eSafety
STRATEGY

2022–2025

Australian Government | e eSafety Commissioner

esafety.gov.au

Mission

To help safeguard Australians at risk from online harms and to promote safer, more positive online experiences.

Vision

Through prevention, protection and proactive systemic change, Australians are supported and empowered to engage more safely online, and globally industry is enabled to meet legislated safety expectations.

Values

To achieve our mission and realise our vision, eSafety is guided by these values:

Innovation – challenging the status quo and doing things differently to lead the world to a safer online environment.

Empowerment – providing skills and knowledge to Australians so they have positive online interactions and know what to do when they encounter online harm or feel unsafe online.

Compassion – supporting Australians through difficult online experiences, providing help in an inclusive, empathetic and respectful way.

Fairness – approaching our work ethically and transparently, in a considered, fair and proportionate manner, informed by evidence and research.

Collaboration – genuinely connecting with partner organisations and industry bodies, cooperating, and sharing information, insights and expertise.

Excellence – providing online safety leadership on behalf of the Australian Government, ensuring we always have the Australian people in mind when improving and delivering our regulatory services and functions.

Contents

Commissioner's foreword

A mother overhears two men arranging online to meet her ten-year-old daughter.

In a small country town, a woman learns her abusive ex-husband has posted her intimate images online.

A 15-year-old boy is humiliated when footage of him drunk and vomiting is shared across his school.

A teenage girl is captured on video in her bathroom, tears in her eyes, as a predator remotely coerces her to perform sex acts on her mobile phone on command.

An anonymous account targets a vulnerable woman on social media, urging her to kill herself and providing explicit instructions.

These cases – reported to us over the last year by Australians – epitomise the real dangers that now come alongside the wonders of our online world.

The technologies that enable us to stream ourselves into the homes of family overseas, connect with like-minded gamers, and learn from educational institutions around the world are the same technologies that enable these chilling scenarios.

It won't surprise anyone that COVID lockdowns, a shift to hybrid working and remote learning meant that more Australians have been online – and in turn, that all forms of online abuse reported to eSafety have grown considerably since before the COVID-19 pandemic. In areas such as online child sexual exploitation material and image-based abuse, this has led to reports being as high as double what they were in 2019.

These elevated levels of abuse have become our new normal. The tectonic plates of online harms have shifted, reinforcing my belief that the work of eSafety is more important than it's ever been.

As the hazards and risks and threats evolve, so must our strategy to deal with them. This document outlines how we will prioritise our activities to help Australians of all ages enjoy safer and more positive experiences online through to 2025. The strategy is framed by a forward-looking strategic outlook which will inform the steps we need to take. Having started operations in 2015, we in Australia have a lead on the rest of the world. However, we still have much to do.

Over our short history, we've gone from the most important government regulator you've never heard of to one of the most important government regulators we hope you'll hear much more from. Achieving better online safety outcomes for Australians, by working across government, is our primary goal.

The macro forces shaping our work will see a continued escalation towards online learning, working and connecting; advances in technologies such as artificial intelligence, machine learning, and algorithms which will have potential to help or harm people and society; immersive technologies, especially those that blend virtual and actual worlds to create hyper-realistic experiences, which will create more possibilities for abuse if we don't make the seamless integration of safety protections a design imperative.

The online environment is being shaped by social, ideological and geopolitical events with both COVID and political conflict creating greater degrees of polarisation, fear, uncertainty and doubt. This is playing out online in numerous ways, as is the tension between a range of fundamental rights.

These include where tech companies scan for known child sexual abuse material on their services: is an adult's right to privacy superior to the rights of a child victim? Or where an online service attempts to balance freedom of expression through protections against hate speech and extremism. These are critical areas where we need to strive to find the right protective balance.

This is why Australia has introduced the new Online Safety Act, which will frame eSafety's work over the coming years. Through this modernised online safety regulatory framework, Australia has drawn a line between what constitutes and what does not constitute serious online harm. This line defines eSafety's mission and powers to combat these harms.

We utilise powers under the Act assertively but judiciously, pairing our action with the imperatives of fairness and proportionality. These new laws were designed to keep pace in a society characterised by rapid change

and innovation, where the duality of technology – used for both good and ill – has become a defining theme of our age.

While we've had several years to learn, grow and effect change, these new powers cement our role as a world leader in online safety. They place Australia at the forefront of the fight against online abuse and harm.

At eSafety, we approach our work through three lenses – prevention, protection, and proactive change. All this work is underpinned by the scaling impact and power of strategic partnerships.

We will continue to work to prevent online harm by developing resources and programs based on robust evidence. We will continue to protect Australians and alleviate harm with our regulatory schemes. And we will continue to be proactive in minimising harms with initiatives such as Safety by Design, which encourages the technology industry to anticipate, detect and eliminate online risk, as the most effective way to build our digital environments to be safer and more inclusive – from the ground up.

Safety by Design makes good business sense, too, stimulating companies to invest and innovate for a better customer experience without having to clean up reputational revenue disasters or regulatory 'tech wrecks'. Embedding safety makes for a better online experience and user retention.

As the technology sector hurtles towards the metaverse and Web 3.0 – both of which potentially challenge traditional notice and removal models – we will continue to emphasise the need to retain humans in the loop and to keep their online welfare front of mind. eSafety will be there to remind companies of the importance of user safety, serving as a corrective force by using our improved regulatory tools to keep industry accountable.

Since we know the internet will never be free from malice, conflict, and human error, we need to be smart about how we create the online world of the future. That means making sure safety and governance are built into new technologies, so we can prevent and remediate any harm they might cause in the wrong hands.
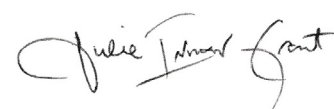
This is not something we can leave for tomorrow because there is too much at stake. The rest of the world is taking notice and soon there will be many organisations like ours.

Even so, my primary goal is to make sure Australians are protected, and that Australia is ready for the future.

Over time, every Australian parent should be able to feel confident that as their children enjoy the wonders of the internet they are protected from its dangers. They should know that eSafety is there to help – and that we will have their back.

We will continue to build the capability we need to mature as an organisation so we can face the many challenges the online world will generate now, and into the future. We'll get better at fighting the threats we know and prepare well for the ones we know are coming.

We want our online world to be a place where we can explore, imagine, learn, connect, and create great memories together. Most of all, we need it to be a place where we can respect each other and be safe.

Julie Inman Grant
eSafety Commissioner

The role of the eSafety Commissioner

The eSafety Commissioner (eSafety) is Australia's independent regulator and educator for online safety – the first of its kind in the world. eSafety represents the Australian Government's commitment to protecting citizens from serious online harms.

Online harms are activities that take place wholly or partially online that can damage an individual's social, emotional, psychological, financial or even physical safety. These harms occur as a result of content, conduct, or contact and can include online activity or material that:

- depicts sexual exploitation or sexual abuse of children
- promotes, instructs, or incites terrorism, violent extremism or other criminal activity, such as rape or murder
- encourages or promotes suicide or self-harm
- bullies, abuses, threatens, harasses, intimidates, or humiliates another person
- involves non-consensual sharing of intimate images or videos
- is inappropriate and potentially damaging for children to see.

The eSafety Commissioner is an independent statutory office holder responsible to the Commonwealth Minister for Communications. eSafety was established in 2015 as the Office of the Children's eSafety Commissioner by the Enhancing Online Safety for Children Act 2015 and as of January 2022, under the Online Safety Act 2021 (the Act).

The Online Safety Act

The Online Safety Act 2021, which came into effect in January 2022, governs the functions of eSafety and provides for a world-leading initiative – the Basic Online Safety Expectations determination. This sets a standard against which we can measure crucial sectors of the online industry.

The Act also requires industry to develop mandatory codes to regulate the most seriously harmful online content, such as child sexual abuse material and pro-terror content. The Act also:

- creates a world-first Adult Cyber Abuse Scheme for Australians 18 years and older
- broadens the Cyberbullying Scheme for children to capture harms that occur on services other than social media, such as messaging services, online gaming and other apps
- updates the Image-Based Abuse Scheme that allows eSafety to seek removal of intimate images or videos shared online without the consent of the person shown
- gives eSafety powers to require internet service providers to block access to viral material showing abhorrent violent conduct such as terrorist acts
- enhances the existing Online Content Scheme with new powers to regulate illegal and restricted content no matter where it's hosted
- provides powers to limit the availability of material such as child sexual exploitation content via search engines and apps
- halves the time online service providers have to respond to an eSafety removal notice
- reinforces eSafety's pivotal role in coordination of online safety education and activities across Australia.

eSafety's strategic priorities

The statutory functions set out under section 27 of the Online Safety Act determine the strategic priorities of the eSafety Commissioner.

- Promote online safety for Australians:
    - Provide information to Australians on the services we provide.
    - Provide and distribute information to Australians and our partners on critical online safety issues and trends.

- Administer statutory schemes to respond to complaints and conduct regulatory investigations into child cyberbullying material, adult cyber abuse material, image-based abuse, and illegal and restricted online content.

- Make sure social media services, messaging services, gaming services, file sharing services, and other app providers and sites accessible from Australia take reasonable steps to keep Australians safe online through a set of Basic Online Safety Expectations.

- Register mandatory industry codes requiring eight sectors of the digital industry to regulate harmful online content, such as videos depicting the sexual abuse of children or terrorism, through to material which is inappropriate for children, such as online pornography.

- Coordinate the activities of government departments, authorities and agencies relating to online safety for Australians.

- Make financial grants on behalf of the government to foster online safety for Australians.

- Conduct and evaluate research about online safety for Australians.

eSafety Commissioner
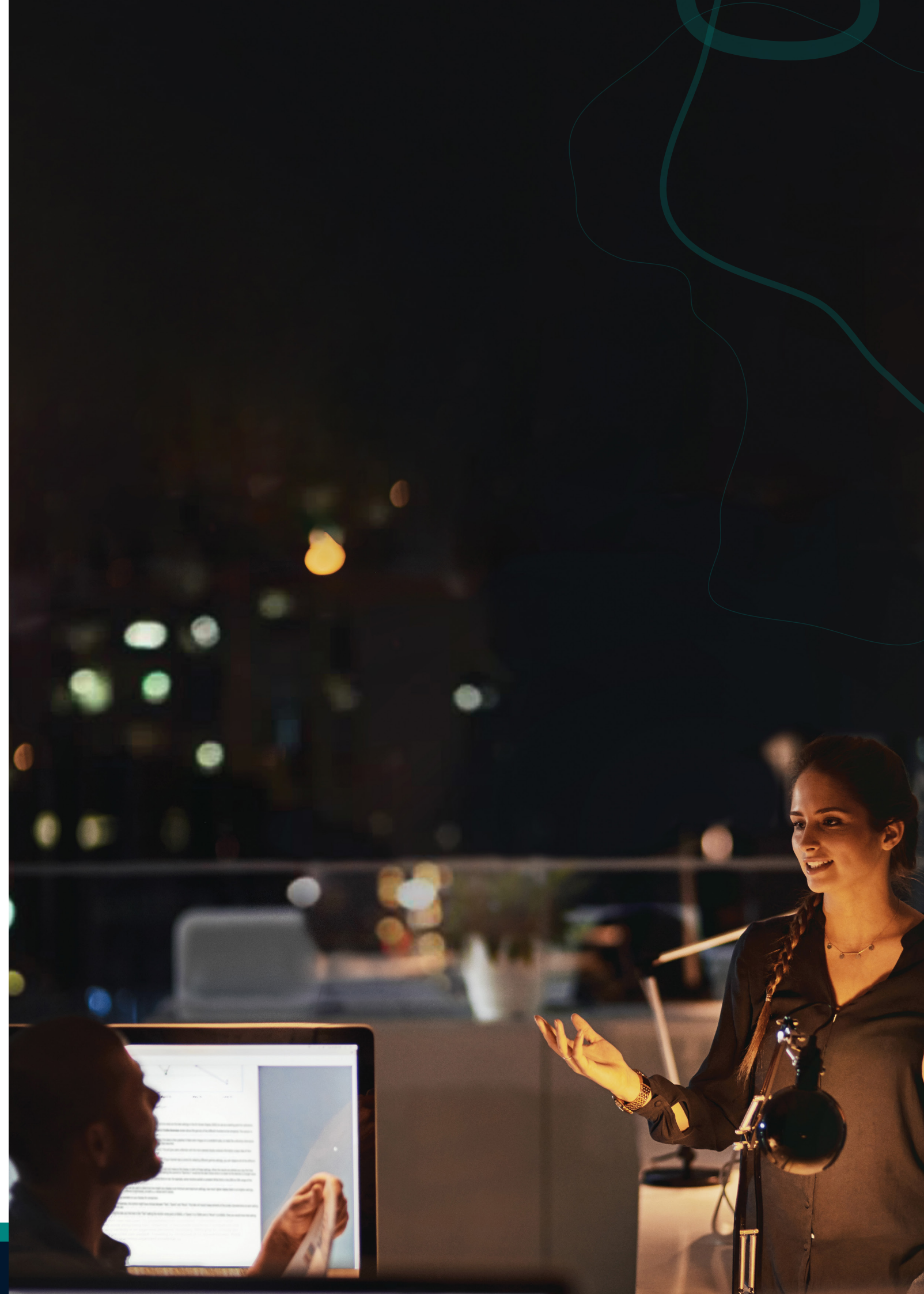
Helping Australians have safer and more positive experiences online.

eSafety's regulatory posture

Building on our experience administering the Enhancing Online Safety Act 2015, eSafety will continue to prevent and help remediate online harm and improve safety standards.

We will raise awareness among the public and the online industry about the changes enacted through the Online Safety Act 2021.

Where appropriate, we will continue to work informally with service providers to resolve individual complaints about online content and behaviour.

We will also consider any systemic online safety problems these complaints may reveal. Where a cooperative approach is not appropriate or sufficient to keep Australians safe online, eSafety will draw on our robust range of regulatory options.

While we may take graduated measures to act against online harm, there will be times when immediate and firm enforcement action is warranted due to the circumstances and severity of the harm.

Based on evidence, research and data, we will apply our powers in a fair, transparent and proportionate way to limit the impact of harm to the user and to deter future wrongdoing by the platform or perpetrator.

We will drive continuous improvements in safety by online service providers by reviewing the effectiveness of their efforts to keep their users safe, and by providing practical recommendations and tools to support better outcomes.

eSafety's regulatory posture and priorities are set out in regulatory guidance on the eSafety Commissioner's website. That guidance establishes eSafety's approach to alleviating online harms affecting Australians, achieving rapid removal of harmful material, deterring perpetrators and their facilitators, and blocking abhorrent violent conduct material in the event of an online crisis event.

Getting results
for Australians

eSafety helps to keep Australians safer online by countering online harms, improving online safety, and exercising regulatory powers under a holistic framework that comprises three pillars: **Prevention**, **Protection**, and **Proactive and Systemic Change**.

Empowered by the Online Safety Act, guided by our priorities, and enabled through domestic and international partners, these interconnected pillars support eSafety to deliver our mission.
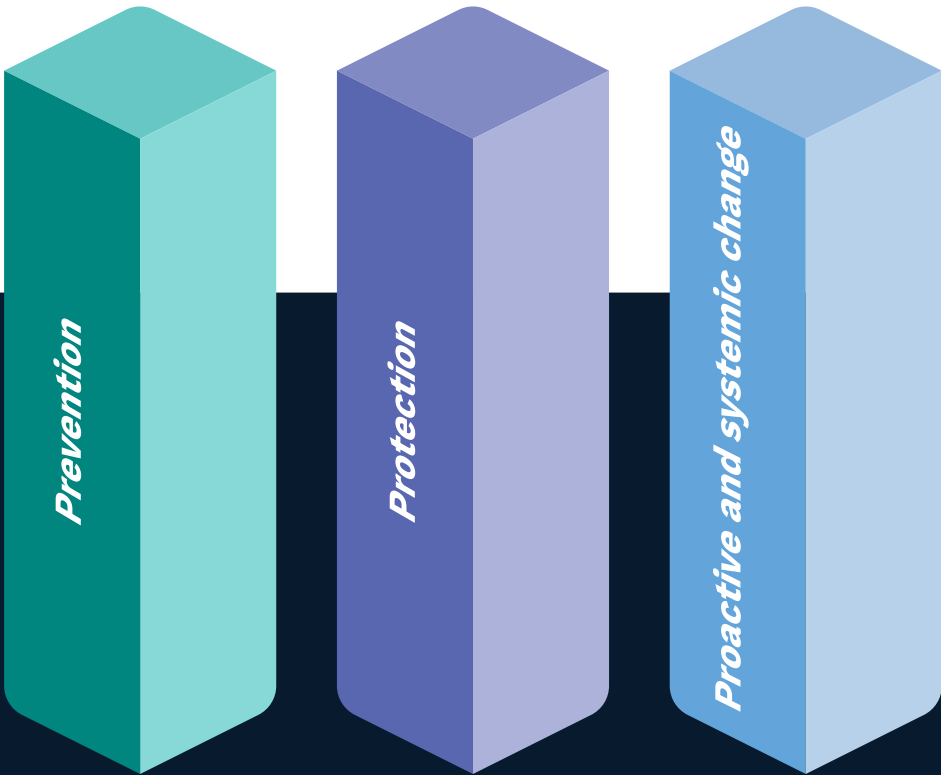
Prevention
Provide evidence-based safety resources and programs

Protection
Operate regulatory schemes and investigate abuse

Proactive and systemic change
Identify emerging risks and ensure industry minimises harm

Prevention

Protection

Proactive and systemic change

⬤ Prevention

Reducing the likelihood of online harms

Prevention is critical.

It is the most cost-effective and enduring way to deter online harms before they manifest into something serious. eSafety believes it is always better to solve the chronic problem rather than continually grapple with the acute symptoms.

Through research, education and training programs, eSafety works to set a foundation to prevent online harm from happening. We aim to provide Australians with the practical skills and confidence to be safe, resilient and positive users of the online world, and to know where to seek help if issues do arise.

We base our approach on evidence. We have been building this body of evidence over time to track our progress and to make sure we have real, positive impact. We calibrate our approach to ensure our programs are contemporary, fit for purpose, and responsive to the needs of each particular community or targeted group.

Strategic goals

- **Coordinate online safety education and prevention across the Commonwealth**, in accordance with eSafety's legislated mandate and with the cooperation and involvement of key Commonwealth stakeholders.
- **Lead best practice online safety education** by equipping the education sector and other major partners, such as law enforcement and Trusted eSafety Providers, to deliver high-quality and age-appropriate material, aligned with the National Curriculum.
- **Deliver targeted online safety programs and resources** designed to support communities at increased risk of online harms, using a model informed by data and research.
- **Elevate and harness the voices of young people** by working directly with them to get their advice on how to design eSafety programs and resources that are authentic to them and compel them to change behaviours and seek help when they need it.
- **Provide professional development** to frontline sectors, with training to build capacity to better recognise and respond to online risks and abuse.
- **Build robust evidence** to support our programs, with data generated by world-class research, investigations and intelligence, all supported by an evaluation framework.

Ⓘ Protection

Reducing the impact of online harms

eSafety protects Australians by exercising our regulatory powers under the Online Safety Act.

The harms we tackle include child cyberbullying, adult cyber abuse, image-based abuse (sharing intimate images without consent of the person shown), and illegal and restricted content (such as child sexual exploitation material or material advocating terrorist acts).

We support people experiencing online harms by compelling the removal of abusive and harmful content, limiting the ability of perpetrators to continue their abuse, and taking enforcement action against those who fail to comply with regulatory notices.

One important evolution created by the Online Safety Act is our ability to offer harms remediation through complaints to our regulatory schemes, while also targeting persistent systemic safety failures through potent new regulatory tools. These tools include mandatory industry codes to regulate the availability and accessibility of a range of harmful online content, as well as compulsory transparency reporting on whether companies are meeting the Basic Online Safety Expectations.

In line with our values of fairness and proportionality, and recognising that overwhelmingly victims simply want material removed, we will often take informal or graduated measures initially.

However, we will not hesitate to use the full range of our powers when we need to.

Strategic goals

- **Alleviate harms** by providing responsive and compassionate help that emphasises removal as first priority, followed by remediation to prevent harmful behaviours such as sharing or threatening to share intimate material without consent.

- **Deny** the potential for bad actors to weaponise the internet, for example to broadcast terrorist violent extremist content.

- **Build strong partnerships** that are trust-based and mutually-beneficial with Australian police forces, government agencies and NGOs, while supporting and complementing their work through our regulatory schemes.

- **Exercise** our regulatory powers fairly, consistently and transparently, while taking steps when appropriate to robustly enforce compliance.

- **Facilitate access to support** by making our reporting pathway user-friendly and responsive to a wide variety of abilities, while building and improving on that functionality over time.

- **Share information**, strengthening capacity within eSafety to derive meaningful and actionable insights from data, and then sharing intelligence that contributes to our partners' understanding of the global online harms landscape.

Proactive and systematic change

Reducing the risk of online harms within online services and platforms

Safer product design is fundamental to creating a more civil and less toxic online world much like the safety and design standards in traditional industries, most of which are guided by consistent international rules and norms. These standards include global requirements that car manufacturers embed seatbelts in cars to prevent traffic fatalities; how food and pharmaceutical safety standards and safe-handling practices seek to prevent poisoning, illness or death; or standards that cover consumer products or avoid dangerous business practices.

In the same way, eSafety has been seeking to shift the responsibility back onto the tech sector to assess platform risks and incorporate safety into development processes. We call this Safety by Design.

We know technology rapidly outpaces legislative reform. To offset this lag, eSafety anticipates how emerging technologies might be used, or misused, to harm Australians and works to achieve positive systematic change. We also recognise that the online world is borderless. We lead and collaborate with other online safety stakeholders internationally to strengthen our impact across borders and to shape global policies and approaches more effectively.

Strategic goals

- **Raise the standard** of protections for online safety across the global digital ecosystem by making safety a central consideration in developing products and services.

- **Elevate online safety**, achieving cultural change within the digital industry by surfacing innovative safety best practices and achieving tangible action around Safety by Design. Safety should be considered as important as data privacy and security in global digital trust policy discussions and when setting norms for internet governance and online service provider regulation.

- I**ncrease transparency and accountability** by deploying our regulatory schemes, mandatory industry codes, and legislated Basic Online Safety Expectations to combat safety vulnerabilities in systems and drive systematic change.

- **Create regulatory partnerships** with a range of domestic and international stakeholders, particularly overseas agencies with a similar remit and like-minded governments, to make sure global online safety regulation is coherent, proportionate and effective. These partnerships will also seek to prevent a regulatory 'splinternet' that will impede proactive change and regulatory effect.

- **Build capacity and capability** by sharing operational knowledge and intelligence to help other jurisdictions establish successful, like-minded regulatory authorities, and taking the lead on building a global network of online safety regulators.

- **Focus on the future**, drawing on regulatory expertise, assessing and analysing complaint trends, and conducting research to anticipate the likely impact of transformative technologies such as the metaverse and Web 3.0.

Partnerships

Working with others to amplify reach and impact

Underpinning eSafety's operating model is a fourth "P": Partnerships.

A single entity working alone will not achieve the online safety outcomes we need across Australia. The internet is a complex and global environment, and to make an impact we must work with partners at home and around the world.

Safety online is an all-of-society responsibility that should know no borders or boundaries.

We operate in a multifaceted ecosystem populated by a wide spectrum of stakeholders. This includes young people, parents, carers, the technology industry, law enforcement agencies, the education sector, mental health services, and not-for-profit organisations. It also includes regulators that seek to combat a range of intersectional online harms – whether privacy, security, competition or consumer issues. None of us can achieve our desired impact without partnerships.

eSafety builds and nurtures partnerships at local, state, national and global levels and across many sectors of the economy. As a small office, we invest strategically in partnerships with a shared vision that helps us achieve our joint goals at scale.

Our issue remit is broad, as is our growing constellation of regulatory targets, so this collaboration becomes critical to helping us bolster our reach and impact.

We engage in a variety of ways, such as empowering NGOs through grants, building communities of practice for our Trusted eSafety Providers, serving on boards and government forums, sponsoring research, and collaborating on joint educational campaigns or through operational partnerships.

There are also consultation processes and formal stakeholder engagement mechanisms like our eSafety Advisory Committee and our Youth Advisory Council. Some examples of our partnerships are:

- WeProtect Global Alliance
- INHOPE
- Australian Centre to Counter Child Exploitation
- Canadian Centre for Child Protection
- Australian Banking Association
- World Economic Forum
- Organisation for Economic Co-operation and Development
- End Violence Against Children
- Digital Platform Regulators Forum (Office of the Australian Information Commissioner, the Australian Competition and Consumer Commission, the Australian Communications and Media Authority, and the eSafety Commissioner)
- Fiji Online Safety Commission

In line with the new legislated mandate for eSafety, we will make sure we are a data-driven organisation equipped with an operating model that ensures a seamless cycle of intelligence and insight-driven action in fulfilling our regulatory and educational role. This deep basis of insight will allow us to support and engage with partner agencies working on different aspects of online safety, and fulfil our mandated national coordination role for online safety activities.