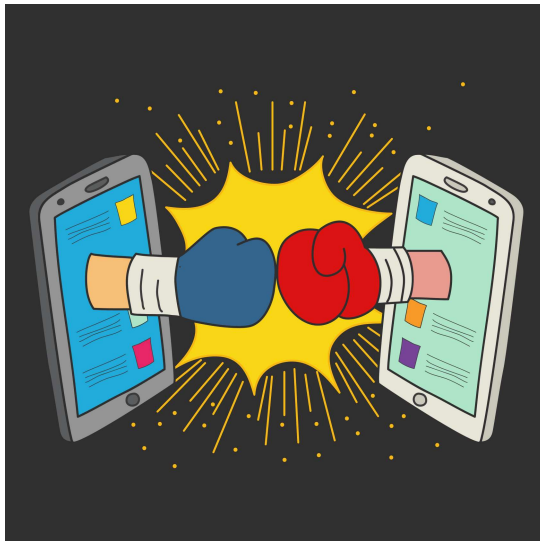


Hi there

## Revenge, tweet revenge



Twitter boss Elon Musk has another fight on his hands. Last week, [Musk challenged Mark Zuckerberg](#) to a 'cage match'.

Zuckerberg responded on his own platform, Instagram, with a screenshot of Musk's tweet and the words, 'Send me location'. Musk suggested the 'Vegas Octagon'. Really? Not the Comedy Store?

That's a faux fight. Tech bro banter. But Musk has a real fight too, with a more formidable adversary in the shape of Australian eSafety Commissioner Julie

Inman Grant. Last week, just as Musk and Zuckerberg were kidding about cage fights, [Inman Grant told Twitter](#) it has 28 days to detail how it's tackling the 'toxicity and hate' on its platform. If it doesn't comply, Twitter faces daily fines worth \$700,000 per day. These are new powers under the Online Safety Act, and last year [eSafety issued](#) Apple, Meta, Microsoft, Snap and Omegle with similar legal notices.

As someone who used to work at Twitter in a cybersecurity role, Inman Grant didn't pull punches. 'Twitter appears to have dropped the ball on tackling hate,' she said, noting that marginalised communities are copping even worse. This is especially worrying in the leadup to the Voice referendum. While nearly one in five Australians has experienced online hate, [First Nations people are targeted](#) at twice the national average.

Since Musk took over last year, Twitter has initiated a remorseless staff cull known internally as 'the Snap'. The name comes from [the Marvel universe](#), which may be where Musk finds all his workplace policies. Many of the culled were employed to keep hate off the platform. One compelling account of the Snap [comes from another ex-Twitter employee, Neil Varcoe](#), whose beat was Trust and Safety.

‘In private, I often described our work by painting a picture of what the platform would look like without us,’ Varcoe writes. ‘Imagine a dinner party conversation where one or two people are screaming the vilest of obscenities while you’re talking about news, politics or sports — or maybe a personal milestone, like your child’s first steps. Suddenly, one shows a video of a man having sex with an alpaca.’

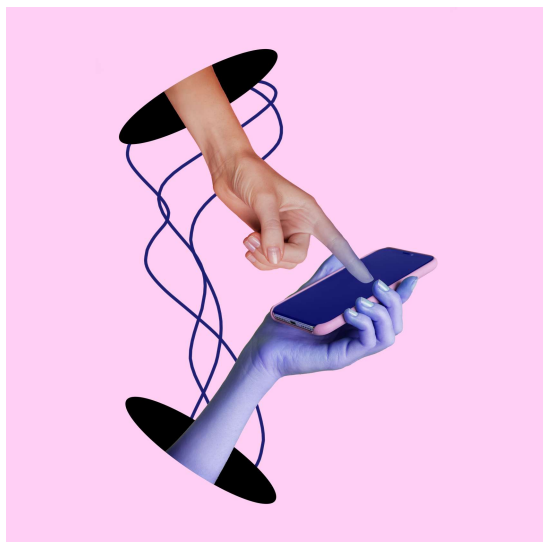
But how can we possibly tackle the ‘trolls, neo-Nazis, child traffickers and abusers, and bad actors intent on disrupting and reframing civil society’? It’s all too hard, right? Hardly. We just need some hard law that puts responsibility back on the platforms. [Caveat venditor](#), not caveat emptor. Which is just what Inman [Grant told Varcoe](#), one former Twitter employee to another.

In today’s newsletter, tantalised by the prospect of *Twitter v eSafety* and *Musk v Zuck*, we examine a series of heavyweight bouts. Derek takes a ringside seat for the next round of the slugfest that is *Australia v misinformation*. Monica looks abroad to call the unfailingly unpredictable contest of *Putin v Normalcy*. Tim covers the unseemly backyard brawl between Reddit and its own moderators; and Michael reports on *news v AI*, where all that’s at stake is our future.



**Sacha Molitorisz**  
Senior Lecturer, UTS Law

## Codes exposed



The government has followed through on its promise – also made by the previous Coalition government – to give the communications regulator formal powers to deal with mis- and disinformation. Although only an [exposure draft](#) at this stage, the Bill is expected to be introduced into Parliament later this year in the form of a new Schedule 9 to the *Broadcasting Services Act*. It would build on the self-regulatory approach in the [Australian Code of Practice on Disinformation and Misinformation](#) developed by industry

group DIGI in 2021. We’ll return to this topic in future weeks to explore aspects of the policy debate; here we present a brief outline of the proposed co-regulatory scheme.

The first thing to note is that the existing DIGI Code could – at the outset, at least – remain in operation, albeit with tweaks. The new scheme continues the existing ‘industry-led’ approach, with ACMA (the Australian Communications and Media Authority) having powers to set record-keeping rules and obtain information. But if ACMA thinks a registered and enforceable code is needed, it can formally request that an industry association (such

as DIGI) develop a code for registration. Once registered, failure to comply can have consequences including ACMA applying to the Federal Court for a civil penalty order. And as with most co-regulatory code schemes, there's another level to the ACMA powers: if a code developed by industry does not pass the tests for registration (including that it adequately protects the community) – or if ACMA forms the view that a code which it *has* registered is no longer working to provide adequate protection for the community – ACMA can develop its own standards.

ACMA is given extensive enforcement powers under the draft Bill in relation to reporting and information provision and compliance with registered codes and standards. The suite of powers varies for these different elements but overall includes infringement notices, formal warnings, remedial directions and civil penalties.

Finally (for now), it's interesting to note the connections with and departures from the existing DIGI Code and other legislation. The scheme's definitions, including key concepts around the meaning of misinformation, disinformation and harm are different from those in the DIGI Code. We'll need to do some more work to understand the significance of these differences, including how the statutory definitions would sit with the DIGI Code's subsidiary concept of 'inauthentic behaviours'. We'll also look at how – instead of borrowing from existing legislation such as the *Online Safety Act* – the draft Bill creates its own definition of a 'digital platform service'. It does this by way of a foundation concept of a 'digital service', of which there are several types such as a 'connective media service' (which includes social media) and 'content aggregation service' (which includes search engines). In various ways, the draft Bill also *excludes* certain types of service and content such as emails and texts as well as SVOD streaming services, professional news content, authorised electoral communications, entertainment, parody and satire.

At this stage, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts is consulting on the provisions of the proposed Bill, including some of the aspects discussed above, such as the definitions of disinformation and misinformation. The materials include a useful guidance note explaining the overall approach and the specific provisions of the draft Bill. [Submissions](#) close 6 August.



**Derek Wilding**  
CMT Co-Director

## The perilous march of social media

Where did we go for information about what was the biggest story in the world for 48 hours last weekend? The coup that wasn't – aka the mutiny that barely was – against Russian President Vladimir Putin had the capacity to plunge Russia, a nuclear-armed state, into civil war. And one media outlet that wasn't providing much real time information was the ABC.

It's been almost ten years since the ABC closed its Moscow Bureau, a victim of Coalition



budget cuts. Since then, ABC has flown reporters into the region from their base in London. Would it have made any difference on Saturday June 24th, when Wagner mercenary leader Yevgeny Prigozhin began his 'march for justice' to Moscow, for the ABC to have had a Russia-based correspondent specialising in the political, economic and social ecosystem of the country and reporting from local sources? Whatever Prigozhin was doing, Australians wanting to understand the crusade or watch Moscow scramble to fortify the city,

or hear whether Russians feared civil war was imminent, needed to turn elsewhere, including social media – as ABC TV spent the first five or so hours of the rebellion offering repeats of last week's current affairs offerings. It was enough to cause [Lucy Turnbull to tweet](#): 'Why isn't @ABC covering events in Russia? What actually is the point of @abcnews?'

Social media, led by Twitter – which can occasionally be a good tool to find firsthand, breaking information – carried minute-by-minute news about the coup-that-wasn't. However, it was also a cesspool of misinformation and 'wishful thinking' analysis, the most shocking of which was the barracking for Prigozhin to make it to Moscow and topple Putin. Twitter gave Prigozhin a makeover from war criminal to man of peace, from a warlord whose Wagner group have killed tens of thousands of Ukrainians to someone who would end the Russian war in Ukraine. Much of that was led by high profile Russian liberals, some in exile, and analysts who saw Prigozhin as the knife who could kill off Russia's autocratic President. The sentiment, widely absorbed, was at the same time ignoring the possibility that, had their wishful thinking eventuated, nuclear-armed Russia might have descended into civil war. As [Russian journalist-in-exile Leonid Ragozin noted](#): 'This conflict has nurtured a plethora of shameless propagandists as well as journalists who engage in therapeutic journalism – telling audiences what they want to hear lest they get upset and lose faith in the wisdom of their governments.'

What feels good isn't always good.



**Monica Attard**  
CMT Co-Director

## Reddit's blackout – or black eye?

Reddit's recent [decision](#) to remove access to third party APIs – the 'blackout' comes into full effect tomorrow – has either left it [unscathed](#) or [existentially threatened](#), depending on who you ask. However, there's no denying that it highlights a now decades-old issue for our social media platforms: the undervalued value-add of participants providing free labour to maintain these online communities. And that's without even mentioning the contributors



that create nearly the entirety of the content.

The super-users that generate so much of the user-generated content make up but [a small portion](#) of the sites' visitors compared to the 'lurkers' that consume the material but post little in return. Consequently, it is neither unlikely nor unsurprising that the 'blackout' did not appear that apocalyptic on paper; a comparatively small number of people used these APIs and many of those that did may not have felt a strongly

principled investment in the issue.

What the executives may have misunderstood (the clock is ticking but the signs aren't encouraging) is the impact of their decision – and their attitude – on this small group. Between the inflexible position on the APIs, an AMA (Reddit's famous Ask Me Anything discussions) with the CEO where there was lots of asking but no particular answering, and threatening messages sent to their volunteer moderators, Reddit management have awakened an awareness in their most crucial group of users – the moderators and content creators that constitute and maintain their entire service through [unpaid emotional labour](#). That awareness can be summed up as, 'You aren't paying me to do any of this.' Vitriolic and polarised users of [r/TheDonald](#) subreddit can be amped up by ideological divisions due to bans and restrictions, but can Reddit overcome these high participation users' growing perspective that they are being exploited by someone who's suddenly not shy about being a bit of a jerk?

While you may or may not be a user of Reddit, there's reason to be concerned about the impact this could have on our journalism and media. Even Google [admits](#) that their search engine has become sufficiently unreliable that people need to type 'Reddit' at the end of their questions to get the answers they seek, a fact put on unsightly display when Reddit's blackout prompted negative feedback directed at Google itself. Subreddits such as [r/WorldNews](#) keep live feeds rolling so journalists, academics, and on-the-ground citizens can discuss not just the fact of, say, the conflict in Ukraine, but the lived experience of it, and these rely heavily on careful moderation. To emphasise this, subreddits have turned to posting unmoderated pornography or digitally remastered images of comedian John Oliver – [who has enthusiastically obliged](#).

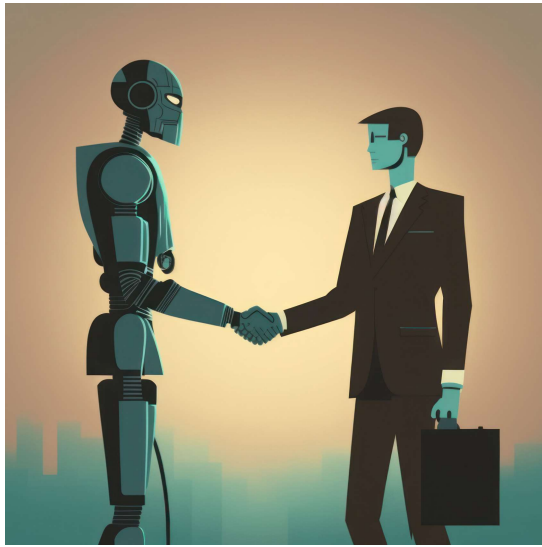
Among other things, this saga highlights the risks, both for the users and the companies themselves, of extremely concentrated ownership of our news media environment.



**Tim Koskie**  
CMT researcher



# Scraping AI for dollars



Yesterday, [Google announced](#) it would be blocking news from Canadian search results in response to Canada's [Online News Act](#), which passed into law last week. Inspired by Australia's News Media Bargaining Code, the act's purpose is to correct the bargaining imbalance between digital platforms and news companies and allow the latter to negotiate payment for news content. Meta has also signalled it will block news in Canada, as it did here, an action which prompted significant amendments to the Australian code.

Changes may be afoot here as well. Last week, the Liberal Party said it will push the government to incorporate generative AI into the Bargaining Code, forcing AI companies to [pay for their use of news content](#). Australia's biggest news companies have been campaigning on this for several months, and it has the support of ex-ACCC chair Rod Sims, architect of the Bargaining Code, who has also been consulting with Canada on its legislation. Labor's AI [discussion paper](#) doesn't raise the issue.

Sims [argues that the Bargaining Code](#) would be a better way to get AI companies to pay than copyright law. The clearest case for this is where generative AI is used to rewrite news content and there is no direct link back to the original source. Google, for example, is testing a '[Search Generative Experience](#)' (SGE) that provides an 'an AI-powered snapshot of key information' drawn from unacknowledged sources, though links may be provided to 'dig deeper'. [Publishers worry](#) that the tool will keep users on the Google page instead of sending them to the source, reducing their already-meagre slice of digital advertising revenue and increasing the platform's. A similar debate over the use of news snippets surrounded the development of the Bargaining Code.

During the development of both Australia's Bargaining Code and Canada's Online News Act, platforms argued the legislation would 'break the internet' by placing a price on links. This is a bit rich, of course, when the rise of digital platforms is founded on their ability to keep users in '[walled gardens](#)'. Platforms essentially capture markets by monetising content they get for free.

The difference between using the Bargaining Code and copyright is that the code is restricted to news sources that produce public interest journalism (and, as [we've written previously](#), this is not without its own issues). But that won't help other publishers, who arguably have as strong a case as news media for worrying about decreasing traffic or unauthorised use of content. News has strong public interest value, of course, and it was the impact of the platform economy on public interest news production that the Bargaining Code was principally designed to address. It might well do the same for generative AI. But it would not be surprising if the latter drives broader changes to the regulation of the internet than can be achieved through the Bargaining Code alone.



**Michael Davis**  
CMT Research Fellow

## Pandemia: Journalism after Covid



'If journalism is the first draft of history, what will it say about Covid?'

The CMT will examine how the pandemic changed journalism in a panel discussion at UTS on **Tuesday 22 August at 12pm**. It will take *Pandemia* as its launch site; a collection of essays edited by ABC journalists Gavin Fang and Tracey Kirkland that covers the logistical, ethical and existential challenges faced by the industry during and after this time.

The CMT invites you to hear from *Pandemia* editors and contributors, moderated by the CMT Co-Director Monica Attard.

Register here: <https://events.humanitix.com/pandemia>

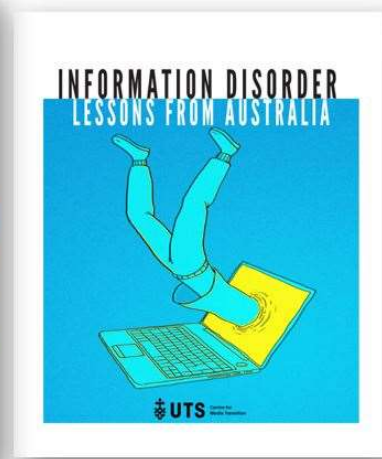
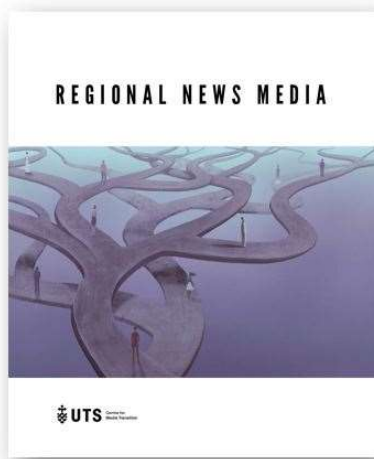


**Alexia Giacomazzi**  
CMT Events and Communications Officer

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