

BUDGET ESTIMATES STATEMENT - MAY 2021

Commissioner's Opening Statement

Thank you Chair, and committee members, for this opportunity to meet with you today and to table an opening statement.

The last time we met, in late March, we reported that the disturbing peaks we had seen in public reports of online harm across all our schemes had not subsided and two months on we see this trend continuing.

In 2020, reports of illegal and harmful content were the highest seen in the Online Content Scheme's 20-year history with over 21,000 reports made. Sadly, this trend is continuing in 2021 with reports in the first four months of this year 53% ahead of where they were at the same time last year. Two thirds of these reports concern child sexual abuse material.

We continue to see young children manipulated or coerced into performing sexual acts on devices in the "privacy" of their home bedrooms and bathrooms and anticipate that reports for 2021 will set a new historical record.

Reports of youth-based cyber bullying to eSafety have risen by 34% in the first quarter of 2021 compared to the same quarter in 2020, which was also a record reporting year. Of particular concern have been volumetric attacks and 'phoenixing' accounts where, in its worse form, we have seen a child enduring an online assault, lasting several months, from over 60 different impersonation accounts, with new abuse accounts rising from the ashes as soon as one is removed from the platform.

Cyber bullying investigations are proving to be increasingly complex and intersectional, requiring sensitive and nuanced investigation and decision making. Cyber bullying often manifests across a wide variety of online platforms, and social and educational settings. It may also involve managing complex case work that involves engaging with educators, students and parents to get to the root of the social conflict – rather than just taking down a piece of humiliating content that is a by-product and extension of that school-based incident.

In a similar fashion, we have continued to see an increase in adult cyber abuse complaints – which have now outpaced cyber bullying reports. In the first quarter of this year, the rate of these reports has doubled compared to the same period in 2020, supporting the need for the legislative reforms to enable us to expeditiously remove seriously harmful content targeting adults as well.

In an era when separation from romantic partners and loved ones has seen 'digital intimacy' become a more common form of shared expression, the rate of reports of image-based abuse – otherwise known as the non-consensual sharing of intimate images – also continues to escalate.

70% of all reports coming into eSafety through our three schemes are initiated by Australian women and girls. Whilst the over-representation of women of online abuse is suggestive of a much larger societal issue and is often used to demean them and silence their voices, we remain committed to empowering and protecting women.

I recently welcomed an additional \$24.7m in direct funding as part of the 2021-22 Federal Budget – including \$21 million to help enhance women's safety online. This funding will allow us to expand our team of specialist investigators and pilot new technologies that can achieve more detection and rapid removal of intimate images that have been shared without consent, helping minimise the distress women experience.

The package provides support for prevention initiatives and education programs that empower women experiencing technology facilitated abuse as an extension of domestic violence and to help protect children who are so often caught in the crossfire.

Our 'Women in the Spotlight,' or WITS program, has been reinvigorated and last week, we commenced research into online abuse experienced by women with a strong online presence as an extension of their professional lives. This included a partnership with Safe Work Australia, and with online abuse in the workplace deemed a psycho-social hazard, we collaborated to provide guidance to employers as to their responsibilities to their staff as well as resources and reporting pathways for workers.

Also, this month, we partnered with SBS in its ground-breaking three-part series based on Jess Hill's award-winning book, *See What You Made Me Do*. The series shone a light on how common place technology has served as a dangerous weapon of coercive control and in addition to providing community service announcements, we collaborated with SBS Learn on supportive eSafety Women resources, provided in 12 community languages.

Following our most successful Safer Internet Day ever, our outreach team has delivered preventative training and webinars to an ever-growing cohort of educators and parents who are at the forefront of our defence against online harm experienced by our youngest Australians.

To date this year, almost 100,000 parents, teachers and community members have gained valuable skills and training via virtual classroom lessons, teacher's professional learning and community presentations, including 30,000 students participating in our virtual classroom for the National Day of Action Against Bullying and Violence in March alone. This is the first time eSafety has achieved this kind of scale.

We know that this educational piece is critical and one we cannot undertake alone. We have developed a network of trusted eSafety providers to expand the reach of online safety education across the country and we will soon be offering a second round of grant funding for NGOs, comprising \$4.5 million, with applications for 2021/22 funding having closed this week.

We've continued to drive successful content development for the Be Connected initiative, which continues to enable improved digital literacy and online safety for older Australians. A joint DSS – eSafety initiative, it was originally envisaged that the Be Connected program would reach 300,000 seniors by February 2020. But less than 18 months later, the program is now poised to reach one million older Australians.

Finally, we have been firmly focused on the new Online Safety Bill, particularly around a potential new world-first adult cyber abuse scheme. Detailed preparation for its implementation, including the strengthening of our organisational capacity with the recruitment of additional personnel, establishment of new functions and significant IT development, is well underway. There are also important new governance structures and processes that are presently being built, including a Regulatory Action Committee and a separate Internal Review process.

Although significant new powers have been proposed in the Bill, this is an important part of the toolset that will enable us to continue assisting Australians experiencing serious online harms. To date, our expeditious removal of illegal and seriously harmful content has provided an invaluable service that no other country in the world currently affords its citizens. In our six-year history, we have never received a request for a review of an investigative decision, and we will continue to use the same restraint and discretion with respect to the new powers being granted to us.

We will, of course, need to prioritise the most serious issues and cases and apply these actions in a fair and proportionate manner – as there will always be finite investigative resources. We trust the Committee and Parliament will consider oversight functions that are consistent with those applied to other Australian regulators and enable us to continue providing the compassionate citizen service we believe is critical and that we are known for.

We are also actively preparing regulatory guidance for release later in the year and plan to publicly announce our regulatory priorities. Our engagement with industry around what the Codes will potentially look like is also underway.

To the extent that more sunlight through transparency and accountability measures are something we will continue working towards, these are fundamental hallmarks of our Safety by Design principles for industry too. To that end, eSafety will soon launch our world-first interactive assessment tools for industry, to help them better assess and mitigate user risk and receive a "safety health check," to guide them in developing more robust safety features and protections.

I remain committed to working with all industries and stakeholders to make sure we get the balance right in protecting Australians from serious online harms and in ensuring we are all taking responsibility for the online safety of our citizens.

STATEMENT ENDS

JULIE INMAN GRANT

27 MAY 2021