

Misinformation and Disinformation Bill 2023 Will Be Disastrous

From: [REDACTED]
To: Information Integrity <information.integrity@infrastructure.gov.au>
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Attachments: Unnamed Attachment (68 bytes)

Dear Misinformation Bill Review,

[REDACTED]
17/08/2023

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

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

Dear Sir/Madam,

I am writing to express my deep concerns and outrage regarding the draft bill titled "Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023." It is my firm belief that the existence of this bill undermines the freedom of speech that is so vital to Australian citizens. I firmly assert that this bill has the potential to disproportionately harm regular citizens, those who make up the backbone of our democracy, and stifle their voices in the online sphere.

One of my main concerns with this bill is the creation of two classes of citizens. The first class, consisting of politicians, journalists, and members of educational institutions, will be granted the power to spread information, regardless of its accuracy. However, the second class, comprising ordinary citizens who often possess more knowledge on various topics, will be left at a disadvantage. This unjust classification disregards the fact that the internet is a powerful democratic tool that has given voice and agency to regular people. This bill puts this voice at risk and goes against the principles of equality and fairness that underpin our democratic society.

Furthermore, the excessive fines outlined in the bill will only serve to make digital services more restrictive in their approach to speech, potentially surpassing even the most stringent restrictions currently in place. The lack of "pressure escape valves" within the system compounds the harm that will be caused. It is an impossible task to accurately discern what is true or untrue, as the nature of knowledge is constantly evolving. Historical examples, such as the ever-changing understanding of COVID-19, highlight the dangers of attempting to regulate and remove content based on accuracy. This legislation has the potential to silence legitimate and varied viewpoints, inhibiting open and honest discussions that are crucial for a robust democracy.

The bill not only targets provably false information but also extends to information that can be deemed "misleading" or "deceptive," thereby endangering freedom of speech. Freedom of speech plays an invaluable role in facilitating open and honest debates, allowing for the exploration and establishment of truth through critical discourse. Even experts, such as Dr. Nick Coatsworth, a former Deputy Chief Medical Officer, have expressed serious concerns about the broad scope and implementation of this bill, further undermining its credibility.

Moreover, the proposed delegation of legislative power to private entities, such as the creation of Misinformation Codes, raises constitutional concerns. By allowing these entities to register such codes that become law without direct responsibility to parliament, the bill represents an unconstitutional abdication of parliamentary legislative power. The power granted to the ACMA to enact Misinformation Standards and Digital Platform Rules also infringes upon the implied constitutional freedom of political communication, which is vital to a healthy democracy.

Additionally, this bill assumes that the government and accredited institutions possess the sole authority to determine what is true, disregarding the experiences and viewpoints of ordinary Australians. Diversity in viewpoints is essential to the sense-making process and to consider all possibilities. By deplatforming certain views before they can be shared, this bill eliminates the necessary diversity in perspectives, hindering informed decision-making and undermining the very essence of democracy.

Furthermore, the threats made to both digital platform providers and ordinary users, referred to as the "Deplorables," are deeply concerning. These threats, including negative reports, impositions, and civil penalties, may cause significant harm, both reputationally and financially. By coercing compliance and potentially requiring ordinary people to report on their friends or family, this bill promotes an environment reminiscent of oppressive regimes, contrary to the values of mateship and integrity that are cherished in Australian society.

Lastly, the bill jeopardizes the democratic endeavor by categorizing political party viewpoints as misinformation and allowing for their removal from digital platforms. Independent media organizations, journalists, and bloggers face onerous reporting standards and the risk of misinformation reports, which can ultimately damage their reputation and financial stability. This can result in a biased media landscape where government-approved journalists are

incentivized to provide favorable coverage, creating an imbalance in news reporting and undermining the principles of an independent press.

As a founding member of the United Nations and a signatory to the Universal Declaration of Human Rights, Australia has committed to upholding fundamental rights, including the freedom of thought, conscience, religion, and freedom of opinion and expression. This bill poses a direct threat to these rights and perpetuates an atheistic worldview while neglecting the diverse perspectives of people of faith.

In conclusion, I implore the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. This bill not only undermines the freedom of speech of Australian citizens but also fails to address the crucial role of diversity and open debate in a thriving democracy. I urge you to protect the democratic values and freedoms that Australians hold dear and ensure that any legislation promotes transparency, accountability, and the unrestricted exchange of ideas.

Thank you for considering my submission. I trust that you will carefully evaluate the concerns raised and take appropriate actions that align with the democratic principles upon which our nation was built.

Yours sincerely,

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