



14 August 2023

Submission to be kept Anonymous. My name is not to be published on any website.

Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
CANBERRA ACT 2601

Subject: Submission on the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023

Dear Sir/Madam,

I am writing to express my deep concerns and outrage regarding the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. As an Australian citizen and a strong believer in the freedom of speech, I believe that this bill undermines the democratic principles upon which our nation was built.

First and foremost, I must emphasize that the bill creates an unfair distinction between different groups of citizens. While politicians, journalists, and members of educational institutions are given the power to spread information, regardless of its accuracy, regular citizens like myself are silenced and marginalized. The Internet has been a powerful tool for giving a voice to the people, and this bill has the potential to disproportionately harm those individuals who rely on it for their civic engagement.

Moreover, the excessive fines outlined in the bill will push digital service providers to clamp down on speech even more strictly than they do now. This restrictive environment will impede the free flow of ideas and opinions, stifling open discussions that are crucial for societal progress. Furthermore, the fact that the code applies uniformly across the entire industry, without any "pressure escape valves" in place, will compound the negative impact on freedom of speech.

One of the main concerns I have with this bill is the inherent difficulty in distinguishing true information from false information. Historically, there have been numerous instances where authorities and expert consensus have been proven wrong. The constantly evolving nature of knowledge means that what was once considered fact can later be disproven. For instance, the COVID-19 pandemic has seen a rapid transformation in our understanding of the virus and its transmission dynamics. This bill's potential to categorize previously accepted information as misinformation is deeply troubling and can lead to the removal of legitimate content from digital platforms.

Furthermore, the bill's inclusion of "misleading" or "deceptive" information for removal is highly problematic. Freedom of speech allows for open and honest discussions, even when opinions differ. By labeling true information as misleading or deceptive, this bill opens the door to selective censorship and inhibits people's

ability to express their viewpoints freely.

Even renowned experts, like Dr. Nick Coatsworth, have expressed serious concerns about the scope and application of this bill. His tweet on June 25th, 2023, highlights the potential for levying fines on information that may not necessarily be false or harmful. If even the experts appointed as stewards of truth question the effectiveness of this bill, it raises profound doubts about its credibility.

Furthermore, this bill could inadvertently result in the persecution of minority groups. Often, it is through challenging previously accepted beliefs that progress is achieved, and minorities rely on this ability to effect change. However, the single code mandated by this bill leaves no room for shelter or protection for minorities when their views clash with the system.

Additionally, it is crucial to consider the constitutional implications of this bill. Delegating the legislative power to private entities, such as companies responsible for implementing Misinformation Codes, raises significant concerns about the abdication of legislative power. The provisions outlined in this bill violate the implied constitutional freedom of political communication and unnecessarily restrict legitimate discussions on matters of public policy.

Lastly, this bill jeopardizes the democratic principle of access to information. In today's digital age, people rely on digital platforms for essential information on political parties and their viewpoints. By categorizing certain political party perspectives as misinformation, this bill deprives voters of necessary knowledge, leaving them in the dark and hindering their ability to make informed decisions.

Australia, as a founding member of the United Nations and a signatory to the Universal Declaration of Human Rights, is obligated to uphold the values of freedom of thought, conscience, religion, and expression. Article 18 and 19 of the Universal Declaration of Human Rights affirm these fundamental rights, emphasizing the importance of open and unrestricted access to information.

In conclusion, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 undermines fundamental democratic principles, infringes upon the freedom of speech, and risks curtailing the ability of citizens to access vital information. I urge the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider this bill and withdraw it in its current form.

Thank you for considering my submission. I trust that you will take into account the significant concerns raised by myself and many other concerned citizens.

Yours sincerely,

A solid black rectangular box used to redact the sender's name.

Sent from my iPhone