

6. SKY NEWS ONLINE

KEY STATEMENT:

The ACMA is not aware of the specific videos or commentary posted by Sky News that were found in breach of YouTube's policy.

YouTube's COVID-19 medical misinformation policy does not allow content about COVID-19 that poses a serious risk of egregious harm.

KEY ISSUES

Sky News service on YouTube

- Sky News Australia's YouTube account has 1.88 million subscribers, and its videos get an average of 2.3 million views each day.

Removal of content

- On 4 August 2021, the ACMA wrote to Google seeking further information about the specific content removed, the basis for its removal and the application of the Disinformation and Misinformation code (**Attachment A**).
- Google replied on 12 August 2021. It advised that it conducted a manual human review of a number of flagged videos uploaded within Sky News' YouTube channel (**Attachment B**). It found that about 20 videos violated its policies and removed, under its COVID-19 medical misinformation policy and the election misinformation policy (**Attachment C**).
- Google has advised the ACMA that this action was taken in accordance with its community guidelines and its policies align with its obligations under the Australian Code of Practice on Misinformation and Disinformation.
- Individual content moderation decisions are a matter for each platform. The ACMA was tasked with overseeing the development of the code but has no formal powers to regulate digital platforms.
- It is not the role of the ACMA to comment on the steps taken by a platform with respect to an individual piece of content or speculate how platforms should address individual posts or pieces of content in the future.

The Disinformation and Misinformation Code

- The code covers all kinds of misinformation, excluding:
 - Content that is produced in good faith for entertainment (including satire and parody) or for education purposes
 - Content that is authorised by an Australian State or Federal Government
 - Political advertising and content authorised by a political party
 - News content that is subject of a published editorial code which sets out content standards and/or complaints mechanisms.
- In the code, harm is defined as harms that pose an imminent and serious threat to:

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- democratic political and policymaking processes such as voter fraud, voter interference, voting misinformation, or
- public goods such as the protection of citizens' health, protection of marginalised or vulnerable groups, public safety and security or the environment.

YouTube's Covid medical misinformation policy

- The ACMA understands that YouTube's COVID-19 medical misinformation policy does not allow content about COVID-19 that poses a serious risk of egregious harm (This includes content that spreads medical misinformation that contradicts local health authorities or the World Health Organization (WHO), including treatment, prevention, diagnosis, transmission, social distancing and self-isolation guidelines, and the existence of COVID-19. This policy was published in May 2020.
- The policy also outlines its approach to enforcing compliance with the policy. If content violates the policy, YouTube will remove the content and let the user know. On the first occasion, a user is likely to be a warning. Continued violations may result in receiving a strike. A strike has a range of implications including not allowing videos or live streams to be uploaded to the channel for a week. If 3 strikes are received within 90 days, a channel will be terminated.

Difference between digital platforms and broadcasters

- Broadcasters have direct editorial control of the content they distribute. This allows them to have greater oversight of the content delivered on their platforms, and to implement policies, systems, and guidance to prevent the broadcast of problematic content.
- Broadcasters are also subject to an established co-regulatory code of practice which contemplates audience complaints and an opportunity for broadcasters to respond to those complaints and, if appropriate, take steps to prevent any future non-compliance or otherwise address the complaint.
- Whilst some platforms do create their own content, they largely disseminate content uploaded and generated by their users. The scale of content generated on these platforms means that they need to rely on a mix of algorithms, manual moderation, and user reports to identify problematic content.
- Broadcasters operate under a code of practice and the *Broadcasting Services Act 1992*. Breaches of the rules can be dealt with through a range of administrative sanctions. Digital platforms, where a breach is identified, do not have an equivalent range of responses. Platforms tend to respond with a more limited set of sanctions including limiting access to accounts or the takedown of content or accounts.

ATTACHMENTS

- A Letter to Google dated 4 August 2021
- B Letter from Google dated 12 August 2021
- C YouTube's COVID-19 medical misinformation policy and election misinformation policy

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Clearing Officer
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GM Content and Consumer Division
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Date 11/08/2021

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ATTACHMENT A

LETTER TO GOOGLE



4 August 2021

Ms Lucinda Longcroft
Director, Government Affairs and Public Policy
Google Australia
48 Pirrama Road
Pyrmont, NSW 2009



Dear Ms Longcroft

YouTube's recent decision to suspend Sky News content

I am writing to seek additional information about Google's decision to temporarily suspend Sky News from uploading content to YouTube.

The Australian Communications and Media Authority (ACMA) has received a number of complaints about recent broadcasts, all of which have been referred to Sky for initial response in accordance with the co-regulatory complaints scheme established under the *Broadcasting Services Act 1992* (the BSA).

In addition, as you would be aware, we have received a number of related media enquiries and are likely, shortly, to be called to give evidence to the Senate Environment and Communications current Media Diversity inquiry.

Given this and our related role in overseeing the development of the Australian Code of Practice on Disinformation and Misinformation, the ACMA would like to understand:

- What particular content breached YouTube's policies and what prompted the removal of the content (i.e. user reports, Youtube monitoring activities or automated detection)?
- To your knowledge, was any of the same content also delivered via a terrestrial broadcasting platform (either on Sky or one of its affiliated commercial television partners)?
- Was the decision to suspend the content taken under Google's understanding of its obligations under the Australian Code of Practice on Disinformation and Misinformation?
- Has Google updated its COVID-19 misinformation policy since its report to DIGI in May 2021?

It would be appreciated if you could provide responses to my questions August 2021. Please don't hesitate to contact me or Cathy Rainsford, General Manager of the Content and Consumer Division on [REDACTED]

Yours sincerely,



Creina Chapman

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Deputy Chair and CEO

LETTER FROM GOOGLE



Google Australia Pty Ltd
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Australia

google.com

Thursday 12 August 2021

Creina Chapman
Deputy Chair and CEO
Level 5
The Bay Centre
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BY EMAIL: [REDACTED]

Dear Ms Chapman,

Thank you for your letter dated 4 August requesting information relating to the decision to impose a seven day suspension on Sky News from uploading any new content onto YouTube.

In response to your questions:

1. What particular content breached YouTube's policies and what prompted the removal of the content (i.e. user reports, YouTube monitoring activities or automated detection)?

A piece of content can be flagged for review either by our community of users or by our machine learning technology. Our review teams then perform a manual review of the content in question to decide whether this is violative or not. In this instance, a Sky News video was elevated for human review, which then prompted a manual human review of a number of flagged videos uploaded within Sky News' YouTube channel. In reviewing this set of flagged videos, it was confirmed that about 20 videos were violative of our policies and removed, under the [COVID-19 medical misinformation policy](#) and the [election misinformation policy](#).

2. To your knowledge, was any of the same content also delivered via a terrestrial broadcasting platform (either on Sky or one of its affiliated commercial television partners)?

We would not be able to speak to any alternative delivery channels used by YouTube partners, however we understand that Sky News' most common practice is to upload videos onto YouTube that had been broadcast on their owned and operated broadcasting channels.

3. Was the decision to suspend the content taken under Google's understanding of its obligations under the Australian Code of Practice on Digi?

The decision to issue a strike against the Sky News YouTube channel was taken in accordance with YouTube's [Community Guidelines](#), specifically the [COVID-19 medical misinformation policy](#). These policies align with Google's obligations under the Australian Code of Practice on Misinformation and Disinformation. We apply these policies consistently, transparently and equally across all content creators on YouTube.

4. Has Google updated its COVID-19 misinformation policy since its report to DIGI in May 2021?

The only update since May 2021 was an expansion to our exceptions for Education, Documentary, Scientific or Artistic content as follows: "We may also make exceptions for content showing an open public forum, like a protest or public hearing, provided the content does not aim to promote misinformation that violates our policies."

Please don't hesitate to contact us if we can provide any further information to assist.

Yours sincerely,



Lucinda Longcroft
Director
Government Affairs and Public Policy
Google Australia

COVID-19 medical misinformation policy

The safety of our creators, viewers, and partners is our highest priority. We look to each of you to help us protect this unique and vibrant community. It's important you understand our Community Guidelines, and the role they play in our shared responsibility to keep YouTube safe. Take the time to carefully read the policy below. You can also check out [this page](#) for a full list of our guidelines.

YouTube doesn't allow content about COVID-19 that poses a serious risk of egregious harm.

YouTube doesn't allow content that spreads medical misinformation that contradicts local health authorities' or the World Health Organization's (WHO) medical information about COVID-19. This is limited to content that contradicts WHO or local health authorities' guidance on:

- Treatment
- Prevention
- Diagnosis
- Transmission
- Social distancing and self-isolation guidelines
- The existence of COVID-19

Note: YouTube's policies on COVID-19 are subject to change in response to changes to global or local health authorities' guidance on the virus. This policy was published on May 20, 2020.

What this policy means for you

If you're posting content

Don't post content on YouTube if it includes any of the following:

Treatment misinformation:

- Content that encourages the use of home remedies, prayer, or rituals in place of medical treatment such as consulting a doctor or going to the hospital
- Content that claims that there's a guaranteed cure for COVID-19
- Content that recommends use of Ivermectin or Hydroxychloroquine for the treatment of COVID-19
- Claims that Hydroxychloroquine is an effective treatment for COVID-19
- Categorical claims that Ivermectin is an effective treatment for COVID-19
- Other content that discourages people from consulting a medical professional or seeking medical advice

Prevention misinformation: Content that promotes prevention methods that contradict local health authorities or WHO.

- Claims that there is a guaranteed prevention method for COVID-19
- Claims that any medication or vaccination is a guaranteed prevention method for COVID-19
- Content that recommends use of Ivermectin or Hydroxychloroquine for the prevention of COVID-19
- Claims that wearing a mask is dangerous or causes negative physical health effects
- Claims that masks do not play a role in preventing the contraction or transmission of COVID-19

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- Claims about COVID-19 vaccinations that contradict expert consensus from local health authorities or WHO
 - Claims that an approved COVID-19 vaccine will cause death, infertility, miscarriage, autism, or contraction of other infectious diseases
 - Claims that an approved COVID-19 vaccine will contain substances that are not on the vaccine ingredient list, such as biological matter from fetuses (e.g. fetal tissue, fetal cell lines) or animal products
 - Claims that an approved COVID-19 vaccine will contain substances or devices meant to track or identify those who've received it
 - Claims that COVID-19 vaccines will make people who receive them magnetic
 - Claims that an approved COVID-19 vaccine will alter a person's genetic makeup
 - Claims that COVID-19 vaccines do not reduce risk of contracting COVID-19
 - Claims that any vaccine causes contraction of COVID-19
 - Claims that a specific population will be required (by any entity except for a government) to take part in vaccine trials or receive the vaccine first
 - Content that promotes the use of unapproved or homemade COVID-19 vaccines
 - Instructions to counterfeit vaccine certificates, or offers of sale for such documents

Diagnostic misinformation: Content that promotes diagnostic methods that contradict local health authorities or WHO.

- Claims that approved COVID-19 tests are dangerous or causes negative physical health effects
- Claims that approved COVID-19 tests cannot diagnose COVID-19

Transmission misinformation: Content that promotes transmission information that contradicts local health authorities or WHO.

- Content that claims that COVID-19 is not caused by a viral infection
- Content that claims COVID-19 is not contagious
- Content that claims that COVID-19 cannot spread in certain climates or geographies
- Content that claims that any group or individual has immunity to the virus or cannot transmit the virus

Social distancing and self-isolation misinformation: Content that disputes the efficacy of local health authorities' or WHO's guidance on physical distancing or self-isolation measures to reduce transmission of COVID-19.

Content that denies the existence of COVID-19:

- Denial that COVID-19 exists
- Claims that people have not died or gotten sick from COVID-19
- Claims that the virus no longer exists or that the pandemic is over
- Claims that the symptoms, death rates, or contagiousness of COVID-19 are less severe or equally as severe as the common cold or seasonal flu
- Claims that the symptoms of COVID-19 are never severe

Examples

Here are some examples of content that's not allowed on YouTube:

- Denial that COVID-19 exists
- Claims that people have not died from COVID-19
- Claims that any vaccine is a guaranteed prevention method for COVID-19
- Claims that a specific treatment or medicine is a guaranteed cure for COVID-19
- Claims that hydroxychloroquine saves people from COVID-19

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- Promotion of MMS (Miracle Mineral Solution) for the treatment of COVID-19
- Claims that certain people have immunity to COVID-19 due to their race or nationality
- Encouraging taking home remedies instead of getting medical treatment when sick
- Discouraging people from consulting a medical professional if they're sick
- Content that claims that holding your breath can be used as a diagnostic test for COVID-19
- Videos alleging that if you avoid Asian food, you won't get the coronavirus
- Videos alleging that setting off fireworks can clean the air of the virus and will prevent the spread of the virus
- Claims that COVID-19 is caused by radiation from 5G networks
- Videos alleging that the COVID-19 test is the cause of the virus
- Claims that countries with hot climates will not experience the spread of the virus
- Videos alleging that social distancing and self-isolation are not effective in reducing the spread of the virus
- Claims that wearing a mask causes oxygen levels to drop to dangerous levels
- Claims that masks cause lung cancer or brain damage
- Claims that wearing a mask gives you COVID-19
- Claims that the COVID-19 vaccine will kill people who receive it
- Claims that the COVID-19 vaccine will be used as a means of population reduction
- Videos claiming that the COVID-19 vaccine will contain foetal tissue
- Claims that the flu vaccine causes contraction of COVID-19
- Claims that COVID-19 vaccines are not effective in preventing the spread of COVID-19
- Claims that the COVID-19 vaccine causes contraction of other infectious diseases or makes people more vulnerable to contraction of other infectious diseases
- Claims that the COVID-19 vaccines contain a microchip or tracking device
- Claims that achieving herd immunity through natural infection is safer than vaccinating the population
- Claims that COVID-19 never causes serious symptoms or hospitalization
- Claims that the death rate from the seasonal flu is higher than the death rate of COVID-19
- Claims that people are immune to the virus based on their race
- Claims that children cannot or do not contract COVID-19
- Claims that there have not been cases or deaths in countries where cases or deaths have been confirmed by local health authorities or the WHO

Educational, documentary, scientific or artistic content

We may allow content that violates the misinformation policies noted on this page if that content includes additional context in the video, audio, title, or description. This is not a free pass to promote misinformation. Additional context may include countervailing views from local health authorities or medical experts. We may also make exceptions if the purpose of the content is to condemn, dispute, or satirize misinformation that violates our policies. We may also make exceptions for content showing an open public forum, like a protest or public hearing, provided the content does not aim to promote misinformation that violates our policies.

What happens if content violates this policy

If your content violates this policy, we'll remove the content and send you an email to let you know. If this is your first time violating our Community Guidelines, you'll likely get a warning with no penalty to your channel. If it's not, we may issue a strike against your channel. If you get 3 strikes within 90 days, your channel will be terminated. You can learn more about our strikes system [here](#).

We may terminate your channel or account for repeated violations of the Community Guidelines or Terms of Service. We may also terminate your channel or account after a single case of severe abuse, or when the channel is dedicated to a policy violation. You can learn more about channel or account terminations [here](#).

Elections misinformation policy

Certain types of misleading or deceptive content with serious risk of egregious harm are not allowed on YouTube. This includes certain types of misinformation that can cause real-world harm, like certain types of technically manipulated content, and content interfering with democratic processes.

If you find content that violates this policy, report it. Instructions for reporting violations of our Community Guidelines are available [here](#). If you've found multiple videos or comments that you would like to report, you can report the channel.

What these policies mean for you

If you're posting content

Don't post elections-related content on YouTube if it fits any of the descriptions noted below.

- **Voter suppression:** Content aiming to mislead voters about the time, place, means, or eligibility requirements for voting, or false claims that could materially discourage voting.
- **Candidate eligibility:** Content that advances false claims related to the technical eligibility requirements for current political candidates and sitting elected government officials to serve in office. Eligibility requirements considered are based on applicable national law, and include age, citizenship, or vital status.
- **Incitement to interfere with democratic processes:** Content encouraging others to interfere with democratic processes. This includes obstructing or interrupting voting procedures.
- **Distribution of hacked materials:** Content that contains hacked info, the disclosure of which may interfere with democratic processes.
- **U.S. presidential election integrity:** Content that advances false claims that widespread fraud, errors, or glitches changed the outcome of any past U.S. presidential election (Note: This applies to elections in the United States only). For the U.S. 2020 presidential election, this applies to content uploaded on or after December 9, 2020.

Keep in mind that this isn't a complete list.