



## **Submission: Opposition to the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 [Provisions]**

**Introduction:** The First Nations Peoples Aboriginal Corporation is committed to the rights and well-being of Indigenous Australians. We are submitting our concerns regarding the 2024 Misinformation Bill and its potential impact on our communities. The proposed legislation risks undermining free expression and community-driven health, governance, and cultural preservation efforts.

### **Key Points of Concern:**

1. **Cultural Impact & Public Health Control:** The Bill may disproportionately affect Indigenous communities, particularly in matters of public health. First Nations Peoples have historically held alternate views on healthcare that challenge mainstream approaches. Censoring community-based health perspectives could result in a further lack of trust in health institutions, reducing engagement with necessary services and limiting the freedom of our communities to manage their health and well-being. A culturally sensitive framework should be included in the legislation, considering how “misinformation” may differ in Indigenous knowledge systems.
2. **Suppression of Political Expression:** The Bill grants the Australian Communications and Media Authority (ACMA) powers that could unintentionally silence Indigenous political activism. Historically, our voices have often been labelled as dissent when challenging systemic injustice. Granting broad authority to define and police "misinformation" risks undermining Indigenous movements and our ability to share stories that critique institutional power. The Bill must specifically protect Indigenous voices and safeguard political speech in contexts that have historically been marginalized.
3. **Economic Barriers for Indigenous Start-ups:** The disproportionate fines for spreading misinformation may create barriers for Indigenous start-ups in the tech space, including media, health, and education initiatives. Indigenous businesses often lack the financial power to absorb such penalties, unlike larger corporations. This could stifle Indigenous digital enterprise growth and deter them from participating in the digital economy.

### **Recommendations for Addressing Issues:**

1. **Cultural Sensitivity in Misinformation Definition:** Amend the Bill to ensure cultural knowledge systems, like Indigenous health practices, are not wrongly classified as misinformation. Engage with Indigenous leaders to form a culturally aware framework.
2. **Political Expression Protections:** Ensure the Bill protects political speech and activism, especially for marginalized communities like First Nations Peoples. A review mechanism to assess ACMA decisions affecting Indigenous communities should be established.
3. **Support for Indigenous Start-ups:** Exempt small Indigenous businesses from disproportionate fines. Offer grants and support for Indigenous-led tech companies to navigate the digital landscape under the new legal framework.

**Conclusion:** We respectfully urge the Senate to reconsider the provisions of this Bill to safeguard free speech, cultural integrity, and economic opportunity for Indigenous communities. We propose revising the Bill to better protect marginalized voices, prevent the misuse of government power, and encourage Indigenous business growth.