

Committee Secretary
Joint Select Committee on Social Media and Australian Society
PO Box 6100
Parliament House
Canberra ACT 2600

Inquiry into the influence and impacts of social media on Australian society

Dear Secretary

The Digital Platform Regulators Forum (DP-REG) welcomes the opportunity to contribute to the **Joint Select Committee on Social Media and Australian Society (the Inquiry)**.

DP-REG is an information sharing and collaboration initiative between Australian independent regulators with regulatory oversight of digital platforms. This letter provides the Committee with an overview of DP-REG and how we are working together to promote a streamlined and cohesive approach to the regulation of digital platforms in Australia.

Background to DP-REG

The digital age has brought with it extraordinary advances, but it has also created new harms in the online environment. There are a wide range of regulatory interventions underway across the Australian Government to address these harms and protect Australians online. These include in response to the ACCC's Digital Platforms Inquiry and Digital Platform Services Inquiry, legislative reforms to strengthen Australia's online safety and privacy regimes, reviewing and strengthening regulatory frameworks in response to scams and Artificial Intelligence (AI), as well as to address misinformation and disinformation.

Regulators working across these initiatives face many of the same challenges – addressing emerging harms to Australians, encouraging innovation while balancing protections, and limiting detriment from the market power of these large, complex, and diverse multinational entities. Collaboration and coordination between regulators with complementary expertise needs to continue to effectively address these challenges.

About DP-REG

In March 2022, the Australian Communications and Media Authority (ACMA), the Australian Competition and Consumer Commission (ACCC), the Office of the Australian Information Commissioner (OAIC), and the eSafety Commissioner

(eSafety) formalised existing collaborative arrangements to form DP-REG (see attached infographic).

Through DP-REG, its members share information about, and collaborate on, cross-cutting issues and activities on the regulation of digital platforms. This includes consideration of how competition, consumer protection, privacy, and online safety issues intersect. Where appropriate, DP-REG collectively engages with stakeholders on issues of mutual concern or interest.

DP-REG is not a decision-making body and has no bearing on members' existing regulatory powers, legislative functions, or responsibilities. Collaboration under DP-REG is intended to be flexible and recognise the limits of each member's respective regulatory frameworks. Members are not impeded or prevented from engaging bilaterally or outside of DP-REG on issues related to digital platforms.

The heads of each member regulator set the broad strategic direction of DP-REG, including agreement on the group's annual strategic priorities. Our strategic priorities for 2023-24, as outlined in [our July 2023 communique](#), include continuing to focus on assessing the impact of algorithms, improving transparency of digital platforms' activities and how they are protecting users from potential harm, and increased collaboration and capacity building between the four members.¹

The current DP-REG governance structure, as outlined in our [terms of reference](#), enables effective cooperation and collaboration at various levels across each regulator.² Working groups progress the key priorities, projects and activities of DP-REG. Currently, DP-REG has three standing working groups:

- **Digital Technology Working Group** to jointly explore relevant digital platform technologies (including algorithms) and their regulatory implications.
- **Codes & Regulation Working Group** to undertake activities that promote a consistent and coordinated approach to regulatory frameworks and common regulatory issues, and to build regulatory capability across DP-REG members.
- **Data & Research Working Group** to undertake activities that reduce barriers to and support the collection and sharing of relevant data, research, and information across DP-REG members.

¹ [DP-REG released a joint communique on 4 July 2023](#), which is published on the Digital Platform Regulators Forum website (accessed 30 May 2024).

² [Digital Platform Regulators Forum Terms of Reference](#), 16 September 2022, Digital Platform Regulators Forum website (accessed 30 May 2024).

In addition, DP-REG has jointly produced and published working papers on algorithms and AI which is relevant to the terms of reference of the Committee, in particular, *(d) the algorithms, recommender systems and corporate decision making of digital platforms in influencing what Australians see, and the impacts of this on mental health.*

Two relevant working papers are available on the DP-REG website:

- **Working Paper 1: [Literature summary – Harms and risks of algorithms](#)**³ considers the harms and risks posed by some commonly used types of algorithms to end-users and society. This paper expands and consolidates members’ understanding of the types of algorithms relevant to their work.
- **Working Paper 2: [Examination of technology – Large Language Models](#)**⁴ provides an overview of LLMs and their impact on the regulatory roles of each member.

We trust this information provides the Committee with further context on DP-REG, its efforts to promote coordination between relevant regulators and our work priorities.

The ACMA and eSafety have also contributed individual submissions to the Inquiry, each addressing separate issues from the terms of reference based on our different remits. The ACCC refers the Committee to the [September 2022](#)⁵, [March 2023](#)⁶ and [September 2023](#)⁷ interim reports of the Digital Platform Services Inquiry, which focus on regulatory reform, social media services and the expanding ecosystems of digital platforms, respectively. The ACCC also notes that they have provided direct advice to the Assistant Treasurer on the News Media Bargaining Code, which the Assistant Treasurer is currently considering. The ACCC also houses the [National Anti-Scam Centre](#) and is engaging with government to support the development of [mandatory industry codes](#) on scams. The OAIC refers the Committee to the Government response to the [Privacy Act Review Report](#)⁸ and notes that the proposed reforms to

³ [Working Paper 1 Literature summary – harms and risks of algorithms](#), published 23 November 2023 on the Digital Platform Regulators website (accessed 17 June 2024).

⁴ [Working Paper 2 Examination of Technology – Large Language Models](#), published on 23 November 2023 on the Digital Platform Regulators website (accessed 17 June 2024).

⁵ [Digital Platform Services Inquiry Interim Report No. 5 – Regulatory Reform](#), published September 2022 on the ACCC website (accessed 25 June 2024).

⁶ [Digital Platforms Services Inquiry Interim Report 6 – Report on Social Media Services](#), published March 2023 on the ACCC website (accessed 25 June 2024).

⁷ [Digital Platform Services Inquiry Interim Report 7 – Report on expanding ecosystems of digital service providers](#), published September 2023 on the ACCC website (accessed 25 June 2024).

⁸ [Government response to the Privacy Act Review report](#), published 28 September 2023 on the Attorney-General's Department website (accessed 25 June 2024).

the Privacy Act will play an important role in addressing harmful aspects of social media being considered by the Committee, including the protection of children on social media, and the impacts of algorithms and recommender systems.

We would welcome further engagement with the Committee as part of this Inquiry – either individually in response to our standalone submissions, or jointly as independent regulators that are members of DP-REG.

Yours sincerely

Nerida O’Loughlin PSM
Chair, Australian Communications
and Media Authority

Gina Cass-Gottlieb
Chair, Australian Competition and
Consumer Commission

Angelene Falk
Australian Information Commissioner,
Office of the Australian Information
Commissioner

Julie Inman-Grant
eSafety Commissioner

28 June 2024

Digital Platform Regulators Forum (DP-REG)

DP-REG is an initiative of Australian independent regulators to share information about, and collaborate on, cross-cutting issues and activities on the regulation of digital platforms. This includes consideration of how competition, consumer protection, privacy, online safety, and data issues intersect.

Members' remits and perspectives

The **Office of the Australian Information Commissioner (OAIC)** promotes and upholds privacy and information access rights.

Digital platforms areas of focus: Privacy compliance and enforcement, high privacy impact technologies, social media, Notifiable Data Breaches scheme, transparency and organisational accountability, security of personal information, influencing the privacy regulatory landscape.

The **eSafety Commissioner (eSafety)** is Australia's regulator for online safety.

Digital platforms areas of focus: Complaints handling for online harms, industry codes and standards for harmful online material, Basic Online Safety Expectations (BOSE), Safety by Design, emerging tech trends and issues.

The **Australian Competition and Consumer Commission (ACCC)** promotes competition, fair trading, consumer protection and regulates national infrastructure.

Digital platforms areas of focus: competition and consumer enforcement, the Digital Platforms Inquiry, the Digital Platform Services Inquiry, Consumer Data Right and scams.

The **Australian Communications and Media Authority (ACMA)** regulates communications and media services.

Digital platforms areas of focus: Disinformation and misinformation, News Media Bargaining Code, gambling and spam.



Intersections

Each regulator brings an important and distinct lens based on their different remits to intersecting issues on digital platforms. Collaboration and coordination on these topics ensures a proportionate response and a shared focus on improving our digital economy by making it a safe, trusted, fair, innovative and competitive space.