

Hi

I write to voice my opposition to the above proposed Bill and ask that you do not publish my submission.

I also ask that you do not proceed with this Bill in its current form.

I have a number of key concerns;

It is not appropriate for this Bill to impinge on freedom of speech - for any reason. Freedom of speech is a fundamental tenet of our democracy.

The Bill also opposes Article 19 of the Universal Declaration of Human Rights which states that everyone has the right to freedom of opinion and expression through any media. You can read more about this Declaration on the Australian Human Rights Commission website at <https://humanrights.gov.au/our-work/projects/what-universal-declaration-human-rights-0>

This Bill seeks to create a regulated Code of Practice for social media platforms to comply with. Significant monetary penalties are proposed to encourage such platform companies to comply and make calls on loosely termed misinformation and disinformation. As I understand it, if ACMA determine that this social media industry has not complied with a voluntary code of practice then ACMA can act and enforce the code. Determining truth is not the role of Government, nor is it the role of social media platforms - it is not ok for a Govt body such as ACMA to require social media platforms to make judgement calls on truth and incitement of harm - this is called censorship!!! Whilst some opinions expressed by some members of the Australian community may be unpopular, this doesn't negate the validity of their right to free speech. The fact sheet on the Bill states that it is not intended that this Bill curtail free speech but this is rubbish, as this is a clear outcome, as is the obligation that ACMA imposes on digital providers to remove content that they deem to be misinformation or disinformation. Of course this is going to result in the removal of content from digital platforms!! Your comms materials speak of 'striking the right balance' - in my view this Bill has major over-reach and there is no balance, in fact the pendulum has swung the other way.

I am concerned about the Federal, State and Local Government's exemption of authorised Government materials from such a Code. There is insufficient explanation as to why this is so. I would appreciate your written response to help me understand the need for Government authorised materials and how this is not absolutely blatantly hypocritical. What formal accountability provisions would 'authorised Government materials' on a digital platform be subject to?

Simply, I am unclear about the need for this Bill. Why? Your materials state '*misinformation and disinformation pose a threat to the safety and wellbeing of Australians, as well as to our democracy, society and economy.*' However no examples of such threats are provided. Please provide more rationale as to what threat expressing an opinion can place to Australian society? Social media is the equivalent of our village square where everyone has a right to a voice and if I don't agree with a concept then I don't need to associate with it. I don't want to live in any non-democratic society and my fear and concern is that this Bill is a tool to erode our current democracy. Look at what happened in Nazi Germany, it was forbidden (verboden) to speak against Nazism and the mass vilification and discrimination against Jews, because what Hitler and his government said was the only truth. Whilst in a different form, this Bill reaches the same outcome as that in Nazi Germany - if you have an opinion that is not mainstream or in a minority, then this is censored! and any non compliance is punished.

I am all for penalties for social media posts which show mens rea for a criminal offence such as assault against a person, domestic violence, terrorism, but there can not be any penalties for speaking or writing your opinion and this Bill creates this exact outcome. It is wrong. I think that getting down to the nitty gritty will show the lunacy of the intention of this Bill. For example, if I indicate my support for traditional marriage on some sort of social media, what test or what lens will be used to determine if I have caused harm or serious harm to LGBTQ people? Or will this Government wash their hands of such detail and say that its for the social media companies to decide? If so, this is a cop out of your governing function and responsibility. Furthermore, what if I state that lockdowns over the past couple of years have caused more harm than good - will that be seen as disinformation? How would such a judgement be made and what appeal mechanisms would apply? Or finally, if I declare that I support the full integration of indigenous people into the Australian community, and that it should not matter the colour of my skin to get the same rights and privileges as the person next to me, but then say that I do not support lifting one race above another in the nation's key governance document, then am I judged to be causing harm or engaging in misinformation or disinformation? I also can't see how

this Bill protects community members from some sort of overzealous media company who is completely irrational or biased in their accepted thinking. I do not force my Christian values upon my community but given that I live in a democratic society, it is my right to hold and express my own opinion. I see digital media platforms as being the equivalent of the town square from yesteryear where debates would be had, robust dialogue would take place and freedom of speech and association is maintained, respected and preserved.

I am very much interested in your response by reply email which will;

1. advise me of the need for exemption of Government authorised materials to this proposed Code and explain the accountability provisions that these materials would be subject to;
2. advise of the need for this Bill and
3. provide me with further detail about how misinformation, disinformation and serious harm will be assessed under this proposed Bill.

In addition, I am also curious if a Regulatory Impact Statement has been completed on this Bill, and if not, the rationale for such. I would also appreciate in writing your notification of the numbers of submissions you received opposing this Bill.

Please note my formal opposition to the Bill in its current form. It has gone way too far. I am happy for you to publish my submission but ask that you keep my name and contact details confidential.

Regards

