

From: s 47F [redacted]@x.com>
Sent: Friday, 24 January 2025 3:33 AM
To: eSafety Industry Affairs
Subject: Re: Request for input by COB 24/01 - Publication of photo from Joint Council workshop [SEC=OFFICIAL]

This is fine with me, thanks for asking.

On Wed, Jan 22, 2025 at 9:50 PM eSafety Industry Affairs s 22 [redacted]@esafety.gov.au> wrote:

OFFICIAL

Dear workshop participant

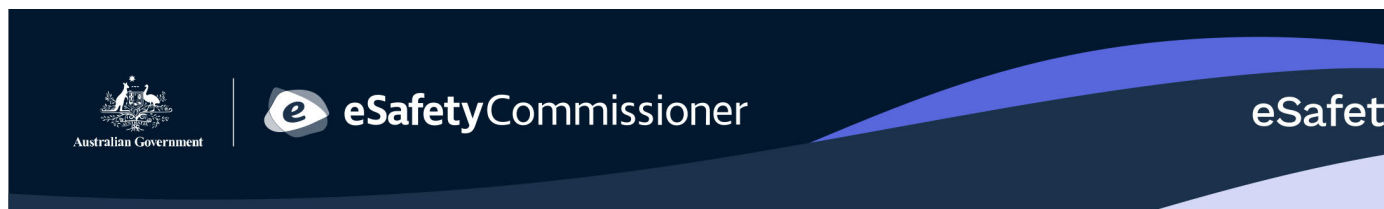
Thank you again for your participation and support of the Australia-US Joint Council workshop.

We have noted your preferences around photography that were provided ahead of the workshop, and would like to ask whether you are comfortable with the below photo being used in public posts about the workshop, including in posts by the eSafety Commissioner on LinkedIn? We confirm that no companies or individuals will be named in these posts.

We would be grateful for your reply by **COB 24 January**.

Kind regards

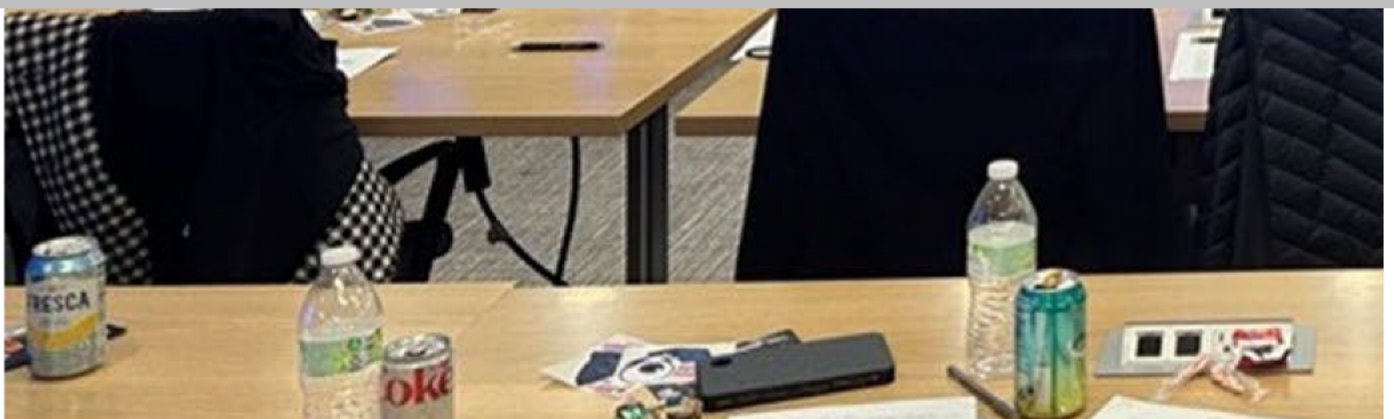
Industry Engagement and Enablement



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.



s 22, s 47F



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--



s 47F [redacted] | Legal
Washington, D.C.

s 47F [redacted] [@x.com](#)

From: eSafety Industry Affairs s 47E(d)@eSafety.gov.au>
Sent: Tuesday, 28 January 2025 3:53 PM
To: s 47F @x.com
Subject: Toolkit survey - Australia-United States Joint Council workshop on Safety by Design
Combatting Child Sexual Exploitation and Abuse [SEC=OFFICIAL]

OFFICIAL

Dear s 47F

Thank you for your participation in the Australia-United States Joint Council on Combatting Online Child Sexual Exploitation (CSEA) Safety by Design workshop. The Department of Homeland Security (DHS) and eSafety highlighted the workshop and planned next steps in a recently released joint media statement that can be seen here: [DHS statement](#) and [eSafety statement](#).

As discussed at the workshop, we are working on a toolkit for industry professionals that provides guidance on the implementation of Safety by Design to combat CSEA, including baseline practices, case studies, and innovative approaches. Your expertise and insights from the workshop will form the foundation of the toolkit and we are looking forward to continuing to collaborate with you on its development.

We ask that you complete this [brief survey](#) by **COB Friday 31 January** to share your thoughts about the toolkit's design and content, and to indicate your preferences for ongoing involvement in its development. You can complete the survey anonymously if preferred.

Thank you for your valuable contributions.

If you have any questions, contact s 47E(d)@[esafety.gov.au](#).

Kind regards

eSafety and DHS



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past and present.

From: s 47F [redacted]@x.com>
Sent: Tuesday, 18 February 2025 6:38 AM
To: s 22 [redacted]
Subject: Re: Request for access to industry standards and compliance codes Portal [SEC=OFFICIAL]

Hi s 22 [redacted],

Thanks for this. Will reach out if the need arises.

Best,

s 47F [redacted]

On Thu, Feb 13, 2025 at 7:56 PM s 22 [redacted]@esafety.gov.au> wrote:

OFFICIAL

Good to see you in the new role s 47F [redacted] – hope the move has gone well. Let me know if ever helpful to chat

s 22 [redacted]

From: s 47E(d) [redacted]@eSafety.gov.au>
Sent: Friday, 14 February 2025 6:44 AM
To: s 47F [redacted]@x.com
Cc: s 47F [redacted]@x.com>; s 47F [redacted]@x.com; s 47E(d) [redacted]@eSafety.gov.au>
Subject: RE: Request for access to industry standards and compliance codes Portal [SEC=OFFICIAL]

OFFICIAL

Dear s 47F [redacted],

Thank you for your email.

As communicated to X's legal representatives (Thomson Geer) on 12 December 2024, eSafety considers that X is required to comply with the *Online Safety (Relevant Electronic Services— Class 1A and Class 1B Material) Industry Standard 2024 (RES Standard)*, following its commencement on 22 December 2024.

In line with eSafety's [regulatory guidance](#) (page 15), and other communications with X, services that are required to comply with the RES Standard are not required to provide an annual compliance report in relation to the *Social Media Services Online Safety Code (Class 1A and Class 1B Material)* (**SMS Code**) for 2024.

However, if X wishes to provide a report on a voluntary basis, the link for doing so is here [eSafety Commissioner - Codes and Standards Industry Compliance Portal - Codes and Standards Industry Compliance Portal](#)

Let us know if you have any questions.

Kind regards,

eSafety

From: s 47F <[@x.com](#)>
Sent: Thursday, 13 February 2025 11:14 PM
To: s 47E(d) <[@eSafety.gov.au](#)>
Cc: s 47F <[@x.com](#)>; s 47F <[@x.com](#)>
Subject: Request for access to industry standards and compliance codes Portal

You don't often get email from s 47F <[@x.com](#)>. [Learn why this is important](#)

Dear Sirs

I am writing to request access to your industry codes and standards compliance portal, through which we will be able to submit our Compliance Report.

Kind regards

s 47F

X

S [@x.com](#) | S 47F

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S 47F

[@x.com](#)

From: s 47E/d
Sent: Tuesday, 8 April 2025 2:33 PM
To: s 47F @x.com
Cc: s 22 ; s 47F
Subject: Compliance with the Relevant Electronic Services Standard [SEC=OFFICIAL]
Attachments: 20250408 Letter to X re RES and CSAM.pdf

OFFICIAL

Dear s 47F ,

Please find attached a letter from s 22 , eSafety's acting General Manager of Regulatory Operations, in relation to the prevalence of child sexual abuse material on X, and X's compliance with the *Online Safety (Relevant Electronic Services— Class 1A and Class 1B Material) Industry Standard 2024*.

Could you confirm receipt of this correspondence.

Kind regards,

eSafety



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.

From: s 47F [redacted]@x.com>
Sent: Tuesday, 8 April 2025 6:05 PM
To: s [redacted]
Cc: s 47F [redacted] s 47F [redacted]
Subject: Re: Compliance with the Relevant Electronic Services Standard [SEC=OFFICIAL]

Thank you for your letter. I acknowledge receipt.

Kind regards

s 47F [redacted]
On Tue, 8 Apr 2025 at 05:32, s 47E(d) [redacted] <[s 47E\(d\)@esafety.gov.au](mailto:s 47E(d)@esafety.gov.au)> wrote:

OFFICIAL

Dear s 47F [redacted],

Please find attached a letter from s 22 [redacted] eSafety's acting General Manager of Regulatory Operations, in relation to the prevalence of child sexual abuse material on X, and X's compliance with the *Online Safety (Relevant Electronic Services— Class 1A and Class 1B Material) Industry Standard 2024*.

Could you confirm receipt of this correspondence.

Kind regards,

eSafety





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From: s 47F @tglaw.com.au>
Sent: Tuesday, 15 April 2025 9:22 AM
To: s 22 s
Cc: s 47F 47E(d)
Subject: Request for information from X Corp. [TGLAW-Legal.FID3298795]
Attachments: 2025-04-15 - Letter to eSafety - RES Standard.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: s 22

[Confidential]

Dear s 22
Please see attached correspondence.
Kind regards
s 47F
Thomson Geer
s 47F
Level 23, Rialto South Tower, 525 Collins Street, Melbourne VIC 3000 Australia
s 47F @tglaw.com.au | tglaw.com.au

Advice | Transactions | Disputes

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#####

Level 14, 60 Martin Place
Sydney NSW 2000 Australia

GPO Box 3909 Sydney NSW 2001

T +61 2 8248 5800
F +61 2 8248 5899

15 April 2025

s 22 @esafety.gov.au

s @esafety.gov.au

47E(d)

s 22

Office of the eSafety Commissioner
PO Box Q500
Queen Victoria Building NSW 1230

Dear s 22

Request for information from X Corp.

We act for X Corp.

We refer to your letter of 8 April 2025 addressed to s 47F.

Your letter asks our client to provide information in response to specific queries in relation to its management of child sexual abuse material on the X platform.

So that our client can properly consider how to respond to your letter, please identify the specific legislative power that the Commissioner is purporting to exercise in sending the letter to our client.

Our client should not be left to speculate as to which (if any) section of the *Online Safety Act 2021* (Cth) (the **Act**) is being relied upon by the Commissioner to request the provision of information by our client. As is plain from your letter, the Commissioner has various powers under the Act, which have different consequences for our client in terms of its rights and obligations.

Once the statutory basis for the request has been identified by the Commissioner, we will take instructions from our client.

In the circumstances, we expect our client will not be in a position to provide a substantive response by the deadline set in your letter.

Yours faithfully
Thomson Geer

s 47F

From: s 47E(d)
Sent: Thursday, 17 April 2025 8:25 AM
To: s 47F
Cc: s 47F; s 22; s 47F
Subject: RE: Request for information from X Corp. [TGLAW-Legal.FID3298795]
[SEC=OFFICIAL]
Attachments: 20250417 Letter to X Corp.pdf

OFFICIAL

Dear s 47F

Thank you for your correspondence of 15 April 2025, on behalf of X Corp. Please find attached a response from s 22.

Kind regards,

eSafety



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.

From: s 47F
Sent: Tuesday, 15 April 2025 9:22 AM
To: s 22; s
Cc: s 47F; 47E(d)
Subject: Request for information from X Corp. [TGLAW-Legal.FID3298795]

[Confidential]

Dear s 22

Please see attached correspondence.

Kind regards

s 47F
Thomson Geer
s 47F

Advice | Transactions | Disputes

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or distribute this e-mail without the author's permission. We have taken precautions to minimise the risk of
transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this
e-mail. We cannot accept liability for any loss or damage caused by software viruses.
#####

17 April 2025

eSafety FOI 25139
Document 10 of 22

s 47F

Dear s 47F

I refer to your letter of 15 April 2025 on the behalf of X Corp. in relation to eSafety's request for further information on the steps X Corp. is taking to manage the prevalence of child sexual abuse material on X.

eSafety has requested this further information to assess X's compliance with industry codes and standards made under the *Online Safety Act 2021* (the **Act**), particularly the *Online Safety (Relevant Electronic Services — Class 1A and Class 1B Material) Industry Standard 2024*.

eSafety is seeking this information from X Corp. as part of its general functions under section 27 of the Act, including to monitor compliance with the Act.

The questions in my letter of 8 April 2025 give X Corp. the opportunity to provide information to eSafety on a voluntary basis.

Where practical, eSafety's preference is to work with service providers to identify and resolve potential compliance issues quickly and efficiently, including by seeking information on a voluntary basis.

I seek your response to this letter by 24 April 2025, advising whether X Corp. intends to answer the questions set out in eSafety's letter of 8 April 2025 related to child sexual abuse material on X. This will enable eSafety to consider its next steps.

Yours sincerely,

s 22

From: s 47F @tglaw.com.au>
Sent: Thursday, 24 April 2025 8:12 PM
To: Codes; s 47F
Cc: s 47F ; s 22
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]
Attachments: 2025-04-24 - Letter to eSafety - RES Standard (90820875v1) (90967207v1).PDF
Follow Up Flag: Follow up
Flag Status: Flagged

[Confidential]

Dear s 22

Please see our correspondence **attached**.

Kind regards

s 47F

Thomson Geer

s 47F

Level 14, 60 Martin Place, Sydney NSW 2000 Australia

s 47F | tglaw.com.au

Advice | Transactions | Disputes

From: s 47E(d) @eSafety.gov.au>
Sent: Thursday, 17 April 2025 8:25 AM
To: s 47F @tglaw.com.au>; s 47F @tglaw.com.au>
Cc: s 47F @tglaw.com.au>; s 22 @esafety.gov.au>; s 47E(d) @eSafety.gov.au>
Subject: RE: Request for information from X Corp. [TGLAW-Legal.FID3298795] [SEC=OFFICIAL]

OFFICIAL

Dear s 47F

Thank you for your correspondence of 15 April 2025, on behalf of X Corp. Please find attached a response from s 22, eSafety's acting General Manager of Regulatory Operations.

Kind regards,

eSafety



eSafety Commissioner

eSafety



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.

From: s 47F <[redacted]@tglaw.com.au>
Sent: Tuesday, 15 April 2025 9:22 AM
To: s 22 <[redacted]@esafety.gov.au>; s 47E(d) <[redacted]@eSafety.gov.au>
Cc: s 47F <[redacted]@tglaw.com.au>; s 47F <[redacted]@tglaw.com.au>
Subject: Request for information from X Corp. [TGLAW-Legal.FID3298795]

[Confidential]

Dear s 22

Please see **attached** correspondence.

Kind regards

s 47F
Thomson Geer
s 47F
Level 23, Rialto South Tower, 525 Collins Street, Melbourne VIC 3000 Australia
s 47F <[redacted]@tglaw.com.au | [redacted]@tglaw.com.au>

Advice | Transactions | Disputes

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**eSafety FOI 25139
Document 12 of 22**Level 14, 60 Martin Place
Sydney NSW 2000 Australia

GPO Box 3909 Sydney NSW 2001

T +61 2 8248 5800
F +61 2 8248 5899

24 April 2025

s 22 [redacted] @esafety.gov.au

s [redacted] @esafety.gov.au

47E(d)

s 22 [redacted]

Office of the eSafety Commissioner
PO Box Q500
Queen Victoria Building NSW 1230

Dear s 22 [redacted]

Request for information from X Corp.

We refer to your letter of 17 April 2025 and note your request for a response by 24 April 2025.

In light of the recent public holidays over the Easter long weekend, we are not in a position to respond within that timeframe.

We are obtaining instructions and will respond by **8 May 2025**.Yours faithfully
Thomson Geer

s 47F [redacted]

From: s 47E(d) @eSafety.gov.au>
Sent: Monday, 5 May 2025 8:08 PM
To: s 47F @x.com; s 47F @x.com
Subject: Toolkit consultation - Safety by Design CSEA Workshop December 2024 [SEC=OFFICIAL]
Attachments: Attachment A - DRAFT CSEA SbD Toolkit - Industry feedback - May 2025.docx; Attachment B - DRAFT CSEA SbD Toolkit - Tools only - Industry feedback -May 2025.docx

OFFICIAL

Dear s 47F

We are reaching out to you following the Safety by Design CSEA workshop in December 2024. The workshop was insightful for industry and government and has provided us with rich insights applicable to all sectors in the fight against online CSEA.

Since then, we've been working hard to create a toolkit shaped by learnings from the workshop that will highlight the important work industry is doing to combat online CSEA through Safety by Design and encourage its broader adoption. The toolkit will include key information about CSEA, and outline strategies, tactics and practical tools (e.g. checklists) for companies of all sizes to combat the issue.

Toolkit core content – Attachment A

The core content of the toolkit will include:

- Standard introductory sections (Foreword, Overview, and Terminology).
- Online Child Sexual Exploitation and Abuse (CSEA) (General information, including who it impacts and perpetrators).
- How are online platforms and services used to facilitate CSEA? (Including a brief section on legal and regulatory obligations).
- The technology industry (information about what the tech industry are currently doing, barriers industry face, and a focus on cross-platform challenges).
- Opportunities to prevent, detect and disrupt CSEA going forward: a Safety by Design approach (information about emerging tech and priority areas, reporting workflows, cultural shifts, end-to-end encryption and AI).

Toolkit practical tools – Attachment B

- Tool A: Applying Safety by Design Principles in the prevention, disruption and detection of CSEA
- Tool B: Law enforcement reporting template (Australia, US)
- Tool C: Guidance for start-ups
- Tool D: CSEA risk checklist for product, service and features
- Tool E: Case Studies: examples of Safety by Design approaches to combat CSEA
- Tool F: References and other resources

The toolkit will be a webpage(s) on the eSafety website with individual tools available for download as PDFs.

Your feedback

We are seeking your feedback on the draft toolkit with particular attention to the tools at Attachment B. Your input will help ensure that the tools are fit for purpose and helpful for companies of different sizes and sectors, as well as employees across different professional streams.

You can provide feedback in two ways.

1. Written feedback by returning a marked up edit of Attachment B.
2. Verbal feedback and discussion at an upcoming online meeting on **Tuesday 20 May at 8am AEST (GMT+10)**. Please indicate if this is your preferred option.

Written feedback must be provided by **COB Friday 16 May**. There will be a second opportunity to provide red line feedback on the final draft prior to launch, which is anticipated for September.

Should you have any questions, please do not hesitate to ask via reply email.

Kind regards

Industry Insights and Enablement Team



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From: s 47F @tglaw.com.au>
Sent: Thursday, 8 May 2025 4:49 PM
To: s s 22
Cc: s 47F
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]
Attachments: 2025-05-08 - Letter to s 22 from eSafety regarding CSAM.pdf

[Confidential]

Dear s 22

Please see our correspondence [attached](#).

Kind regards

s 47F
Thomson Geer
s 47F
Level 14, 60 Martin Place, Sydney NSW 2000 Australia
s 47F @tglaw.com.au | tglaw.com.au

[Advice](#) | [Transactions](#) | [Disputes](#)

From: s 47E(d) @eSafety.gov.au>
Sent: Monday, 28 April 2025 4:10 PM
To: s 47F @tglaw.com.au>; s 47E(d) @eSafety.gov.au>; s 47F @tglaw.com.au>
Cc: s 47F @tglaw.com.au>; s 22 @esafety.gov.au>
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]

OFFICIAL

Dear s 47F,

Thank you for your correspondence of 24 April 2025, which noted that X Corp. will respond to eSafety's correspondence of 8 and 17 April 2025, by 8 May 2025. Your correspondence notes that an additional two weeks is required due to 'public holidays over the Easter long weekend'.

We note that it is X Corp.'s responsibility to ensure it has adequate personnel to ensure the safety of its service (section 17 of the *Online Safety (Relevant Electronic Services— Class 1A and Class 1B Material) Industry Standard 2024 (RES Standard)*) and to have policies and procedures in place to respond in a timely and appropriate manner to communications from the Commissioner about compliance with the RES Standard (section 26).

We are concerned by the priority that X Corp. appears to be attaching to the concerns in our correspondence of 8 April 2025, particularly given their gravity. We would expect X Corp. to prioritise these issues and our questions, regardless of its position on which industry code or standard applies to it. We urge X Corp. to respond promptly.

Kind regards,

eSafety

From: s 47F <[REDACTED]@tglaw.com.au>
Sent: Thursday, 24 April 2025 8:12 PM
To: s 47E(d) <[REDACTED]@eSafety.gov.au>; s 47F <[REDACTED]@tglaw.com.au>
Cc: s 47F <[REDACTED]@tglaw.com.au>; s 22 <[REDACTED]@esafety.gov.au>
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]

[Confidential]

Dear s 22

Please see our correspondence **attached**.

Kind regards

s 47F

Thomson Geer

s 47F

Level 14, 60 Martin Place, Sydney NSW 2000 Australia

s 47F <[REDACTED]@tglaw.com.au | [REDACTED]@tglaw.com.au>

Advice | Transactions | Disputes

From: s 22 <[REDACTED]@eSafety.gov.au>
Sent: Thursday, 17 April 2025 8:25 AM
To: s 47F <[REDACTED]@tglaw.com.au>; s 47F <[REDACTED]@tglaw.com.au>
Cc: s 47F <[REDACTED]@tglaw.com.au>; s 22 <[REDACTED]@esafety.gov.au>; s 47E(d) <[REDACTED]@eSafety.gov.au>
Subject: RE: Request for information from X Corp. [TGLAW-Legal.FID3298795] [SEC=OFFICIAL]

OFFICIAL

Dear s 47F

Thank you for your correspondence of 15 April 2025, on behalf of X Corp. Please find attached a response from s 22

Kind regards,

eSafety



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From: s 47F [redacted] <[redacted]@tglaw.com.au>
Sent: Tuesday, 15 April 2025 9:22 AM
To: s 22 [redacted] <[redacted]@esafety.gov.au>; s 47E(d) [redacted] <[redacted]@eSafety.gov.au>
Cc: s 47F [redacted] <[redacted]@tglaw.com.au>; s 47F [redacted] <[redacted]@tglaw.com.au>
Subject: Request for information from X Corp. [TGLAW-Legal.FID3298795]

[Confidential]

Dear s 22 [redacted]

Please see **attached** correspondence.

Kind regards

s 47F [redacted]

Thomson Geer

s 47F [redacted]

Level 23, Rialto South Tower, 525 Collins Street, Melbourne VIC 3000 Australia

s 47F [redacted] <[redacted]@tglaw.com.au> | <[redacted]@tglaw.com.au>

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From: s 47E(d)
Sent: Thursday, 8 May 2025 4:58 PM
To: s 47F; s 22
Cc: s 47F 47E(d)
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]

OFFICIAL

Dear s 47F,

Thank you for your correspondence. This is just to confirm receipt.

Kind regards,

eSafety

From: s 47F @tglaw.com.au>
Sent: Thursday, 8 May 2025 4:49 PM
To: s 47E(d) @eSafety.gov.au>; s 22 @esafety.gov.au>
Cc: s 47F @tglaw.com.au>; s 47F @tglaw.com.au>; s 47F @tglaw.com.au>
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]

[Confidential]

Dear s 22

Please see our correspondence [attached](#).

Kind regards

s 47F
Thomson Geer
s 47F
Level 14, 60 Martin Place, Sydney NSW 2000 Australia
s 47F @tqlaw.com.au | tqlaw.com.au

[Advice](#) | [Transactions](#) | [Disputes](#)

From: s 47E(d) @eSafety.gov.au>
Sent: Monday, 28 April 2025 4:10 PM
To: s 47F @tglaw.com.au>; s 47E(d) @eSafety.gov.au>; s 47F @tglaw.com.au>
Cc: s 47F tglaw.com.au>; s 22 @esafety.gov.au>
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Kind regards,

eSafety

From: s 47F <[redacted]@tglaw.com.au>
Sent: Thursday, 24 April 2025 8:12 PM
To: s 47E(d) <[redacted]@eSafety.gov.au>; s 47F <[redacted]@tglaw.com.au>
Cc: s 47F <[redacted]@tglaw.com.au>; s 22 <[redacted]@esafety.gov.au>
Subject: RE: Request for information from X Corp. [SEC=OFFICIAL] [TGLAW-Legal.FID4446049]

[Confidential]

Dear s 22

Please see our correspondence **attached**.

Kind regards

s 47F
Thomson Geer
s 47F
Level 14, 60 Martin Place, Sydney NSW 2000 Australia
s 47F <[redacted]@tglaw.com.au | [redacted]@tglaw.com.au>

Advice | Transactions | Disputes

From: s 47E(d) <[redacted]@eSafety.gov.au>
Sent: Thursday, 17 April 2025 8:25 AM
To: s 47F <[redacted]@tglaw.com.au>; s 47F <[redacted]@tglaw.com.au>
Cc: s 47F <[redacted]@tglaw.com.au>; s 22 <[redacted]@esafety.gov.au>; s 47E(d) <[redacted]@eSafety.gov.au>
Subject: RE: Request for information from X Corp. [TGLAW-Legal.FID3298795] [SEC=OFFICIAL]

OFFICIAL

Dear s 47F

Thank you for your correspondence of 15 April 2025, on behalf of X Corp. Please find attached a response from s 22

Kind regards,

eSafety



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.

From: s 47F @tglaw.com.au>
Sent: Tuesday, 15 April 2025 9:22 AM
To: s 22 @esafety.gov.au>; s 47E(d) @eSafety.gov.au>
Cc: s 47F @tglaw.com.au>; s 47F @tglaw.com.au>
Subject: Request for information from X Corp. [TGLAW-Legal.FID3298795]

[Confidential]

Dear s 22

Please see **attached** correspondence.

Kind regards

s 47F
Thomson Geer
s 47F
Level 23, Rialto South Tower, 525 Collins Street, Melbourne VIC 3000 Australia
s 47F @tglaw.com.au | tglaw.com.au

Advice | Transactions | Disputes

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#####

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intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: s 47F [REDACTED]@x.com>
Sent: Friday, 16 May 2025 11:33 PM
To: s 47E(d) [REDACTED]
Cc: s 47F [REDACTED]@x.com
Subject: Re: Toolkit consultation - Safety by Design CSEA Workshop December 2024
[SEC=OFFICIAL]

Thank you for sharing and for your effort to build this helpful toolkit. We do not have any additional feedback and look forward to its publication!



On Fri, May 16, 2025 at 2:58 AM Safety by Design s 47E(d) [REDACTED]@esafety.gov.au> wrote:

OFFICIAL

Dear s 47F [REDACTED]

This is a friendly reminder that the opportunity to provide written feedback on the toolkit closes **COB Friday 16 May**. If you prefer to provide verbal feedback through an online meeting, please let us know as soon as possible.

Kind regards

Industry Insights and Enablement Team

Note: The Industry Insights and Enablement Team email address has changed. We are now using s 47E(d) [REDACTED]@esafety.gov.au. For engagement related to eSafety's systemic regulatory regimes, please contact Industry Supervision at s 47E(d) [REDACTED]@esafety.gov.au.

From: s 47E(d) [redacted] <[\[redacted\]@eSafety.gov.au](mailto:[redacted]@eSafety.gov.au)>
Sent: Monday, 5 May 2025 8:08 PM
To: s 47F [redacted] <[\[redacted\]@x.com](mailto:[redacted]@x.com)>; s 47F [redacted] <[\[redacted\]@x.com](mailto:[redacted]@x.com)>
Subject: Toolkit consultation - Safety by Design CSEA Workshop December 2024 [SEC=OFFICIAL]

OFFICIAL

Dear s 47F [redacted]

We are reaching out to you following the Safety by Design CSEA workshop in December 2024. The workshop was insightful for industry and government and has provided us with rich insights applicable to all sectors in the fight against online CSEA.

Since then, we've been working hard to create a toolkit shaped by learnings from the workshop that will highlight the important work industry is doing to combat online CSEA through Safety by Design and encourage its broader adoption. The toolkit will include key information about CSEA, and outline strategies, tactics and practical tools (e.g. checklists) for companies of all sizes to combat the issue.

Toolkit core content – Attachment A

The core content of the toolkit will include:

- Standard introductory sections (Foreword, Overview, and Terminology).
- Online Child Sexual Exploitation and Abuse (CSEA) (General information, including who it impacts and perpetrators).
- How are online platforms and services used to facilitate CSEA? (Including a brief section on legal and regulatory obligations).
- The technology industry (information about what the tech industry are currently doing, barriers industry face, and a focus on cross-platform challenges).
- Opportunities to prevent, detect and disrupt CSEA going forward: a Safety by Design approach (information about emerging tech and priority areas, reporting workflows, cultural shifts, end-to-end encryption and AI).

Toolkit practical tools – Attachment B

- Tool A: Applying Safety by Design Principles in the prevention, disruption and detection of CSEA
- Tool B: Law enforcement reporting template (Australia, US)
- Tool C: Guidance for start-ups
- Tool D: CSEA risk checklist for product, service and features
- Tool E: Case Studies: examples of Safety by Design approaches to combat CSEA
- Tool F: References and other resources

The toolkit will be a webpage(s) on the eSafety website with individual tools available for download as PDFs.

Your feedback

We are seeking your feedback on the draft toolkit with particular attention to the tools at Attachment B. Your input will help ensure that the tools are fit for purpose and helpful for companies of different sizes and sectors, as well as employees across different professional streams.

You can provide feedback in two ways.

1. Written feedback by returning a marked up edit of Attachment B.
2. Verbal feedback and discussion at an upcoming online meeting on **Tuesday 20 May at 8am AEST (GMT+10)**. Please indicate if this is your preferred option.

Written feedback must be provided by **COB Friday 16 May**. There will be a second opportunity to provide red line feedback on the final draft prior to launch, which is anticipated for September.

Should you have any questions, please do not hesitate to ask via reply email.

Kind regards

Industry Insights and Enablement Team



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past and present.

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From: eSafety Commissioner
Sent: Wednesday, 21 May 2025 5:32 PM
To: s 47F @tglaw.com.au
Cc: s 22; s 47F @tglaw.com.au; s 22
Subject: Correspondence from eSafety Commissioner: X Corp. v eSafety Commissioner, Federal Court proceeding no. NSD751/2025 [SEC=OFFICIAL]
Attachments: CC25-0005_eSafety Commissioner_ Response to X re request for RES undertaking_21052025.pdf

OFFICIAL

Dear s 47F,

Please find attached correspondence from the eSafety Commissioner in response to your letter of 15 May, regarding X Corp. v eSafety Commissioner, Federal Court proceeding no. NSD751/2025.

Grateful if you could confirm receipt.

Kind regards

s 22

Office of the eSafety Commissioner

 esafety.gov.au



s 22



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21 May 2025

eSafety FOI 25139
Document 21 of 22

CC25-0005

s 47F

Thomson Geer Lawyers
By email: s 47F@tglaw.com.au

Dear s 47F

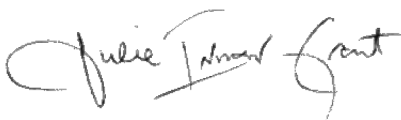
X Corp. v eSafety Commissioner, Federal Court proceeding no. NSD751/2025

We refer to your letter of 15 May 2025, seeking an undertaking that eSafety will not treat X Corp. as being subject to the *Online Safety (Relevant Electronic Services-Class 1A and Class 1B Material) Industry Standard 2025 (Cth) (RES Standard)*, until after the above proceedings have been finally determined by the Court.

The RES Standard requires service providers to minimise and prevent harms associated with access and exposure to the most harmful forms of online material on their services, such as child sexual abuse material. eSafety will not limit in any way its ability to investigate, in accordance with the requirements of the *Online Safety Act 2021 (Cth)*, possible non-compliance with the RES Standard, and take appropriate enforcement action.

eSafety maintains that the RES Standard applies to X Corp. and that X Corp. must comply with the relevant obligations. Accordingly, eSafety will not give an undertaking to X Corp. of the kind requested.

Yours sincerely,



Julie Inman Grant
eSafety Commissioner

From: S 47E(d)
Sent: Monday, 23 June 2025 8:46 AM
Cc: S 47E(d) @eSafety.gov.au>
Subject: Correspondence from the eSafety Commissioner - Codes and Standards (Class 1) [SEC=UNOFFICIAL]

Dear all,

As you are aware the *Online Safety (Relevant Electronic Services— Class 1A and Class 1B Material) Industry Standard 2024* and the *Online Safety (Designated Internet Services— Class 1A and Class 1B Material) Industry Standard 2024* (the **Standards**) were registered on 21 June 2024 and commenced on 22 December 2024. Five industry codes in relation to Class 1A and Class 1B material have also been in force since 16 December 2023, with another commencing on 12 March 2024 (the **Codes**).

eSafety stated in its [regulatory guidance](#) it would not take enforcement action until six months after commencement of the Standards, other than in exceptional circumstances. This 6-month period was intended to give services additional time to improve their compliance with the Standards. That period has now ended.

eSafety's compliance and enforcement priorities for applicable Industry Codes and Standards for the next six months are:

- i. key 'proactive' obligations, in particular the detection, disruption and deterrence of child sexual abuse material and pro-terror material;
- ii. ensuring user reporting mechanisms are compliant; in particular that they are clear, harm-specific, and reports are actioned appropriately and in a timely manner;
- iii. obligations in relation to generative AI;
- iv. safety by design/safety feature obligations, such as privacy by default settings for children's accounts; and,
- v. ensuring services have sufficient trust and safety resources, and that these possess appropriate skills, experience and qualifications to comply with applicable codes and standards.

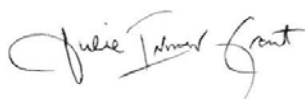
While these will guide our prioritisation of matters for enforcement, eSafety may take action in relation to any failure to comply with the industry Codes or the Standards, in particular where there is a risk to the online safety of Australians.

eSafety will continue to proactively monitor compliance, including through use of our investigation and information gathering powers, where appropriate. This may also involve testing of services to ensure certain required features or processes are present and compliant, and/or to ascertain the risks on a service.

In general, and subject to any submissions by providers, eSafety will publish details of enforcement action taken, in the interests of transparency and to ensure specific and general deterrence.

For the avoidance of doubt, receipt of this correspondence does not necessarily communicate any specific compliance concern, but is for the information of a wide range of services.

Your sincerely,



Julie Inman Grant
eSafety Commissioner



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