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Department of Infrastructure, Transport, Regional Development, Communications and the
Arts
GPO Box 2154
CANBERRA ACT 2601

**Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 -draft
exposure**

I do not support this proposed Bill: “If you wish to control others, first you must control yourself!”

I do not want Australia to take yet another step towards becoming a totalitarian state by allowing a government body, ACMA, to police access to information – good, bad or otherwise. Let the Australian people decipher for themselves what they believe to be the truth.

I believe that this Bill would only create division and further erode trust in the government.

Perhaps if the government would be more honest with the Australian people, and stand up for the best interest of Australian citizens instead of kowtowing to the interests of the US and UK, the people would not seek more truthful information from other sources, which the government is obviously afraid of, and hence why they have proposed this Bill.

It appears to me that introduction of this Bill would place virtually all information— outside of the government’s narrative— under the “scope of ACMA powers”, and that any information could be classed as “misinformation or disinformation”. Who determines that? Under what criteria is information classed as misinformation or disinformation?

2.1.2 Misinformation, disinformation and serious harm states:

Misinformation in the Bill is intended to capture content that is disseminated on a digital service, where that content is false, misleading or deceptive, and where the provision of that content on the service is reasonably likely to cause or contribute to serious harm.

Again, who determines that? Harm to whom?

The key distinguishing feature between misinformation and disinformation in the Bill is intent. Disinformation is intended to capture ‘misinformation that has been disseminated with the intention of deceiving another person’.

Intent! What is the intent of the Bill? Again, who decides what is the truth? What is the intent of that decision?

Just take that line and apply it to PM John Howard and the 2003 invasion of Iraq. The then Prime Minister knowingly provided misinformation and disinformation to the Australian people to justify Australia’s willingness to support the US and UK invasion of Iraq. Look at the harm that caused!

3. Part 2 of Schedule 9 – Information

The Bill provides the ACMA with information powers that will apply to the digital platform industry. The information powers will allow the ACMA to make record keeping and reporting rules, gather information on an as needed basis and to publish information obtained from digital platforms. These new powers will provide greater transparency and insights on the effectiveness of platform measures to combat misinformation on their services. Information gathered by these powers may be used to inform investigations into potential breaches of misinformation codes and/or standards. The ACMA may take, and

retain for as long as is necessary, possession of a document produced. Additionally, the ACMA may disclose information to other persons and agencies should the information be relevant for efforts to combat misinformation and disinformation. This is enabled through consequential amendments to the definition of 'authorised disclosure information' in the ACMA Act made by this Bill, and correspondingly by Part 7A of the regime in that Act. There are protections for privacy and commercially sensitive information.

Our government claims that other countries like Russia and China control the media and deny their citizens access to information, what is the difference to the intent behind this Bill?

I do not support these overreaching and broad scope of powers being given to ACMA, and I would hope your department recognises the proposed Bill is not in the best interest of Australians, and squashes it now.

Thank you for the opportunity to have my say.

Yours sincerely,

Ann Lawler.