

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Monday, 10 July 2023 2:58 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: For approval - mis and dis lines [SEC=OFFICIAL]

OFFICIAL

Comments attributable to the Minister for Communications, the Hon Michelle Rowland MP:

“The Albanese Government is committed to holding digital platforms to account for dangerous misinformation and disinformation on their platforms.

“These proposed new powers won’t empower the ACMA to determine fact from fiction when it comes to individual posts. Instead, the regulator would be able to seek information from the platforms about measures they have in place to address misinformation and disinformation on their service, and develop an industry-wide code or standard if self-regulation is proving insufficient.

“Consultation on the draft legislation is currently open and the Government intends to introduce legislation to Parliament by the end of the year. The Coalition will then have to decide whether it still supports keeping Australians safe from harmful misinformation and disinformation online as they said they did in March 2022”.

On background – for use, not for attribution:

- Authorised political material and professional news content are exempt from the framework.
- Consultation closes on 6 August 2023. Submissions can be made here: [New ACMA powers to combat misinformation and disinformation | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)
- The powers were recommended in the ACMA’s June 2021 Report to Government on the Adequacy of Digital Platforms’ Disinformation and News Quality Measures.
 - o The former Coalition Government indicated their intention to legislate similar powers in March 2022: [New disinformation laws | Paul Fletcher MP, Member for Bradfield](#)

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Office of the Hon Michelle Rowland MP
 Minister for Communications
 Federal Member for Greenway

Commonwealth Parliamentary Offices
 Level 21, 1 Bligh Street, Sydney

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E: s22(1)(a)(ii) - irrelevant material | @mo.communications.gov.au



The Hon Michelle Rowland MP | Minister for Communications

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FOI 24-038

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Monday, 10 July 2023 4:03 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: RE: For approval - mis and dis lines [SEC=OFFICIAL]

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Comments attributable to the Minister for Communications, the Hon Michelle Rowland MP:

*“The Albanese Government is committed to holding digital platforms to account for **seriously harmful dangerous** misinformation and disinformation on their platforms.*

*“These proposed new powers won’t empower the ACMA to **determine fact from fiction when it comes to censor** individual posts. **Digital platforms will continue to be responsible for moderating the content they host on their services.** Instead, the regulator would be able to seek information from the platforms about measures they have in place to address misinformation and disinformation on their service, and develop an industry-wide code or standard if self-regulation **provides inadequate protections from serious harms of mis and disinformation is proving insufficient.***

*“Consultation on the draft legislation is currently open and the Government intends to introduce legislation to Parliament by the end of the year. The Coalition will then have to decide whether it still supports keeping Australians safe from harmful misinformation and disinformation online as they said they did ~~in March 2022~~ **prior the last Federal election**”.*

On background – for use, not for attribution:

- Authorised political material and professional news content are exempt from the framework.
- Consultation closes on 6 August 2023. Submissions can be made here: [New ACMA powers to combat misinformation and disinformation | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)
- The powers were recommended in the ACMA’s June 2021 Report to Government on the Adequacy of Digital Platforms’ Disinformation and News Quality Measures.
 - o The former Coalition Government indicated their intention to legislate similar powers in March 2022: [New disinformation laws | Paul Fletcher MP, Member for Bradfield](#)

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The Hon Michelle Rowland MP | *Minister for Communications*

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s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Wednesday, 12 July 2023 1:48 PM
To: s22(1)(a)(ii) - Rafizadeh, Shervin; s22(1)(a)(ii) - irrelevant s22(1)(a)(ii) - irrelevant
Subject: RE: MIDDAY MEDIA ROUNDUP - WEDNESDAY, 12 JULY 2023 [SEC=OFFICIAL:Sensitive] [SEC=OFFICIAL]

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Thanks for spreading the word!

[New ACMA powers to combat misinformation and disinformation :: Nola Marino MP](#)

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From: s22(1)(a)(ii) - irrelevant material MO.communications.gov.au>
Sent: Wednesday, 12 July 2023 12:44 PM
To: Rafizadeh, Shervin <Shervin.Rafizadeh@MO.communications.gov.au>; s22(1)(a)(ii) - irrelevant material MO.communications.gov.au>; s22(1)(a)(ii) - irrelevant material @MO.communications.gov.au>
Cc: s22(1)(a)(ii) - irrelevant material@MO.communications.gov.au>
Subject: FW: MIDDAY MEDIA ROUNDUP - WEDNESDAY, 12 JULY 2023 [SEC=OFFICIAL:Sensitive] [SEC=OFFICIAL]

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s47C - deliberative processes

SOCIAL MEDIA INTERFERENCE
JAMES PATERSON, ABC MELBOURNE

PATERSON: For a starter, I'm someone who treats this issue very seriously. It's the whole reason why we established the Select Committee on Foreign Interference Through Social Media, and I'm particularly concerned about a category of misinformation or disinformation which is state sponsored. What that is authoritarian states, including China and Russia, and others who try to use Western headquartered social media platforms like Meta and Twitter and YouTube and others to pump disinformation into our political system to try and influence it. They also use social media platforms that are already headquartered in authoritarian states who they more directly control, like WeChat and TikTok, to try and influence our democracy. It's a serious problem, but my view is that a better way of solving that problem is through transparency rather than censorship. One of the regrettable things that's happened after the change of ownership of Twitter recently is that Twitter used to very proactively label, state sponsored, media affiliated entities so you could tell when you were consuming content from the Xinhua News Agency from China or RT from Russia, that this was essentially a propaganda outfit for the Chinese or Russian governments. Since the change of ownership in Twitter, they've stopped doing that and now users are none the wiser unless they're a sophisticated consumer and understand these things of what the content that is being presented to

them. I'd much rather that we return to and mandate, if necessary, that proactive labelling of content so that consumers can make a choice from themselves rather than censoring them and preventing them from being posted at all.

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s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Friday, 14 July 2023 2:15 PM
To: s22(1)(a)(ii) - irrelevant material
Cc: s22(1)(a)(ii) - irrelevant material
Subject: Fwd: Mis and dis [SEC=OFFICIAL]
Attachments: image001.png; 2306_Mis and dis infomation announcement.docx

Hey s22(1)(
s22(1)(a)(ii) - irrelevant material) can you please print the attached for MAR? And Fletcher's MR? (This may come through a second time, my laptop isn't cooperating in the Hunter!)

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Sent from my iPhone

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant
Sent: Friday, 14 July 2023 2:34 PM
To: s22(1)(a)(ii) - Lloyd, Maggie
Subject: RE: Mis and dis [SEC=OFFICIAL]

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Got it – am printing for Min at CPO now

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Mis- and Dis- information

Sunday 25 June 2023

Talking Points

- Misinformation and disinformation poses a threat to the safety and wellbeing of Australians, as well as to our democracy, society and economy.
- Earlier this year, the Government announced it would legislate new and expanded powers for the Australian Communications and Media Authority to hold digital platforms to account for harmful disinformation and misinformation online.
- Today, we're opening public consultation on the draft legislation.
- The proposed powers will put Australia at the forefront in tackling harmful online misinformation and disinformation by enabling the ACMA to monitor efforts and compel digital platforms to do more.
- The ACMA will be given new information-gathering and record-keeping powers to create transparency around efforts by digital platforms to respond to misinformation and disinformation on their services, while balancing the right to freedom of expression so fundamental to democracy.
- Right now, digital platforms can voluntarily regulate misinformation through a framework established by the Australian Code of Practice on Disinformation and Misinformation.
- The powers we will consult on will enable a graduated, needs-based regulatory framework to strengthen and support this voluntary code, and will extend to non-signatories of the voluntary code.
- If self-regulation in the industry isn't enough to addressing the threat posed by misinformation and disinformation, the ACMA will also be able to register an enforceable industry code.
- These powers are consistent with the key recommendations in the ACMA's June 2021 *Report to government on the adequacy of digital platforms' disinformation and news quality measures*.
- The powers will be focused on addressing and understanding systemic issues. The ACMA will not have power to target individual users or pieces of content, and platforms will remain responsible for content they host.
- Let me be clear – if you have a social media account, this will affect you.
- I encourage Australians to have their say on this draft legislation. Public consultation will close on 6 August 2023, with legislation to be introduced into Parliament later this year.

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From: s22(1)(a)(ii) - irrelevant
Sent: Saturday, 15 July 2023 3:57 PM
To: s22(1)(a)(ii) - irrelevant
Subject: s47C - docx [SEC=OFFICIAL]
Attachments: deliberative docx

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Some extra stuff for Zoe – based on last few days - wdyt

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s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Saturday, 15 July 2023 5:18 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: s47C - docx [SEC=OFFICIAL]
Attachments: deliberative docx

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Updated after we spoke today

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s47C - deliberative processes



s47C - deliberative processes



FOI 24-038

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Tuesday, 18 July 2023 4:19 PM
To: Irwin, Andrew
Cc: Sullivan, Pauline; s22(1)(a)(ii) Rafizadeh, Shervin; s22(1)(a)(ii) - s47E(d) -
Subject: File note: Sen Antic query - ED Mis and Dis Bill [SEC=OFFICIAL]

OFFICIAL

Hi Andrew

FYI - Senator Antic's office just rang the MO about the Exposure Draft Misinformation and Disinformation Bill. The DLO provided s47F - in Senator Antic's office, with my mobile number, and s47F put two issues to me:

1. Querying whether submissions from overseas would be accepted and asking why the submission upload from asks for an Australian phone number; and
2. Stating that the "Contact us" link on the Department's website for the ED takes people to general enquiry phone number/s, and that the person on enquiry line had no idea about the ED or who to put her call through to, hence her MO contact.

Further to checking with the line area, I rang s47F in Senator Antic's office back to advise that submissions from overseas would be accepted, that there is nothing on the Department's website that precludes overseas submissions, that the bill may impact overseas-based tech companies who may wish to make a submission along with others, that the submission upload form is a standard form template, that the phone field is not a requisite field, and that an overseas number could be entered in the field. I also said that if Senator Antic would like to request a briefing on the ED that we would be happy to facilitate that.

s47F - personal did not otherwise follow up on the general enquiry line issue, or request a briefing.

Regards

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Senior Adviser • Minister for Communications

Office of the Hon Michelle Rowland MP • Member for Greenway

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Suite M1.41, Parliament House, Canberra ACT 2600

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s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Tuesday, 25 July 2023 2:43 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: For approval - Mis and Dis pack [SEC=OFFICIAL]
Attachments: 230730 - Sunday Agenda.docx

Follow Up Flag: Follow up
Flag Status: Completed

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Hey s22

I'm just working on a briefing pack for MAR's interview on Sunday Agenda.

I imagine mis and dis may be raised. Just wanted your policy read on the TPs in the doc attached?

I've pulled together from a range of briefing notes, including that great one you and ML did when I was away.

Cheers

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s47C - deliberative processes



Topic 2: Misinformation and Disinformation

s47C - deliberative processes

HIGH-LEVEL TALKING POINTS

- The Albanese Government is committed to keeping Australians safe online – including by ensuring the digital platforms are doing all they can to address misinformation and disinformation.
- Misinformation and disinformation is significant and can cause serious harm to Australian society. It can harm our social cohesion, health and safety, or economic and financial wellbeing.
- This has long been an issue of bipartisanship – it was former Communications Minister Paul Fletcher who announced an intention to legislate in this area.
- This is a simple proposition: we would legislate to give the ACMA powers to look under the hood of the digital platforms to see what systems they have in place to address these harms.
- If the ACMA came to the view that there aren't appropriate systems, then it could create industry-wide rules; *for example, requiring fact checking or systems to remove 'bot' accounts, bans on monetising flagged content etc.*
- Digital platforms currently have a voluntary code, but there's no transparency around compliance, and no enforcement.
- This isn't about the ACMA looking at individual pieces of content – it's about giving the regulator the powers to ensure the platforms themselves have appropriate guardrails on their service.
- Professional news content is exempt, as is authorised electoral material.
- The platforms themselves will continue to make decisions about content they host, not the ACMA.
- There have been a lot of views expressed, and that's exactly why we've released this Exposure Draft. We want to make sure we get the balance right, and we will take constructive suggestions on how we can improve the legislation – including on issues like definitions etc.
- The Albanese Government won't back down on holding the platforms to account – and **I say to Peter Dutton: do not go soft on big tech.**



s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Thursday, 27 July 2023 5:30 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: Misinformation and Disinformation s47C - deliberative processes [SEC=OFFICIAL]
Attachments: Misinformation and Disinformation s47C - deliberative processes

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s47C - deliberative processes

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MISINFORMATION AND DISINFORMATION

LIBERAL RECORD

Then-Communications Minister, Paul Fletcher:

“Digital platforms must take responsibility for what is on their sites and take action when harmful or misleading content appears. This is our Government’s clear expectation... We are taking action when it comes to disinformation and misinformation”

Media release: “The Government acknowledges the positive steps taken by industry, but believes more protections must be provided to Australians online”.

Source: Media Release, 21 March 2022 – New disinformation laws

Liberal Party Website

“The same rules and laws that apply in the real world should also apply in the digital world. The online world should not be a lawless space.”

“A re-elected Coalition Government will continue to protect you and your family online by... introducing stronger laws to combat harmful disinformation and misinformation online by giving the media regulator stronger information-gathering and enforcement powers”

Action Point 9: Fighting Fake News

“... misinformation continues to spread and social media companies are not applying their own terms and conditions consistently. A re-elected Coalition Government will introduce new laws to provide the ACMA with stronger enforcement and information-gathering powers to hold big tech companies to account”.

Source: [Our Plan for Protecting Australians Online | Liberal Party of Australia](#)

STAKEHOLDER VIEWS

Former Chair of the ACCC, Rod Sims:

“The opposition [to the Bill] not only misunderstands the bill’s nature, but also illustrates a naïve understanding of the threats to our society and our democracy”.

“The then Coalition government accepted the ACCC’s proposals, and the current bill is in accordance with the 2019 recommendations and the direction set by the previous government”.

“Governments... [can] do nothing and leave it to the platforms themselves to decide whether to do anything at all, and if so, what. In my view this is an abrogation of responsibility by government”.

Source: Australian Financial Review, 26 July 2023

Professor of Political Communication at La Trobe University, Andrea Carson:

“To be clear, under the proposed Australian bill, platforms continue to be responsible for content on their services – not governments”

“The proposed changes don’t give ACMA arbitrary powers to determine what content is true or false, nor can it direct specific posts to be removed”

Source: The Conversation, 14 July 2023

Sunita Bose, Managing Director of DIGI

“DIGI has supported, in principle, the ACMA’s recommendations to the Government to have greater oversight of the code and misinformation more broadly, as a complement to existing, robust self-regulation measures”

Source: Parliamentary Select Committee on Foreign Interference Through Social Media – Submission, 7 March 2023

Department of Home Affairs:

“Foreign actors ... spread mis- and disinformation through social media in order to advance their own interests at the expense of Australia”

Source: Parliamentary Select Committee on Foreign Inference Through Social Media – Submission, 17 February 2023

Professor Paul Kelly, the Australian Government's Chief Medical Officer

“The continued spread of misinformation makes the job of our health professionals on the frontline harder.

“It undermines the efforts of all those Australians who have acted responsibly and compassionately to protect their community when restrictions are needed to stop outbreaks.”

Opinion Piece - 12 August 2021

Australian Medical Association

AMA President Professor Steve Robson said the COVID-19 pandemic had seen widespread disinformation on a massive scale and with consequences not thought possible in Australia previously. The AMA had made a number of recommendations to the National Health Literacy Strategy regarding medical misinformation including: **that social media companies actively acknowledge their public health responsibility and work to counter health misinformation on their platforms.**

Source: AMA media release - Published 10 November 2022

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Sent: Thursday, 27 Julv 2023 10:58 AM
To: s22(1)(a)(ii) - irrelevant; s22(1)(a)(ii) - irrelevant
Cc: s22(1)(a)(ii) - irrelevant
Subject: Quotes - Mis and Dis [SEC=OFFICIAL]

OFFICIAL

Hey – collating for Sunday’s interview, but useful record if needed.

s47C - deliberative processes

- **Then-Communications Minister, Paul Fletcher:**

- **Direct quote:** “Digital platforms must take responsibility for what is on their sites and take action when harmful or misleading content appears. This is our Government’s clear expectation... We are taking action when it comes to disinformation and misinformation”
- Media release: “The Government acknowledges the positive steps taken by industry, but believes more protections must be provided to Australians online”.

Source: Media Release, 21 March 2022 – New disinformation laws

- **Liberal Party Website –**

- “The same rules and laws that apply in the real world should also apply in the digital world. The online world should not be a lawless space.”
- “A re-elected Coalition Government will continue to protect you and your family online by... introducing stronger laws to combat harmful disinformation and misinformation online by giving the media regulator stronger information-gathering and enforcement powers”
- Action Point 9: Fighting Fake News
 - “... misinformation continues to spread and social media companies are not applying their own terms and conditions consistently. A re-elected Coalition Government will introduce new laws to provide the ACMA with stronger enforcement and information-gathering powers to hold big tech companies to account”.

Source: [Our Plan for Protecting Australians Online | Liberal Party of Australia](#)

- **Former Chair of the ACCC, Rod Sims:**

- “The opposition [to the Bill] not only misunderstands the bill’s nature, but also illustrates a naïve understanding of the threats to our society and our democracy”.
- “The then Coalition government accepted the ACCC’s proposals, and the current bill is in accordance with the 2019 recommendations and the direction set by the previous government”.

- “Governments... [can] do nothing and leave it to the platforms themselves to decide whether to do anything at all, and if so, what. **In my view this is an abrogation of responsibility by government**”.

Source: *Australian Financial Review*, 26 July 2023

- **Professor of Political Communication at La Trobe University, Andrea Carson:**

- “To be clear, under the proposed Australian bill, platforms continue to be responsible for content on their services – not governments”
- “The proposed changes don’t give ACMA arbitrary powers to determine what content is true or false, nor can it direct specific posts to be removed”

Source: *The Conversation*, 14 July 2023

- **Sunita Bose, Managing Director of DIGI**

- “... reinforce[s] DIGI’s efforts and that it formalises our long term working relationship with the ACMA in relation to combatting misinformation online” – January 2023
- “DIGI has supported, in principle, the ACMA’s recommendations to the Government to have greater oversight of the code and misinformation more broadly, as a complement to existing, robust self-regulation measures”

Source: Parliamentary Select Committee on Foreign Interference Through Social Media – Submission, 7 March 2023

- **Department of Home Affairs:**

- “Foreign actors ... spread mis- and disinformation through social media in order to advance their own interests at the expense of Australia”

Source: Parliamentary Select Committee on Foreign Inference Through Social Media – Submission, 17 February 2023

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To: s22(1)(a)(ii) - irrelevant material
Cc: s22(1)(a)(ii) - Rafizadeh, Shervin
Subject: RE: Quotes - Mis and Dis [SEC=OFFICIAL]

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This is great thank you for pulling together s22(1)(a)(ii)

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