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**Submission by the Synod of Victoria and Tasmania and the Synod
of Western Australia, Uniting Church in Australia to the
consultation on amending the *Online Safety (Basic Online Safety
Expectations) Determination 2022*
16 February 2024**

The Synod of Victoria and Tasmania and the Synod of Western Australia, Uniting Church in Australia, welcome this opportunity to make a submission to the consultation on amending the *Online Safety (basic Online Safety Expectations) Determination 2022*.

The Synods are deeply concerned about serious human rights abuses that occur online or are facilitated online, including child exploitation. The Christian faith, as understood by the Uniting Church in Australia, teaches that all people are made in the image of God and all are valuable. There is a need to protect the most vulnerable from abuse and exploitation.

In 2021, the Synod of Victoria and Tasmania meeting of hundreds of congregation representatives from across Victoria and Tasmania passed the following resolution:

The Synod acknowledges:

The gospel calls us to relate to each other with love, treating each other with dignity and respect, and to condemn exploitation and abuse of vulnerable people. God's people are called to pursue justice including by empowering those who are exploited and abused.

The covenanting relationship between the Uniting Church in Australia and the UAICC, as we pursue justice together.

In our age, there is a need to prevent and address human rights abuses online, including acting against the promotion and facilitation of child sexual abuse.

It is the role of Parliament, through the laws it passes, to provide the framework for how law enforcement agencies and the courts can access information and people's communication online. This is not a role for technology corporations.

The Synod resolved:

(a) To commend the Commonwealth Government for their preparedness to act to make the online world a safer place for everyone.

(b) To call on the Commonwealth Government to ensure that the laws governing social media and the online world give law enforcement agencies the tools and budgets they need to prevent and address harms online. Such laws need to:

- 1. Be effective and expedient to maximise the number of cases of harm that can be prevented and to ensure that evidence is not destroyed*
- 2. Provide appropriate protections for the privacy of people not engaged in inflicting harm on others or criminal activity without undermining the ability of law enforcement agencies to address serious online harms;*
- 3. Provide thorough oversight and transparency on how law enforcement agencies use the powers they are provided with; and*
- 4. Provide adequate sanctions to deter any misuse of powers granted to law enforcement agents*

(c) To commend the Commonwealth Government for its resourcing of the e-Safety Commissioner to educate the community about online safety.



- (d) *To call on the Commonwealth Government to ensure Australian law enforcement agencies work effectively with overseas law enforcement agencies to investigate and gather evidence of child sexual exploitation that have partly or wholly taken place in Australia or involving Australian residents.*
- (e) *To call on the Commonwealth Government to ensure Australian law enforcement agencies take reasonable steps to guarantee information provided to overseas law enforcement agencies will not itself be used to perpetrate human rights abuses.*

The Synods support the proposed *Online Safety (Basic Online Safety Expectations) Amendment Determination 2023* as addressing emerging areas of risk and harm in the online world and enhancing the existing provisions of the *Online Safety (Basic Online Safety Expectations) Determination 2022*.

In terms of recommender systems, we are concerned at the evidence that platforms design their algorithms to maximize attention on their site by serving up extreme content that makes people feel angry and outraged, but will also radicalize a few.¹ Thus, it would be helpful to expand on the definition of “harmful” in the recommender requirements so that a provider of a recommender system will take reasonable steps to ensure their system does not recommend content that a reasonable person would regard as extremist or that may assist in radicalizing a person towards racially or religiously motivated hatred towards others

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¹ Johann Hari, “Stolen Focus. Why you can’t pay attention” (London: Bloomsbury Publishing, 2022) 125-131, 136.