

Please use this as my submission as a private citizen (I belong to no organisation).

There should be **no new powers for ACMA to combat misinformation and disinformation because it can lead to loss of freedom of speech**, similar to the suppression of speech which happens in Communist countries where any criticism of the government is misinformation and disinformation.

If the **Government is exempt from fines**, then this shows they are not confident that they may engage in misinformation/disinformation themselves, whether intentionally or unintentionally. If you fine or incentivise the removal of content from internet platforms of those who call out the government misinformation or Climate Activist disinformation, then you make the damage/harm done by this government disinformation or by activists worse, as dissent will be removed, even if true because they don't want to risk fines of millions of dollars. The fact **there is no appeal for the person posting the information**, means the chances of suppression of free speech is even greater, and **no chance to learn from mistakes**.

For example: If we look at the origins of COVID-19 coming from a lab in Wuhan was labelled as misinformation by Facebook and it was removed from their platform (with encouragement from FBI and the government). We now know that this was not misinformation, and it delayed the actions of stopping funding of gain function research in China, where safety concerns in their labs were raised many times. This action by Facebook increased the risk of harm to people in Australia from another virus outbreak, as it only allowed for wet market origin and not the lab leak.

Tim Flannery said on ABC Landline 11 Feb 2007, "that even the rain that falls in Australia will not fill our dams and river systems". This was in fact misinformation, which led to Brisbane, Sydney, Melbourne, Adelaide building expensive Desalination plants (the plant in Melbourne cost \$3.5B alone not to mention ongoing maintenance cost).

This misinformation will not be removed by Facebook, Twitter, Youtube etc because it is deemed to help the environment, or help people access water supply, even though it was false as dams in these cities are currently 90+% full. The money spent on desalination plants should have been spent on aboriginal welfare, hospitals, flood mitigation, aged care and schools where the need is real.

Misallocation of resources can be argued to cause harm to people vs imagined benefit - **how would internet platforms judge competing harms little alone ACMA**. If someone posted that Tim Flannery statement was wrong at the time, under these proposed powers that contrary statement could/would be removed as misinformation /disinformation as it could be argued simply that it hurts the environment. The real harm in misallocation of public money is ignored.

There have been other cases we have seen what is labelled as disinformation/misinformation later to found to be true:

- The New York Post was locked out of Twitter for 10 days, during a presidential election because its story on Hunter Biden laptop was labelled as Russian disinformation by 50 former heads of intelligence and Twitter used hacked materials policy to censure the story and stop sharing this information. Turns out all these people and Twitter were wrong. The Laptop and information on it really was Hunter Bidens, but the damage had been done as information was suppressed/censured from the Twitter and Facebook leading up to people casting their vote. **Under the proposed bill there is no fines for falsely labelling misinformation/ disinformation and banning posts therefore freedom of speech is at risk.**

- Greta Thunberg's tweet, which was shared on 21 June, 2018, but has since been deleted by her, read "A top climate scientist is warning that climate change will wipe out all of humanity unless we stop using fossil fuels over the next five years." - This is clearly misinformation/disinformation, but would not be deleted under the proposed law because it helps the environment, but clearly they ignore the harm done through stress, anxiety and depression it causes to school children who believe what Greta says. We have heard some people say, they

are not going to have children because the world is ending, and in England a person committed suicide depressed about the end of the world caused by climate change.

- A 2009 comment by former U.S. vice president Al Gore - "The North Pole will be ice-free in the summer by 2013 because of man-made global warming," . This quote attributed to Gore in a social media post is clearly misinformation but is allowed to remain because it helps the environment while harming people who believe "sea levels will rise 20 feet" (from a 2006 film an Inconvenient Truth which was/is shown in schools as education material exempt from this bill). A fact check shows, since 1880, the global sea level has risen 8-9 inches and, between 1993-2021, the sea level has ticked up 3.8 inches, according to the National Oceanic and Atmospheric Administration (NOAA). At that rate, it would take approximately 1,136 years for the world's sea level to rise 20 feet.

Again it is unlikely that ACMA would fine internet companies for Greta and Al Gore's misinformation post, (it helps the environment/ignoring the impact on people who believe it) so it remains up, while internet companies would readily remove any posts that say this impact of climate change is exaggerated (because it hurts the environment/ignoring the fact it minimises the harm the people, because it removes fear and anxiety).

I do not believe that ACMA and the Internet platforms, have the time or resources to accurately weigh up how much of any post (millions of these each day) is misinformation/ disinformation, and competing harms that it does to people or the environment, therefore they would just blanket ban anything they think may incur a fine.

What's worse is that a post may contain 25 statements that are accurate and helpful information but if there was just one statement that was deemed misinformation or harmful then the whole post is removed. This means **platforms would no longer put a comment, or warning or fact check** they would just remove the entire post to avoid a fine.

Even worse, this legislation could be used as an excuse to ban speech the platform or people doing the censoring don't like - they could simply label it harmful or hate speech. **There are no fines for removing too much content** which does not fit the definitions in the bill which means there are no protections of free speech. We therefore will end up like China, censoring anything the government or internet platform doesn't like.

The alternative is that we leave it to the people of Australia, to make up their own minds, about what is true and what is false and what is harmful and what is not. After all this is why we have a compulsory education system in Australia, so people can make informed choices about what they want to read, and what arguments they believe have merit and which do not.

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