

Questions on Notice for TikTok Australia - hearing 11 July 2023
Answers received 17 July 2023

QON1

Senator Paterson: Where is the headquarters? Every company has a headquarters.

Ms Woods-Joyce: There are offices in China, and I don't know the formal headquarters of the company. I'm happy to provide the specific information.

The answer to the honourable Senator's question is as follows:

ByteDance operates as a global company without an officially designated headquarters. While ByteDance itself doesn't have a formal global headquarters, some of its products and businesses do. TikTok, for instance, is headquartered in Singapore and Los Angeles.

QONs 2-8

Unanswered as at 17 July 2023

QON9

Senator Paterson: Are you aware that Mr Phair commenced legal proceedings in the form of a defamation concerns notice against a number of individuals who commented on his report?

Ms Woods-Joyce: Those are matters for the Professor. I can't speak to anything that he may be doing. As I said, he's independent. I'm not aware of the work he does outside of the arrangements that we had for commissioning the report that he produced.

Senator Paterson: So, you haven't discussed with him possible legal action and you're not supporting or financing any of that legal action?

Ms Woods-Joyce: I've not discussed that with Professor Phair, no. Those are matters for him.

Senator Paterson: I'm not just asking you personally, Ms Woods-Joyce, all of TikTok, including Mr Hunter. Have you discussed legal action that Mr Phair may be taking or intending to take?

Ms Woods-Joyce: I have not, Senator.

Senator Paterson: Has anyone else at TikTok? Do you have a general counsel who may have discussed it with him?

Ms Woods-Joyce: I'm not aware of discussions that might have happened with the Professor of that nature.

Senator Paterson: Could you take it on notice on behalf of all TikTok Australia employees?

The answer to the honourable Senator's question is as follows:

No employees of TikTok or ByteDance have provided Professor Phair with legal advice. Neither TikTok Australia, nor any entity within the TikTok or ByteDance group of companies, is financing any alleged legal proceedings being taken, or intended to be taken, by Professor Phair.

QON10

Senator Paterson: Did you engage a public relations firm to promote Mr Phair's report?

Ms Woods-Joyce: TikTok has a range of consultants that we might use to support the business and the operations, including, we have a PR agency. So, I'm not sure what specific arrangements might have been in place, but I understand that the website, our TikTok website, hosts links to the report.

Senator Paterson: I'm not asking about links on your website. I'm asking, did you engage a public relations firm to promote the report?

Ms Woods-Joyce: We do have a communications consultant that we would use for things like that. I don't have the full details in front of me. But I'm happy to see...

Senator Paterson: Perhaps Mr Hunter, do you have information about that?

Mr Hunter: We have an internal PR and Comms team that works across this business. In addition,

we engage with services of agencies in a PR capacity for all manner of activities. I'm not aware of any specific agency engagement with regards to that. I think it would be the responsibility of our generalised PR capability.

Senator Paterson: I would be grateful if you can take it on notice and provide further information. It seems to me that a report paid for by TikTok, the scope of which was negotiated with TikTok, promoted by a PR firm on behalf of TikTok, hardly meets the definition of independent. It seems lacking in independence completely.

Ms Woods-Joyce: Senator, Professor Phair is a respected cyber expert. He stands by his report but we are happy, as we said, to provide answers to your questions on notice wherever we can.

The answer to the honourable Senator's question is as follows:

It is common practice for technology companies (as well as other companies) to commission academics, universities and think tanks to undertake research and prepare reports on issues of interest to the industry and general public. It is also normal industry practice to share and publicise the findings of commissioned reports.

As we detailed in a Newsroom announcement on 27 April 2023 (available at <https://newsroom.tiktok.com/en-au/comparative-study-of-social-media-data-collection-practices-au>) we commissioned Professor Phair to undertake an independent report into TikTok's data collection practices. We considered the findings of Professor Phair's report to be of interest to the public, industry and government and therefore agreed to the publication of his report.

TikTok Australia's internal PR team supported the publication of Professor Phair's report (and the accompanying technical analysis by Mercury Information Security Services). TikTok Australia has a long-term engagement with an external PR agency under which the external agency assists TikTok Australia's PR team with its day-to-day operations. These would have included the publication of Professor Phair's report and associated media engagement, however no separate engagement was entered into in respect of Professor Phair's report.