

20 August 2023

Ms M Rowland  
Minister for Communications  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Ms Rowland,

The purpose of this letter is to express my opinions regarding the proposed misinformation-disinformation legislation which the government seeks to introduce into parliament in 2023, entitled 'Communications Legislation Amendment(Combatting Misinformation and Disinformation)Bill 2023, to be controlled by the Australian Media and Communications Authority (ACMA).

Providing some historical background, in Feb 2021, at the request of the former government, requiring online platforms to develop a code of practice, The Australian Code of Practice on Misinformation and Disinformation was launched by Digital Industry Group Inc (DIGI). In Jan 2023, the Minister for Communications announced that the Australian government will introduce new laws to provide ACMA with the power to combat misinformation and disinformation. Submissions have been requested by the government regarding this proposed legislation to "seek your views" on the draft bill as to "whether the proposed legislation strikes an appropriate balance of a range of issues" and "the proposed powers seek to strike a balance between the public interest in combatting the serious harms that can arise from the propagation of misinformation and disinformation, with freedom of speech" and "the Bill aims to incentivise digital platform providers ... to address misinformation and disinformation" and "the Bill does not seek to curtail freedom of speech". I note that "harm" includes: to the integrity of Australia, democratic processes, health of Australians and the Australian environment, or economy. Additionally, I note that "content authorised by the government of the Commonwealth, a State, a Territory or a local government area will be exempt" from this legislation.

To start, I wish to point out differing political ideologies. A democracy is a form of government in which power is held by the people, where elected representatives of the people make laws for the people, advocating private ownership and respecting individual rights and freedom. Compare this, for example, to socialism, which is a form of government in which the power is held by the government, where the government makes laws for the people, advocating collective ownership and not altogether respecting individual rights and freedom. Compare this to totalitarianism, which is a form of government centralised and dictatorial, where people are totally controlled by the state. As Australians, we strive for a free democratic society.

I will make two main points which indicate my objection to this proposed legislation.

Firstly, considering the government's response recently, and its performance, in managing the Covid situation since the rollout in early 2021, I am astonished it has either the trust or support of the Australian people to consider itself an appropriately qualified arbiter in deciding what would constitute misinformation or disinformation.

Misinformation and disinformation was and is prolific since the start of the Covid situation, and the government authorities are not exempt from the propagation of or dissemination of misinformation and disinformation at the federal or state government level.

This is just one important and regrettable example in which the decision-making processes undertaken by the government(s) were at a minimum, questionable and at a maximum, unconscionable. Federal government maintains that these were decisions for state governments to make, but these decisions were nonetheless often supported by the federal government in implementing legislation. Some examples of this are detailed as follows:

In Jan 2021, Mr S Morrison (former PM) and Mr G Hunt (Minister for Health), in a media release regarding the rollout of Covid vaccinations, stated: “our own experts finding it safe and effective and of a high standard”, “the vaccine has been approved as effective in stopping severe disease” and “the TGA has placed safety above all else”. Then, in Feb 2021, in an interview between Mr G Hunt and Mr D Speers (ABC), Mr G Hunt stated: “it’s safe, it’s effective”, “prevention of serious illness, hospitalisation and death has been determined to be up to 100 percent”, “the world is engaged in the largest clinical trial, the largest global vaccination trial ever”, and “anybody should feel free speak with their doctor”. Then, in Mar 2021, AHPRA and National Medical Boards released a Position Statement to medical practitioners stating: “any promotion of anti-vaccination statements which seeks to actively undermine the national immunisation campaign is not supported” and “may be subject to regulatory action” which was indeed the case. The Prime Minister, Premiers, CMO’s and “experts” came forth espousing the safety and efficacy of these experimental drugs, not knowing the future medical ramifications of taking them. I am aware that these individuals were often opposition politicians. Nonetheless, how could either the federal or state government representatives have made these statements at the inception of the rollout and upon what scientific basis were they made? By the government’s own admission, these drugs were experimental. Later, Dr Phillip Altman in ‘The Time of Covid’ (Australia), referring to ABS, DAEN and TGA data stated: 100,180 Covid related adverse events were recorded compared to 19,330 in the previous 50 years from all non-Covid vaccines. Also, a 10-20 percent excess mortality prevails and nothing is done. During this time, our governments enforced employment mandates, lockdowns, restriction on movement, restriction on speech, school closures, restrictions on gatherings, etc. A draconian imposition was experienced on our society, and our democracy was under threat. Now, most people now know that these injections had no effect on either infection or transmission and were not safe and effective. There have been no enquiries, no debates, no discussions of note. This information was and still is generally suppressed or censored and primarily unpublished by mainstream media. No dissent from this program of vaccination was or is tolerated, and those who did not comply were labelled conspiracy theorists, condemned, ridiculed and considered selfish. This has been a sad chapter in our history with the government enforcing such draconian measures on our society, denying basic rights to individuals, and to freedom. The government showed us it was prepared to embrace the concept of and enforce upon us, totalitarianism (these are the rules which you will follow). This is a form of government which is the opposite of a free democracy. Yet, the government is asking us what our opinions are regarding their proposed misinformation-disinformation legislation, with their intention of being the arbiter of misinformation and disinformation.

Secondly, Australia is a country, which from its settlement, has embraced the principles of a free democratic society. A society which values the concepts of honesty, transparency, consultation, communication and the respect for individual freedom: freedom of speech, opinion and movement. I believe we all need to fight to enjoy and maintain a free democratic society, where each individual has the freedom and right to engage in, contribute to and form part of the decision making process in the laws that govern us at all levels, through the process of representative government.

The government should interact with and engage with those they are elected to represent and policy should be a reflection of that interaction and consultation process. The opposite of that is a society where these values which represent freedom are denied or ignored or not listened to. We do not want a repeat of what happened in the last few years where totalitarian rule penetrated and infected our purportedly free democratic society.

Freedom of speech should not be hindered, obfuscated or denied, either at digital platform level or an individual level. Freedom of speech is a fundamental ingredient of a free democratic society. This bill undermines the right and will discourage and penalise any dissent of the government narrative. As Australians, we must fight for our democracy, as our forebears have, and object to any proposed legislation such as or like this. It is totally unacceptable.

I request a personal (not only auto generated) written response to this correspondence.

Regards,

Mr Brenton Moss

MOB: [REDACTED]