



AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

Bishops Commission for Life, Family and Public Engagement

16 August 2023

Information Integrity Section
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts
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CANBERRA ACT 2601

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Dear Sir/Madam

Feedback on the exposure draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023*

This response from the Australian Catholic Bishops Conference (**the Conference**), as prepared by the Bishops Commission for Life, Family and Public Engagement (**the Commission**), is made to contribute to the proposed changes to the Australian Communications and Media Authority (**ACMA**) powers to combat misinformation and disinformation.

More than half of all Australians profess a religious belief. One in five Australians identify as Catholic. The Catholic Church and its agencies contribute in various ways across the spectrum of Australian society. As an integral part of its core mission, the Church seeks to assist people to experience the fullness of life. It is concerned with all that impacts on human dignity and wellbeing for the common good.

The Conference is a permanent institution of the Catholic Church in Australia and the instrumentality used by the Australian Catholic Bishops to act nationally and address issues of national significance.

The Commission is one of several commissions established by the Conference to address important issues both within the Church and in the broader Australian community. The Commission has responsibility for commenting on human rights law and particularly religious freedom.

The Conference seeks to participate in public debate by making reasoned arguments that can be considered by all people of goodwill.

The proposed *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023* (**the Bill**) does not acknowledge how communications made in good faith and on the basis of deeply held beliefs contribute to the common good.

The Christian emphasis on the dignity and flourishing of every person is foundational to the teachings of the Catholic Church and its mission in the world. These beliefs are not a private spirituality but involve an active commitment on the part of all Catholics to the pursuit of the common good and love of neighbour. Catholics seek cooperation with all those of good will, recognising that common goal of human flourishing that we share even with those with whom we disagree.

Nevertheless, there are people who will sometimes incorrectly claim that the teachings of the Catholic Church are “hateful” or “harmful”. The Conference is concerned that the Bill could be used to portray the Church’s communication of its teachings as a form of public misinformation.

As a signatory to the International Covenant on Civil and Political Rights, Australia is party to an international agreement to ensure that its people are free to manifest their “religion or belief in teaching, practice, worship and observance.”¹ International human rights law provides that the public manifestation of religion or belief can be limited only where strictly necessary for narrow and defined public purposes and may not be abridged even in times of public emergency.² This is universally accepted to indicate that communicating sincerely held religious beliefs is an important contribution to the common good that should be safeguarded when drafting legislation.³

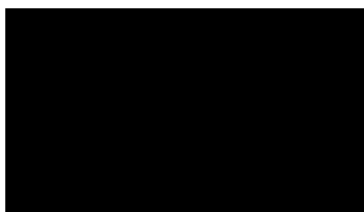
Many religious services shifted to a digital format as a necessity during the Covid pandemic. While most churchgoers have returned to in-person attendance, many churches have maintained their online presence as a service to those who are unable to attend for a variety of reasons. These reasons include being sick at home or in hospital, those who are in more rural and remote areas and those who are in aged care facilities. Online religious offerings have been an overall positive for the community and this bill should not restrict the access of vulnerable people or other members of the community to the content of their faith.

As a result, the legislation should provide that communications of religious belief made in good faith, that the communicator genuinely considers to be consistent with the doctrines, tenets, beliefs or teachings of that religion, should not be included in the scope of the Bill. This alteration will prevent digital platforms from being obliged to censor or label communications of religious belief online as disinformation or misinformation.

This would be consistent with a provision in the Bill that content produced “in good faith for the purposes of entertainment, parody or satire” is not captured by the Bill’s provisions. When done in good faith, the communications of religious and faith-based institutions should be similarly acknowledged as essential to a healthy community and, therefore, outside the scope of this Bill. It would be perverse if content produced in good faith for satire was allowed, while content that talks about our deepest beliefs was not.

I would be happy to answer any questions the Committee may have. I can be contacted via Mr Jeremy Stuparich, Deputy General Secretary at the Conference on 02 6201 9863 or policy@catholic.org.au

Yours faithfully



Most Rev Peter A Comensoli
Archbishop of Melbourne
Chair, Bishops Commission for Life, Family and Public Engagement

¹ Universal Declaration of Human Rights, Article 18.

² International Covenant on Civil and Political Rights, Article 4(2).

³ United Nations Human Rights Committee, General Comment 22: Article 18 (Freedom of Thought, Conscience and Religion) (1993) (General Comment 22), §1: Article 18’s ‘fundamental character is reflected’ in art 4(2).