

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

ATTENTION: Department of Infrastructure, Transport, Regional Development, Communication and the Arts

Re: Feedback on an exposure draft of the *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023*, as per <https://www.infrastructure.gov.au/have-your-say/new-acma-powers-combat-misinformation-and-disinformation>

I've seen some woeful behaviour from the Australian government and various other institutions over the past few years, but this Draft Bill tops all of it. Which is an extraordinary claim considering the sheer level of incompetence and/or malevolence that has been on display. Several years ago, I understood that corruption was rife throughout our society, but was somewhat comforted by the 'fact' that I lived in the "Lucky Country" and I could rest easy knowing that I was able to think freely and even dare to express those thoughts in public, safe in the knowledge that I wouldn't be fined for doing so. I didn't suffer under a totalitarian regime such as in the People's Republic of China, where the Internet and media is totally controlled and censored by the Chinese Communist Party, smothering the life out of their citizens.

That was, until I started hearing various commentators raise the issue of this very proposed Draft Bill, and thought, well I better take a look at this then shouldn't I, it surely couldn't be that bad. Unfortunately however, this Draft Bill is the most despicable attack on free speech to ever occur in this country, that I am aware of at the very least. It's clear intention is not to increase safety for the people of Australia, but to coerce them into subservient and docile tools to appease the new ruling bureaucratic class. The authors of it, should be ashamed of themselves. Given that remarkably similar bills are being proposed throughout the Western world, I very much doubt that much of this Draft Bill was written in this country, merely moulded to suit existing Australian Law. Never before did I comprehend that the leaders of this country would so gleefully skip down the road toward totalitarian rule with the power to silence any that dare to offer a whelp of dissent.

And who am I to say such things you might ask; such inaccurate, offensive, conspiratorial thoughts? You, the ACMA and the E-Safety Commission, up there in your ivory tower, oh so holy and just, staring down with disgust at the deplorable population and their WRONGTHINK. What right do I have to think for myself, when you and your cronies have already done the work and solved all the problems, if only the despicable public would just listen... It's for our safety, you say. Our safety. It's extraordinarily difficult to believe that claim, given that the Australian government is refusing to properly investigate why this country has been consistently experiencing all cause mortality excess death numbers somewhere between 10 to 20% since early 2021. One might have thought that this would be an important issue for one professing such concern about the safety of others. Or are we considered 'safe' once we're dead? Perhaps it's just a little misunderstanding. Good to know that our Government will keep us safe, with the added bonus that they're never wrong about anything. How do I know that, well the Draft Bill makes that quite clear, as;

excluded content for misinformation purposes means any of the following:

- (e) content that is authorised by:*
 - (i) the Commonwealth; or*
 - (ii) a State; or*
 - (iii) a Territory; or*
 - (iv) a local government.*

Meaning, the Australian government is excluded from being considered as purveyors of misinformation (and/or disinformation). Meaning that they can't be wrong, that they're always right! Simple. Thanks for letting me know. I guess that means that since you guys have got it all figured out, then we won't even need elections in future. What's the point, why worry my dumb little head with the big problems when I can just tune in to the TV and be told what to think. Because what do ya know, who else can't produce mis/disinformation under the proposed Draft Bill;

(b) professional news content;

Who defines who the professional news content providers are? Maybe I should just sit back and let it happen. It will be so much easier, no stress, no problems... though if I do have problems then I'm sure my gaffer-taped local GP and his buddies at the TGA might have a few products that'll sort me out.

In reviewing the Draft Bill and the condensed Fact Sheet, I was initially pleased to be informed that;

the ACMA will not have the power to request specific content or posts be removed from digital platform services

Great to know, or so I thought. However the authors of this Draft Bill are only too aware that blatant censorship by the Government would be unacceptable to even the most loyal of their brainwashed subjects. No, this Draft Bill is far more nefarious and sneakier, it aims to outsource the onerous task of censoring the masses to the digital platform providers themselves. And why, one might ask, would they do that? Surely the users of these platforms don't want to be censored. Surely they would rebel and leave the platform *en masse* if they were unable to express their unique thoughts openly? And surely that would be bad for the bottom line of the digital platform providers. We do live and operate under free market capitalism don't we? The insidious answer is quite simple though, if this Draft Bill is enabled, the ACMA will have a range of enforcement options available, including;

Maximum penalties – non-compliance with industry standard

Maximum of 25,000 penalty units (\$6.88 million in 2023) or 5 per cent of global turnover (whatever is greater) for corporations or 5,000 penalty units (\$1.38 million in 2023) for individuals.

5% of global turnover! 5%! That is certainly going to influence the decision made when weighing up the value of free speech of its users against the prospective fines from the ACMA. One such beam of light amongst the darkness of totalitarian censorship descending down upon us all has been Elon Musk and his purchase of Twitter (now rebranded X). Their global turnover this year will likely approach USD \$5 Billion. A prospective fine of 0.25 Billion US dollars is going to make a fair dent in anyone's profit margin. It would be extravagant for me to expect Musk to wear that pain so that I might be able to query the effectiveness of masks or lockdowns, point out that the Prime Minister of my country has been constantly flip flopping on the details of a phenomenally racist referendum designed to distract and drive a wedge between his constituents, boast that my dog is the goodest one of them all, pontificate that there are and there has only ever been only two genders, wonder if it's a poor strategy to decide that something as complex as climate can be nailed down due to the atmospheric concentration of a single ubiquitous molecule that is absolutely essential to all life on this planet, express alarm that our leaders want to incinerate what remaining sovereignty this country has by kowtowing our health policy to the dreadfully inept and blatantly corrupt World Health Organisation, point out that incoming Digital IDs coupled to centralised digital currency is the precursor to the implementation of a Social Credit Score system, inform my peers that I now identify as a lesbian velociraptor, or question out loud as to why I was essentially trapped within my state borders for almost 2 years without having committed (or be accused of) any crime... Indeed, at the

risk of needing to cough up AUD \$1,380,000.00 I'm probably going to be weighing up which particular hills will be the one/s that I'm willing to die on. The last sentence encapsulates the ultimate aim of this Draft Bill, and that is to break the will of the people into the most effective form of censorship, that of self-censorship. Upon witnessing the punishments dealt out to the few dissenting friends, family members, workmates etc that might dare to speak out, the individual will cease voicing their own opinions at all for fear of swift and certain retribution.

the ACMA will not have the power to request specific content or posts be removed from digital platform services

On review, the initial comfort that I felt having read the above statement was shattered. The ACMA will march on towards totalitarian control of information barely needing to enact their astonishing new powers at all. The above statement is to the highest degree *disinformation* if I have ever seen it. From your own Fact Sheet definition;

Disinformation is:

- *content that fulfils the criteria for misinformation; and*
- *the content is disseminated with intent to deceive*

Ah, but then I remember that my Government are incapable of purveying disinformation (or misinformation), so the above isn't disinformation at all, it can't be. It comes straight from the Ministry of Tru... er, the ACMA themselves. Amazing.

But I digressed, I intended to inform you of my credentials to question this utterly ridiculous totalitarian dictate. Who am I? A multi-generational Australian citizen born and raised in rural South Australia. Left the family farm to go off to University and worked in industry all around Australia for a few years. Eventually the corporate life left me disillusioned so, and circumstances presented such that I found myself back on the family farm. Now an amateur farmer and attempting to start up a business. Engaged in multiple sports in my local community. Volunteer as Treasurer on a couple of those sporting bodies, along with volunteering in the local Country Fire Service. I've always paid my taxes. I have experienced being on the receiving end of government handouts, for a total 6 weeks in one of the lowest periods in my life. I've had friends and acquaintances from a diverse range of racial backgrounds, sexual orientation or religious beliefs, and across all levels of society. I treat people how I would like to be treated. Far from perfect, I've made my fair share of mistakes. I've been on a journey of self improvement, regarding both my physical and mental health. Much of this journey, has been made possible because I turned off the TV and started looking at alternative sources of information, listening to voices that would question the status quo. Listening to many different voices with often very different opinions, and deciding for myself what to believe. And then listening some more and pondering on my assumptions, changing my mind when the evidence presented itself to do so. Because that's the most effective way of improving one's model of the world around them, by exposing your assumptions to the battlefield of ideas and finding out if your ideas can stand up to critique. If this Draft Bill was enabled several years ago, I doubt that this phase of growth in my life would have occurred as those voices that inspired me to take responsibility for my own problems are exactly those that would likely be silenced under such a regime.

Do I think that people or institutions should have the right to say whatever they want? No. If politicians are elected on the back of various promises, should they be able to renege on them or pretend like those promises were never uttered, certainly not. Should someone be free to incite

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violence or destruction of property without consequence because they're frustrated or annoyed, also no. Should a group of people be free to gather and demonstrate their frustration in a peaceful manner, when they feel that their rights are being trampled on, absolutely yes. This has generally been the oft lauded civil act known as protest, which due to increasingly draconian laws being enabled throughout various states in this country, is becoming an act that is quite difficult to affectively accomplish (much to your delight I might imagine). Should people be able to knowingly lie or behave in a fraudulent manner? Of course not, which is why we already have a strong battery of laws that protect against such acts, and the courts in order to sort the issues out. Should people be allowed to be "wrong" or express ideas that are unsavoury to someone else? Absolutely yes they should. And people should have the right to argue against those ideas, to attempt to demonstrate the errs of those ideas, and perhaps even to learn something in the act of doing so.

I'm only too aware that I'm wrong about many, many things. I'm even more aware of the dangers of those that are too sure of themselves, and too certain of the foolishness of others. I want to be proud of this country, but if we don't shake this creeping totalitarianism then there will be nothing left to be proud of. This proposed Draft Bill is an abomination to the free thinker and to our rights to have freedom of speech. Not once in history, have those that have tried to censor their people, been the 'good guys'. Bad information is combatted by better information, not by censorship. This Draft Bill deserves to be printed out and hung in a museum somewhere, there for future generations to see just how close we got to implementing a totalitarian regime in our country. It is a truly dangerous path that ultimately marches on towards the implementation of Stalin-esque Gulag prison camps.

Just in case my feedback provided has not been clear, I am very much of the opinion that this draft of the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023*, should be deleted, burned, destroyed, disengaged and/or totally obliterated. To cover your key issues;

Regarding "*freedom of expression*", I am not in favour of any reduction in my, or my fellow citizens, capacity to have total freedom of expression.

Regarding "*the complexity of content exemptions*", I am of the firm belief that it is hypocrisy of the highest degree for the government to delegate themselves as the arbiters of truth and to be exempt themselves from being labelled disseminators of misinformation or disinformation.

Regarding "*the scope of the private message exemption*", I believe it's called *private* for good reason and the government should stay out of people's private communications. In extraordinary circumstances, where demonstrated actual and significant danger exists, the government already has highly delimited means of accessing some private communications. And that's how it should stay.

Regarding "*the size of the penalties and any other issues*", the size of the penalties are truly extraordinary and completely outrageous, and I propose that the number of penalty units for all charges be made simpler and just set to zero. I reject the premise that the penalties are appropriate or necessary in any case. I believe I have "*other issues*" clearly covered throughout this submission, though by no means is this short piece an exhaustive list of all "*issues*" that I have with this proposal.

I hope I have made myself clear. I give my permission for this submission to be made public

Regards

Roger Snodgrass