

Response to “New ACMA powers to combat misinformation and disinformation”.

Opinions my own.

After what I’ve read in the “fact sheet”

(<https://www.infrastructure.gov.au/sites/default/files/documents/communications-legislation-amendment-combating-misinformation-and-disinformation-bill-2023-factsheet-june2023.pdf>), I am extremely concerned that this bill is even being considered.

Article 19 of the Universal Declaration of Human Rights (UDHR) states “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.” (<https://www.un.org/en/about-us/universal-declaration-of-human-rights>) How can we possibly have freedom of expression if we can’t express an opinion that the government has deemed to be “misinformation”? I have seen in the past three years many things be deemed by the government to be “misinformation” and then later they change their mind and deem it truth.

This bill is going to allow State-imposed “truth”, as the ACL put it (<https://www.acl.org.au/mis-dis-info-bill/>). Freedom of Speech is mentioned in the Preamble of the UDHR for good reason. All people deserve this, including if their government does not agree with their opinion, or even deems it false. One does not have to go very far back in history to see the horrors that have occurred when governments started censoring people’s speech.

In the “fact sheet”, misinformation is defined as “content disseminated using a digital service that is false, misleading or deceptive” and excluding “content authorised by the Australian or a, State, Territory or Local Government”. That allows the Government to define “truth”. It means that anything the Government says is automatically “the truth” and anything anyone else says that disagrees with it is automatically “misinformation”. This is extremely disturbing.

It also says “the ACMA will not have the power to request specific content or posts be removed from digital platform services” yet it also says “rules made under the Bill may require digital platform services to have systems and processes in place to address misinformation or disinformation”, which sounds to me like the ACMA can decide that a service hasn’t sufficiently “addressed” misinformation and disinformation if people are still allowed post things that the Government disagrees with. How else will the services “address” it than by removing the posts that the Government does not like?

The “fact sheet” also says “the code and standard-making powers will not apply to authorised electoral and referendum content and other types of content such as professional news and satire” So mainstream media can continue to spread “truth” – others would call it “propaganda”. As the ACL put it, “the Bill gives the government and mainstream media a free pass, creating a double standard and eroding the principles of fairness and equality.” (<https://www.acl.org.au/campaigns/pet-mis-dis-info-bill/>)

The ACL also makes some other very good points: “The Bill empowers the Australian Communications and Media Authority (ACMA) to determine what qualifies as “misinformation” or

“disinformation”. This subjective definition leaves room for abuse of power, and suppresses public debate and diverse opinions and perspectives.

The Bill effectively enables tech companies to become tools of government censorship, stifling free speech and undermining the open exchange of ideas.

The Bill paves the way for ideological conformity, suppressing dissenting voices and hindering independent thought. This goes against the principles of a democratic society that thrives on diversity and freedom of expression.” (<https://www.acl.org.au/campaigns/pet-mis-dis-info-bill/>)

Censorship is not the solution here. It will only worsen the problem, as it has done the past 3 years. After what has happened the past 3 years, I am aghast that anyone would even think that *more* censorship is what we need, let alone put together a bill like this.

Censorship *never* solves a misinformation or disinformation problem. People will always still find lies (or even make them up themselves). Only by letting information flow freely will people be able to objectively see what is the truth and what is false. People will become *suspicious* when what they or others say is censored. They are then even more likely to *believe those being censored instead of the Government* - as has happened the past 3 years. The only way for the truth to be brought to light is to allow all information to be seen, and then lies will be shown to be such. Truth is not afraid to be questioned. Lies are afraid that they will be exposed.