



Department of Infrastructure, Transport, Regional Development, Communications and the Arts
By online submission

20 August 2023

Dear Sir/Madam

Exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

Thank you for the opportunity to make a submission in relation to the exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 (Bill).

Who we are

The Racial and Religious Discrimination Legal Service Inc (RRDLS) is a national community legal centre established in 2022 in response to an increasing need for legal assistance regarding racial and religious discrimination and the absence of any free legal service to provide this legal help.

We exist to provide free legal education, information, advice, case work and systemic advocacy services for people experiencing racial or religious discrimination in Australia.

Matters we assist in include but are not limited to:

- making or responding to discrimination complaints
- administrative law (internal, merits and judicial review)
- Ombudsman complaints
- employment related racial or religious discrimination
- education related racial or religious discrimination
- visa refusals/cancellations
- civil claims

Right to freedom of thought, conscience and religion

The Bill engages the right to freedom of thought, conscience and religion under Article 18 of the International Covenant on Civil and Political Rights.

There are no clear definitions of the terms 'misinformation', 'disinformation' and 'reasonably likely to cause or contribute to serious harm' in the Bill. As such, these terms, until such time as they may be interpreted by a court, are subjective and can be interpreted at the discretion of ACMA and its employees.

This leaves people of multicultural backgrounds and faiths vulnerable to having their human rights breached.

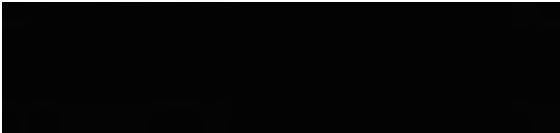
If ACMA were to deem the publication of material relating to a cultural or religious belief as 'misinformation', 'disinformation' or 'reasonably likely to cause or contribute to serious harm', they could, in all likelihood, be violating Article 18.

It is our recommendation that the terms 'misinformation', 'disinformation' and 'reasonably likely to cause or contribute to serious harm' be clearly defined, ensuring that Article 18 will not be breached.

We thank you for your consideration of our submission. We would be very pleased to answer any questions or to provide further information that may be of assistance.

Should you have any queries, please do not hesitate to contact our office on 02 6100 1875 or by email to admin@racialreligiousdls.org.au

Yours faithfully



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