

## Submission about “New ACMA powers to combat misinformation and disinformation”

I take issue with the proposed new ACMA powers as being inconsistent and entirely inappropriate in any liberal democracy.

As expanded on the Department of Infrastructure, Transport, Regional Development, Communications and the Arts web site, “*The Issue*” allegedly is that:

*“Misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as to our democracy, society and economy.”*

*In January 2023, the Minister for Communications announced that the Australian Government would introduce new laws to provide the independent regulator, the Australian Communications and Media Authority (ACMA), with new powers to combat online misinformation and disinformation.*

*The new powers will enable the ACMA to monitor efforts and require digital platforms to do more, placing Australia at the forefront in tackling harmful online misinformation and disinformation, while balancing freedom of speech.”*

Quite simply, any restriction directly or indirectly on free speech means that that speech is **not** free. Freedom of speech cannot be balanced against anything. It is either free or it is not and the proposal here is to provide government with the means to control what people say and how their opinions are expressed. In short it is an appalling attack on the freedom of individuals and the well-being and prosperity of this nation.

Simply, the suggestion that misinformation and disinformation pose a threat to the safety and well-being of Australians, as well as our democracy, society and economy is just false. And in that context, when it comes to harmful misinformation or disinformation one only has to look at the behaviour of all our governments in Australia over the last three years. It started with the Covid lockdowns, masking, mandated vaccines so that individuals could continue to earn a living (many of which remain in place even today), medical passports to access stores and supermarkets, restricted interstate travel, police brutality and oppression, unlawful arrests and a general concerted national propaganda exercise to indoctrinate people to ensure compliance. But there was more such as “the vaccine is safe and effective” still promoted by Commonwealth bureaucrats at Senate Estimates. In fact, the scale of the abuse of government power to curtail freedom is contemptible, unless perhaps “we” are to follow the *New World Order* as let slip by the Chief Health Officer of New South Wales. I, for one, will never forget and I hope that one day justice will be done. Thankfully, the truths about the past three years are starting to come out greatly at odds with government behaviour.

But now, government in the context of their disgraceful and in my opinion criminal behaviour over the last three years that has resulted in huge damage to the economy with a record number of small businesses collapsing, record bankruptcies, as well as people seriously injured or dead as a result of the “vaccines” is now seeking to consolidate and

legalise criminal behaviour to allow suppression of free speech. Certainly, if the legislation passes, the restrictions will not end there but will be extended to yet more areas.

And at a detailed level, just who would decide what constitutes misinformation or disinformation and on what basis? The temerity of this proposal is breathtaking. That someone somewhere sets and decides what is right and what is wrong. Good grief! What chutzpah!

Perhaps I could have reasoned that here in Australia surely we inherited the right to freedom of speech from our English common law, the Magna Carta, the Bill of Rights 1689 and others such as the International Covenant on Civil and Political Rights. However, I decided that this would be a waste of effort. It is not a matter of perhaps deducing rights from various documents, rather it is a matter of principle. The principle that free speech rights may be constrained by government fiat is just wrong. The answer to speech that is not liked is more speech, not suppression.

And if any demonstration is needed to support this proposition, one only has to look at government actions over the last several years some of which have been described above. During that time the greatest perpetrator of misinformation and disinformation has been the government itself. Are we to see yet bolder ideas from our government such as the one suggested by Jucinda Adern, the previous Prime Minister of New Zealand which was, “We will continue to be your single source of truth,” and that, “Unless you hear it from us, it is not the truth.” What next? Will any discussions contrary to “*the Voice*” be banned prior to the referendum? Now that would be convenient! There certainly is something sinister with world governments acting in lockstep adopting what appears to be a totalitarian technocracy to the detriment of human beings and all human life.

It is for these reasons that I reject entirely any need for these new ACMA powers. If anything, we need an amendment to our Constitution based on the first Amendment to the US Constitution: *“The Australian Commonwealth and State governments shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”*

If any person is prepared to implement these proposed restrictions on free speech I would urge him to consider the circumstances that arose in Europe during the 1930 which could be summarised as to be very careful of what you do because:

First they came for the Socialists, and I did not speak out—  
Because I was not a Socialist.

Then they came for the Trade Unionists, and I did not speak out—  
Because I was not a Trade Unionist.

Then they came for the Jews, and I did not speak out—  
Because I was not a Jew.

Then they came for me—and there was no one left to speak for me.  
— Martin Niemöller