



21 April 2023

Committee Secretary
Finance and Public Administration References Committee
Via: fpa.sen@aph.gov.au

**Inquiry into the administration of the referendum into
an Aboriginal and Torres Strait Islander Voice**

The eSafety Commissioner (eSafety) is Australia's independent regulator for online safety. Our purpose is to help safeguard Australians at-risk from online harms and to promote safer, more positive online experiences.

We recognise that the referendum on an Aboriginal and Torres Strait Islander Voice is likely to generate significant interest and debate online. With this comes the potential for a range of online harms, such as cyber abuse and bullying, and a particular risk of this behaviour being directed towards Aboriginal and Torres Strait Islander individuals and communities.

eSafety [research](#) released in 2020 found that Aboriginal or Torres Strait Islander adults experience online hate speech at more than double the national average. They are also significantly more likely to be the target of a range of negative online experiences (e.g., threats of offline harm or abuse; the subject of lies or rumours) and are much more likely to report mental or emotional distress as a result of online harms.

The harms of internet use are also acute for Aboriginal and Torres Strait Islander children and young people. eSafety's [research](#) released in March 2023 found Aboriginal and Torres Strait Islander children are almost three times more likely than the national average to have had offensive things said to them because of their race, ethnicity, gender, nationality, sexual orientation, religion, age, or disability. These negative online experiences can have deep impacts that lead to impaired mental health, perceived reputation damage and lower grades at school. At the same time, Aboriginal and Torres Strait Islander children are proactive and knowledgeable in responding to negative experiences online, taking such steps as blocking or reporting bad actors and informing relevant authorities about it.

eSafety has a range of services that can support these communities. Under the *Online Safety Act 2021*, eSafety administers a series of regulatory complaints and investigations schemes, including for [cyberbullying of children](#) and [cyber abuse of adults](#), which may help in the removal of content. These schemes aim to provide individuals with support and assistance where needed and prevent further harm from occurring. We also have [powers](#) to regulate online services' broader systems and processes and require them to report how they are keeping their users safe online.

In addition, eSafety has dedicated [resources and educational programs](#) for First Nations groups. This includes advice on how to deal with online abuse and best practices to help kids stay safe online, which are provided in Aboriginal English, NT Kriol, Torres Strait Islander Creole, and Warlpiri dialects.

eSafety takes a comprehensive [approach](#) to address online harms and we exercise our powers in a graduated, risk-based manner. Our cyber bullying and cyber abuse schemes are open to all Australian children and adults, and we administer these report-based schemes independently of

Government. The potential for online harms may equally affect both supporters and opponents of the Voice, and we are ready to assist all Australians that may be targeted by material intended to cause serious harm. We also note that our schemes are not designed to constrain legitimate expression, political speech, or robust debates online. eSafety will continue to engage with First Nations communities and coordinate efforts across government to promote online safety throughout administration of the referendum and beyond.

Yours faithfully,

Julie Inman Grant
eSafety Commissioner