Submission to the UTS Centre for Media Transition's consultation process on the Digi Group's Australian Code of Practice on Disinformation

by

Dr Jacob Wallis – Senior Analyst, International Cyber Policy Centre, Australian Strategic Policy Institute

In this submission I will focus not on the draft code in its entirety, but on three points that emerge from my preparation for, and attendance at, the consultation round table.

1. There is a spectrum of actors that engage in the distribution of disinformation/misinformation/fake news, with diverse political, financial and geo-strategic motivations. It would be easy to get lost in articulating distinctions between disinformation/misinformation/fake news. I will not waste time here on definitional matters. This is in part because this has already been dealt with effectively by organisations like First Draft[1]. However it is primarily because I would like to focus at a level of pragmatism that draws from our experiences at the Australian Strategic Policy Institute (ASPI) of working with the security teams at the major social media companies on information operations by significant state actors. From our work in this national security space, I note that there is a difference in the scale of platform manipulation by significant and well-resourced state actors, and in their potential for harm. I prefer to categorise inauthentic behaviours that are coordinated, persistent and at scale as disinformation when they are deployed to achieve geo-strategic gains. I note that whilst the platforms have made significant progress in the detection of at scale platform manipulation, state actors are persistent in their willingness and intent to exploit this vector of cognitive disruption, given that it is low-cost and remains below the threshold of coordinated international deterrence.

2. It is important that the Code incorporates algorithmic transparency as well as content moderation reporting so that the Australian public gains some degree of understanding of how digital content is both amplified and suppressed on platform in ways that are tailored to users/categories of users. The ACMA position paper[2] on code development suggests an engine that drives transparency. This seems fundamental to the success of the Code, to ensure the development of consistent reporting metrics over time and cross industry.

3. A final point to contextualise the implementation of a voluntary code is that the most recent assessment on the implementation of the EU's voluntary Code of Practice on Disinformation[3] is mixed. The EU's position is that the implementation of the Code has

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[1] First Draft (2019), *Understanding Information Disorder*. Available at https://firstdraftnews.org/wp-content/uploads/2019/10/Information_Disorder_Digital_AW.pdf?x19182

[2] Australian Communications and Media Authority (2020) *Misinformation and news quality on digital platforms in Australia: A position paper to guide code development*. Available at https://www.acma.gov.au/sites/default/files/2020-06/Misinformation%20and%20news%20quality%20position%20paper.pdf

[3] European Commission (2018) *Code of Practice on Disinformation*. Available at https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=54454

produced positive outcomes in terms of enhancing transparency and accountability, yet the assessment[4] also found:

- "the absence of relevant key performance indicators (KPIs) to assess the effectiveness of platforms' policies to counter the phenomenon;
- the lack of clearer procedures, commonly shared definition and more precise commitments;
- the lack of access to data allowing for an independent evaluation of emerging trends and threats posed by online disinformation;
- missing structured cooperation between platforms and the research community;
- the need to involve other relevant stakeholders, in particular from the advertising sector."

Implementation of an Australian Code of Practice on Disinformation must build on the experiences of the implementation of a voluntary code in the EU.

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[4] European Commission (2020) Assessment of the Code of Practice on Disinformation – Achievements and areas for further improvement. Available at https://ec.europa.eu/digital-single-market/en/news/assessment-code-practice-disinformation-achievements-and-areas-further-improvement