ABC Submission to the ACCC Digital Platforms Services Inquiry – March 2025 – Final Report Issues Paper

Introduction

The Australian Broadcasting Corporation (ABC) welcomes the opportunity to respond to the Australian Competition and Consumer Commission (ACCC) issues paper "Digital Platform Services Inquiry – March 2025 Final Report". This submission seeks to highlight new and ongoing concerns that the ABC has with social media services in Australia.

The ABC is Australia's most trusted news organisation and Australia's largest news publisher on several of the major social media platforms. The Corporation currently operates more than 160 social media channels across the major social platforms, covering a wide range of brands and genres, including ABC News, ABC Kids, triple j, ABC TV and ABC iview, local news and information, and specialist genres such as Indigenous, health, science and arts.

In this submission, the Corporation will highlight three competition and consumer issues related to social media services that warrant further consideration by the ACCC.

Concerns about the use of social media posts to train generative artificial intelligence models and features

The ACCC's sixth interim report of the Digital Platform Services Inquiry identified the significant market power of Meta, and noted that:

"Meta's platforms (Facebook and Instagram) remain the most widely used social media platforms in Australia. They are also important intermediaries for businesses, influencers and advertisers to reach consumers".

Since the report was issued in March 2023, generative artificial intelligence (AI) has become a more prevalent feature in search and social media services. The ABC maintains that the market power of Meta identified in this report extends to its use of user data to train its generative AI models and features.

It has come to the attention of the ABC that Meta is using data from the public posts of Facebook and Instagram users to train and improve its generative AI models and features. Unlike some other jurisdictions, there is no opportunity for users to opt out

of this feature in Australia.[1] The licences and permissions required to be given as part of Meta's Terms of Use are likely broad enough to include training AI on content and information, even though they do not specifically refer to it. The ABC, like other content creators, seeks to have the value of its news, information and entertainment content appropriately recognised. The current arrangement forces Australian content creators to cede their intellectual property for purposes to which they otherwise may not agree.

This submission focuses on Meta due to its identified market power and the lack of ability for Australian users to opt out of training its AI models. While this issue may also be of concern to the Office of the Australian Information Commissioner, the ABC is bringing it to the attention of the ACCC as a competition and consumer issue as the only way for Australian users to opt out is to remove their content from the service.

Many Australians prefer to access digital content via social media, and in response the ABC must be active in such spaces.[2] It cannot cede what has become a public space to mis- and disinformation, and it must ensure that good quality news and entertainment is available. The market power of Meta makes it an unavoidable partner for reaching Australian audiences. This has created a significant imbalance in bargaining power for Australian content creators seeking to negotiate how their content is used.

Concerns about false and misleading advertising

The prevalence of harmful misinformation and disinformation on social media platforms has been well documented, and the ABC has highlighted its concerns in a number of submissions to the ACCC and to Government. More recently, in its September 2022 response to the ACCC Issues Paper on Social Media Services,[3] as well as its June 2024 submission to the Joint Select Committee on Social Media and Australian Society,[4] the ABC highlighted its concerns with the rise of harmful content on social media platforms and the exploitation of social media platforms by bad actors who use these services for misleading and deceptive conduct, including acting as imposters to scam unsuspecting Australians and spreading disinformation and misinformation.

While the ABC acknowledges and welcomes the establishment of the ACCC's National Anti-Scam Centre, the Corporation continues to experience incidents involving misleading and/or deceptive claims involving ABC content, brands and personalities. The number of these incidents has continued to increase over time, and more recently include AI generated content featuring ABC personalities.

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[1] How Meta uses information for generative AI models and features

[2] For example, in 2024 49% of Australians used social media to access news, and 60% of Gen Z used social media as their main news source. Park, S., Fisher, C., McGuinness, K., Lee, J., McCallum, K., Cai, X., Chatskin, M., Mardjianto, L. & Yao, P. (2024). Digital News Report: Australia 2024. Canberra: News and Media Research Centre, University of Canberra."

[3] ABC Submission on the ACCC issues paper on social media services, September 2022

[4] ABC Submission to the Joint Select Committee on Social Media and Australian Society, June 2024

Currently, the only way to address imposter content on social media platforms is to request that the content is removed when it is reported. The effectiveness of this measure depends on how well, and how quickly, platforms respond to such requests.

The use of ABC brands, presenters and content that intends to mislead and deceive audiences is damaging to the ABC, and it is time consuming and costly for the ABC to keep audiences safe through proactively driving awareness of scam activity and reactively reporting bad actors to the social platforms. The Corporation is aware of scammers also targeting consumers using brands, content and personalities from other trusted media organisations and celebrities.

Concerns about the influence of platforms on exposure to content

In its June 2024 submission to the Joint Select Committee on Social Media and Australian Society,[5] the Corporation highlighted the challenges of reaching audiences with important information when the algorithms for content recommendations from news organisations are being deprioritised.

Content algorithms, and the lack of transparency and consultation around their use, carries considerable risks for media organisations like the ABC. The ABC needs to reach audiences via social media to provide important information as well as raise awareness of the Australian content it provides. As a result, any restrictions on the ABC's presence across social media platforms would diminish the ABC's ability to connect with audiences. It would also diminish the presence of content with the editorial rigour and oversight that the ABC provides.

The ABC operates a diverse range of social media accounts aligned with its content and services, including ABC iview, ABC listen, ABC News, ABC Kids, triple j, Double J, ABC Classic, ABC Science, ABC Indigenous, ABC Arts, ABC Sydney, ABC Brisbane, ABC Melbourne, ABC Darwin, ABC Adelaide, ABC Perth, ABC Hobart, ABC Sport, Gardening Australia, Landline, Rage, Media Watch and digital first brands including ABC Queer, ABC Gamer and more. These operate across platforms including Facebook, Instagram, YouTube, TikTok, LinkedIn and X (Twitter).

The purpose of these accounts is to engage Australian audiences on the platforms they prefer and grow awareness, uptake, and frequency of use for the ABC's free and commercial-free products.

The ABC's use of the platforms recognises that some people in Australia do not use ABC digital products or broadcast channels. For the ABC to achieve its purposes, it must seek to maintain a presence in the lives of these audiences, even if the only interaction is on social media platforms. This is particularly important for emergency and other important community alerts, announcements, and public safety information.

[5] ABC Submission to the Joint Select Committee on Social Media and Australian Society, June 2024

Many of the ABC's social media accounts also deliver unique, high-value content that Australian audiences may miss if not using broadcast platforms or the ABC's own digital products. This content includes diverse Australian stories, explainers that give context and analysis to events, and specialist content across genres like the arts, science, religion, history, and health. The accounts also connect Australians to important national events and celebrations, including New Year's Eve, Anzac Day, NAIDOC Week, ABC events such as triple j's Hottest 100, Classic 100, One Night Stand, Mardi Gras, and National Science Week, and with live sport coverage across codes that define Australian life, such as cricket, AFL, NRL, and tennis.

The ABC believes its content should be given the best chance to reach the audiences who will find it relevant, useful, and interesting. However, the ABC has noted that Facebook and other platforms have deprioritised news article links and political content from publishers to an increasing extent over the past two years.

Indeed, Meta has made no secret of the fact that it has adjusted the algorithms for content recommendations on both Facebook and Instagram. In early 2024, Meta announced it had changed the Facebook algorithms to favour content that attracted user interactions, such as comments. At the same time, Instagram algorithms were changed to deprioritise content it identified as political or related to politics.[6] Such measures have meant that, across the major platforms, aggregate Facebook traffic to news and media properties has declined by 48%, with traffic from X/Twitter down 27% and Instagram by 10%.[7]

Given the importance of the ABC's ability to reach audiences on social media platforms, the power that platform operators have to limit and disrupt content discovery through algorithm changes creates a significant risk for the free flow of valuable information.

[6] Continuing our Approach to Political Content on Instagram and Threads. Instagram. February 2024.

[7] Data analytics company Chartbeat using aggregated data from 1,930 news and media websites with a high proportion from the United States and Europe.