

## Questions on notice: Select Committee on Social Media and Online Safety

### Question 1

**Mr WATTS:** In another question on notice you said that your fact checkers prioritise 'provably false claims, especially ones that are timely, trending and important to the average person'. Would that include content like the lie that was being spread on Facebook during the last federal election that Labor was proposing a death tax?

**Mr Machin:** With that particular example, there are probably multiple categories of content. I might just take a moment to talk through those categories, because the role of fact checkers differed a little bit depending on what the type of content was. Certainly, if people were making a claim that the Labor Party and the Greens had a secret agreement to impose a 40 per cent death tax, which is a very specific and verifiable claim, our fact checker at the time, Agence France-Presse, found that to be false and we took action to demote both the original post and a very large number of similar posts in response to the advice that our fact checker had provided.

When it comes to other categories of content, we did see, for example, political figures making claims about what steps an elected government from the ALP might take, and that's the type of speech of which there's incredibly scrutiny. We've discussed at the committee previously the importance of ensuring that we're able to have proper democratic debate and that a platform such as ours is taking steps only in relation to limiting what political parties say when there is a real-world harm element, so that category of material wasn't subject to fact checking.

Then the third category is when people are simply expressing a political opinion that can't be verified—for example, you can't trust a particular party on tax related issues. That's not something that can be proven true or proven false, so they also are ineligible for fact checking.

Certainly, where there are false claims that are verifiable, the specific fact checkers can indicate whether it's true or false. That's where we think there's an appropriate role for them to bring their editorial expertise in order to indicate what is correct and what's not. If it's people just expressing an opinion and it's not about making a particular claim that may not be verifiable, that's not within the scope of what we think is appropriate for fact checkers to look at.

**Mr WATTS:** Can you just come back to us on notice about the time between the Labor Party first writing to you about those lies and that deprioritisation occurring? I think we need to address the time lag on this issue, coming up to the next federal election.

## **Meta response**

As confirmed at the Committee, our third-party fact checker AFP reviewed claims about an agreement between the Australian Labor Party and the Australian Greens to introduce a 40 per cent ‘death tax’ and found this claim to be false. As a result, thousands of posts were subsequently demoted in Facebook Feed, which results in less distribution.<sup>1</sup> This does not apply to posts on our platform that (1) came from ordinary Australians expressing their personal opinions or from elected politicians or political parties; or (2) claims made by other politicians. Meta does not believe that it’s an appropriate role for us to be the arbiter of truth over ordinary Australians’ political opinions, or to referee political debates and prevent a politician’s speech from reaching its audience and being subject to public debate and scrutiny, where there is no risk of real-world harm.<sup>2</sup>

It is not possible to put a specific date on when the Australian Labor Party first raised concerns about this with us, as there were multiple formal and informal approaches from the ALP about different pieces of content, including some content that would fall under categories (1) or (2) as outlined above.

We can confirm that Agence France Presse published their debunking article on 30 April 2019.

As mentioned at the hearing on 2 March 2022, the timeframes taken for fact-checks is at the discretion of our independent, expert fact-checking partners (all of whom need to be accredited with the International Fact-Checking Network). Fact-checkers make those decisions on the basis of a variety of factors, including the virality of the content, the significance of the claim and the time necessary to apply their editorial judgement and confirm that the claim is not correct.

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<sup>1</sup> AFP Australia, ‘No, Australia’s Labor Party, the Greens and the ACTU did not sign an agreement to introduce a ‘death tax’’, 30 April 2019, <https://factcheck.afp.com/no-australias-labor-party-greens-and-actu-did-not-sign-agreement-introduce-death-tax>

<sup>2</sup> N Clegg, ‘Facebook, elections and political speech’, Meta Newsroom, 24 September 2019, <https://newsroom.fb.com/news/2019/09/elections-and-political-speech/>

## **Question 2**

**CHAIR:** I take your point, but I come back to another point. I was very grateful for the ability to raise this and have it addressed, but recently I was made aware of a minister of a religious faith who wanted to pray for 40 days, and they put up a prayer siege on Instagram. It was taken down—I think the word is 'shadowbanned'. In fact, there had been some other comments around this prayer vigil/siege that had simply been removed. It said, 'removed by the moderator', but these people said they hadn't actually removed the comments. How is it possible that the algorithm can capture a call to prayer and take that down because of a potential violation of some community standard, but not capture this? In this day and age, I don't understand how that is possible.

**Ms Garlick:** I'm not sure if you still have any details about the account or the individual post, Chair, to confirm what happened here. It would be really helpful to get that detailed example, and I'm very happy to take that on notice. Without that detail, it's hard to know if it was taken down by the algorithm. I feel that your question does go to concerns around the accuracy of our enforcement, so, if it's helpful, I am happy to talk about how we try to improve the accuracy of our enforcement.

## **Meta response**

We don't yet have the information around this account or individual post, and are not yet able to comment.

### **Question 3**

**Mr CRAIG KELLY:** Okay. You mentioned you comply with Australian law. The Commonwealth Electoral Act of 1918, section 327, states 'a person shall not hinder or interfere with the free exercise or performance' of any political right of a person. Now, if a candidate is running for election, they are an officially nominated candidate from a registered political party. Aren't you hindering them by shadowbanning or deplatforming them and therefore interfering with their political right, and that would be potentially a breach of Australian law?

**Mr Machin:** What I'd add is that we've been working very closely with the Australian Electoral Commission to make sure that we can review any action that we take that they're concerned about with respect to Australian electoral law. We can follow up on notice if I'm incorrect, but I don't think we've received any referrals from the AEC under that particular section. But, if they sent something over to us, of course we would review it.

### **Meta response**

Meta is working closely with the Australian Electoral Commission in the lead up to the Australian election to enhance election integrity across our platforms. Amongst other things, we have set up a formal channel for the Australia Electoral Commission to refer content to Meta for review against our Community Standards and local law, and take appropriate action if found to be violating. Meta has not received any referrals from the Australian Electoral Commission relating specifically to section 327 of the Commonwealth Electoral Act 1918.

#### **Question 4**

**Mr CRAIG KELLY:** A final question. Has Facebook or Meta ever been approached or received any correspondence from the Prime Minister's office regarding Facebook posts by members of parliament?

**Mr Machin:** We might have to take on notice what we could talk about there. I don't have recollection of every possible conversation and we would have to confirm what we might be able to provide on notice.

**Mr CRAIG KELLY:** I will ask the question again so it's clear. Has Facebook ever been approached or received correspondence from the Prime Minister's office regarding Facebook posts by members of the Australian parliament?

**Ms Garlick:** We certainly heard the question, so we can take that on notice.

#### **Meta response**

Given the broad scope of the inquiry and the short timeframe in which to respond to Questions on Notice, it is not possible for us to provide a response either way which could accommodate every possible interaction between us and the Prime Minister's office.