

The proposed bill is a threat to small businesses and freedom of ideas. I oppose it utterly and totally.

1.

It is a threat to small businesses that use their own small public forums ("digital platforms"), because the extra record-keeping and the extra safety measures required to keep that record-keeping secure might prove to be too great a burden for them.

Such record-keeping would also make it harder for new digital platforms to start up, enforcing existing monopolies of Facebook and its ilk.

Add to that the fines for imperfect record-keeping and nobody smaller than an American giant would be able to shoulder any open information sharing. 1-to-1 chats are fine, in some countries they are the only safe way to share information - but I'd prefer Australia to be a classic open-forum-idea-sharing country.

2.

It is a threat to freedom of ideas, because any new idea will be called heresy by existing specialists. Remember Wright brothers, who believed in heavier-than-air aircraft? Florence Nightingale, who extolled the virtues of sanitation in army hospitals? Public ridicule was bad enough, but what if their thoughts had been proclaimed "illegal" and "misinformation"? How would their contributions to science ever happen?

Add to that the aforementioned extra pressure on open sources of chatting and it's a recipe for disaster.

3.

The bill is also very questionable in its scope and powers:

* "The Bill aims to incentivise digital platform providers to have robust systems and measures in place to address misinformation and disinformation on their services, rather than the ACMA directly regulating individual pieces of content. The Bill does not seek to curtail freedom of speech, nor is it intended that powers will be used to remove individual pieces of content on a platform."

" the ACMA will not have the power to request specific content or posts be removed from digital platform services"

Yet, from 4.4.1, ACMA would have the power to request mandatory codes of conduct that will force the digital platform to... do things... as yet unspecified, which just might include removal of such pieces of information. The bill is kinda writing out an open cheque to ACMA for future increase of scope. No, thanks, folk tales abound of troubles starting with promises of "a tiny thing, I'll tell you later what it is".

* "Authorised electoral communications and electoral and referendum content will be out of scope of the code and standard-making powers"

Even though an election candidate is using his/her words to affect the election outcome and the direction of country's policies for years to come, even though broken election promises are the subject of jokes all over the world, politicians' words can never constitute misinformation under this act? No matter the seriousness of harm or the size of the lie? That is not fair.

* The basis of the act lies in the definitions of "harm" and "misinformation", right? Everything else is built up from there. Well, some examples to show how ludicrous the concept is:

"harm to the health of Australians" - Many people would've said that Florence Nightingale was harming the soldiers by wasting time on cleaning. In other times, when a churn-blessed rag would be used over and over again, the charge would've been "washing off the blessings".

"the content contains information that is false, misleading or 7 deceptive" - "Earth moving about the Sun and not being the centre of the Universe" was known as "blasphemy". "USSR having faults" was "misinformation" in the 60-70-es and grounds for 5+ years of jail. "Russia invaded Ukraine" and "Russia is at war" ARE CURRENTLY "misinformation and blatant lies" in Russian lawbook, mentioning either concept on a digital platform (or anywhere else) is grounds for 5+ years of jail.

Cat's "dinner" is mouse's "harm". Mouse's "dinner" can be man's "has no idea" (out in a forest clearing), "good news" (if the mouse is an endangered species) or "big trouble" (if the mouse is in the house). Who defines what constitutes "harm"?

Who says what is false? Who says what is true? Who has the right to define "truth" and "goodness"? George Orwell had written a lot on the topic. Russia and North Korea and China are showing a lot of the "single source of truth" ideas he had written about in real-life practice. Australia is better than that. Fighting mistakes with information and public discussion is reasonable. Somebody on top deeming some information correct and fighting all other statements with a law is a step towards censorship, "1984" and "thoughtcrimes".

The "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023" should stay a non-enacted draft.

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