

20 June 2024

Director – Strategy and Research
Online Safety, Media and Platforms Division
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Submitted online

Submission to the Statutory Review of the Online Safety Act 2021

We are pleased to have the opportunity to provide a submission to the Statutory Review of the Online Safety Act 2021

Introducing Qoria

Qoria develops and implements technology solutions and programs to promote the safe use of technology by children in schools and homes. Currently, we support 6 million parents and 27 thousand schools in their efforts to maintain online safety for children.

Our submission focusses on a fundamental gap in the Online Safety Act which leaves Australian kids unsafe and Australian school wellbeing programs behind the rest of the world.

The issue: Providers of online safety technology e.g. school filtering and parental control software are not a 'section of the online industry' as defined in Section 135 of the Online Safety Act.

Section 135 of the Act identifies the “sections” of the Online Safety Industry. These **sections** are subject to the act and associated regulations.

The exclusion of the online safety technology industry from the Online Safety Act is incongruous but also has profound implications.

a) Online safety technology providers are not included

Online safety technology providers are the only technology providers paid to keep kids safe and support parents and schools. Our industry is truly aligned with the community yet through this exclusion our industry has no standing to participate in the development of codes & standards.

b) Online safety technology providers should have expectations set

Online safety technology providers are the guardians of what kids access on personal devices and at schools. The performance of the services are vital to the health and wellbeing of our kids.

These services should operate under the basic online safety expectations regime however being excluded as a “Section” they are not.

c) Online safety technology providers are not able to operate lawfully

Under the Federal Criminal Code it is illegal to collect child sexual abuse material, even inadvertently, unless a) it is done so as part of justice work; b) it is done for the eSafety Commissioner; or c) if it is performed as part of filtering within an industry code/standard.

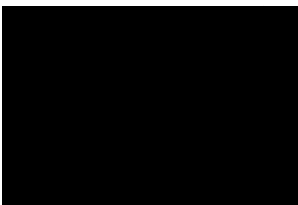
Because the online safety technology industry has been excluded from the Online Safety Act the providers of filtering technology for Australian schools are unable to implement life saving monitoring & safeguarding technology. Such methods are becoming normal practices in the UK and US where for example student monitoring is now mandated under the UK’s Keeping Children Safe in Education regime..

This is because carve outs for inadvertent collection of CSAM in the Criminal Code are limited to industries identified in the Online Safety Act.

This is a substantial oversight and leaves Australian kids unsafe and Australian school student wellbeing programs behind the rest of the world.

We urge that the Online Safety Act be amended such that online safety technology providers are a section of the industry and thus subject to BOSE, codes and standards.

Yours sincerely



Tim Levy
Managing Director
Qoria Limited