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Submission to the Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 [Provisions]

This submission has been prepared by: Associate Professor Christopher Neil MBBS FRACP PhD,
Kara Thomas BNurs GCertNurs MIntl&ComnDev, Dr Duncan Syme MBBS FRACGP DROCG Dip
Prac Dermatology (University of Cardiff), Dr Jeyanthi Kunadhasan MD(UKM) MMED(UM)
FANZCA MMED(Monash) on behalf of the Australian Medical Professionals Society.

Contact Details:

T: (07) 3497 5048

E: hotline@amps.asn.au

Concerns and issues showing the potential risks associated with the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 [Provisions]

The Australian Medical Professionals' Society (AMPS) comprises a collective of medical and allied health experts united by a core mission: safeguarding and advancing the interests of our members and their patients, while advocating optimal health outcomes across Australia. We deeply cherish the tenets of medical ethics, prioritising patient well-being and community welfare.

Thank you for the opportunity to provide expanded feedback on the proposed Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024. We appreciate the Government's intent to address potential harms from online misinformation, but **we also** have grave concerns about the bill's far-reaching implications for free speech, scientific inquiry and public health.

The corrupting influence of powerful corporate interests, particularly in the pharmaceutical and food industries, has already severely compromised the integrity of much scientific research and public health policy. Despite record spending, health outcomes are declining with chronic disease rates climbing, life expectancy declining, and all-cause mortality increasing. The solution to these problems is not more centralised control of information, but rather more transparency, open debate, and the ability to question prevailing narratives.

This bill, if enacted, would exacerbate these troubling trends by giving government regulators unprecedented power to control the flow of information online. Such power could easily be co-opted by the very corporate interests that have already unduly influenced our public health apparatus. The result would likely be the further suppression of dissenting views, innovative medical approaches, and legitimate criticisms of industry practices – all under the guise of combating "misinformation."

Key issues we wish to highlight include:

1. Overly broad definitions of "misinformation" and "disinformation" that could capture legitimate speech and debate. This vagueness gives too much discretion to regulators to censor protected speech.
2. Empowering a government body (ACMA) to be an arbiter of truth, which risks politicisation of information control. When the government decides what is true or false, it creates a dangerous monopoly on "truth" that can be abused.
3. Potential chilling effects on free expression and open scientific discourse as platforms over-moderate content to avoid penalties. This could severely hamper scientific progress and debate.
4. Lack of sufficient protections for academic, scientific and political speech. The free exchange of ideas is critical for advancing knowledge and a healthy democracy.
5. Risks of the system being abused to censor dissenting or unpopular views. History shows that censorship powers are often used against minority opinions and political opponents.
6. Undermining of the scientific process, which requires robust debate and challenging of consensus views. Scientific advancement depends on researchers having an effective and appropriate forum to be able to question prevailing theories.
7. Insufficient consideration of less restrictive alternatives suitable for addressing genuine harms.
8. Threat to freedom of speech, thought, and inquiry. When the government controls the flow of information, it can shape narratives to serve its own interests rather than the truth.

9. Death of legitimate scientific debate and medical progress. Innovative or unorthodox ideas that challenge the status quo could continue to be suppressed as they are now, stifling medical breakthroughs.
10. Risk of government overreach and abuse of power. Broad censorship authority could be used to silence critics and control public opinion.
11. Erosion of trust in public institutions. Heavy-handed censorship often backfires and by increasing distrust in official sources and the frustration ultimately encourages conspiracy theory.
12. Creation of an Orwellian "Ministry of Truth" scenario where the government determines acceptable speech and thought. This is fundamentally incompatible with a free society.
13. Hampering citizens' ability to make informed decisions by restricting access to diverse viewpoints and information. A well-functioning democracy requires an informed populace.
14. Potential for regulatory capture, where powerful interests could influence what is deemed "misinformation" to serve their agendas.
15. Setting a dangerous precedent for expanded government control over online speech that could be exploited.

In conclusion, while addressing genuine harms from malicious disinformation is a worthy goal, this bill represents a cure far worse than the disease. By centralising control over what constitutes medical "truth" in the hands of government regulators, we risk creating an even more Orwellian twist in a system that is already subject to manipulation by powerful interests, to further suppress inconvenient facts and legitimate debate. This would be disastrous not only for free speech and democracy, but for public health as well.

True scientific progress and improvements in public health can only come through open inquiry, robust debate, and the freedom to challenge prevailing wisdom. Instead of expanding government control over online speech, we should be working to increase transparency in scientific research, reduce conflicts of interest in our regulatory bodies, and empower citizens with the critical thinking skills needed to evaluate information for themselves. Only through preserving and expanding our foundational liberties can we hope to address the serious public health challenges facing our nation.

We strongly urge you to reject this dangerous legislation and instead engage in a broader dialogue about how to foster a more transparent, accountable, and truly evidence-based approach to public health policy. The health and freedoms of all Australians depend on it.