



20 August 2023

Department of Infrastructure, Transport, Regional Development,
Communications and the Arts

**Submission on the Communications Legislation Amendment (Combatting
Misinformation and Disinformation) Bill 2023**

Dear Sir/Madam

I am writing to submit my feedback on the draft bill titled "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023." As an Australian citizen, I am deeply concerned and outraged by the existence of this bill, as it clearly demonstrates a lack of respect for the freedom of speech of Australian citizens.

It is my strongly held belief that the internet is the most powerful democratic invention of humanity, giving voice to regular people and allowing open and honest discussions. However, this bill creates two classes of citizens: one consisting of politicians, journalists, and members of educational institutions who will have the power to spread information, regardless of its veracity, and the second group comprising regular citizens who are often more knowledgeable about certain topics than those in the first category.

The imposition of excessive fines under this bill will lead to digital platforms becoming more restrictive in terms of speech than they currently are. The industry-wide nature of the code and the absence of "pressure escape valves" will further compound the harm caused. It is impossible to accurately judge what is true or untrue, as new information is constantly being discovered that can contradict widely accepted facts. This bill fails to consider this ever-evolving nature of knowledge.

Additionally, the broad definitions of "misleading" and "deceptive" in this bill will lead to the removal of not only provably false information but also potentially true information that may be deemed misleading. Freedom of speech allows for open and honest discussions, even when we are wrong, as it is through debate that we find common ground and truth.

Even experts, such as Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, have raised serious concerns about the scope and application of this bill. Dr. Coatsworth's statement on Twitter clearly questions the feasibility and fairness of implementing such legislation. If even an esteemed expert suggests the bill is likely to result in fines for things that are not necessarily false, it raises serious doubts about the effectiveness and intention of this legislation.

Furthermore, the reliance on industry bodies, which are often influenced by the biggest players in the industry, creates a scenario where the proposed industry codes may become tools for "gatekeeping" and preventing new competitors from entering the market. This will stifle competition and innovation, benefiting only the largest digital services.

The proposed bill's global extraterritorial reach is an overreach and displays a lack of understanding of how the internet operates. Requiring compliance from foreign entities, regardless of their knowledge of Australian laws or industry codes, is unworkable and will only create uncertainty and potential conflicts with other countries. It is essential to recognize the actions we condemn in other nations, such as Hong Kong, should not be replicated in our own legislation.

I strongly believe that this bill imposes an unreasonable restriction on freedom, liberty, and the right to freedom of speech and enterprise. The potential fines and legal risks it introduces will limit the ability of individuals and small businesses to participate in public discourse and operate online platforms. This goes against the principles of democracy and freedom upon which our nation was founded.

In conclusion, I respectfully request that the Australian Government reconsider and withdraw the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. The proposed restrictions on freedom of speech and the potential consequences for individuals and small businesses are disproportionate and unjustifiable. Instead, I encourage the government to seek alternative measures that uphold the values of a free and open society while addressing concerns surrounding misinformation and disinformation.

Thank you for considering my feedback on this important matter.

Yours sincerely,

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