

Thank you for the opportunity to provide feedback on the proposed Bill draft.

Regarding the draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023, it, and the recommendations provided in ACMA's June 2021 Report, contains ambiguities in the definition of the terms, "misinformation" and "disinformation".

Under clause 7(1) & (2), "misinformation" and "disinformation" are defined as content containing information that is "false, misleading or deceptive". There is no further definition or qualification of the terms "false", "misleading" or "deceptive" in the Bill, so we must defer to the June 2021 Report to find specific examples of what ACMA's research has defined as "false", "misleading" or "deceptive".

The June 2021 Report uses research that focused solely on COVID-19 information made publicly available through social media channels. The report fails to provide any specific examples of what is considered a false, misleading or deceptive piece of information about COVID-19. This lack of specific evidence raises questions on the nature of the research and assumptions made – how do we know the COVID-19 "misinformation" is not to be trusted if we have no way of querying it deeper? More importantly, why are we being led to believe that the information surfaced in the research is indeed not to be trusted and should be protected from the public's view for fear of "harm" being caused? Without evidence, the research becomes a subjective piece of storytelling. At worst, it is a tool to further the influence of ACMA in applying controlling mechanisms on digital platforms – platforms that unite people of all opinions and create opportunities to learn more about subjects and inform, or maintain, personal choices.

I challenge ACMA and its research methodology that has led to this Bill draft. How does ACMA know, with absolute, unbiased certainty, that the "misinformation" about COVID-19 shouldn't be trusted? If the "misinformation" challenges a popular opinion and exposes a flaw in the understanding of COVID-19, would censoring or restricting that information be considered harmful to Australian citizens? How does ACMA keep itself accountable for the potential harm it can cause with the intentions outlined in the Bill?

There are many opinions on many subjects that can impact our lives. It is up to us as a national community to provide deep and balanced education and insights to all people on the variety of information available online through all digital channels. If these platforms are cornered into restricting the freedom of people sharing information on contentious subjects, does that propose Australians are not capable of, nor able to engage in, healthy debate or making their own individual choices regarding a particular subject? And considering vulnerable groups at risk of influence and potential harm based on a single opinion or piece of information, would it not be a better spend of resources and funding to uplift the awareness and ability to critically think on a given subject to educate those vulnerable individuals and groups and mitigate harm?

Restricting freedom of speech based on assumptions and bias is a dangerous move toward ignorance and perpetually fear-based reactions and totalitarian controls. It would be a shameful step in an undesirable, freedom-restricting direction for this country with Bills like the one being proposed and passed as law by those who still have not weighed up all the information on specific subjects. Regardless of the "strong protections for privacy and freedom of speech" mentioned in the fact sheet, think longer on the future risks and impact this Bill can have on the freedom of Australians. For now, I recommend against passing this Bill until more clarity on definitions are provided, and a single, debateable and imbalanced view on a single disease-causing agent is given the updated considerations it needs for the benefit of an informed Australian Government and public.