

20 March 2023

**UNICEF Australia submission to the revised Online Safety Codes consultation**

UNICEF Australia welcomes the opportunity to provide a submission to the second-round consultation on the Online Safety Codes.

As outlined in our submission<sup>i</sup> to the first-round consultation, UNICEF Australia seeks an online world that positively contributes to the healthy development and wellbeing of children. To make this vision a reality, we will need to strengthen the laws that govern the online world and the Online Safety Codes are an important step on that journey. The decisions we make now will set the foundation for years to come, therefore as we move to regulate this space, we must carefully consider our choices so as not to introduce new risks into the fold.

UNICEF Australia wants Australia to be the safest place in the world for children to go online. We should be aiming for the very best with our ambition set on being an innovative world-leader in best practice. 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 Codes do.

To this end, we believe most of the recommendations from our first-round submission remain relevant for this consultation. The Online Safety Codes would benefit from broadening their scope and lifting their ambition to provide greater protection for children and young people in line with a more holistic understanding of the harms they face online. Some examples of where this could take place in the revised Codes include lowering the threshold for reporting child sexual exploitation material under the Social Media Services and Relevant Electronic Services codes, and raising the age at which default privacy settings kick in under those same codes, to protect children from unwanted contact and location sharing. Broadly though, the Codes would be improved by taking a more holistic view of the harms and risks that children face online in line with the widely used 4Cs typology – covering not just the risk from exposure to Content, but also from Contact with stranger adults, from their own harmful Conduct, and from Commercial risks.<sup>ii</sup>

Similarly, in keeping with our existing recommendations, we believe the revised Codes would better protect children by embedding a rights-based approach which considers all their rights. We acknowledge that the revised codes give reference to 'the rights and best interests of children' and believe they would benefit by explicitly outlining those children's rights that are most relevant to the digital environment and how they may be affected, to aid industry participants in demonstrating that their compliance measures are reasonable with regard to children's rights.

UNICEF Australia would like to acknowledge the hard work that has gone into these Codes from industry groups, from those who have responded to the consultations, and from the eSafety Commission. We are eager to work collaboratively with all involved to make Australian the safest place in the world for children to engage with digital environments.

Warm regards,

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<sup>i</sup> See <https://assets-us-01.kc-usercontent.com/99f113b4-e5f7-00d2-23c0-c83ca2e4cfa2/6eba152d-1538-4877-bcf6-a745e3c0bca6/UNICEF%20Australia%20submission%20on%20the%20Draft%20Industry%20Online%20Safety%20Codes.pdf>

<sup>ii</sup> Sonia Livingstone & Mariya Stoilova (2021), *The 4Cs: Classifying Online Risks to Children*. <https://doi.org/10.21241/ssoar.71817>