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# What's next for misinformation regulation?

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[Misinformation and disinformation](#) are pressing issues in a polarised global environment, where the [weaponisation of information directly threatens democratic processes](#). [Strengthening society's resilience](#) to the dissemination of harmful misinformation is a key strategy in strengthening democracy's resilience.

While the Federal Government has proposed various legislative approaches, few actions have progressed and Australians [remain highly concerned](#) (p. 17) about the [prevalence of online misinformation](#). Accordingly, this issue will likely be of continued relevance to the Parliament in terms of further responses.

## Not a new issue

The harms caused by misinformation have been acknowledged across the political spectrum. In 2022, the former [Morrison Government](#) committed to 'introduce legislation... to combat harmful misinformation and disinformation online'. The task was picked up by the subsequent Albanese government with its (ultimately discontinued) [Communications Legislation Amendment \(Combatting Misinformation and Disinformation\) Bill 2024](#). Both governments' proposals responded to the Australian Communications and Media Authority's (ACMA) [2021 review](#) of the [Australian Code of Practice on Disinformation and Misinformation](#), which recognised shortcomings with the voluntary industry code.

Since this initial report, which has been followed by [2 more](#), the perceived harms of misinformation have only increased. According to the University of Canberra's [2025 Digital News Report](#) (p. 17), out of 42 surveyed countries, Australians are now the *most concerned* about misinformation on the internet. The level of concern rose from 64% of survey respondents in 2021 to 74% in 2025.

## Recent government action

In 2024, the Government proposed 2 legislative approaches to combatting harmful misinformation and disinformation online: the [Combatting Misinformation and Disinformation Bill 2024](#) and the 'truth in political advertising' Bill. The Government [decided not to proceed](#) with the former, as it became clear it lacked support, while the latter lapsed at the dissolution of Parliament and [may be reintroduced](#).

[Discussions](#) and [critiques](#) of the Combatting Misinformation and Disinformation Bill were published widely over the course of its debate and the [Senate inquiry](#) into the Bill received [105 public submissions](#). Concerns primarily centred on the Bill's potential to censor legitimate speech and content. For example, definitions of 'misinformation' and 'disinformation' – which included opinions and commentary – were regarded as overly broad and ambiguous, while arbitrarily high penalties could lead platforms to 'over-censor' content. The [Parliamentary Joint Committee on Human Rights](#) also cautioned that, 'questions remain as to whether the scheme would constitute a proportionate limit on the right to freedom of expression and the right to privacy in practice' (p. 90).

## Possible actions

In the absence of sufficient support for the above measures, which effectively targeted specific content online, other possible policies could be pursued that address the underlying social and systemic conditions that allow misinformation to thrive.

As noted within the Combatting Misinformation and Disinformation Bill, verifiably false information does not in itself constitute misinformation. Among other criteria, it is the *dissemination* of content containing this information. Risk of harm is therefore affected by how content is shared, to whom, and in what context. A regulatory focus on the *conditions* facilitating misinformation is thus well positioned to address harms while minimising the risk to human rights, such as freedom of expression, that a focus on *content* poses.

In line with [advice from the United Nations \(UN\)](#) (pp. 6–11), potential pathways to tackling harmful misinformation include, ‘regulatory approaches focus on transparency’; ‘promoting robust public information regimes and wide-ranging access to information’; ‘protecting free and independent media and dialogue with communities’; and ‘building digital, media and information literacy’.

### Transparency obligations

The Combatting Misinformation and Disinformation Bill proposed that the ACMA develop ‘digital platform rules’ to improve transparency for matters including:

- risk management
- media literacy plans
- complaints and dispute handling
- record keeping
- data access schemes.

While these measures garnered a [range of views](#) (pp. 59–74), they were generally [less controversial](#) than the proposed codes and standards to effectively remove certain harmful content from online platforms and could be progressed as standalone measures. [Stakeholders suggested](#) that transparency measures would increase the accountability of platforms to address harmful misinformation, shed greater light on the extent of the issue, and empower users to critically engage with content (p. 64).

Transparency measures could also target [platform design](#); for example, by making [recommender algorithms](#) transparent and clearly labelling bot accounts – a measure [recommended by Senator David Pocock](#) (pp. 130–131). Many researchers have identified [recommender algorithms](#) (p. 18) and [automated bots](#)’ role in boosting the spread of online misinformation. Specifically, recommender algorithms often prioritise popular information that [encourages engagement](#), without consideration of factual accuracy. As algorithms and bots are non-human actors, [they are not afforded human rights](#) such as freedom of expression, making regulation more feasible (pp. 130–131).

Similarly, [generative artificial intelligence](#) regulation—including transparency around the source or provenance of information—may mitigate the risks of AI in generating and perpetuating false information.

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### **Promoting access to information and increasing media literacy**

Research shows that false information often spreads when there is a [lack](#) of easily understandable or [consistent factual information](#). Conversely, [timely and accessible factual information](#) such as government and health advice in simple English, [community languages](#), and other [accessible forms](#) (pp. 2-3) can remedy the dominance of misinformation. Similarly, [well-funded local journalism](#) can build community trust in robust information sources and ensure that stories are being accurately communicated (pp. 17–22). Finally, [media literacy](#) is an important tool to improve [awareness](#) of, and resilience to, misinformation (pp. 87–88). Recent initiatives in this area include [funding for a National Media Literacy Strategy](#) (p. 285) and [a dedicated resource](#) introduced to the Australian Curriculum.

The re-elected Labor Government's plan for addressing misinformation is not yet clear, but the issue [remains of concern](#). While legislative frameworks for removing specific online content lacked support, these other actions aimed at addressing the drivers of misinformation may be considered more viable.

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