OUR PLAN

TO KEEP AUSTRALIANS SAFE ONLINE
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KEY POINTS

Keeping Australians safe is the Liberal and Nationals Government’s first priority.

The online world brings with it the ability to connect with people all over the world as never before.

But with these opportunities come new threats and challenges.

The Liberal and Nationals Government is committed to a safer online environment for all Australians, including families and children.

The online world is no longer an optional extra in people’s lives. The online world should not be an ungoverned space. The targets of online abuse and bullying should not be forced offline.

Instead, technology platforms, governments and other users must all play a part in making the internet safe.

It is why we have taken action to crack down on online predators as well as giving parents and carers the information and support they need to ensure their children’s safety in the online world.

We understand that Australians expect the laws and standards of behaviour that apply in the physical world should apply equally in the online world.

A re-elected Liberal and Nationals Government will:

- Support parents and carers to raise children who are responsible, resilient and respectful online as well as offline, by investing in new ideas to educate children about online safety, developing resources for parents, providing support for victims of cyberbullying, and increasing research. We will give parents more control over what their children see and do online, including by ensuring that online products marketed to children default to the most restrictive privacy and safety settings.
- Protect Australians from predators and abusive and illegal content, by introducing a new Online Safety Act, toughening penalties for online abuse and harassment, and supporting women’s online safety.
- Hold social media platforms and other technology firms to account so they put in place protections for their Australian users, including by mandating transparency reports from the major social media platforms, strengthening obligations for faster take-down and blocking of illegal extremist content, and establishing an Online Safety Charter laying out the Government’s expectations, on behalf of families and the community, of digital platforms.
• Work with the international community to prevent the internet and online world being weaponised by terrorists, including working through the G20 with technology firms to eliminate the ability of terrorists to use digital platforms to encourage, normalise, recruit, facilitate or commit terrorist and violent acts.

Only the Liberal and Nationals Government has a comprehensive plan to keep Australians safe in both the physical and online world.

OUR RECORD

The Government has been at the forefront of online safety regulation and has increased its investment in online safety each and every year in response to emerging issues and growing awareness.

We have changed the law to give greater protection to law-abiding citizens and to punish the creeps and crooks that seek to do them harm.

The Liberal and Nationals Government has provided funding for eSafety in excess of $100 million over four years.

The Government has led the world in online safety.

In 2015 the Liberal and Nationals Government established the world’s first Office of the Children’s eSafety Commissioner to help protect Australian children from cyberbullying and to take a national leadership role in online safety for children through education, advice and enforcement.

In 2015 the Liberal and Nationals Government legislated the world’s first kids’ cyberbullying material take-down regime, giving the eSafety Commissioner the power to direct social media organisations to take down materials and issue end-user notices to individuals. Failure to comply with these measures can lead to fines of up to $21,000 for an individual and up to $105,000 for a corporation, per day.

In 2016 the Government legislated to extend the remit of the Office of the eSafety Commissioner to cover all Australians in light of the office’s expanded responsibility.

In 2019 the Government legislated tough new penalties for online platforms that fail to remove abhorrent violent material in a reasonable time, providing protection for Australians, particularly children, from seeing violent crimes online.
National Online Safety Awareness campaign

The Liberal and Nationals Government launched a National Online Safety Awareness campaign to coincide with the National Day of Action against Bullying and Violence on 15 March 2019.

This campaign is boosting awareness of resources available to young people, parents and teachers to help children stay safe online and to assist those who experience harm online.

The eSafety Office has a range of online and educational tools and resources, as well as reporting mechanisms and support services for victims, to help keep Australian children safe online.

Parents, children and teachers need to know they can go to the Office of the eSafety Commissioner for help if things go wrong online. You can find more information at esafety.gov.au.

Image Based Abuse legislation

In 2018 the Government passed legislation which gives the eSafety Commissioner additional powers to combat image-based abuse, including revenge porn, by issuing ‘removal notices’ to websites, content hosts and social media providers.

There are civil and criminal penalties, including fines of up to $525,000 for platforms and $105,000 for individuals and jail time of up to seven years for aggravated offence.

The eSafety Commissioner can issue ‘take-down’, ‘service-cessation’ and ‘link-deletion’ notices to remove prohibited content or block access to prohibited services, such as child pornography and content advocating terrorism.

eSafety Women program

Technology facilitated abuse is an emerging issue for women, particularly vulnerable groups and those suffering from family, domestic or sexual violence.

The Liberal and Nationals Government has funded the eSafety Women program through the Office of the eSafety Commissioner. This program provides face-to-face workshops and online training for domestic and family violence front line workers, giving them the skills and confidence to better assist women experiencing technology-facilitated abuse. The eSafety Women website provides a range of resources to empower women to take control and use technology positively to safeguard themselves and their children.
OUR PLAN

Supporting Parents and Families

A National Approach

The Government will work with states and territories to develop national principles and a consistent approach to combatting criminal cyber-bullying and online harassment. This work would seek to address inconsistencies between approaches to criminal cyberbullying across Australia and include further work on a ‘right to be forgotten’ for victims of cyberbullying and abuse.

Further investments for research, awareness and grants for NGOs

Through the $17 million ‘Keeping Our Children Safe Online’ package, we are committing additional resources to support parents, teachers and carers of children under 5, funding a new online safety research program, an annual national eSafety survey, a national awareness campaign and the development of the Online Safety Charter.

We will invest $10 million for a new Online Safety Grants Program to enable non-government organisations (NGOs) to deliver practical online safety education and training projects.

Putting parents in control of what children see and do online

Too often games and apps marketed to children present unnecessary risks – such as inappropriate advertising, automatic in-app purchases and allowing personal information to be shared online without parental supervision. We believe that parents are the best people to decide what their children should be allowed to do online but many apps and games make it too hard to make those decisions. The Liberal and Nationals Government will work with technology firms (including social media platforms, app stores and ISPs) so that they:

- Make devices and services that are marketed to children default to the most restrictive safety and privacy settings at initial use or set up.
- Make available to domestic consumers the option of a filtered internet service that, at a minimum, blocks access to sites identified by the eSafety Commissioner.
- Ensure that information regarding online safety and parental control settings is available at all points in the supply chain including point-of-purchase, registration, account creation and first use.
- We will take legislative action if necessary. Keeping children safe is a necessity, not an optional extra.
Digital Pen Licence Review

A re-elected Liberal and Nationals Government will conduct an independent review of programs designed to assess children’s online safety skills – including Digital Licences and other tools.

Equipping our children and young people with the knowledge and practical skills they need to be safe online is critical.

There are a number of organisations doing good work in this space.

The review will look at the existing products available in the market. It will consider whether the current online safety training and testing tools are effective, and bring forward suggestions for any improvements that might be needed.

The review will also look at what makes a good competency-based program for teaching children these essential online skills – putting digital licences in the context of a suite of tools available to parents and educators. The review will be finalised in 2019.

Protecting Australians

A new Online Safety Act

The Liberal and Nationals Government will introduce a new Online Safety Act to consolidate regulatory arrangements and update them in light of changes in the digital environment.

The Briggs Review, tabled in Parliament in February 2019, found that the world-leading initiative of the Office of the eSafety Commissioner has achieved much success since it was established in 2015.

The Briggs Review made five recommendations, including the key proposal for a single, consolidated piece of online safety legislation, and including greater transparency and reporting requirements for industry.

The Government is committed to ensuring the best online safety arrangements and making the legislative framework the world’s best.

Tougher penalties

To send a clear message to criminals and predators that their actions online will not be tolerated, a Liberal and Nationals Government will toughen penalties for online abuse and harassment. This will also allow the courts to impose penalties in line with community expectations that online
crime should be treated as seriously as offline crime.

We will increase maximum penalties for those using a carriage service to menace, harass or cause offence under section 474.17 of the Criminal Code Act 1995 from three years’ imprisonment to five years’ imprisonment.

In the last Parliament we also tried to pass increased penalties for criminal behaviour online. The Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2017 stalled in the Senate because the Labor Party opposes mandatory minimum sentences for child sex offences.

A re-elected Liberal and Nationals Government will re-introduce this Bill which will increase penalties for certain offences including:

- Increased maximum penalties for a range of child sex offences, including offences that cover ‘grooming’, sexual activity with a child outside Australia, and using a carriage service to transmit indecent communication to a child.
- Setting mandatory minimum sentences for certain child sex offences, including:
  - Using a carriage service for child abuse material, engaging in sexual activity with a child using a carriage service and engaging in sexual activity (other than sexual intercourse) with a child overseas.
- Establishing new ‘aggravated’ offences and sentencing for the worst categories of crime, including aggravated offences for sexual intercourse or other sexual activity with a child outside Australia and offences involving conduct on 3 or more occasions and 2 or more people.

We will add an offence of providing electronic services to facilitate dealings with child abuse material.

- Currently, the Code does not specifically criminalise the provision of electronic services (e.g. websites or chat fora, often hosted on the dark web) to facilitate online dealings with child abuse material. This amendment will make it an offence for a person to provide an electronic service with the intention that the service will be used for access to child abuse material.

We will add an offence of ‘grooming’ third parties using the post or a carriage service to procure children for sexual activity.

- The new offences will criminalise the transmission of communications (using the post or a carriage service) to a third party who is not the child victim, with the intention of making it easier to procure a specific child for sexual activity.
Preventing and Reducing Violence against Women

Preventing and reducing violence against women has been a priority for the Liberal and Nationals Government. Research has indicated that 98 per cent of domestic violence workers have stated they have had clients who had experienced technology-facilitated stalking and abuse. In recognition of this particular issue, the Government will work with the states and territories to ensure that police and other frontline workers are equipped to respond quickly to incidents of online harassment and abuse.

Under the Fourth Action Plan to Reduce Violence against Women and their Children, a Liberal and Nationals Government will:

- Invest $1.5 million for the Office of the eSafety Commissioner to provide targeted advice to help women with an intellectual disability and/or communication difficulties to identify and report online abuse, and to enable the safety features on their devices and online accounts.
  - Research indicates that women with an intellectual disability are more vulnerable to technology-facilitated abuse.
  - The program will also include training for domestic and family violence frontline workers.
- Provide up to $2.5 million for the Office of the eSafety Commissioner to work with and assist Aboriginal and Torres Strait Islander women in communities across Australia to identify, report and protect themselves and their children from technology-facilitated abuse.
  - The program will develop a range of culturally appropriate resources for frontline workers to help them identify, understand and report technology-facilitated abuse, and ultimately empower the women they support to be safe online.

Holding Social Media Platforms and other Technology Companies to Account

If we don’t know the scale of a problem, we can’t address it properly. A Liberal and Nationals Government will mandate transparency reports from the major social media platforms on the number and type of response to reports and complaints about illegal abusive and predatory content by their users. We will align this work with the work already undertaken by the UK Government as part of their Online Harms White Paper process, including their draft transparency reporting template, to ensure a consistent approach across jurisdictions.

This work will build on the Government’s action in the wake of the Christchurch attack to strengthen obligations for faster take-down and blocking of illegal extremist content.

The Liberal and Nationals Government has created and passed into law two new offences:
• Making it a criminal offence for social media platforms not to remove abhorrent violent material expeditiously. A failure to do so would be punishable by fines of up to 10% of the platform's annual turnover or potential prison sentences for executives.

• Requiring social media platforms anywhere in the world to notify the AFP if they become aware their service is streaming abhorrent violent conduct that is happening in Australia. A failure to do this will be punishable by fines of up to $168,000 for an individual or $840,000 for a corporation.

**Online Safety Charter**

The Liberal and Nationals Government expects large technology firms and digital platforms to do more to ensure online safety, particularly for children.

While online safety will always be a shared responsibility, some social media and messaging services (among others) fall short of expectations, and are exposing our community to abusive conduct and harmful content.

A draft Online Safety Charter was released in February 2019, seeking public comments and feedback. A finalised Charter will set out expectations for industry to reduce online harm. The finalised Charter will inform digital platforms of the Government’s expectations on behalf of the community and, where necessary, will be given legislative backing.

**Social Media Platforms Taskforce**

A re-elected Liberal and Nationals Government will continue working with the Taskforce established by the Prime Minister in March 2019 in response to the terrorist attack in Christchurch, livestreamed online by the perpetrator.

The Taskforce has representatives of the social media platforms and internet service providers working with key government agencies to identify and implement practical measures to see offensive, violent and illegal material identified more quickly and taken down faster and with greater transparency.

The key areas of focus are:

• Prevention and protection – including detecting, blocking, and instantaneous and faster takedown options for violent terrorist material.

• Transparency – improving transparency of the actions taken by platforms and ISPs in relation to violent terrorist material.

• Deterrence – enhancing responsibility for the upload and distribution of violent terrorist material by individuals, platforms and ISPs.
The work of the Taskforce will be considered in the development of new mandatory transparency requirements, and the online Safety Charter, to be introduced by a Liberal and Nationals Government.

**Consumer Privacy**

A re-elected Liberal and Nationals Government will develop amendments to the Privacy Act 1988 to protect Australians’ privacy online and ensure that social media companies and online platforms do not misuse personal information they collect, particularly about children.

We will introduce increased penalties for all entities covered by the Privacy Act from the current maximum penalty of $2.1 million for serious or repeated breaches to the greatest of $10 million, three times the value of any benefit obtained through the misuse of information or 10 per cent of a company’s annual domestic turnover.

The Office of the Australian Information Commissioner (OAIC) will be given new infringement notice powers backed by new penalties of up to $63,000 for bodies corporate and $12,600 for individuals for failures to cooperate with efforts to resolve minor breaches.

The Information Commissioner will create a privacy code specifically targeted at social media companies and online platforms. The code will expand on and strengthen requirements that are already in place to protect individuals’ privacy in the Privacy Act.

We will also require that social media companies stop using or disclosing an individual’s personal information upon request and establish specific rules to protect the personal information of children and other vulnerable groups.

The OAIC will also be able to ensure breaches are addressed through external reviews and/or the requirement that organisations publish notices about specific breaches and ensure that those directly affected are informed.

To the extent that social media and online platforms may already have these additional protections in place, the Government’s reforms will ensure those protections are legally enforceable in Australia under the Privacy Act with penalties for non-compliance.

**Digital Platforms Regulation Inquiry**

Digital platforms are where many Australians consume their news and current affairs. They have become primary destinations for many Australians to seek and access a variety of information. Digital platforms have also become key players in the advertising market, which has had implications for traditional media platforms.
A re-elected Liberal and Nationals Government will conduct a Senate Committee Inquiry into digital platforms, their role as publishers and the need for further regulation. This inquiry will include an examination of the provisions of the Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019 to consider whether refinements are necessary.

This will build on the findings and recommendations of the world-leading ACCC Digital Platforms inquiry, which is due to deliver its final report in June.

**Working with the International Community**

A re-elected Liberal and Nationals Government will re-double efforts through the G20 to fight exploitation of the internet for terrorist purposes, including by working with the private sector to remove terrorist content. This will put the 2017 Hamburg G20 Leaders’ Statement on Counter-Terrorism into action. The notion of the law applying equally online and offline was an underlying principle of that statement.

A re-elected Liberal and Nationals Government will work with G20 Leaders at the June 2019 Osaka Summit to ensure technology firms meet obligations regarding:

- Prevention and protection: working with and ensuring that industry implements prevention measures, including appropriate filtering, detecting and removing of content by those who encourage, normalise, recruit, facilitate or commit terrorist and violent activities;
- Transparency: the public is entitled to know, in detail, what technology firms are doing to monitor illegal and extremist content, how they manage reports of such content, and the number of types of complaints; and
- Deterrence: work with G20 Leaders to ensure that there are clear consequences not only for those who carry out such horrific acts, but for those who facilitate them.

Through this initiative the global community of governments and technology firms can work together to keep our communities, particularly our young people, safe.

**Cyber Security**

In addition to the work we are investing in through the Office of the eSafety Commissioner we will also invest $26 million to expand the role of the Australian Cyber Security Centre to help businesses and families address cyber security issues and help to support the wider Australian economy. This includes:

- Developing a comprehensive online cyber security training program, which focusses on providing practical cyber advice for small businesses, older Australians and Australian families. This will help them to avoid becoming victims of increasingly sophisticated cyber criminals, especially in relation to online transactions, identity theft and internet banking.
- Expanding the ACSC’s 24/7 hotline for reporting cyber security incidents to include a dedicated helpdesk for small and medium sized businesses, older Australians and families.
Evidence suggests that 43 per cent of cyber attacks cost small businesses on average $10,000 per attack and that they have limited knowledge and capacity to protect themselves or recover after a cyber security incident.

The help desk will employ specially trained staff who can provide tailored technical cyber security advice for these groups, including advice that prevents, and responds to, cyber security incidents.

The help desk will provide free advice and support to those recovering from a malicious cyber incident – such as data breaches, scams, fraud and identity theft – to equip them to get back on line.

THE CHOICE

Only the Liberals and Nationals can be trusted to do what is necessary to keep Australians safe online.

We know that online safety requires a whole-of-community approach where resources are made available to parents and carers, to teachers and early childhood educators and to the end users themselves.

We know that industry has the resources and technological capability to address many of the problems found online. What has been sometimes lacking is the will.

The Labor Party will tell you that they care about online safety too. But Labor shadow minister Ed Husic has said that the powers that allow security agencies to access encrypted communications of criminals and terrorists are “terrible laws”.

In the last Parliament we also tried to pass increased penalties for criminal behaviour online. The Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2017 stalled in the Senate because the Labor Party opposes mandatory minimum sentences for child sex offences.

It was the Liberal and Nationals Government that acted quickly to stop social media platforms being weaponised by terrorists in the wake of the Christchurch attack, passing the Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019, to limit the spread of extremist terrorist material online.

The Liberal and Nationals Government will continue working to keep Australians safe – online and on the street.
THE COST

The Liberal and Nationals Government’s Plan to Keep Australians Safe Online will not place additional costs on the Budget.