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From: [REDACTED]

Sent: Wednesday, 16 August 2023 9:21 AM

To: Minister.Rowland.MO

Subject: Message sent via ministerial website - Submission on the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 [SEC=UNOFFICIAL]

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Subject

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

Message

Vesela Atanasovska

[REDACTED]
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16 / 08 / 2023

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

[Address]

[City, State, Postal Code]

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

Dear Sir/Madam,

I write this submission with utmost outrage and concern regarding the proposed Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. As a concerned citizen, I strongly believe that the government's attempt to address misinformation is unnecessary and represents a worrisome infringement on the freedom of speech and democracy in our country.

Firstly, the delegation of legislative power to private entities, as outlined in the Bill, is a direct affront to the principles of democracy and accountability. The High Court has consistently argued that such power should be rightfully vested in ministers who are responsible to Parliament. By granting private entities the authority to create Misinformation Codes that hold the weight of law, the proposed Bill disregards this essential principle and constitutes an unconstitutional abdication of parliamentary power.

Moreover, the provisions granting the Australian Communications and Media Authority (ACMA) the ability to establish Misinformation Standards and Digital Platform Rules directly contradict the implied constitutional freedom of political communication. It is vital to note that these provisions neither add nor enhance the existing constitutional prohibition on the infringement of this fundamental freedom. Instead, they further restrict legitimate discussions and debates on matters of public policy, such as health, environment, and economy, which are highly contested among various political parties and interest groups. These limitations unreasonably curtail the essential right to engage in meaningful political communication.

In addition, the Bill's definition of 'misinformation' is problematic and subjective, leaving ample room for abuse and arbitrary censorship. The subjective assessment of 'serious harm,' as specified in clause 7(1), further exacerbates this issue, as it fails to provide clear guidelines and accountability mechanisms. By inviting private entities to determine what constitutes misinformation and serious harm, the proposed Bill endangers the democratic principles of transparency, accountability, and open discourse.

Furthermore, it must be recognized that combating misinformation should not be the sole responsibility of the government or private entities. Instead, the focus should be on enhancing media literacy and critical thinking skills to empower citizens to discern fact from fiction independently. Initiatives promoting media literacy, public awareness campaigns, and fact-checking resources should be prioritized to foster an informed and educated society.

In conclusion, I strongly oppose the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. The proposed Bill not only undermines the principles of democracy and freedom of speech but also risks stifling public debate on critical matters of public policy. I urge the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider this Bill and instead focus on empowering citizens through education and critical thinking.

Thank you for considering my submission. I trust that you will respect the voices of concerned citizens and act in the best interest of our democratic society.

Yours sincerely,

Vesela Atanasovska

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