

Dear Misinformation Bill Review,

I am greatly concerned by the draft Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 and its potential impact on free speech.

The necessity of this legislation is certainly questionable when speech crimes such as defamation and inciting violence are already outlawed. The startling difference between this bill and these existing laws is that it can effectively be used to shut down all kinds of lawful discussions about social issues. Some examples include the discussion regarding biological men being able to identify as female and enter women's private spaces, global warming, the safety of vaccines, etc. To me, the bill's primary purpose seems to be the eradication of political beliefs deemed contrary to the mainstream.

This bill has also unsurprisingly chosen the most effective form of censorship – threatening private companies with massive fines if they are caught allowing so-called “mis/disinformation” on their platforms. Indeed, threats of large fines will result in much more censorship than if this bill simply sought to prosecute individuals. Having private corporations simply cancel people's accounts is also much safer for the government compared to confronting individuals and risking being called out for governmental overreach.

The definitions contained in the draft bill are also outrageously vague and subjective. It loosely defines harm as hate speech, disruption of public order, harm to government, harm to public health, the environment, and economy (p.10). This is a broader attack on free speech than anything hitherto – including not just harm to people but “to the Australian environment” as well! Another concerning part of this definition of harm is the word “disruption”, which could easily be weaponised to prevent legitimate robust debate or to censor any political views which are opposed to ruling orthodoxy.

The hope that this bill will be used only for good – when it can so easily be used for unjust censorship – I think is naïve. Anyone who has studied history should know that we can never afford to put our trust in the inherent good of any leadership group when there are no proper safeguards in place.

Thank you for considering my submission. I hope you will be convinced that freedom of speech and the open exchange of ideas are non-negotiable.

Yours faithfully,

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