

# Released under FOI

## DP-REG Digital Technologies Working Group

3 March 2023, 10:00am – 11:15am AEDT

### 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 the minutes of the previous meeting were approved.

### Agency updates, including attendance at any events and/or any upcoming events

#### ACMA

- Gave an update to the Data & Research working group about the complaints research it had commissioned. Had a broader online harms lens rather than looking at just mis and disinformation. Slides have been circulated, ACCC noted will be helpful for report teams.
- Consulting at the moment on news measurement, consulting with academia and industry.

#### eSafety

- Provided its submission to the Big Tech inquiry. Their submission had a focus on children's safety and the metaverse. Happy to share with the WG, otherwise submissions will likely be published in a week or so.
- Issued 2<sup>nd</sup> round of BOSE notices – these ones went to Google, Twitter and Twitch, TikTok and Discord. Asked questions about steps taken to address CSAM online.
  - On this round of BOSE notices, there are some specific questions around recommender systems that weren't in the first round.
  - Happy to ask the BOSE team whether they can share the notices (questions asked) and come back. That might be a broader DP-REG piece around info-sharing within DP-REG – Data & Research looking at that apparently.
- Had meeting with partner regulators in Fiji, Ireland and UK as part of a new global [initiative](#). Happy to share further detail if others are interested.
- eSafety Commissioner has left today to go on a US trip for 2 weeks. Attending a status of women commission in New York, looking at overlap of tech change, innovation in digital age for empowering women and girls.

#### OAIC

- Thanked the WG for comments on community attitudes survey and joint DP-REG letter which was submitted.
- Noted the release of the Privacy Act Review – AGD's final report. Consultation process until end of this month on the Government's response. 116 proposals across a broad range of areas, proposing lots of different rights, changes to civil penalty powers, direct right of action and statutory tort.
- The High Court's hearing of the OAIC case against Meta is set to begin on 7 March (next Tuesday).
- A few meetings they are working through organising with DP-REG more broadly and will send more details through once available.

#### ACCC

- ACCC noted it had also put in a submission to the Bragg Inquiry.

# Released under FOI

- Noted the 7<sup>th</sup> DPSI interim report issues paper will be out shortly, announcing the topic of the report, the expanding ecosystems of digital platforms.
- ACCC has been working to understand the Privacy review, noted it is likely to make a submission and will support a lot of what the OAIC wants.
- Submissions to the NMBC review have been published this week.

## Algorithms literature review

ACCC: 2<sup>nd</sup> draft is looking good and the group is still on track for submitting to Steering Committee later this month, likely 17 March.

### Summary of discussion

- Amended structure of section 2
  - ACCC: Considered that the previously proposed approach of text boxes did not work as smoothly in practice as it seemed in theory. The text boxes on some harms were larger than the body of text associated with it. ACCC proposed using cross-references instead in the version circulated and sought views on this approach.
    - OAIC and ACMA are comfortable with this approach. They also noted the potential benefit of reviewing a clean version of the text from start to finish.
- ACCC: Sought any comments or concerns with the new text proposed in section 3 and 4.
  - OAIC: Will consider how the reference to the review of the Privacy Act can be best captured and provide input.



- The group discussed whether to share the database of research with other stakeholders or just the document. The group had a preference to share the database with the Steering Committee and discussed the possibility of including the database as a separate attachment.
- The group discussed the idea of a cover page with our 4 logos at the front of the document. The group agreed to copy the approach adopted on the joint letter for convenience.
- ACCC: Noted a few more minor comments/issues where we need to potentially address updating sources, clarifying wording etc. which can be taken offline.

### Next steps

- ACCC to tidy and clean document before recirculating to the group giving members a week to review. ACCC may follow up with relevant people to address minor wording tweaks during this process.
- A final version for review will be circulated around 10 March with a request for any red line comments by 15 March and submission to Steering Committee on 17 March.
  - ACCC: Noting the short turnaround, regulators could provide their SES comments at Steering Committee rather than prior to the meeting.

# Released under FOI

## Horizon scanning workshop

- The working group discussed possible formats for the workshop, including the possibility of covering 5-6 potential topics (e.g., generative AI, immersive technologies, facial recognition, IoT, Web3 and quantum computing) at a high-level during the discussion, with individual regulators leading on each topic with a short high-level presentation. However, the group also noted the value of focussing the workshop on discussion of a chosen topic (relevance to regulators, timelines etc.) rather than on deciding a topic.
- It was noted there is significant interest in the topic of generative AI, while other topics, such as quantum computing would be of less interest at this time.
- The group agreed that each regulator would vote on their preferred topic the week before the workshop via email and that the workshop would then focus on the chosen topic to get the greatest value from the session. [*Voting was subsequently conducted over email out of session with Generative AI chosen as the topic for the pilot examination of technologies*]
- The group agreed to focus on conducting one examination of technology for this year.
- The group agreed other experts from regulators could join the workshop. The ACCC noted colleagues from their Strategic Data Analysis Unit would join.

## Any other business

- eSafety mentioned an IIC event on 15 March at Allens in Sydney. ACMA will be attending.
- ACMA met with the European Commission and is meeting with the French regulator next week.

## Date of next meeting

The next meeting of this working group will be the Horizon-scanning workshop at **2:30pm AEDT on Monday 27 March 2023**.