

Submission

Exposure Draft of the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023.

In recent years we have seen an explosion of baseless and ignorant censorship and deplatforming on most media platforms of information which is incontrovertible and fact based.

The most concerning aspect of this was the lack of transparency around who was authorised to make such decisions regarding the legitimacy of such information.

I believe this Bill enables the placement of an extraordinary and dangerous level of power into the hands of public servants and that it is simply a thinly veiled enshrinement into law of the governments right to censor information it does not approve of and not only that but profit from doing so via the exorbitant proposed fines.

Regarding Part 1 clause 6

This appears to give the power to the minister of the day to decide who should be subject to this legislation and who can be exempted which is very concerning and open to exploitation depending on the leanings of the government of the day.

Also Part 1 clause 7 reads like an open licence to enable broad and biased censorship.

If our government were to be held retrospectively accountable to just clause 7, many members of both the Morrison government as well as the incumbents as well as state leaders and so called experts would be held accountable for the extensive amount of inaccurate, misleading, exaggerated, over inflated and at times plainly false information broadcast through official government channels over the last 4 years. And in my opinion and by my observations, trusting that information has harmed many thousands of Australians. However I strongly suspect government information would be exempt from such legislation.

Regarding Part 2, Division 2, 3 & 4 of the proposed amendments.

Adherence to these rules around record keeping, reporting and information gathering effectively turns any digital platform (that the minister deems affected by this bill) to be nothing more than a policed mouthpiece to deliver only information that the government approves of.

I do not concede that this level of power to censor at will could ever be held and executed by a small number of people without inevitable dissolution of the integrity required to defend free speech as well as that which would be required to resist the urge to use this legislation as a tool to advance political and social agendas.

Part 2, Division 4 reads like an Orwellian commitment to public naming and shaming of anyone or any platform that allows information deemed (by who is the big question) to be mis or dis information. Very concerning and may well, i suspect by design, lead to a high level of self censoring.

Regarding Part 3 Division 3

Forcing industry to develop “codes” for misinformation sounds rather more practical than it is and again comes back to the same problem that undermines any safe application of these proposed legislative amendments from start to finish, and that is: Who decides what is mis or dis information?

It has been demonstrated that curtailing public discourse through censorship has, in recent years done nothing but shine a light on the failures of our so called experts and their lack of adherence to the most fundamental principals of the scientific method so I have no faith at all that a small group of politicians and bureaucrats would protect our fundamental right to free speech.

It is my lived experience as a mother, wife and hard working contributing member of the community who has supported my family and business in negotiating the sometimes overwhelming and endless feed of information we are now tapped into, that gives me the right and power to say with some authority that these proposed amendments will do nothing to protect our children and society from what poses the greatest risk to their wellbeing and safety.

I will not be told that I do not have the wherewithal to discern reliable information from unreliable. I do not need my access to information curtailed or curated for me by government or anyone else.

These amendments pose a clear danger to our fundamental right to freedom of expression and freedom of speech.

My lasting impressions is that it seems to be an attempt to formally legalise the overreach and illegal manipulation and influencing of social media platforms by government, that we have seen in abundance during the last 3 years.

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