

## **Submission on the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023**

To the Department of Infrastructure, Transport, Regional Development, Communications and the Arts:

This amendment is a very very bad idea!

Without free speech what is still left of our democracy is doomed. Who critiques 'power' if the citizenry is too afraid to and 'power' itself decides what is misinformation, disinformation and the truth for all? Individuals, without interference from the state, are best placed to decide this for themselves.

A proper functioning democracy requires politicians who truly care about their nation, who have integrity and who sincerely and earnestly are accountable to, and want to serve, the people. In support it requires a bureaucracy and public funded entities that are impartial and apolitical. Unfortunately Australia's public scene possesses little of these attributes.

Presently we are over governed and over controlled, and tax payers' money is being spent with little restraint.

In addition and unfortunately, it is very apparent that the most powerful urge a bureaucratic entity possesses is the ability to justify its continued existence and expansion. What Australia needs to combat the unchecked growth that this reality creates, is an effective mechanism to control, review, reduce and decommission bureaucracies, NGOs and taxpayer funded activist groups.

To further entrench and justify their existence and importance, politicians and the bureaucracy have sought to promote and reward victimhood rather than personal independence and responsibility, self-reliance and resilience. As a result we now have an ever increasing percentage of the population enslaved as victims and dependent upon government handouts. This is sad, it traps rather than empowers individuals.

Democracy and a healthy nation cannot be restored and prevail if the state controls the critique in any way what-so-ever? The situation is bad enough already with the Prime Minister and his Government pushing ahead relentlessly with their ALP National Conference agenda and the ACTU agenda without any concern for democratic process or impact. It is obvious that the current Government does not answer to the people.

Unfortunately, many entities that should be independent of political bias have been compromised. These include federal and state bureaucracies, police forces, public education institutions, lawyers, magistrates and tribunals, media, especially the ABC, and non-government organisations (NGO). Some NGO are publicly funded activist groups which are intent on destroying democracy.

In terms of government sponsored misinformation, disinformation, omissions and untruths, the way in which the PM and his Government are prosecuting the 'Voice', is a clear indication that they cannot be trusted. Unbelievably, standard conventions for conducting referenda are being willingly and completely violated. The blatant disrespect for convention, communicating honestly and openly, and accountability, is palpable.

This is our present circumstance, but in any case, no PM or government or bureaucracy should be entrusted with determining what is misinformation, disinformation and the truth.

State premiers, like-wise have been riding rough-shod over their electorates, avoiding accountability and generally disrespecting democratic principle and process.

It is essential that free speech be restored, protected and encouraged and the populace be educated to think critically. Propaganda and dogma must be removed from our education system, politics, media, etc; it is lazy and evil!

This draft amendment, if accepted will erode further, the present bad situation and accelerate Australia's departure from essential democratic processes that value individualism, into one captured by collectivism and state control. Tragically we are well down that road, and it seems that some in power and academia are more than attracted to romantic notions of more state control.

I MOST STRONGLY OBJECT to the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023.

The very fact that this draft bill is being put forward, is in itself earnestly worrisome. Is it through extreme naivety, or are there serious malevolent intentions lurking below the surface? The very existence of this draft is good reason for the populous at large to have grave doubts about the competence of the government, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, and the Australian Communications and Media Authority (ACMA).

The proposed bill will exacerbate a dangerous trend by undermining further the right to freedom of speech by attempting to 'balance' that fundamental right with the notion of combating so-called 'misinformation' and 'disinformation'. Fundamental rights such as free expression cannot be balanced against anything. This Bill, without any doubt, will further erode and undermine Australian citizens' fundamental right to express themselves.

Australia's ill-considered suite of anti-discrimination and discrimination laws, has seriously eroded and deterred Australian's willingness to express themselves. They have overturned the sacrosanct principle of law that one is 'innocent until proven guilty'. We should be encouraging robust discussion on the basis of 'sticks and stones will break my bones and names will never hurt me' not encouraging people to choose to be offended and seek protection as victims. Through this ill-conceived platform of law, regulation and accompanying enforcement bureaucracy, Australia is violating it's solemn commitment to the UNHRC (Universal Declaration of Human Rights). Accepting this draft bill will further deepen Australia's international hypocrisy and further deny Australian's their basic right to freedom of speech. Opportunity for abuse and government over-reach and intrusion into people's private lives, will be further increased.

Determining what qualifies as so-called 'misinformation' and 'disinformation' is and will always remain subjective, and entrusting a government agency to decide what is truth raises very very serious concerns. Additionally there is ever the threat that politicians will bring pressure to bear to influence any agency entrusted with this heavy responsibility.

So-called 'misinformation' does not cause direct harm, and defining harm based on subjective criteria is problematic.

The bill seeks to grant excessive control to authorities and will lead to censorship. Rather than pursuing bills that control and restrict, we should be teaching and encouraging all Australian's to engage in robust, thoughtful, objective and respectful discussion. If the present unhealthy condition of public discourse is not corrected, our good fortune of living in one of the best countries in the world will evaporate.

Another important initiative that the Government ought to be committed to is ensuring the social media entities refrain from 'canceling' contributors and censoring discussion. Politicians that call for anybody to be censored must be disciplined; to do so is to disrespect an individuals right to free speech.

Free speech is a near absolute right, and laws should not be made that do anything other than protect and encourage citizens to engage in respectful dialogue; to express themselves. Democracy is based squarely upon this right, closely coupled with the rule of (and general respect) for law, without this Australia will slip into a truly tragic state, a totalitarian state.

Further, danger lies in the bill's vague definitions of "misinformation" and "disinformation", which are open to interpretation and abuse by those in power. And then there is the question of who decides what is 'misinformation' and 'disinformation'. Instances where official fact-checkers have gotten it wrong or labeled satire and humour as misinformation are not uncommon. And entrusting a government agency to be the arbiter of truth, is eerily reminiscent of the dystopian "Ministry of Truth" from George Orwell's 1984.

For every passing moment that the present unhealthy condition of public discourse is allowed to prevail, national health and prosperity will continue to decline and we will lose what little we have left of the founding principals upon which our successful democracy rests. More draconian restrictions will follow and we will all become victims of those who are plotting to control us. For some time now politicians of particular persuasions across Australian governments have arrogantly refused to answer questions, and to be accountable to the electorate. And rather than substantive arguments all we get are marketing slogans and regurgitation of propaganda and narrative. A paradigm shift is urgently needed now, not to shut the populous up, but to open the closed ears of the self-serving politicians that are visiting upon Australian's, pain and destruction.

Truth, justice and the wellbeing of our society is safe-guarded best when the 'state' and its mechanisms protect, respect and respond sincerely to the sacred right of every citizen to speak out.

It is not the states place to control public dialogue, rather it is it's place to listen.

This amendment is a very very bad idea!