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Catholic Women's League Australia Inc

Member Organisation of the World Union of Catholic Women's Organisations (WUCWO)
NGO Consultant (roster) status with the Economics and Social Council of the United Nations

*"Be joyful in hope, patient in trouble, and
persistent in prayer."* Romans 12:12.

Social Issues Committee
Catholic Women's League Australia Inc. (CWLA)
PO Box 6047
LAKE MUNMORAH NSW 2259

www.cwla.com.au

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Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600
ec.sen@aph.gov.au

**Submission to the
*Communications Legislation Amendment
(Combatting Misinformation and Disinformation) Bill 2024***

We oppose the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024*.

The Death of Free Speech

The *Combating Misinformation and Disinformation Bill* (*the Bill), if passed, would make free speech a thing of the past. Religious groups would be under more censorship than they already are with other laws in place in Australia.

Two Tier Society

The Bill would create a "two tier" society, with some groups (such as academics, artists and so on) would be exempt from the restrictions on free speech imposed on other parts of society. Is this not discrimination?

Catholic Women's League Australia (Inc)
PO Box 6047
Lake Munmorah. NSW 2259

www.cwla.com.au

President
Ann Pereira

Secretary
Sally Fennell

Treasurer
Pauline O'Malley

In Part 2, Division 1, Section 16 it states:

16 Meaning of excluded dissemination

- (1) For the purposes of this Schedule, the following are excluded dissemination:
- (a) dissemination of content that would reasonably be regarded as parody or satire;
 - (b) dissemination of professional news content;
 - (c) reasonable dissemination of content for any academic, artistic, scientific or religious purpose.

“Excluded dissemination” creates even more problems in this flawed Bill. Is not creating two categories just another way to control those opposing the incumbent government? And if not, it surely can be used that way at any stage by the Australian Communications and Media Authority (ACMA). Worse still, ACMA’s staff includes unelected officials.

Vague terms

Vague terms such as “reasonably appropriate” are used throughout the Bill.

In Part 2, Division 1, Section 11 it states:

The objects of this Part are:

- (a) to enable end-users to better understand the accuracy and credibility of content disseminated using digital communications platforms, particularly content that purports to be factual or authoritative; and ...

With issues such as the controversy around so-called media “fact checkers”, political bias, and at times misinformation coming from the government itself (and government funded media), why would any attempt to “... enable end-users to better understand...” be trusted?

Truth

The Bill purports that the Government is the sole arbiter of truth. Something is either true, or it is not, and the Government should not give itself the authority to decide what is misinformation or disinformation. Governments change, and political parties are mostly opposed to each other’s versions of the truth. Would a change of government mean a change of what is true?

In Part 2, Division 1, Section 13 it states:

13 Meanings of *misinformation* and *disinformation*

- (1) For the purposes of this Schedule, dissemination of content using a digital service is *misinformation* on the digital service if:
- (a) the content contains information that is reasonably verifiable as false, misleading or deceptive; and
 - (b) the content is provided on the digital service to one or more end-users in Australia; and
 - (c) the provision of the content on the digital service is reasonably likely to cause or contribute to serious harm; and
 - (d) the dissemination is not excluded dissemination.

Point a) – who gets to decide what is false? Is not the legal system there to assist in that area? Why does the government feel the need to get involved in a democratic country such as Australia?

Point c) – as above, who gets to decide what is “reasonably likely to cause or contribute to serious harm; and”?

Point d) – taken to its logical conclusion, one can ask how does information that is considered to be part of “excluded dissemination” pose less of a “threat” than information that is not on that exclusion list?

“Controlling” the truth is opposed to the action of love.

“Love does not delight in evil but rejoices with the truth.”
1 Corinthians 13:6

Censorship

The Bill would allow the Australian Communications and Media Authority (ACMA) to make decisions on what is deemed misinformation and disinformation. It also enables tech companies to police – without limit – individuals on the content of what they share on digital platforms. Both of these scenarios would be a case of overreach.

Exemptions

How are exemptions possible unless the Government sees itself, and the mainstream media, as infallible? The Government and the mainstream media are indeed capable of making mistakes or being wrong, and have apologised on occasion. Given that fact, how can it then impose this bill on the rest of society, yet stating that they themselves are error-free.

Threat to freedom of speech

The Universal Declaration of Human Rights states: "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."

Therefore, this bill is a direct threat to freedom of speech. The bill would act in exact opposition to the UN Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Right to express our Faith

Under this bill, people of faith could be restricted, silenced and punished for their views on topics such as euthanasia, abortion, conception and the beginning of life, IVF, bioethics, gender ideology, sexuality, the definition of harms (including spiritual harms) and their tenets of belief and tenets of faith.

Recommendation

We are available to provide a verbal presentation pursuant to this proposed legislation. We recommend freedom of speech is allowed to continue without suppression, which in turn will protect the truth through vigorous debate. Existing legislation already captures calumny, libel, racial and other vilification. Therefore, other legislation has not previously been required and is not required now.

Ann Pereira
President
CWLA