

ACMA misinformation report

Fact sheet 3: next steps

In response to the ongoing threat of disinformation and misinformation, further work will be undertaken throughout 2022 and beyond to implement the ACMA's 5 recommendations from the misinformation report and support industry's efforts to make improvements to the Australian Code of Practice on Disinformation and Misinformation.

DIGI code review

- > An initial code review is to be undertaken by the code administrator, DIGI, later this year. This will be followed by regular code reviews at 2-yearly intervals.
- > DIGI will be seeking input from signatories, relevant government bodies, and other key stakeholders, such as academics and subject matter experts.
- > We recommended that the ACMA's findings be considered as part of this review.

Platform reporting

- > Platforms have committed to providing annual transparency reports that detail the activity they have undertaken to meet their code commitments.
- > Our report found that the initial set of transparency reports was inconsistent and, in general, lacked the level of detail necessary to benchmark individual platform performance or assess the effectiveness of measures.
- > Under the code, signatories are also required to develop and implement an agreed format and set of guidelines to inform the data and other information they must include in all subsequent annual transparency reports.
- > We anticipate work on the agreed format and guidelines will be completed ahead of signatories' upcoming reporting period. All annual reports are due to be published on the DIGI website by late May 2022, and will be reviewed and audited by an independent reviewer appointed by DIGI.

Continued ACMA oversight of the code

- > The ACMA will continue to oversee the operation of the code and will provide a second report to government by June 2023.
- > In coming months, the ACMA will focus on testing whether the self-regulatory arrangements put in place by the industry are effective or whether further actions are needed.
- > The ACMA will also continue to undertake relevant research to inform government on the state of disinformation and misinformation in Australia. This research will build on the findings in the ACMA's misinformation report and any other developing areas of concern within the online misinformation or disinformation environment in Australia.

Scoping new regulatory powers for the ACMA

- > Without significant improvements to platform reporting, it will be difficult for signatories to verify their progress towards meeting agreed code outcomes, and for industry as a whole to demonstrate the overall effectiveness of the code. Based on the EU experience, greater incentives may be required to encourage signatories to allocate resources to localised reporting.
- > To incentivise industry and inform our ongoing oversight role, the government has agreed that the ACMA will be provided with appropriate regulatory powers to oversee digital platforms' activities, including the ability to request Australia-specific information and data on the steps taken to address disinformation and misinformation.
- > There is also a risk of disinformation and misinformation on non-signatory services, particularly as conspiratorial communities seek out alternative platforms to avoid content moderation. As the code is voluntary, there is currently no mechanism to compel platforms to sign up or stop platforms from leaving.
- > The ACMA recommended that government should provide it with reserve powers to register industry codes, enforce industry code compliance and make standards relating to the activities of digital platforms. These powers would provide a mechanism for further intervention if code administration arrangements prove inadequate, or the voluntary industry code fails. The government has accepted this recommendation.
- > The ACMA is continuing to work with the government on the design, scope and timing of these new powers. The ACMA understands that stakeholders will have an opportunity to review and comment on whether these new powers are appropriately targeted and fit-for-purpose.

Misinformation and Disinformation Action Group

- > Our report notes that collaboration between government, industry, researchers and NGOs is critical to addressing the issues raised by disinformation and misinformation.
- > That is why we have recommended that the government consider establishing a Misinformation and Disinformation Action Group (MADAG) to support collaboration and information-sharing between key stakeholders on issues relating to disinformation and misinformation. We anticipate this group will be stood up in the coming months.
- > This will be separate to the commitment of code signatories to convene an annual event to foster discussions regarding disinformation and misinformation within academia and civil society.