

Response to the Consultation on a Bill for a new Online Safety Act February 2021

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1. I thank the Australian Government for the opportunity to make comment on the proposed new Online Safety Act¹. This is a submission on the human health aspects of the Act from a medical doctor and scientist (short biography in Appendix). I decided to make this submission because of the extensive responses I received from other medical practitioners to my opinion article in the Sydney Morning Herald² and The Age.

I support the new powers proposed in the Online Safety Act to counter cyber-bullying and content takedown, cyber-abuse of adults, shaming and removal or blocking of terrorist and extreme violent material online.

However, there are omissions of other essential health considerations in the Act and indeed the words vaccine, vaccination and anti-vaccination are not mentioned. Yet this is the overriding public health issue now and for the next decade.

This submission explains the urgency for the inclusion of COVID-19 related public health necessities to be included in the Act so that anti-vaccination material and posts advising against related measures such as mask wearing, social distancing are excluded from social media. The situation on vaccination was reviewed in the British Medical Journal in 2020 “Foreign disinformation, social media campaigns linked to falling vaccination rates”.³

it is difficult to understand the reason for these omissions in the consultations on the Act in 2019 when it has been recognised that anti-vaccination groups had been active on social media for at least a decade;-

Anti-vaccination messaging

One such study was carried out in 2017 by Smith and Graeme “Mapping the anti-vaccination movement on Facebook”⁴ which studied Facebook pages across Australia and the US. It was found that anti-vaccination networks are large and global in scope and encouraged local networks. Social media may have a role in spreading anti-vaccination ideas and making the movement durable on a global scale. There were strong links to conspiracy theory and a predominance of women in the active groups.

¹ <https://www.communications.gov.au/have-your-say/consultation-bill-new-online-safety-act>

² <https://www.smh.com.au/politics/federal/social-media-platforms-are-harming-our-health-20210115-p56udy.html>

³ <https://www.bmj.com/company/newsroom/foreign-disinformation-social-media-campaigns-linked-to-falling-vaccination-rates/>

⁴ <https://www.tandfonline.com/doi/full/10.1080/1369118X.2017.1418406>

Case Study

I have many non-medical contacts around the world with whom I have corresponded on COVID-19. I wrote to a Swiss friend who works with the poor and underprivileged in Swiss mountain villages. The incidence of COVID-19 in Switzerland is high and I reminded her of the dangers to her and her elderly mother, hoping that she would adopt all conventional measures for safety. Her reply

".....Concerning Coronavirus I would ask you to look (list of sites were appended) There are doctors (over 700) who have a different point of view. A doctor "Heiko Schöning" is a cofounder of this association and has been already in prison because having said the truth. They had the first August 2020 in Berlin a manifestation where were several 100 of thousands of people. Dear David, please when you're looking at that, (there are many videos explaining clearly what's happening) I ask you to put everything you know about Corana aside. It's important not being influenced by all the brainwashing we received all this year. All this is translated in about 10 languages. What happens is incredible but my inner voice says that it's true".

Subsequently I heard from her about conspiracy and world dominance probably obtained from QAnon as detailed here:-
<https://www.bbc.com/news/blogs-trending-53997203>

With several letters and phone calls I failed to convince her to protect herself. Then I recalled she was a devout Catholic. Only when I researched the words of Pope Francis recommending vaccinating against COVID-19 did she listen and accept advice.

This example illustrates the power of conspiracy theory using techniques to sow confusion and suspicion in apparently well-balanced and intelligent individuals.

Public Health responses to social media disinformation

Health experts writing in the Australian public health journal Croakey are urging the sector to ramp up scrutiny of the health impacts of digital platforms like Facebook and Google, as the

two tech giants employ the classic tactics of harmful industries like tobacco and alcohol in their bid to resist regulation in Australia.⁵

Professor Rob Moodie, a key medical figure in anti-smoking lobbies and research is increasingly concerned about the profound implications of “surveillance capitalism” — the term coined by Harvard Professor Shoshana Zuboff in her landmark 2019 book, *The Art of Surveillance Capitalism*, on how the digital giants track, store and on sell data to a vast range of corporations and agencies to predict our behaviour as well as influence, manipulate and modify it.

Moodie said *“the risks to the health of individuals, society and democracy are enormous, both in terms of increasing the consumption of really unhealthy products as well as, in the long run, the consumption of unhealthy politics.”*

“We need to know much more about surveillance capitalism,” he says, saying public health will need to partner much more with digital marketers and strategists, *“particularly those that have worked out on the ‘dark side’ . . . who understand intimately how these corporations work and how we can constrain their damaging effects as much as we can”.*

It is clear that Big tech’s influence over public discussion is already a threat to democracy.

In conclusion, as detailed in the British Medical Journal, disinformation on social media is responsible for falling vaccination rates.⁶ Facebook failing to ban disinformation on vaccines till January this year is an indictment of this company.⁷

The nature and consequences of Zoonoses

This is not yet the salient feature in government thinking. There is still fixation on the ‘return to normal’ after COVID-19 vaccination and to a ‘normal economy’.

This is wishful thinking and excludes consideration of an inevitable ‘new normal’.

To date the science on zoonoses indicates that new and urgent considerations need to be brought into the Online Safety Act even at this late stage. The timeline for consultation and decisions must be contracted because of this urgency.

Zoonosis is an infectious disease that can be passed from an animal to a human caused by human encroachment on natural habitats. This has led to an increase in zoonotic diseases over the past 30 years, posing a major risk to the human race. COVID-19 is therefore but one of a series of zoonotic diseases. Others such as Ebola are still active in many countries and require constant attention from public health measures.

⁵ <https://www.croakey.org/public-health-sector-urged-to-address-unhealthy-power-of-digital-giants/>

⁶ <https://www.bmj.com/company/newsroom/foreign-disinformation-social-media-campaigns-linked-to-falling-vaccination-rates/>

⁷ <https://www.theguardian.com/technology/2021/feb/08/facebook-bans-vaccine-misinformation>

Zoonoses are explained in a fact sheet produced by Doctors for the Environment Australia, *“Zoonoses: joining the dots between people, animals and the natural world”*. The science is explained in detailed in the leading science journal “Nature”.⁸

Medical journal The Lancet has drawn attention to the One Health approach to Zoonoses⁹—a holistic approach to environmental sustainability, livestock health, and human health, recognising that a multi sector approach is the best way to improve public health¹⁰ and indeed to climate change which is identified as a facilitator of Zoonoses¹¹.

The threat to world order and safety by this triumvirate of interlocking threats of climate change, environmental loss and Zoonoses is not yet understood by governments and the issues are treated in separate silos in government departments and thinking.

The reasoning for urgency also relates to the behaviour of zoonoses when given free rein to proliferation as they have in the UK and USA. This provides more opportunity for variants to arise. Consequently, control over some years is likely to need increasing frequency of vaccination to cover the new variants. It will become control of a ‘super flu’. Society must have tight control of scientific and medical information given to the public and must be able to quell misinformation.

The Treasury Laws Amendment Bill 2020 (news media and digital platforms mandatory bargaining code) is also important in the discussion of the Online Safety Act. The government has chosen to pursue the former as one of media diversity which can be addressed by ‘taxing’ Google and Facebook and compensating print media. The two issues have significant commonalities yet are being dealt with in two separate government silos (Departments). Disinformation exists in the print media and should be part of the same enquiry. Admittedly editorial responsibility applies in most print media but not all, and unfortunately the issue has become one of free speech- when this freedom over-rides all others regardless of the health consequences.

Free Speech and Regulation

Free speech is integral to a liberal democracy and rightly so. However free speech carries some responsibility to ensure it does not harm others or the community. Australia has signed the Universal Declaration of Human Rights¹² so we need to be aware of our responsibilities

Article 19 says;-

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

⁸ <https://www.nature.com/articles/s41586-020-2562-8>

⁹ [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)31027-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31027-8/fulltext)

¹⁰ [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)31486-0/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31486-0/fulltext)

¹¹ <https://researchoutreach.org/articles/climate-change-driving-expansion-zoonotic-diseases/>

¹² <https://www.un.org/en/universal-declaration-human-rights/>

However, this is qualified in Article 29 which says

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Clearly then we have a responsibility to the community which may use the law to protect its position.

Quite simply, we need regulation provided by law.

In the current situation in Australia, we have not had regulation of either social or print media to prevent damage to health and even to lives from views expressed by celebrity chefs and members of Parliament and this is unacceptable.

In philosophical terms the survival of liberal democracy requires an appropriate balance between freedoms of the individual and community needs. When these become unbalanced, we have seen the consequences for both COVID-19 spread and the encouragement of insurrection as in the USA.

We need to recognise that this balance in liberal democracies applies not only to COVID-19 and other infections but also to a wide range of other public health issues including climate change which is accepted as the major health issue for this century.

Recommendations

In broad terms;-

We need to recognise the problems we face are complex and growing more so; the development of social media is in this category and from a medical point of view the jury is still out as to whether it has overall benefit.

It is indeed difficult for public and government to keep up with all the rapidly moving threats whereas in medicine and science we have ongoing professional educational requirement or scientific networks which fulfil this role.

There is very poor government understanding of the threatening triumvirate by the three separate ministries. The need for massive funding to minimise the impacts of COVID-19 has been recognised in Australia with the acceptance of expert advice. However, the same expert

needs for climate change adaptation and environmental sustainability have not been recognised.

The UK which has just suffered its worst economic depression for 300 years as a consequence of poor management of Covid Australia has avoided this fate by good management. However, we need to recognise then likely economic cost of inadequate management of climate change and environmental sustainability.

Specifically:-

Means for education of the public on these complex issues is vital using independent but government funded expertise.

The common threads of the two Acts, Online safety and Mandatory Code need to be brought together to satisfy health needs.

The medical aspects of the Online Safety Act are huge for they extend into disinformation on many public health issues including climate change and environmental sustainability. Much more is needed than A Safety Commissioner. We need an urgent and wide consultation with public health experts on the measures to be undertaken to address a range of disinformation and to establishing regulations to deal with them with the ongoing assistance of a team from the health professions.

Appendix

Dr David Shearman AM MB, ChB, PhD, FRACP, FRCPE is Emeritus Professor of Medicine at The University of Adelaide and previously held senior positions at Edinburgh and Yale Universities. He is author of many books relating to climate change, its science, consequences, and democratic and other solutions; he served on the IPCC for two terms on health and scientific sections. He has been President of the Conservation Council of South Australia and with the late Professor Tony McMichael he founded Doctors for the Environment Australia in 2001 and was the Hon Secretary 2001- 2017. He is author and co-author of several hundred scientific and medical papers and writes frequently for the media. He was awarded an AM for service to medicine and climate change.