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SUBMISSION:

Communications Legislation Amendment

(Combatting Misinformation and Disinformation) Bill 2023

## Introduction

Thank you for the opportunity to present my submission.

I am deeply opposed to the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

The extraordinary powers sought to silence free speech on social media are unprecedented, undemocratic and in violation of Article 19 of The Universal Declaration of Human Rights ratified by Australia that declares “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”.

The founding fathers of America knew that free speech was fundamental to Democracy, ‘If the freedom of speech is taken away then dumb and silent, we may be led, like sheep to the slaughter’.

George Washington

I am hopeful that Australians reject outright this assault on Australian values and see it for what it is, a brazen move toward totalitarianism masquerading as the protection of citizens.

## **Mandatory Code of Practice sought by ACMA and Albanese Government**

On February 22 2021 after consultation with ACMA, The Digital Industry Group Inc. (DIGI) launched a new code of practice that commits Adobe, Apple, Facebook, Google, Microsoft, Redbubble, TikTok and Twitter companies to reducing the risk of online misinformation causing harm to Australians.

Under ACMA's voluntary code, introduced at the beginning of the Covid19 hysteria, Australians and the world experienced the greatest coordinated censorship and attack on free speech in the history of the internet.

Incredibly, this voluntary code is now seen to be deficient and a more aggressive control is sought through legislation.

Discontent with their current online censorship, the Government and ACMA seek more powers to impose their own brand of censorship, a mandatory code, or as ACMA puts it "additional powers to register and enforce industry codes of practice" or in other words a mandatory code focusing on removing what they allege to be misinformation and disinformation. "It (ACMA) proposes a regulatory backstop that would allow the ACMA the ability to register mandatory codes or make industry standards if the industry does not have in place adequate systems, processes and measures, it fails to comply with them, or significant platforms do not sign up to them." <sup>i</sup>

A mandatory code could easily make use of AI surveillance software like MIT, the Reconnaissance of Influence Operations (RIO) program to automatically detect disinformation narratives online - its capable

of identifying disinformation accounts with 96% precision. Welcome to the surveillance state!

## **Government and Media MisDisinformation Immunity**

"A lie will gallop halfway round the world before the truth has time to pull its breeches on." said Cordell Hull, the longest-serving US Secretary of State and father of the United Nations.

In 2021 and onward, lies circled the world countless times before the truth concerning Covid19 from world leading virologists and health professionals could eventually break through the dark cloud of censorship enforced by Governments, social media platforms and law enforcement across the globe.

They revealed the dark web of lies, deceit and misinformation and disinformation circulated by politicians, bureaucrats, pharmaceutical heads and their minions. The WHO's propaganda and Dr Fauci the Former NIAID Director in America, circulated ad nauseum on television, radio and social media platforms.

In Australia, Federal and State Governments delegated their elected power to unelected Health bureaucrats, relying on them to 'follow the science', giving them authority to enforce draconian authoritarian lockdowns and lockouts for the unvaccinated, unprecedented social control, smashing industries and small businesses with senseless and unscientific protocols, banning people from entering the workplace if unvaccinated declaring "it's the pandemic of the unvaccinated".

All these players are complicit more or less to the most extraordinary misinformation and disinformation scam ever perpetrated against the Australian people.

This Covid experience is a frightening example of why handing unfettered power to unelected bureaucrats is a fool's recipe for a

totalitarian police state that tramples enthusiastically on every god given freedom associated with free, democratic nations.

These same people are now attempting to consolidate their totalitarian control by formulating legislation to silence dissent against unmandated government propaganda, reminiscent of Communist China curtailing political opposition by broad censorship.

ACMA should not be given surveillance powers over Australians, it isn't a dedicated spy agency-yet.

YESTERDAYS MISINFORMATION IS TODAYS TRUTH

## **The Bills Definition of Harm**

The government's draft bill defines misinformation as false, misleading or deceptive content and disinformation as misinformation to deceive another person disseminated to cause serious harm.

The definition of Harm means any of the following in the Bill:

(a) hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability;

For a start, group (a) is covered by anti-discrimination and vilification legislation already in place yet prosecutions are rare. It's up to an individual from a targeted community to lodge a complaint about hate speech not a bureaucratic spy agency trolling the internet looking for offenders.

The 'Conversation', an independent publisher of research and news revealed that fewer than 4000 formal complaints of hate speech were lodged across Australia in the two decades from 1990 to 2010 with as little as 2% of complaints being subject to a binding determination by a tribunal or court. <sup>ii</sup>

This is proof that the bar that determines what is hate speech is set high, a hurdle measured for the protection of free speech, a Universal Human Right that underpins all successful democracies. Australia's legal system is geared for individuals to take action not a Big Brother government, until now.

This proposed legislation is big brother taking out the big stick to throttle social media companies if they don't comply with our government and public servants' definition of what constitutes mis/disinformation.

### **Coordinated Global Push for Misinformation Regulations**

This bill is in lockstep with the UN, European Union, Biden administration and the WEF's global plan for censorship of the internet disguised as protecting citizens from misinformation. It's worth noting that of all the dominant social media companies used by Australians, the only one who has embraced this Bill is TikTok which is owned by ByteDance, a People's Republic of China company, which is "subject to all the influence, guidance, and de facto control to which the Chinese Communist Party now subjects all PRC technology companies". Very telling indeed! <sup>iii</sup>

The internet evolved as the people's town square, an American invention built on the bedrock of free speech where people around the globe could communicate with one another sharing ideas and content free from state control. This Bill is the enemy of free speech designed to take control of Democracies 5<sup>th</sup> estate-the internet.

### **Government Acting as Prosecutor, Judge, Jury and Hangman**

The proposed misinformation bill will allow the government of the day to be prosecutor, judge and jury over what is true and what is

untrue on the internet. ACMA's unelected public officials will initiate the censorship having the power to coerce social media companies into compliance in fear of ludicrous fines.

We saw this happen in America where Twitter was engaging directly with the US government and the FBI to D platform certain views relating to Covid, the Jan6th false insurrection that was orchestrated by the FBI and President Biden's son Hunter Biden's laptop that has incriminating evidence of corruption according to New York's former Mayor and lawyer to former President Donald Trump, Rudy Giuliani.

## Free Speech

Free speech is foundation to democracy, a system of government in which power is vested in the people and exercised by them directly or through freely elected representatives. There is no democracy if we the people are restrained from articulating our opinions and ideas without fear of retaliation, censorship, or legal sanction in the public square. Social media is now the people's public square and this proposed Bill is government using its vested power to silence criticism of its policies and narrative disguised as protecting their constituents against harmful content online. If the government was sincere in this effort, it would be extinguishing online pornography.

With the preservation of free speech in mind, I call on the government, the opposition, minor parties and independents to scrap the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, recognising that protection of free speech is a sacred obligation, a universal human right, where individuals are free to impart information and ideas through any media without government or big brother interference.

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<sup>1</sup> Executive Summary, Disinformation and Misinformation Second report to government JULY 2023

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<sup>ii</sup> <https://theconversation.com/explainer-how-do-australias-laws-on-hate-speech-work-in-practice-26105>

<sup>iii</sup> <https://www.washingtonexaminer.com/news/justice/new-details-tiktok-ties-ccp-revealed>