



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

Christian Faith and Freedom (CFF) is a Canberra-based charity which monitors and disseminates news and analysis of violations of the human rights of Christians in many parts of the world. Verifiable information of injustice - which perpetrators would like to suppress - must be protected from censorship to prevent persecution from continuing unchallenged.

The Communications Legislation Amendment Bill 2023 which proposes to give ACMA new powers to combat “misinformation and disinformation (which) pose a threat to the safety and wellbeing of Australians, as well as to our democracy”, threatens freedoms of information, belief and speech which are foundational to democracy itself.

Australians have every right to expect that our elected government will protect, not undermine, vital freedoms enshrined in international covenants: the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights which Australia has pledged to uphold.

Australia’s legacy of freedom - which we have taken for granted - was not free: it was paid for at the cost of thousands of young lives on many battlefields; has been fought for in State and Federal Parliaments and must be defended for future generations.

Most of the individuals with whom CFF is closely associated come from countries with failed democratic institutions which rely on the excessive control over information - of the same kind that is proposed in the Bill - elevating official narrative over anything that would contradict it. The Bill represents censorship on a scale that is unprecedented, which is open to abuse. Like many others, CFF is astounded that such a Bill is proposed in Australia.

Refugees who have fled from the existential threat posed by these oppressive, totalitarian regimes in their countries of origin are expressing alarm at the rapid erosion of freedom in Australia. Denunciations of the Christian faith as ‘bigoted’, and the accusation that religion is the cause of the most harmful forms of discrimination in Australia is causing considerable distress. Ominous warnings from voices previously silenced by fear and oppression need to be heard.

In keeping with such mythology, Australia appears to have adopted a distorted approach to Christians in its immigration policy as illustrated by the recent inability of the current Ambassador of the International Christian Association, Petr Jasek, to obtain a visitor’s visa.

The situation of Petr Jasek is an example of government falsely maintaining its truth over manifestly contradictory evidence. Since his release from a brutal Sudanese prison in 2017 – secured through the combined diplomatic efforts of USA, the EU, and Czech authorities – Petr has been granted a visa to visit Australia on two previous occasions when he has inspired

and encouraged thousands by sharing his experience of the presence of Christ which sustained him during his ordeal and gave him the grace to forgive his abusers...

Giving unelected, unnamed bureaucrats the authority and responsibility to define 'misinformation and disinformation' without accountability will almost certainly legitimise highly subjective judgements which do not satisfy the high standards required in international law for reducing fundamental rights of freedom of expression. On what grounds is information deemed to be harmful? Who checks the fact-checkers?

Why are these new powers of effective censorship supposed to be necessary now? Could it be that information presented by government agencies and the mainstream media on issues of vital public concern is now being challenged by fresh information which indicates that 'politically incorrect' views have subsequently been proven embarrassingly true - but not before many people who held them have been vilified; de-platformed; their livelihoods lost; their personal and professional reputations damaged, and their human rights violated in our supposedly democratic nation? Uncontested government control of information and expression easily becomes a tool of totalitarianism.

The exclusion of governments and the mainstream media from the restrictions imposed on Australian citizens privileges government-authorized content so that it can never be treated as "misinformation" or "disinformation" even if it would qualify in those categories but for the exclusion. If this asymmetric power is misused, it has the potential to conceal corruption, profoundly alter public opinion, dictate public policy, and influence elections.

"The truth, the whole truth and nothing but the truth" is the standard required in courts of law upon which justice and freedom depend. It is the duty of governments to provide an open forum in which all views can be freely expressed, robustly debated, and evidence contested in the courts of public opinion to determine which ones best serve Australia's interests.

Freedom of information enables Australians to make their own judgements, independent of government influence. They deserve to be credited with sufficient intelligence, common sense, and life-experience to do so with wisdom; they do not need officials appointed to exercise undue authority over them.

This Bill would also give ACMA considerable power to impose draconian fines on providers of digital services which carried 'misinformation' or 'disinformation'. This would lead to excessive policing of content – severely restricting freedom of speech, against which there appears to be no protection or means of appeal for restoration of deleted information.

Even before this proposed legislation has been passed into law, foreign-owned Big Tech companies have followed government directives and removed social media postings of respected Australian political commentators and analysts. The Institute of Public Affairs reports that six posts relating to the Voice to Parliament - and to censorship itself - have been taken down. Facebook has also removed the report of influential Sky News presenter, Peta Credlin, on the true length (26 pages) of the Uluru Statement, obtained through FOI.

Australian national security depends on vigilant monitoring of posts which incite violence or present danger to life and property, but all power needs to be exercised with integrity. Senator Alex Antic's disclosure earlier this year that the Department of Home Affairs used its anti-

terrorism powers to control social media postings of ordinary Australians is adding to mounting concern over the violation of personal privacy.

The proposed legislation, presented as providing protection for Australians, clearly indicates that it is government overreach, betrayal of public trust, and the abuse of authority from which Australians are most in need of protection.

Thousands who now call Australia home have generational experience of the intense suffering imposed by totalitarian regimes. They are acutely aware that depriving people of freedom of speech, and instilling fear of the repercussions for non-compliance with official directives are the first steps towards depriving people of other vital liberties.

CFF is therefore opposed to the Communications Legislation Amendment Bill 2023.

We deeply appreciate this opportunity to express our belief that all Australians have an unassailable right - proclaimed in our national anthem - to remain "one and free".

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This submission may be made public.