

To: The Department of Infrastructure, Transport, Regional Development, Communications, and the Arts
GPO Box 594
Canberra ACT 2601

Re: New ACMA powers to combat misinformation and disinformation (the Communications Legislation Amendment [Combatting Misinformation and Disinformation] Bill 2023)

Dear Officer,

The Albanese Government's proposed Combating Misinformation and Disinformation Bill 2023 threatens the very heart of our democratic rights. It will grant the government the power to define truth and empowers regulatory bodies to enforce it, while exempting the government and mainstream/corporatized media from the same regulations. This Bill will enforce ideological conformity in Australia and herald in Labour's socialist agenda.

I as a natural born citizen of the Commonwealth of Australia (Un-incorporated) and do not consent to this Bill, its violations of free speech and call for its immediate withdrawal.

1. The Bill contravenes ICCP freedoms of speech.

The Bill is inconsistent with fundamental freedoms of speech and communication under international human rights instruments including the UN Declaration of Human Rights and the International Covenant on Civil and Political Rights. The proposed Bill is an attack on freedom of speech that is inconsistent with Australia's international human rights obligations and is out of date with equivalent European laws. The Bill enables government bureaucrats and tech corporations to silence and censor speech that goes far beyond reasonable limitation.

The *Misinformation and Disinformation Bill 2023* contravenes our rights to express any form of free speech and is in violation of Human Rights article 19 to free speech under UN- ICCPR.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The scant provisions that are inserted to 'acknowledge' the competing right to freedom of expression do not meet the gold standard of international law for the interference with fundamental rights of freedom of expression and is sheer tokenism. Australia is a signatory to UN Charters any human right violations by our government will inevitably be met with Grand Jury and International Criminal courts (invocation of Nuremberg Code) in the short-term future.

This Draconian Bill has serious ramifications for religious rights and secular aspects:

The Bill will give government the power to silence or quash religious and political speech that contradicts prevailing ideologies and political dogma. The Bill fails to include mechanisms to protect valid expression of opinion and belief or to ensure that there are clear and defined limits on suppression of speech. On July 4, 2023, a US court shot down the Biden Government's censorship of

free speech as unconstitutional and anti-democracy. The ACMA legislation takes the Biden administration's approach and likewise should be withdrawn.

Exclusion of debate, discussion:

There is the potential to weaponize any form of healthy dialogue or criticism. A healthy democracy can only be sustainable with the support of its people, e.g. We the people, who hold the government to ACCOUNT through dialogue, debate and impartial voting system, not through an arbitrary unelected body such as ACMA and other pay rolled entities such as AHPRA and the TGA- (re: Hansard : -Page 7, Senate Education and Employment Legislation Committee– Parliament of Australia - Senate August 3, 2023): Senator ANTIC: 'Our therapeutic goods association derives something in the order of 96 per cent of its budget from industry fees. What amount of funding does Pfizer provide to therapeutic goods association per annum?' This was taken on notice by Dr Hewitt.

2. The Bill has inconsistencies, privacy issues and opaque definitions- harm, disinformation, misinformation?

- The Bill includes a vague and ideological definitions of the five forms of "harm" which risks it being weaponised to shut down legitimate speech on pressing social issues. The government already has legislation and policing to protect the public from 'harm'- hate speech, civil and criminal crimes, counter -terrorism tools to defend national and international threats (AFP, ASIO/ 5 Eyes agencies)
- The Bill gives ACMA excessive powers to compel owners and private users of digital platforms to provide information and evidence about misinformation and disinformation- this is a disturbing breach of privacy.
- The Bill appears analogous to the *US Smith-Mundt Modernization Act* which has overarching powers and consolidation. This Bill will reflect the US style of selectivity and conformity of journalistic content thereby quashing any independent critical thinking/ expression. This is the same script MSM one size fits all apply to according to their corporatized Mockingbird formula.

3.The Bill will open the path to authoritarian censorship with zero accountability or transparency from the creators of this Bill:

- The Bill puts too much power in the hands of unelected bureaucrats to silence speech in the public forum without transparency or accountability. The Bill is a blatant tool for Government overreach of dissemination of information and censorship. This will open the pandora box to State/Government sponsored misinformation, disinformation or simply but - propaganda. Australians could potentially be "propagandized" by their own government. Falsehoods are now surfacing in Senate Select committees and the need for COVID 19 Pandemic Response Royal Commission to expose the deliberate suppression of critical information to the public.
- The Misinformation and Disinformation Bill 2023 has potential serious conflicts of interest inherent in its formula.
- The Bill does not require mechanisms that will hold digital service providers liable for excessive and onerous policing of legitimate speech.

- The Bill does not provide a sufficient standard of accountability and oversight for misuse of censorship powers. For example: Amendment 7 (2) (e) states “the person disseminating, or causing the dissemination of, the content ‘intends’ that the content deceive another person.” How will the arbiter interpret the “intention” of the person disseminating content? How does ACMA determine if the person disseminating intends to deceive another person? How will this be achieved?
- ACMA also have the potential impose their own vague ‘standards’ through interpretation of the Bill/Act, thereby by-passing industry ‘voluntary’ codes and enforcing infinite censorship possibilities and penalties should it see fit, see **Interaction with the voluntary code: ‘If the ACMA were to register a code, then it would need to draw upon the Bill’s definitions.’**

The severity of the penalties for failing to comply with the misinformation codes and standards and for failing to provide evidence requested by ACMA is excessively brutal and ensures a calculated blow on free speech only a step away from China’s CCP clampdown on freedoms expressed by political, cultural, and religious minorities.

Additionally, the Government, MSM- mainstream media, big tech corporations, education, medical institutions, and other entities saturated mass consciousness through dissemination of dis / mis information regarding a plethora of State sponsored COVID 19 /SARS -COV-2 disinformation over the past few years. This information was touted as ‘campaigns’ surrounding the safe efficacies of experimental vaccine and mask efficacy, while condemning independent think tanks from medical and legal associations over the medical tyranny debate ,supressing public access to off- label pharmaceutical and other antiviral treatments, especially the renowned Ivermectin (which is now no longer the boogieman)and supporting the MSM narrative regarding the dubious origins of SARS - COV-2 . These State sponsored entities had carte blanche access to broadcast their messages and ‘campaigns’ (which included divisive antivaxxer rhetoric from State politicians- CMO’s) on MSM and social media platforms, all the while a commercial conflict of interest played out under the blessing from our Federal and State governments.

Governmental intervention on social media platforms has been exposed on Facebook with the suppression of protest and interest groups posts deleted, this was a stealthy violation under the Morrison Liberal Government and will also allow current and future Governments to supress free speech via social media platforms. Moreover, the Morrison government during the COVID 19 period (one-man National Cabinet) sought to gag all contrary Covid 19 information from the public through its involvement with other media outlets through censorship or ridicule of contrary viewpoints. The latest Senate Committee Education and Employment Committee August 3, 2023, has identified the lack of information that existed between the government and the TGA surrounding the COVID 19 trial drug ‘campaign’ whilst blindly supporting pharmaceutical industry claims of prevention of transmission and overlooking safety protocols not privy to the public- (refer to Hansard- Senate Education and Employment Legislation Committee– Parliament of Australia - Senate August 3, 2023): Senator RENNICK: *‘According to the Pfizer non-clinical report, there were no carcinogenic tests, no genotoxicity tests, no immune toxicity tests, no interaction studies with other medicines and no longitudinal studies. I note that in regard to pregnancy and lactation, studies were conducted on rats. How can Pfizer say that the vaccine was unequivocally safe without qualifying any risks around the vaccine?’*

This continuity of State sponsored dis/mis information under this horrific Bill, will nonetheless go unchecked and unpenalized, free of accountability under the rigors of the Bill. Only allowing corporatized MSM dissemination of information which can only be perceived as part of labour's Orwellian socialist agenda for control under the guise of the 'Ministry of truth'.

4.SUMMARY

The Albanese Government has no legitimate right to even entertain this notion of authoritarianism with such a body as ACMA upon its own populace. A Government or Government entity which is a centralised authority who determines what is true or false becomes a dictatorship (Government will be your central source of truth). This shameful piece of intended legislation must be consigned to the rubbish bin of history. Any idea of Australia being the 'fair go' country will be pure mythology to our future generations. Remember the ALP built its foundation on free speech through the actions of real men, shearers. Go back to our roots and take stock as the path the ALP Government now embarks on will have significant repercussions to our cherished freedoms under our Westminster system. The Australian populace and international community will in time gradually acknowledge your erroneous dystopian Bill as sheer folly. Please reconsider this Bill and save Australia from any further international embarrassment. The bill serves to support only the corporate 'chums' of the Government while suppressing the will of its own people. This Bill further highlights Labour's socialist agenda of conformity and unfortunately many honest hard-working Australians will be blindsided by Labour's Marxist vision of a post-industrial dystopian Australia.

I do not consent to the ACMA Misinformation and Disinformation Bill 2023 which will silence free speech in Australia. In the words of John Adams- 'There are two ways to conquer and enslave a nation. One is by the sword. The other is by debt'.

Yours sincerely,

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