

**ABC Submission to the
Inquiry into international
digital platforms
operated by Big Tech
companies**

February 2023



ABC Submission to the Senate Economics References Committee's issues paper "Inquiry into international digital platforms operated by Big Tech companies"

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1. Introduction

The Australian Broadcasting Corporation (ABC) welcomes the opportunity to provide a submission to the Senate Economics References Committee's inquiry into international digital platforms operated by Big Tech companies. This submission provides the ABC's perspective on the areas of interest to the Committee where they are relevant to the ABC's role, functions, and operations.

This submission is informed by the statutory role of the ABC and its place in the Australian media landscape, including the ways in which the ABC distributes its content on digital platforms.

As audience behaviours have changed over recent decades, the Corporation has adapted with new approaches to content-making and distribution to ensure that Australians have access to, and encounter, independent and trustworthy news and compelling Australian stories on the platforms they choose to use. In this environment, it has become a necessity to work with Big Tech companies to make the ABC's content and services as accessible as possible.

In its role as the national broadcaster, the ABC works with the companies named in the Issues Paper in a range of different ways:

- **Google (Alphabet)** – The ABC is working with Google and YouTube across a range of areas. The most important is content distribution and discoverability.
- **Apple** – The ABC is working with Apple to distribute content (Apple News), help develop and promote its apps (ABC News, ABC iView, ABC Listen, ABC Kids, etc), podcasts and music.
- **Facebook (Meta)** – The ABC works with Facebook to distribute its content, increase engagement and improve discoverability.
- **Amazon** – The ABC works with Amazon across a range of Technology services.
- **Microsoft** – The ABC works with Microsoft across a range of Technology services.

The Issues Paper asks a broad range of questions for public comment. The ABC confines its comments to some of the key issues as they relate to the organisation in the following categories:

- Algorithm Transparency
- Data and Privacy
- Children's Safety
- Big Tech Disinformation

Where previous public submissions have been made by the ABC on these topics, the ABC refers the Committee to those submissions for further details.

2. Algorithm Transparency

The sheer volume of readily available content in the online environment means that some level of personalisation, which relies on technology and algorithms, is required to help audiences discover content which is of interest and relevance to them.

Indeed, the Corporation uses algorithms within its own apps and websites to manage the large amount of content available with an aim of improving the audience experience. The [ABC Content Recommendations Editorial Policy](#) outlines the ABC's position on its personalisation functionality across its digital touchpoints. The ABC applies editorial principles to ensure that personalisation delivers a comprehensive service as required by the ABC Charter across genres consistent with its public service mission to inform, educate and entertain all Australians. The ABC's personalisation function is designed in a way to avoid creating 'filter bubbles' or undermining the accuracy and reliability of the ABC's news service. The ABC believes that algorithmically derived recommendations should enhance and not undermine the ABC's reputation as an independent, trusted and impartial provider of news, information and entertainment.

2.1. Filter Bubbles

There is concern that the algorithms applied by search engines and social media (for example Meta's Facebook and Google's YouTube) can influence the news and information that people see, potentially leading to a concentration of power over public discourse and opinion formation. The use of algorithms can also contribute to increasing fragmentation of audiences, creating isolated communities of interest and so-called 'filter bubbles'.

A well-functioning democracy depends on the free flow of accurate information, objective analysis, and diverse opinions. When an algorithm suggests and automatically plays the next video or recommends social media pages to a user, it is filtering information based on what the user appears to be most interested in. This can push users into a feedback loop and an endless cycle of like-minded content, which can present a particular risk when the content is biased or misleading, or doesn't show information that presents a different point of view.

The ABC acknowledges YouTube's efforts at implementing measures that elevate trusted news and information, for example by showing users who are interested in news additional breaking news from a trusted range of news providers. The ABC's news content is often surfaced to users through this feature, presenting a reliable and trusted news source and enhancing public benefit.

It should be noted that TikTok has 1 billion + users worldwide but is excluded from the terms of this review. Similar to Google and Meta, TikTok also applies algorithms to surface content to users based on what they appear to be most interested in, and the same risk of filter bubbles is present.

Greater transparency in relation to how these and other social media algorithms operate could be beneficial in public-policy terms as well as helping the ABC achieve its goals. In addition to transparency, the ABC also believes there is a need for a regulatory regime that offers a more balanced approach to public discourse across a wide range of platforms.

While the ABC has not made a detailed study of the US or other international regulatory regimes, it is in favour of principles that support greater algorithm transparency and contribute to a stronger democracy. The EU's Digital Services Act, which calls for greater algorithm transparency and intends to hold platforms to account for the societal harms stemming from the use of their services, appears to provide some positive elements that could be reflected in any potential Australian regulatory model.

2.2. Algorithmic Content Recommendations

The ABC is engaged with the Government and industry in the development of a possible prominence framework. It has contributed to discussions through its participation in the Future of Broadcasting Working Group, engaged in the topic in its response to the [2019 Media Reform Green Paper](#) and most recently, it has provided a submission to the [Prominence Proposals Paper](#) (February 2023).

The Government has committed to introducing a prominence framework. Discussion of potential prominence regulation is primarily focused on broadcaster video-on-demand (BVOD) app icons available on connected TV devices, including Smart TVs, set-top boxes and various TV peripherals.

The ABC hopes and anticipates that the prominence framework will cover search and recommendation algorithms on connected-TV devices. However, the Corporation is also concerned about the operation of such algorithms on computing devices such as tablets, laptops and smartphones, which can be – and are – used to access media, but may not qualify as connected-TV devices for the purpose of regulating prominence. This is, for example, the case with devices running Apple's iOS and Google's Android OS operating systems, which usually ship with aggregated search applications that allow the user to search for content available through any of the video apps that are currently present on the device.

The search and recommendation facilities that are present on aggregator apps function by employing algorithms to determine the prominence of content presented to viewers and can shape viewer's use of services.

As a national broadcaster and a part of the Australian broadcasting system, the ABC contributes to a range of social and cultural outcomes, including providing Australians with trusted, independent public-interest journalism and telling Australian stories. The Corporation is a major investor in Australian audiovisual content, including for children, and contributes directly to the range of regulatory mechanisms that successive governments have put in place to support the production of Australian programming.

The ABC's ability to play that role is directly related to the ease with which its content and services can be found and accessed by Australians. As audience behaviours have changed over recent decades, the Corporation has increased the range of technologies and platforms it uses to achieve its public broadcasting remit and ensure its content and services remain available to all Australians. Given the popularity of aggregated search applications, such as

Apple TV and Google TV, the ABC has no choice but to work with Big Tech companies to reach audiences.

The ABC provides data about the programs on ABC iView to the aggregator platforms to aid discovery via their aggregated search facilities and expects that, if a search turns up content on ABC iView and the user selects it, the platform will launch the ABC iView app to play it. However, within their apps and devices, Apple and Google are also promoting purchase of their own content through subscriptions or transactional video-on-demand (TVOD) purchases. Search and discovery of free ABC content can be effectively used to promote paid versions of the same programs. Moreover, the Corporation has no way of ensuring that its versions of programs will be most prominently displayed in search results.

In the case of content recommendations, the platforms apply their own algorithms to surface content to a user. A lack of transparency means that neither the ABC, nor the user, has any idea how programs are selected to appear as high-priority recommendations. It is plausible to assume that commercial prominence arrangements may have been agreed between the platforms and paid commercial partners (e.g. Netflix, Disney and Amazon Prime).

This represents a potential public policy risk, as the use of these devices may make it more difficult to discover Australian content, including ABC programs for which audiences have already paid.

In its response to the Prominence Proposals Paper, for reasons of practicality the ABC adopted a device-centred approach which does not capture use at the software level. The ABC would welcome future consideration of alternative mechanisms to ensure that platforms are required to promote local TV services in search results and recommendations. This might be a topic for consideration in a review of the prominence framework after its first year of operation.

3. Data and Privacy

The ABC is engaged in the current privacy reform process, and refers the Committee to its previous submissions to the [Privacy Act Review Discussion Paper](#) and the [Issues Paper](#). The ABC acknowledges the Attorney-General's Privacy Act Review Report, released in February 2023, and the Government's intention to strengthen and modernise Australian privacy law. The ABC anticipates providing a response via the public consultation framework.

4. Children's Safety

In its role as a content creator, the ABC often engages children and young people (0–18 years) in the online space and through its involvement in content making. The protection of the children with which the ABC engages is of serious concern, and it endeavours to lead the way in its approach to preventing harm in children. The online risks to children that may occur as a result of their engagement with public online platforms, and which the ABC seeks to minimise, include:

- Unwanted contact including contact from fake accounts and contact from adults misrepresenting themselves as children

- Fan accounts
- Doxxing
- Online abuse
- Pile-ons
- Compromised privacy

In addition, children may develop mental health and wellbeing concerns resulting from any of the above activities.

The ABC is limited in the extent to which it can protect the children it engages with from harm on public social media platforms, and relies on the actions taken by the platforms to limit harm.

In anticipating potential harm, the ABC's approach is focused on education and prevention. Every ABC Children's production involving children, young people or adults has a Cyber Safety Plan. Child participants / actors and their parents and/or guardians, are provided with resources to support them as well as consultations with the ABC's Cyber Safety experts. Ongoing support is offered to the children and their families should an incident occur. There is an agreed escalation plan between the participants, the producers and the ABC in handling incidents.

The ABC regularly engages with children aged 13+ on its social media pages. In addition to the risks outlined to children engaged by the ABC, there is a risk that without swift action to remove offensive or harmful content, online abuse, pile-ons and doxxing may be witnessed by children who are users of social media, causing them harm.

The Committee asks how effective the current legislative framework is in protecting children and preventing online harm from occurring and what more can be done to enhance online safety for child protection in Australia. The ABC is supportive of the greater powers given to the Office of the eSafety Commissioner in the *Online Safety Act 2021*, and the intention of the Act, which seeks to limit exposure to harmful content. In its work with children, the ABC has identified some areas that could be further clarified to ensure rapid action and adequate resolution when an incident occurs on social media. These include:

- Clearer definitions of what is considered an incident by the social media platforms.
- A transparent timeline to remove harmful content/post
- Transparency over actions taken by social media platforms to resolve the incident.

These limitations can potentially keep offensive or harmful material on the platform for longer, and can create a situation where posts or comments gain momentum, leading to greater trauma for the targeted child and their family. The ABC also notes that the limitation in relation to the definition of an incident/breach of rules and the failure to act in some instances could lead to risks for other children (for example, unwanted contact from an adult, if unchecked, could lead to further contact with other children).

It is important that the Act continues to be reviewed to ensure it is meeting its intended outcomes and compels platforms to minimise bullying, abuse and other harmful activity and content.

5. Big Tech Disinformation

As the national public broadcaster and Australia's most trusted source of news and information, the ABC has a strong interest in ensuring that Australians can easily access accurate and impartial news and information across all news media organisations and platforms. The ABC has previously provided comments on The Australian Code of Practice on Disinformation and Misinformation ("the ACPDM"), which can be found [here](#).

The ABC acknowledges the Government's intention to legislate to provide the Australian Communications and Media Authority (ACMA) with new powers to hold digital platforms to account and improve efforts to combat harmful misinformation and disinformation in Australia. The ABC anticipates providing a response via the public consultation framework following a review of the exposure draft.