirely scrapped.

Schedule 1 Main Amendments

33 Examples of matters that may be dealt with by misinformation codes and misinformation standards

Page 30, line 20 -

f - supporting fact checking;

Why is this in the proposed Bill? So many times, history shows that the fact checkers were **wrong**. They were **incorrect**. They are **biased**. There is evidence that proves these services are funded by Big Business and governments around the world, to twist and bend real, true facts -- even from INDEPENDENT experts and scientists -- to manipulate information to suit their narrative.

"The "Intercept" journalist and professional gadfly Glenn Greenwald picked up on this principal-agent problem only a few weeks ago, tweeting that:

(As seen on Twitter, from Edward Snowden)

"Two of the hugest scams are "fact-checking" agencies and those that purport to fight "extremism" online. They all push the same ideology, are run by the same small set of people (see below), and are usually funded by the same small handful of billionaires:

Have you ever looked at who is behind these new for-profit "fact-checking" companies?

"NewsGuard" is "advised" by one of the country's most famous liars—the man who secretly built the global mass surveillance system that, once uncovered, courts condemned as an outrageous crime. "

I have experienced personally and first-hand, how the fact checkers have repeatedly marked facts incorrectly. The fact this proposed Bill mentions to support it is cause for massive alarm, in my opinion. An article in News.com.au is titled: "**Facebook admits the truth: 'Fact checks' are really just (lefty) opinion**" (resource H). The article goes on to say, "That's thanks to a [lawsuit brought by celebrated](#)