

20 December 2023

UNICEF Australia submission to the Draft Industry Standards for Class 1A and 1B material

Dear eSafety Commission,

UNICEF Australia welcomes the opportunity to provide a submission to the consultation on the draft *Online Safety (Relevant Electronic Services (RES) – Class 1A and 1B Material) Industry Standard 2024* and draft *Online Safety (Designated Internet Services (DIS) – Class 1A and 1B Material) Industry Standard 2024*.

UNICEF Australia has remained engaged throughout the process of developing the Online Safety Codes for class 1A and 1B material, including through our previous submissions to the [initial round of codes](#), and then the second round of consultations on the [revised codes](#).

Our position today remains as it did then – we want Australia to be the safest place in the world for children to go online. In keeping with this, our approach to children’s safety should always be one seeking the highest level of protection without unduly limiting their rights, particularly when dealing with the most severe forms of content as these Standards do. To this end, we offer the following recommendations which we believe can further strengthen protections for children against these severe forms of content and harms:

- **Raise the age for default privacy settings** - as with the industry-drafted Codes, accounts will be defaulted to private for a ‘young Australian child’ in the RES Standard (defined as a child under age 16), meaning children aged 16 and 17 are not included in this privacy-preserving measure. We would like to see accounts for all Australian children under 18 defaulted to private to provide greater protection and reduce risk.
- **Raise the age for location broadcasting** - similarly, the broadcasting of location is only controlled by consent for children under 16 in the RES Standard. The location of children aged 16 and 17 will still be available to other end-users under the current proposal, so we would again like to see the same protections provided for a ‘young Australian child’ to all Australian children under 18 to bolster safety and reduce risk.
- **Ensure genuine development programs** - we welcome the measures in both Standards which commit service providers to development programs which reduce risk and improve protections for children, and particularly welcome the explicit mention of the WeProtect Global Alliance, an important international network of which UNICEF is a member. As with all initiatives of this nature, investments in development programs will only be impactful if they are undertaken in a genuine manner with an actual intention to improve protections for children. Accordingly, we would like to see this requirement strengthened so service providers are required to deliver development programs in good-faith and through measures that genuinely provide greater protections for children.

We acknowledge that our recommendations would see the Industry Standards diverge in part from the Online Safety Codes but we believe this is in the best interests of children as they will offer stronger levels of protection. Overtime, it would also be beneficial to see the Online Safety Codes brought into line with this increased level of protection. Another concurrent reform – the review of the Basic Online Safety Expectations – is likely to require online services providers to act in the best interests of children, so our suggestions here may actually aid in consistency of practice.

Finally, we would like to bring to your attention to other submissions to this consultation made by the Australian Child Rights Taskforce and its members, which are worth noting. Even where our views may differ, they share our intent to advance children's rights and provide the highest level of protection in children's best interests.

Should you have any questions relating to our submission, please do not hesitate to reach out to us.

Warm regards,

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