

Submission by Mr Joe Alvaro on exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

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

I object to the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

The proposed bill undermines freedom of speech by attempting to ‘balance’ that fundamental right with the notion of combating so-called ‘misinformation’. Fundamental rights cannot be balanced against anything, rather they are undermined.

Determining what qualifies as so-called ‘misinformation’ is subjective and entrusting a government agency to decide truthfulness raises concerns.

So-called ‘misinformation’, unless it incites violence, does not cause direct harm, and defining harm based on subjective criteria is problematic.

The bill grants excessive control to authorities and will lead to censorship.

As an informed citizen, I do not require people in government with views that may be different to mine to protect me from potential harm from what they determine to be “misinformation and disinformation”. I can determine that myself. Freedom of speech is a basic human right. This bill impacts on citizens’ rights to scrutinise information. Including what is coming from “official” sources.

As a Christian I do not want a government bureaucracy determining what is and is not true when it comes to matters of religious belief. It is not right for a government bureaucracy to decide what religious information I am allowed to see on social media. Freedom of religion is a basic human right.

Why is the government trying to present itself as a single source of “truth” through this bill? This happens in a dictatorship not a democracy like Australia. Governments should not be the ones to determine what truth is.

The Bill grants the government the authority to define truth, allowing them to control and manipulate the flow of information.

Whilst imposing restrictions on online platforms, the Bill gives the government and mainstream media a free pass, creating a double standard and eroding the principles of fairness and equality.

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.

The scope of this proposed law is really only limited by the imagination of the government bureaucrats at ACMA tasked with enforcing it, and that is very dangerous.

I urge the government to withdraw this Bill and uphold the fundamental rights of every Australian citizen as stated in the Universal Declaration of Human Rights – ***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.***

Anything less will cause serious, detrimental, implications for free speech and democracy in Australia. I urge the Australian government to uphold the principles of transparency and accountability, and foster an environment where open debate and diverse opinions are welcome.

Mr Joe Alvaro

20 August 2023