

Liz Marshall

Email

Phone

6 August 2023

Dear Committee Secretary,

Subject: Submission in Relation to the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

I am writing to express my concerns about the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. I appreciate the opportunity to provide public input on this critical matter and kindly request you to consider the following points:

1. The Bill appears to further reinforce the monopoly of established mainstream media enterprises, which could hinder diversity and competition in the media industry.
2. The Bill risks restricting community access to alternative views and undisclosed facts, potentially infringing on the public's right to full and diverse information on issues of interest.
3. The implementation and maintenance of the Bill's provisions could place an unnecessary financial burden on taxpayers due to the establishment of a possibly redundant bureaucracy.
4. The Bill might excessively empower public servants, potentially diminishing the public's ability to engage critically with and decide on issues of societal importance.
5. By limiting access to a variety of information sources, the Bill could inadvertently enable entities wishing to manipulate public sentiment towards potentially harmful actions, such as conflict or war.
6. Recent history has shown instances where powerful political interests and members of the public service have controlled public opinion and debate through misinformation or misrepresentation.
7. Media entities protected by monopoly or market privilege should not be further insulated from emerging alternative platforms or technologies. Diversity is critical for a healthy democratic discourse.
8. The Bill appears to overlap with existing laws and could potentially undermine pre-existing common law rights to free speech.
9. The complex nature of the Bill could inherently disadvantage smaller entities and favor well-resourced or government-backed entities, creating potential bias in its application.
10. The creation of misinformation codes could distract organizations from more important tasks and shift the focus from established common law obligations to an unproven field of ethics.

11. The Bill's provision for unrestricted power to act on "emerging circumstances" could infringe upon democratic processes. Public outcry, such as petitions with over 10,000 signatures, should drive action.
12. The Bill should directly and unambiguously define the freedoms protected under common law and the constitution to prevent further encroachments by judge-made law or conjecture.
13. Lastly, it is critical to ensure the Bill's alignment with a clearly articulated Bill of Rights that outlines the sacrosanct rights within the Australian Federation. The enactment of the Bill should be held off until such a document exists.

I believe that these points warrant serious consideration to ensure the Bill supports a democratic, diverse, and just society.

Thank you for your attention to this matter.

Yours sincerely,

Liz Marshall