

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

From: Ben Mackenzie [REDACTED]
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Dear Sir/Madam,

I am writing to express my deep concern and outrage regarding the proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023. As an Australian citizen, I strongly believe that this bill threatens our fundamental rights and undermines the freedom of speech that is crucial for a healthy democracy.

First and foremost, this bill creates an unjust division among citizens, separating politicians, journalists, and members of educational institutions from regular Australians. By granting a select group the power to spread potentially false or misleading information online, while restricting the speech of ordinary citizens, the bill undermines the principles of equality and fairness in our democracy. It is ironic that those with insider knowledge and expertise are silenced in favor of a chosen few.

Moreover, the proposed legislation poses a significant risk to the power of the Internet as a democratic medium. The excessive fines and the industry-wide application of the code will undoubtedly lead to a more restricted environment, stifling open discourse and discussion. By targeting digital services with such severity, the bill undermines the very essence of the Internet's democratic potential, voices of regular people.

Additionally, it is simply impossible to accurately determine what is true or false in the complex and ever-evolving world of information. History has shown us numerous examples of widely accepted facts being proven false at a later stage. The list of COVID-19-related information provided in the draft bill as potential misinformation demonstrates this point effectively. By attempting to regulate truth and labeling content as misleading or deceptive, the bill disregards the importance of open and honest debate in the pursuit of knowledge.

Even Dr. Nick Coatsworth, a former Deputy Chief Medical Officer of Australia, has raised concerns about the scope and application of this bill. His comment on Twitter expressing skepticism and concerns about the legislation highlights the flaws in the proposed approach to combat misinformation and disinformation.

Furthermore, the bill's delegation of legislative power to private entities and the ACMA poses a significant constitutional issue. By allowing companies to create Misinformation Codes and granting ACMA the authority to enact Misinformation Standards and Digital Platform Rules, we witness an unconstitutional abdication of the legislative power of Parliament. This delegatory approach undermines the proper democratic process and raises concerns about the integrity of these codes and standards.

The bill also threatens ordinary people's ability to engage in the public conversation and stifles viewpoints that may differ from those of the government or accredited journalists. The threats to digital platform providers and the ordinary users are severe, ranging from reputational damage and financial penalties to compulsion for investigative reporting. These threats not only restrict freedom of speech but also undermine valuable principles such as mateship that are deeply ingrained in our Australian culture.

Moreover, the categorization of political party viewpoints as misinformation and the potential removal of such viewpoints from digital platforms would leave voters uninformed and in the dark. This hinders our democratic process and allows for the establishment of a framework where

government-approved publications are favored, undermining independent media, journalists, and bloggers who uphold the principles of unbiased reporting.

In conclusion, the Communication Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 threatens the freedom of speech of Australian citizens and undermines the democratic power of the Internet. It is my strong belief that these provisions are not only unjust but also unconstitutional. I urge the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reconsider this bill and uphold the principles that define our democratic society.

Thank you for your attention to this matter.

Yours sincerely,

Benjamin Mackenzie



Sent from my iPhone