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DP-REG Digital Technologies Working Group

13 September 2023, 11:00AM to 12:00PM AEST

Attendance:

- ACCC – [REDACTED]
- eSafety – [REDACTED]
- OAIC – [REDACTED]
- ACMA – [REDACTED]

Minutes prepared by the ACCC

Open Meeting and confirm minutes

The Chair opened the meeting and confirmed the [minutes of the previous meeting](#). The group members noted there were no issues of concern.

Agency updates

ACCC

- The ACCC noted they met with LinkedIn; and have a forthcoming meeting with Yahoo.
- [REDACTED]
- [REDACTED]
- The ACCC noted Minister for Competition, Charities and Treasury Andrew Leigh is giving a speech about AI and competition at the McKell Institute Wednesday 20 September 2023.
- The ACCC noted the DPSI September 2023 report on expanding digital platform ecosystems will likely be published at the end of October 2023. The ACCC noted they will organise briefings on the report and asked members to advise if they are interested in being briefed.
- The ACCC noted ACCC Chair Gina Cass-Gottlieb will be speaking at the Law Council of Australia Media & Communications Law Committee Conference alongside the ACMA's Creina Chapman.
- The ACCC also noted there are several team members going on leave shortly and capacity may be constrained.

ACMA

- The ACMA noted they met with LinkedIn; received a visit from Taiwan's National Communications Commission, to discuss misinformation issues; and met with eSafety.
- The ACMA also noted they have forthcoming meetings with Reddit, Yahoo and Logically [note Logically provides AI-powered fact checking services].
- [REDACTED]
- The ACMA noted the ACMA Deputy Chair Creina Chapman is speaking at Law Council of Australia Media & Communications Law Committee Conference. Members noted ACCC Chair

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Gina Cass-Gottlieb and eSafety Commissioner [REDACTED] will also speak at the Conference.

eSafety

- eSafety noted their [position statement on generative AI](#) is available on their Tech trends and challenges website and thanked the group for their review of and input to the statement.
- eSafety noted the Government responded to their [Roadmap for age verification](#) in August; the roadmap was provided to Government in March 2023 and includes findings and recommendations about age verification, age assurances and their potential safety impacts.
- eSafety noted Minister for Communications Michelle Rowland did not support their recommendation to conduct a pilot study on the use of age assurance technology.
- eSafety noted Minister Rowland suggested considering age assurance technology in Phase 2 of the industry codes or standards work (eSafety could pick up the Roadmap's findings).
- The ACCC asked whether this might be the end of the Government's consideration of age assurance technology, and whether the next step might be industry verification; eSafety noted that if the Phase 2 work is inadequate, they could pick up findings from the Roadmap.
- Last week, eSafety's Commission decided to register an [online safety code covering internet search engines](#), which includes minimum compliance standards, and minimises harms associated with class 1 material, including terrorist content and child sexual abuse material. Industry must comply with the code in March 2024.
- eSafety has been working with the DITRDCA on implementing the [recommendations](#) from the Inquiry into Social Media and Online Safety and will facilitate biannual meetings between Cabinet Ministers / Departments / Agencies to consider the implementation of the inquiry's recommendations (the first meeting is scheduled to be held in December 2023).
ACTION ITEM: eSafety to provide list of meeting participants to the ACCC.
- eSafety is arranging a DP-REG meeting with Frances Haugen, a Facebook whistleblower who is appearing at South by Southwest and is travelling to Australia. The meeting will likely be held in October 2023, after the group's heads of agency meeting.

OAIC

- The OAIC noted the [Australian Community Attitudes to Privacy Survey](#) was published 8 August 2023 and covers community attitudes about children's data.
- The OAIC noted their quarterly [Notifiable Data Breaches Report: January to June 2023](#) was published 5 September 2023; the report found health service providers were the number one sector to notify data breaches and a slight drop in malicious and criminal cyber-attacks.
- [REDACTED]
- [REDACTED]

LLMs examination of technology

See also: [Current draft of the literature summary](#)

- The ACCC provided an update on the paper's status and noted that the paper has been circulated to the ACCC's scams, data, economics and legal teams; and their suggestions are in track.
- The ACCC noted a clean version has been distributed to several academics, including Mark Sanderson at RMIT as well as Kimberlee Weatherall and Jo Gray at the University of Sydney. The deadline for comments from the academics is 22 September 2023.
- The eSafety asked the ACCC to share a clean version of the paper to eSafety.

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- The OAIC asked whether there was window between when the academics return the paper and next steps; the OAIC want to add some minor edits. The ACCC noted there is a window between 22 and 29 September, however there is nothing preventing further changes now.
- The ACCC noted the paper will go to the Steering Committee and will be put through heads of agencies for clearance, noting they have already seen the paper and cleared a previous version, and providing a dot point summary on what has changed in the paper since they last cleared the paper.
- The OAIC also noted the DP-REG microsite will now likely be available in November 2023. The group agreed the papers will be timestamped when they are published on the site.
- The ACMA noted they'd like to share the paper with other agencies. The ACCC noted they have been given approval to share the paper around Government.

Feedback on template for public facing output

- The ACCC noted that the heads of agencies asked for a template for the group's public facing output and requested the issue be raised at the October 2023 Steering Committee meeting. Members agreed the template looks good to go.
ACTION ITEM: ACCC to submit the group's template for public facing output for consideration at the October 2023 Steering Committee meeting.

Updated workplan

- The ACMA noted that the updated workplan is also ready to take to the Steering Committee, and members agreed that it made sense to merge workstreams two and three.

Selection of the next technology examination

- The ACCC asked whether the group had any views on the next technology examination topic.
- The ACMA noted they consider immersive realities, and the Internet of Things as potential options as well as AI image generation. eSafety noted they have no preferences in terms of ranking the technologies, however they noted AI image generation is beginning to be used in creating abusive material and child exploitation material.
ACTION ITEM: The ACCC to email the group a list of options for the next technology examination (group members should check potential options with their agencies).
- The ACMA wondered about the group's views on the potential use of AI to help regulators, and whether AI is a tool regulators might consider using. The ACCC noted there is an AI in Government Taskforce looking at Government use of AI tools.
ACTION ITEM: The ACCC to email the group details on the AI in Government Taskforce.


Scheduling next WG meeting

- The group agreed meet again before the next steering committee meeting is held (13 October 2023).
ACTION ITEM: The ACCC to confirm the next meeting date with the group details via email.

Any other businesses

- eSafety noted they have a meeting with Xbox related to age verification mechanisms and may proceed to get the Codes and Regulations working group involved in the meeting.

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- The OAIC noted that they have received quotes for the microsite and are aiming to have the site live in early November 2023.
 - On the publication of the DP-REG joint submission on AI, the group noted they have not seen any notable or major pickups of the joint submission in the media.

The meeting concluded at approximately 11:41AM AEST.