

ADDITIONAL BUDGET ESTIMATES – FEBRUARY 2022

Commissioner's Opening Statement

I am very pleased to appear before the Committee today at what is a watershed moment for our collective efforts to keep Australians safer online.

Since our last appearance, eSafety has been preparing for the implementation of the new *Online Safety Act 2021* which commenced last month. This put in place a world-leading regulatory scheme that significantly strengthens online safety protections and gives all citizens experiencing serious online abuse a place to turn for help – at eSafety.

We believe these robust changes are helping to level the playing field by shifting the burden away from children, parents and vulnerable communities, and making service providers more accountable for safety protections on their services.

When online harm does occur, eSafety can provide rapid redress through our complaint schemes. These give individuals who are the targets of harmful conduct and content a simple reporting pathway. These are backed up by a wide range of best-practice education and prevention materials.

Implementing the Online Safety Act

As part of our preparations for the new Act, we have significantly scaled up our investigative capability. In recent months, we have also re-engineered the eSafety website, which is the principal gateway for reporting, to help people through the process of lodging a report or finding more advice, guidance or support.

We provide an important online safety net for Australians and have worked hard to promote this information and services so that we can support Australians in need of help.

Under our new and expanded schemes, we are assessing complaints and taking action through a range of pathways to remove harmful content and reduce trauma, emotional distress and re-victimisation. These schemes are also providing intelligence and data from the digital frontlines to help inform and shape our regulatory response and guidance for citizens, now and into the future.

We have set out our regulatory posture and regulatory priorities for the 2021-22 financial year and released a Compliance and Enforcement Policy explaining the powers available to eSafety and to encourage and enforce compliance with the Online Safety Act.

Additionally, we have released a suite of regulatory guidance documents which explain how eSafety implements each of the regulatory schemes included in the Act. These include regulatory guidance for the Adult Cyber Abuse Scheme, the Cyberbullying Scheme, the Online Content Scheme, the Image-Based Abuse Scheme and for our Abhorrent Violent Conduct Powers.

eSafety has also released a position paper on industry codes to guide industry bodies and associations in the development of a new code, or set of codes, which would be registered by eSafety to regulate and prevent the spread of certain types of harmful online material. We will continue to work collaboratively with industry on the codes.

The Minister for Communications, Urban Infrastructure, Cities and the Arts established the Basic Online Safety expectations through a determination, which was published on 23 January. These new powers, and the regulatory regime which underpins them, provide eSafety with a modern and effective set of graduated tools to address online harms.

Online safety reports

We know that for most people targeted by online abuse, their main goal is to have the abusive material taken down as quickly as possible, and so we work directly with platforms to achieve this outcome and resolve thousands of complaints informally.

And where appropriate, we will continue this collaborative approach with industry through the operation of our new and expanded regulatory schemes.

But we are also applying a laser focus to the operationalisation of these schemes so we can provide greater relief to more Australians. We will continue to bookend our compassionate service with more robust enforcement.

Since 2015, through professional and compassionate administration of our schemes, we have investigated more than 76,000 complaints and reports about serious online harms.

Our interventions have led to tangible, real-world outcomes:

- We have removed almost 90% of the 13,500 URLs notified to us through the Image-Based Abuse scheme.
- Our investigators dealing with Child Sexual Exploitation Material have succeeded in having material removed in the host jurisdiction in less than 3 days in 75% of cases referred to our global partners at the INHOPE network.
- We have an 85% removal rate for serious cyberbullying material and have assisted thousands of children and young people to reach the help they need through Kids Helpline.

In the three months to December 2021, our cyberbullying scheme received over 261 complaints. Across the year, cyberbullying reports rose by 35% compared to 2020, from 690 reports to 934.

Our image-based abuse scheme received 705 complaints in the last quarter of 2021, a 31% increase compared to the same period in 2020.

From October to December 2021, we received 4,271 complaints about illegal and harmful online content. While this is down 18% compared to the same period in 2020, it is over 80% higher than in 2019 when we received 2,361 complaints.

Since the Adult Cyber Abuse scheme commenced three weeks ago, we've already assisted in the removal of some truly terrible material causing serious distress. As these changes are less than a month old, we do not have finalised data, however, I can share some early figures to provide the Committee with a sense of what we are seeing.

Since 23 January, we have handled more than 200 complaints from Australian adults experiencing abuse and harassment online. These include complaints about explicit instructions

and encouragement to commit suicide, threats of murder, and the menacing publication of personal details online.

In response to these and other harmful posts, we have worked with platforms to ensure the material is quickly removed. Some posts have been taken down in less than an hour because of eSafety's intervention.

Shaping the online safety landscape

As more governments scrutinise the actions of Big Tech, these companies need to take a consistent approach to the way they design, develop and deploy technologies which has user safety at the core.

Australia remains a pioneer in regulating this arena, and other nations are paying attention to the innovative protections we are putting in place for our citizens: notably, the European Union, United Kingdom, Ireland and Canada.

We know that working collaboratively across jurisdictions is the best way of producing real, lasting change. It's important Australia continues to seek to lead in this area by evolving our regulatory approach and keeping pace with threat trends and global movements.

At eSafety, we will keep looking beyond the technology horizon and our own borders to become true agents of change, leading the charge to make the online world a more civil place.

As part of this work, eSafety recently contributed our evidence-based knowledge to help inform the Australian Government and Parliament's consideration of matters that promote a safer online experience.

These issues were also in the spotlight last week for Safer Internet Day, when we launched new research on parents' awareness of children's online activity. This research highlights a digital disconnect in some families when it comes to parents understanding the prevalence and impact of their children's negative experiences.

However, our *Mind the Gap* research report also found encouraging signs that children are increasingly empowered to use online tools to unfriend or block people (63%), delete messages (50%), change their privacy or contact settings (41%) or report harmful material (23%).

More than two-thirds of children told their parents about negative online experiences, which is a significant increase compared to previous surveys.

We can also see that the number of parents who are discussing ways to stay safe online with their children has risen steeply over the past five years. More than nine in ten parents say they have talked to their child about what to do if something bothers or upsets them online, and suggested ways to use the internet safely, compared to just 42% in 2016.

At the household, industry, national and international level – these are all critical conversations to be having at a time when online activity and abuse continues to grow, and as eSafety focuses on deploying our new regulatory tools to protect Australians and prevent harms.

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