Digital Platforms Inquiry by ACCC

Comments by Tony Healy, software engineer

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Dear ACCC

These are some comments on your review of Digital Platforms.

Question 1.2 – Other platforms

Yes, the inquiry should consider other platforms. In particular, mobile apps now constitute a significant source of media presence and have already shifted the nature of what constitutes a media platform. For example, weather and UV index apps provide valuable news and information.

Distribution of those apps is generally controlled by Apple, Google and, to a lesser extent, Facebook, giving those companies a lot of control. For example, if they suddenly decided UV warnings were controversial, they could stop consumers receiving information via those apps.

Digital platforms are part of the software ecosystem. A proper examination of their effects on news requires an examination of the role of the digital platforms in that ecosystem.

Question 3.5 – Market power

Yes, the digital platforms engage in anti-competitive activity. Some examples are

- For the last 14 years, the large platform companies have lobbied throughout the western world to weaken copyright laws, and especially to introduce Fair Use, which confers a huge advantage on digital platform companies.

- Google promotes education programs to schools which have the effect of locking in young students to Google accounts and Google services. In a similar vein, most of Google's "Coding" courses are essentially aimed at promoting the use of Google services

Question 3.36 – New laws for digital platforms

In my view we do need new laws specifically addressing the digital platforms. Those laws would address the following problems

- Modern data gatherers now have the power to manipulate their users. For example, Facebook has experimented with deliberately changing the mood of a sample of users, and has told advertisers they can detect when teenagers are depressed[1]. This is deeply disturbing.

- Many existing privacy laws do not cover the exchange of data between organisations. For example, Facebook was seeking medical data from hospitals, intending to link it with user profiles. [2] This apparently did not contravene the relevant legislation

- Most users aren't aware of how their data is used

- By offering log-in services to third party developers, Facebook greatly expands the exposure of users' data. For example, users of fitness apps might inadvertently display their identity alongside workout maps

How to fix

To address the issues raised above, I would like to see

- Explicit bans on deliberate data-driven manipulation of users

- Development of a standard privacy schema that users can easily understand, with perhaps two or three grades of data access, labelled with colours to convey their significance. Thus blue might be name and address and red would be financial information. Digital platforms would be required to label their data requests accordingly, so users can easily assess danger.

- Holding digital platforms accountable for complying with data laws, at the board level, with financial sanctions

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[1] Sam Levin, Facebook told advertisers it can identify teens feeling worthless and insecure, The Guardian, 02 May 2017 https://www.theguardian.com/technology/2017/may/01/facebook-advertising-data-insecure-teens

[2] Christina Farr, Facebook sent a doctor on a secret mission to ask hospitals to share data, CNBC, 06 April 2018 https://www.cnbc.com/2018/04/05/facebook-building-8-explored-data-sharing-agreement-with-hospitals.html