

Question 2

Senator HUGHES: Okay. Coming back to your point that I heard you starting to make with regard to court orders, can you give me an idea of how many requests you have had via an Australian court to provide user data?

Mr Machin: I'm happy to jump in on that one, Senator Hughes. For the purposes of the defamation, zero.

Senator HUGHES: I'm not asking for purposes of defamation. I'm asking how many court orders from Australian courts have you had with regard to obtaining user data. So not defamation specific. Any court orders.

Mr Machin: I'd have to confirm—we can certainly provide the figures for the amount of data that we provide to law enforcement, which will be—

Senator HUGHES: But I'm asking how many requests you've had. Not how many times you've done it; how many requests you've had?

Mr Machin: I don't have that data today.

Senator HUGHES: Okay. I'm going to put it on notice.

Mr Machin: We're very happy to take it on notice.

Senator HUGHES: I'm going to put it on notice, and it's two very specific questions. The first one is: how many requests from an Australian court and how many court orders have there been requesting user data, not in relation to a specific matter but any court ordered request for user data? As a follow-up to that, how many times has it been complied with? So it's two numbers. That's all I need in those questions on notice—okay?

Meta response

Meta Platforms, Inc. (located in the US) can and does take action in response to court order requests for user data, including for Australian defamation cases.

Meta discloses basic subscriber information (BSI) in response to court orders where such orders are directed to Meta Platforms, Inc., are permitted by applicable law (including foreign laws) and Meta's terms of service, and where the data is available and reasonably accessible. Where a court order does not satisfy these requirements, we inform the court and/or requesting entity, and work with the requesting entity to address any outstanding issues so that BSI can be disclosed.

Over the past two years, from the beginning of 2020 to the end of 2021, Meta Platforms, Inc. received three court orders where disclosure was permitted by applicable law and in accordance with Meta's terms of service. We complied and provided BSI in all three of these instances, one of which was for a defamation case.