



# Consolidated Industry Codes of Practice for On-line Class 1 Content

## Community Research

September 2022

COMMISSIONED BY THE DIGITAL INDUSTRY GROUP INC. (DIGI) & COMMUNICATIONS ALLIANCE



# Headline Findings

- While Australians are comfortable with regulation of child exploitation and terrorism material, we encounter quite a mixed public view of the proposed industry codes (the Code) to regulate ‘restricted’ on-line content. Even what type of content is restricted, legal or illegal is unclear to them.
- Just over half do support the idea of the Code when prompted to think about it, but this sentiment is based on the aim of the regulations and low current awareness, and is therefore weak in intensity. The public require more information to strengthen such support, with a ‘surprise’ implementation presenting a risk to achieving general public acceptance.
- We identify numerous areas where public expectations of the Code’s design and implementation might create issues. These must be carefully considered, notably:
  - 89% did not believe that the Code should cover all the digital services being considered, and they are particularly sensitive to the scanning of personal devices, private storage and one-to-one messages.
  - 80% believed that there should be a suspicion of possessing or sending restricted material before scanning is performed, with 78% agreeing that a warrant should be in place first.
  - 79% did not find all the potential consequences of detection of restricted materials (deletion, suspension or reporting) acceptable, with 59% preferring that detected materials is flagged with warnings instead.
  - 71% did not think that all categories of restricted content should be scanned for either, and where they are searched 65% stated that the technology should be 100% accurate before being used.
  - 45% disagreed with the basic premise, preferring that restricted content not be scanned for.
  - Many are confused on what is illegal and restricted, and differ in expectations of what should be covered.

- Background & Aims
- Research Methodology



# Project Introduction



# Project Background & Aims

Digital technology companies are, by definition, 'new' and therefore present new opportunities and challenges. Many opportunities and advantages are already well-embedded; a new workplace and market, enabling commerce and communications, linking people, organisations and causes on-line.

However, the industry has also had to tackle the issues associated with the rapid growth of this technology, including an unprecedented access to almost limitless content. This research study is designed to capture and understand community sentiment in relation to certain types of content, and touching on issues relating to privacy, security and democratic freedoms.

The eSafety Commissioner has tasked industry associations with the development of industry codes under Part 9, Division 7 of the Online safety Act. Digital Industry Group Inc. (DIGI) and Communications Alliance are two of six industry associations that have developed a proposed consolidated Code for the eight sections of the industry within scope of the proposed codes.

The draft Code contains a series of measures which will (if registered) regulate how they deal with certain categories of 'restricted content' under the National Classification Scheme, including child sexual exploitation material, pro-terror, crime and violence and drug related materials.

The eSafety Commissioner has provided a position paper that outlines their expectations concerning the content of the Code and detailed feedback about the draft codes released for public consultation. Among other industry bodies, DIGI and Communications Alliance have contributed to drafting the codes.

In order to make the most valuable contribution to this consultation process, DIGI and Communications Alliance have commissioned this independent research study (conducted by Resolve in September 2022) to provide an evidence-base of the true needs, experiences, views and expectations of the general public and service users.



# Survey Research Methodology

This survey comprised an **n=1,501 nationwide sample** representative of Australians aged 16+ years, and has a notional +/-2.5% margin of error. This sample was gathered between **13<sup>th</sup> – 18<sup>th</sup> September 2022** using the best quality on-line research panels. In addition to basic geo-demographic and lifestyle variables, the core questions were in three parts:

## Foundational Views

A series of **attitudinal questions**, typically using agree-disagreement scales.

Designed to understand the basic attitudes of the public and users on content, privacy, freedoms and regulation.

Asked before any other questions and separately to specific content or regulation.

## Code Preferences

After a basic introduction to 'restricted content' and the Code, respondents were asked to provide **opinion** on:

- Categories of content.
- Profiles (ages) of users.
- Types of digital services.
- The parties involved.
- The methods involved.
- Consequences for users.
- Expectations of gov.

## Scenario Testing

And, to better understand the specificity, reasoning and depth behind these views, respondents were provided with **real-world scenarios**.

In each case, they were asked whether they deemed the activity illegal or restricted, and whether they felt it should be scanned under the Code.

# Notes on Methodology

The survey was conducted using industry best practice, and we have included the survey questionnaire and sampling details in the appendices. The research is entirely replicable, and we invite others to confirm and build upon these findings to add value to the consultation process.

In addition to the core survey, a small sample (n=8) of one-on-one depth interviews were conducted as an initial investigative and piloting exercise. With such a new and complex topic, it was important that we had a qualitative means to interpret results and that the survey asked the right things in the right way.

Where possible and appropriate, the survey employed language and terms taken directly from the consultation papers for accuracy, but we have attempted to make it more understandable to the layperson. For example:

- Not one of the interviewees recognised the terms 'Class 1 content' or 'restricted content', and we found that a clear explanation of the subject matter was required before respondents could provide useful feedback.
- The technical processes involved in detecting and removing content, e.g. 'hashing', were not easily understood in many cases, so the description of operations needed to be simplified using generic terms.
- In particular, the survey uses the term 'scanning' to describe the process of detection, whether proactive and wholesale or targeted, as this made intuitive sense and was a less negative loaded term than 'monitoring' or 'surveillance'.

We note that the survey took place immediately before the Optus data breach, and does not reflect any changes in attitudes or opinions, temporary or permanent, that may have resulted from that, e.g. a higher sensitivity to privacy and security or a distrust of those dealing with data.

- Digital Service Users
- Foundational Views

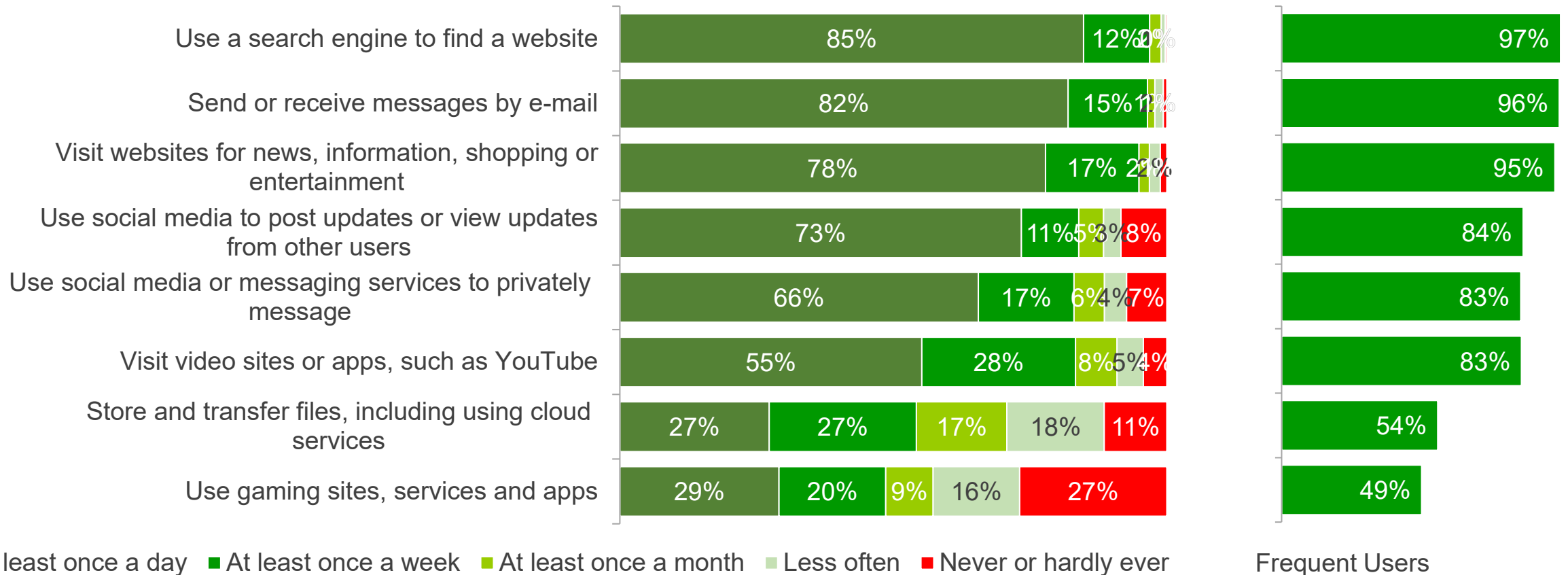


# Context: The Audience



# Digital Service Users

As background, we find that a majority of Australians are using several digital services at least once a day, with search engines, websites, e-mail and social media most common. With 61% of Australians 'high users' (using digital services in five or more ways a day) this is clearly a subject that will touch a large portion of the populous when it becomes a reality.

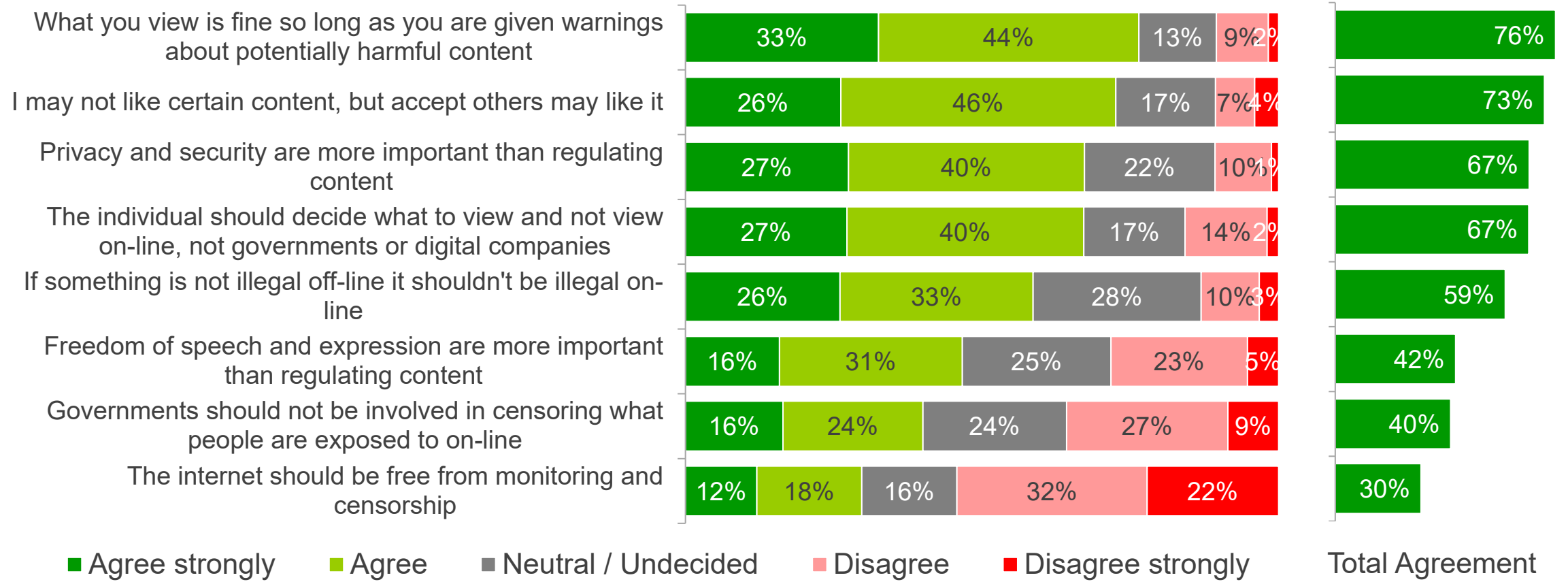






# Foundational Views

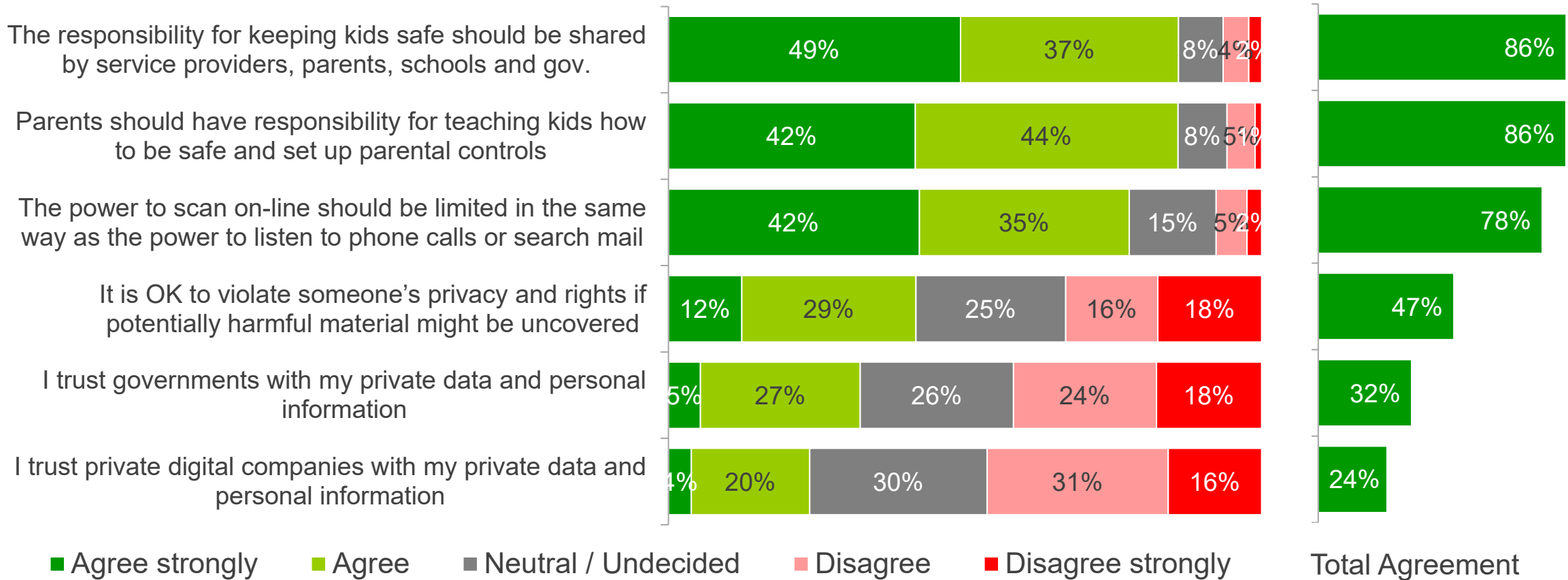
When prompted to think about on-line content, there is strong agreement with having an element of personal choice in viewing and using it, with the preference for warnings over governments making this choice (especially when something is not illegal on or off-line). And while we find only a minority agree that the internet should be completely free of monitoring and censorship...





# Foundational Views

...it is clear that they are also not enamoured of the idea of governments or private companies having free rein on this point. The stronger preference is to have a shared responsibility that at least involves (if not defers to) parents, and to extend the same practices that would apply to monitoring phone calls, e-mails or searching a home to on-line scanning, e.g. targeted warrants, rather than violating privacy.



Q10) Now thinking about on-line issues and your own preferences, below are some things that other people have said about this topic. For each, 10 please tell us whether you agree or disagree with what's being said. Base: n=1,501 (All). N.B. Ordered by agreement.

- Awareness of Existing Action
- Awareness of New Code
- Expectations of Gov.



# Awareness & Consultation



# Introduction to Subject

The study then moved to the more specific assessment of people's views of 'restricted content' and the proposed regulation of it (including the industry Code, associated laws and actions). These topics were carefully introduced in initial awareness questions as follows:

Q14) Digital service providers can be required to assist law enforcement authorities to access people's electronic services and devices to detect suspected illegal activities, such as terrorism or child exploitation.

Q15) Separately, Australia's online safety regulator is now asking digital service providers to detect and remove a broader range of harmful online content in a more proactive way through enforceable Industry Codes.

In addition to illegal and harmful content, the codes will cover 'restricted content'. This is not necessarily illegal, but it would not be sold in shops or shown in cinemas because some adults may find it harmful or offensive, and it is deemed unsuitable for children under the 'restricted' film classification system.

'Restricted content' might include; scenes of real or simulated high-impact or violence; real or simulated pornography; real or simulated drug use and other crimes. Included in simulated content are things like text descriptions, acting or special effects in films, computer game scenes and animation.

Under the proposed codes, digital service providers may be required to scan for and remove restricted materials from a range of services such as social media services, messaging and gaming services and file storage services.

Q14) ...Before today, were you aware that digital service providers can be required to assist government agencies to gain access to people's online services and devices to detect illegal activities? Base: n=1,501 (All). Q15) ...Before today, were you aware of the proposal that digital services scan people's files and accounts for 'restricted content' and remove it? Base: n=1,501 (All).

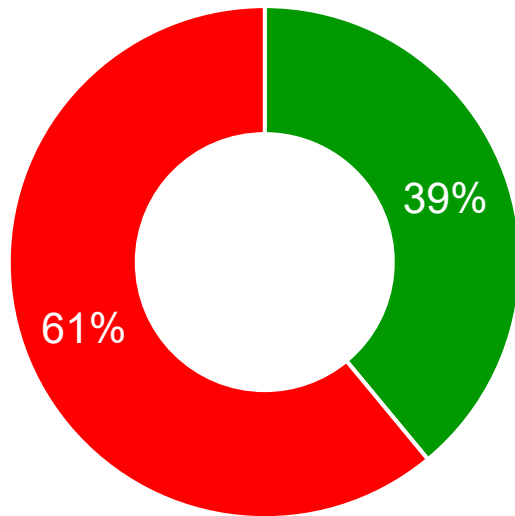


# Awareness of Existing Action & Proposed Reg.

Over a third of Australians report being aware that governments can request digital service providers to assist in scanning for and removing the most extreme content (CSEM and terrorism), with the example of the Christchurch gunman attack recognised in qualitative interviews.

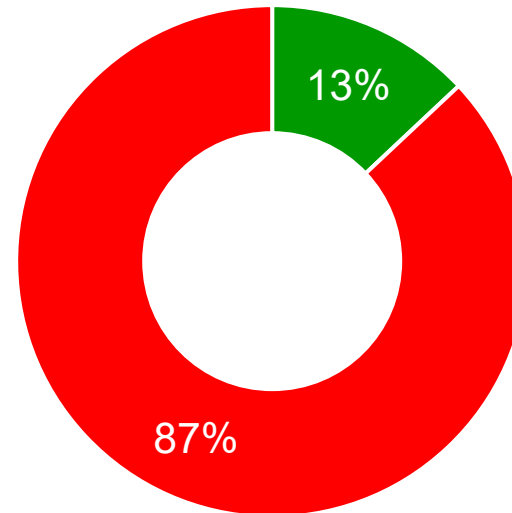
However, only one-in-eight have any meaningful awareness (prompted) of the proposed extension of this concept to regulation of 'restricted content'. This is going to be 'fresh news' to most.

**Awareness of Existing Action**



■ Yes ■ No

**Awareness of Proposed Regulation**



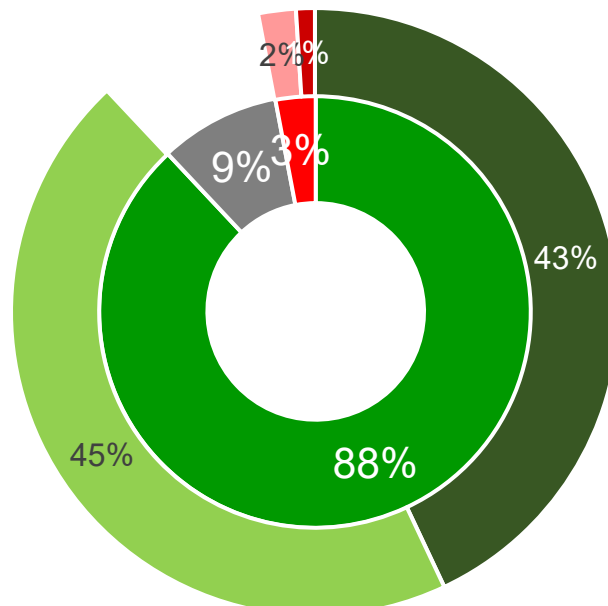
■ Yes ■ No

Q14) ...Before today, were you aware that digital service providers can be required to assist government agencies to gain access to people's online services and devices to detect illegal activities? Base: n=1,501 (All). Q15) ...Before today, were you aware of the proposal that digital services scan 13 people's files and accounts for 'restricted content' and remove it? Base: n=1,501 (All). N.B. Displaying 'definitely aware' as the reliable measure

# Expectations of Gov.: Info. & Consultation

Critically, when asked at the conclusion of our survey whether they would expect significant public information and consultation on this new policy before it is implemented, Australians were very strongly in favour of this. It is very likely that such a potential ‘surprise’ presents a significant risk to community acceptance.

**Gov. Should Inform & Consult**



■ Agree strongly ■ Agree ■ Unsure ■ Disagree ■ Disagree strongly

Q28) Introduction of these new regulations to tackle ‘restricted content’ would be a world first and it will be important to get it right. Some people have said that this should include significant public consultation and information campaigns so that everyone is aware of what is happening and has a chance to have their say. Do you agree or disagree that the government should undertake significant public consultation and information campaigns before implementing the new regulations? Base: n=1,501 (All). 14

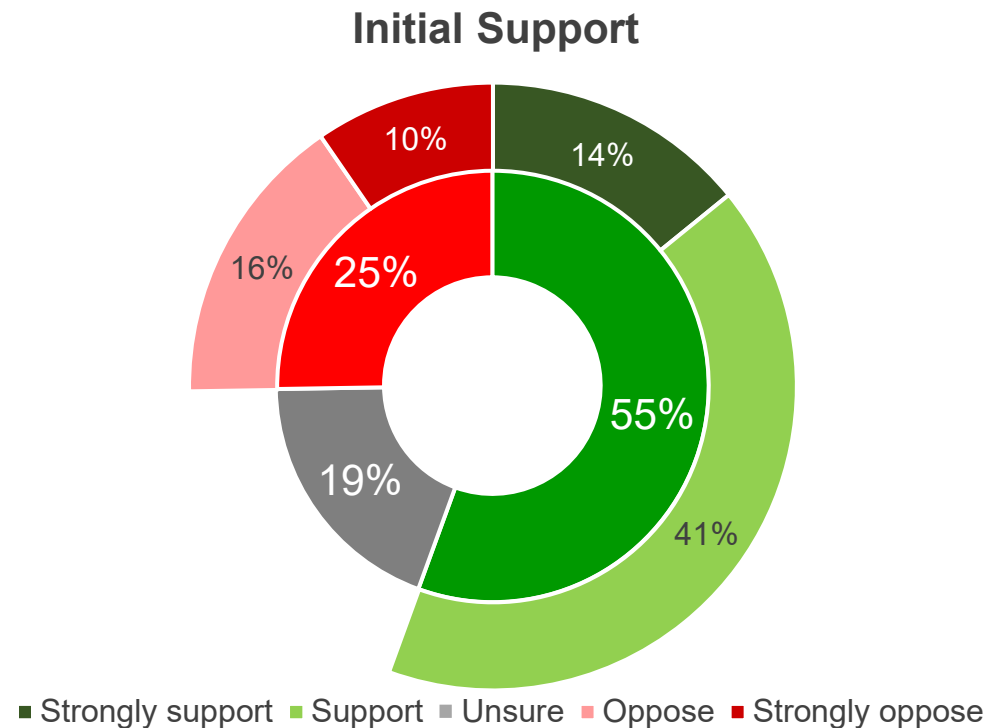
- Support for Regulation
- Support Segments



# Support for Proposed Regulation

# Support for Proposed Regulation

Just over half of Australians support the proposed regulation of ‘restricted’ content in principle when it is first introduced to them. Consistent with their low awareness, much of this support is weak (and based on the admirable aim of the regulation, rather than what it is, according to our qualitative interviews) and a quarter are opposed to it.

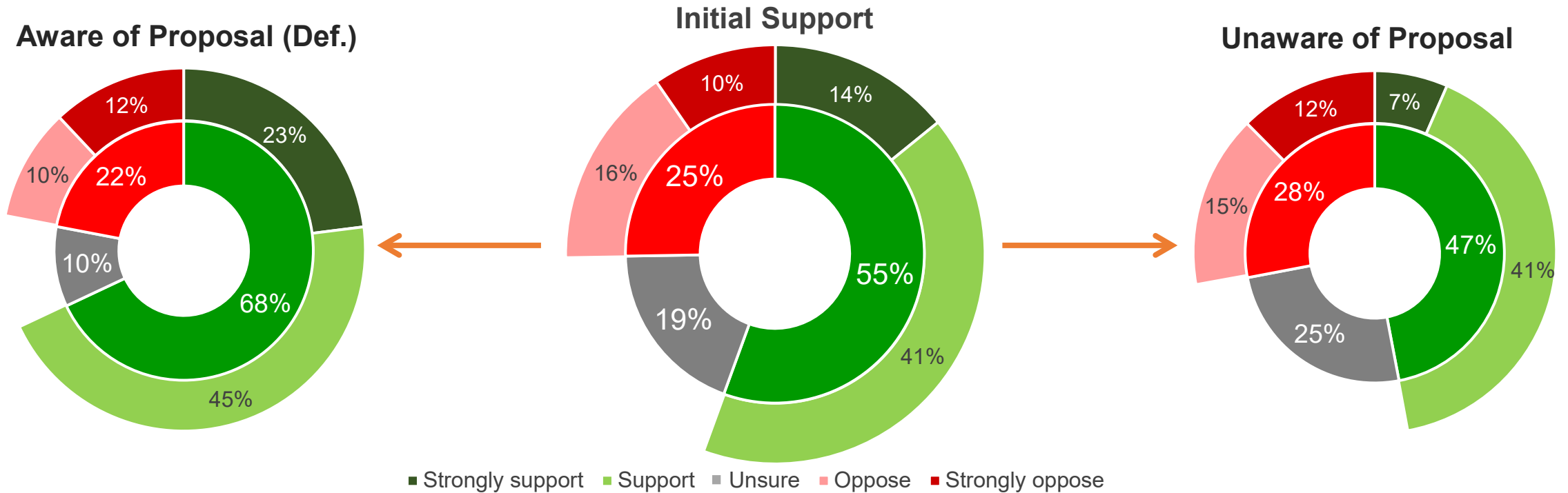


Q16) Just based on what you know about the regulation of ‘restricted content’ right now, would you say you support or oppose these new requirements on digital service providers to scan for and remove it from people services, accounts and files? Base: n=1,501 (All).



# Effects of Gov. Information & Consultation

We also find that those who are aware of the proposed regulation (many of whom will likely only have ‘heard something’) are more supportive than those currently unaware. The simple lesson here is that greater awareness can garner deeper support.



Q16) Just based on what you know about the regulation of ‘restricted content’ right now, would you say you support or oppose these new requirements on digital service providers to scan for and remove it from people services, accounts and files? Base: n=1,501 (All).

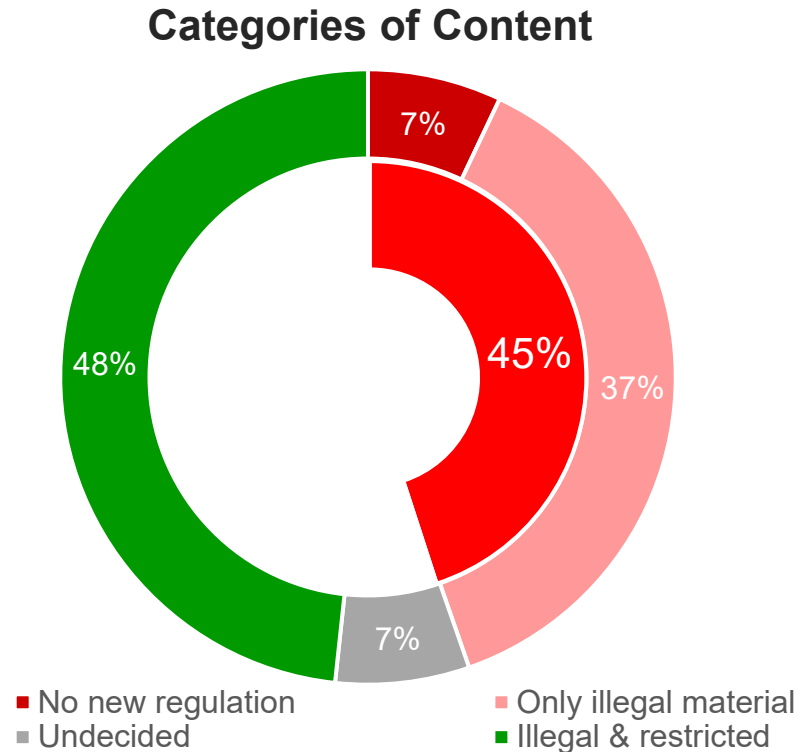
- Categories of content
- Profiles (ages) of users
- Types of digital services
- The parties involved
- The methods involved
- Consequences for users



# Opinions of Proposed Regulation

# Categories of Content

We then began to ask Australians' views on the specifics of the proposed regulation, including likely and potential aspects. The first chart below shows that just less than half agree that the code and laws should include restricted content. Almost as many think it should just take in only illegal content or are against the idea of regulation per se, i.e. oppose including restricted content.



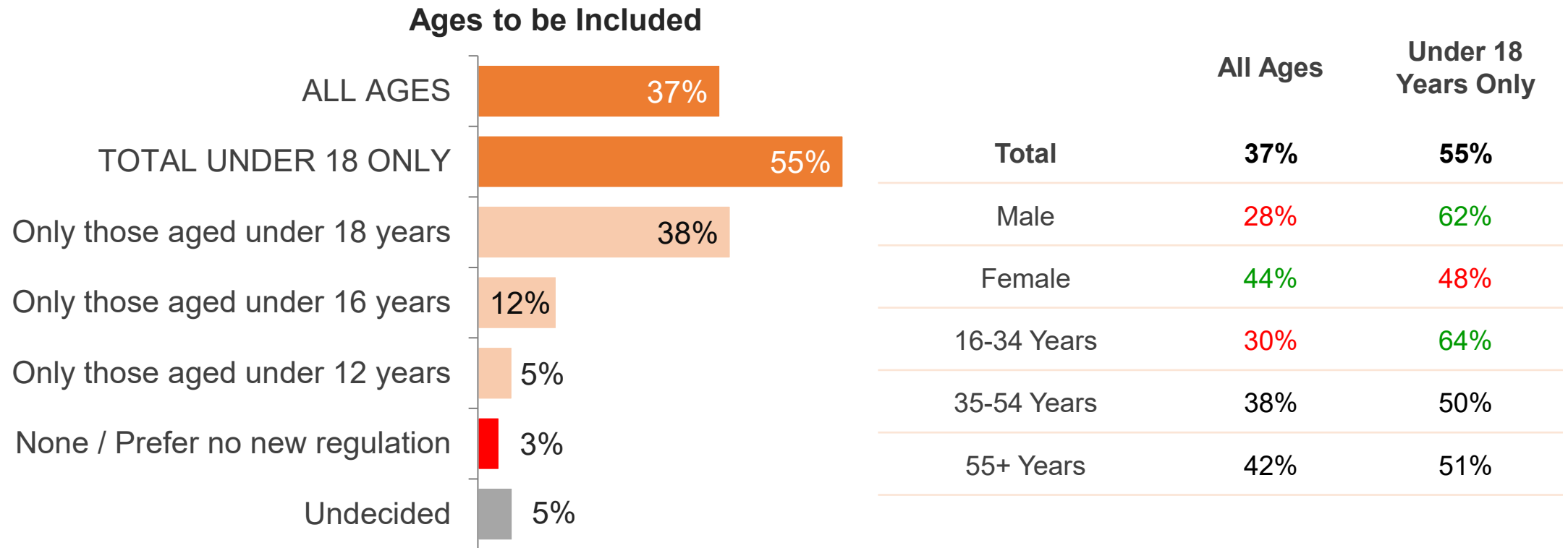
	Illegal & Restricted	Oppose Restricted	Illegal Only
<b>Total</b>	<b>48%</b>	<b>45%</b>	<b>37%</b>
Male	35%	58%	46%
Female	61%	32%	28%
16-34 Years	42%	52%	44%
35-54 Years	48%	45%	36%
55+ Years	55%	37%	32%

Q17) Some 'restricted content' can be illegal, but much of it is rated as restricted because it is assessed as offensive or harmful to some adults, and can be harmful to children, even when it is simulated and not real. Do you believe the new regulations should only focus on illegal material or should it scan for and remove both illegal and 'restricted content'? Base: n=1,501 (All). 19



# Age Groups to be Protected from Exposure

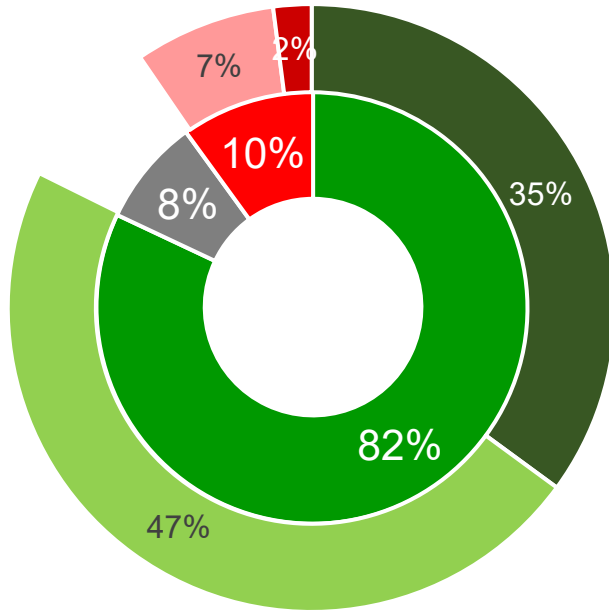
More than half of Australians believe that regulation should also be restricted to protecting those aged under 18 years from exposure. Just 37% think it should apply to all ages, with elements of ‘mature personal choice’ coming into play in our qualitative interviews in this case.



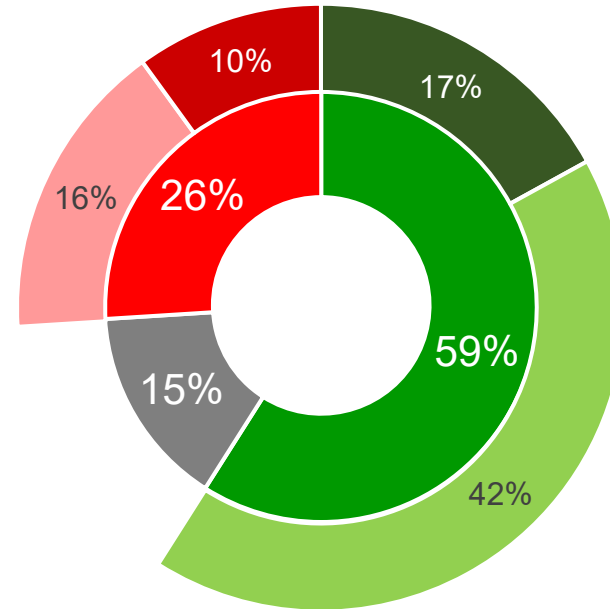
# Age Verification Methods

Further, when asked whether common arrangements that ask website or app users their age or date of birth before granting access are effective, the very clear message is that they are not. There is therefore some support of using more rigorous (and onerous) ID verification methods, though given concerns about anonymity, privacy and security this support is by no means strong or universal.

**Asking Age / DOB Ineffective**



**Support for ID Verification**



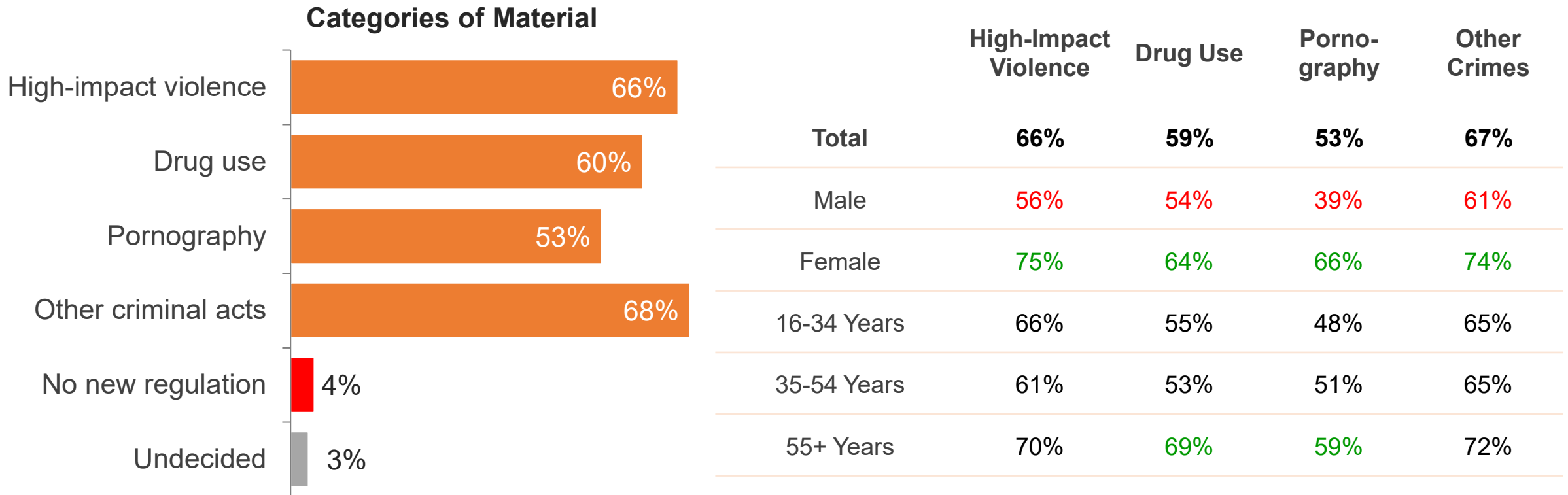
■ Agree strongly ■ Agree ■ Unsure ■ Disagree ■ Disagree strongly
■ Strongly support ■ Support ■ Unsure ■ Oppose ■ Strongly oppose

Q18a) Some people have said that asking people to give their date of birth when setting up apps or entering websites that deal with alcohol, gambling or nudity does not work because you can lie. Do you agree or disagree that asking people's date of birth in this way is ineffective? Base: n=1,501 (All) Q18b) As an alternative, some people have proposed that apps and websites ask for confirmation of people's age via facial recognition or a verified ID, like a driver's licence or passport. Do you support or oppose this stricter confirmation of age becoming the industry standard? Base: n=1,501 (All)



# Categories of Material for Proactive Removal

And while over half agreed with scanning for each type of material – high-impact violence, drug use, pornography and criminal acts – 63% did not pick all four of these categories, so have reservations about including at least one of them. A further 4% would prefer no materials are include at all, i.e. no new regulation.



Q19) Next, if providers of online services were to scan people’s services, accounts and files for 'restricted content', what types of material, if any, should be targeted for removal? Base: n=1,501 (All).

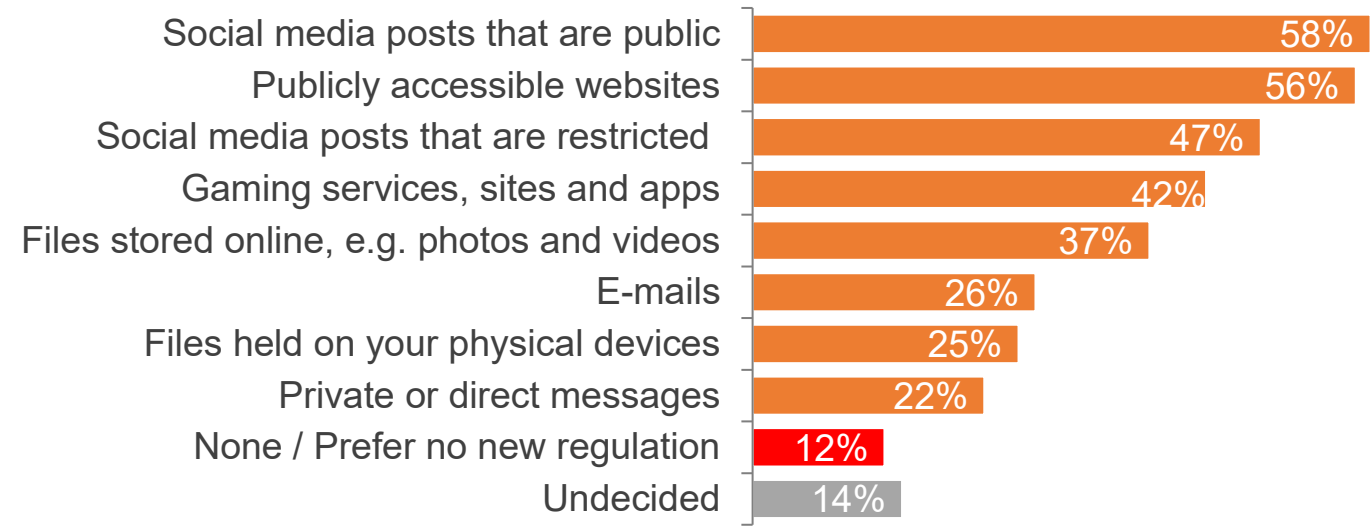


# Types of Digital Services for Proactive Detection

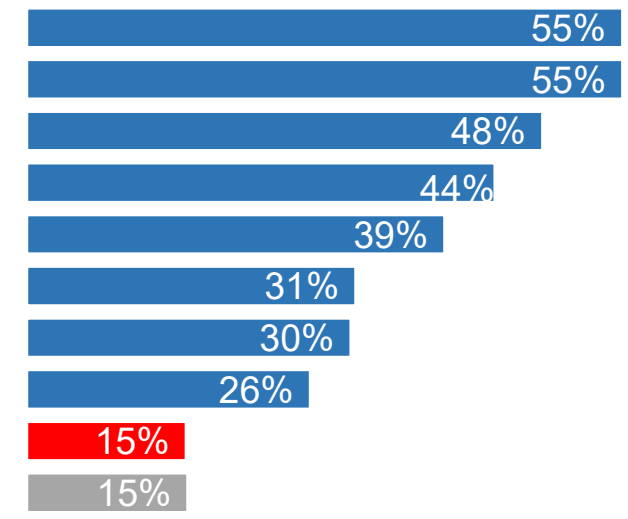
We asked what types of digital services should be scanned for ‘restricted content’, both in cases where it was just the service providers doing this on their own, or when it was by the government’s request. Both yielded quite similar results.

Just over half of Australians reported that scanning publicly accessible posts and websites would be acceptable, but only a minority said this would be alright with more private files, messages and accounts (regardless of who manages the scanning). In particular, e-mails, direct messages and files held on physical device are off limits for over two-thirds. 89% were uncomfortable including all.

### Providers of Digital Services



### By Government Request



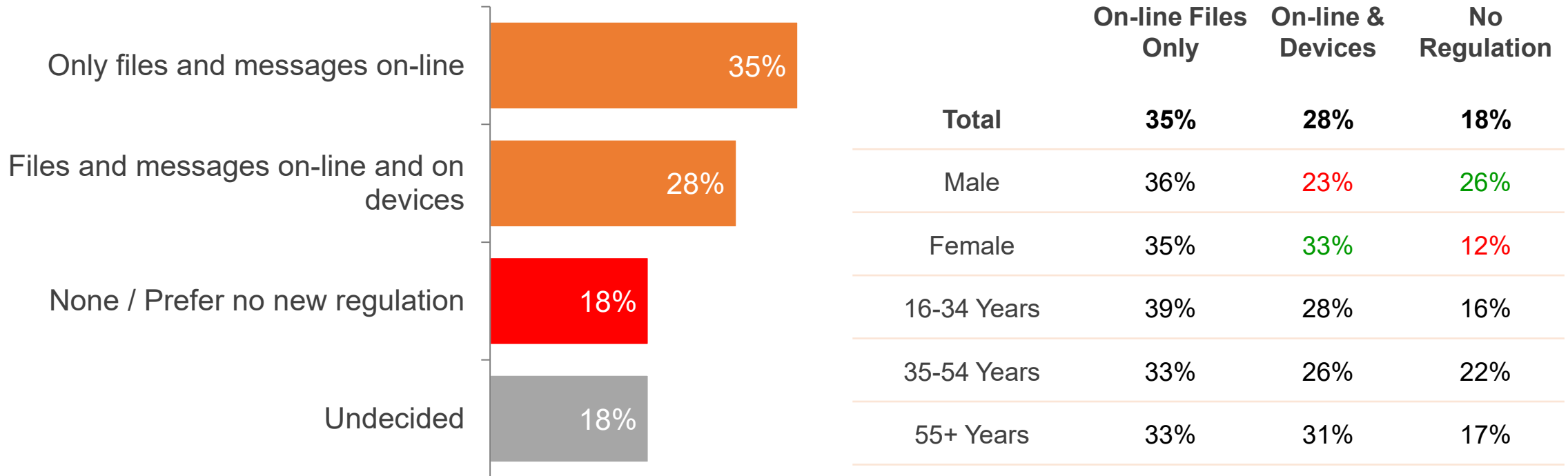
Q20/20b) Which, if any, of the following personal accounts and files should providers of digital services be able to scan for / the government be able to ask to be scanned for those types of ‘restricted content’? Base: n=1,501 (All).



# Location of Files for Proactive Detection

Files can be stored on-line and in local devices. More than half (53%) would prefer that device level scanning is not included, including almost fifth who would prefer no regulation at all. That latter result is the highest that option scores in any single question, suggesting that it is this point of what would be scanned that brings the new regulation home to people in the most concrete way.

**Location of Files to be Scanned**



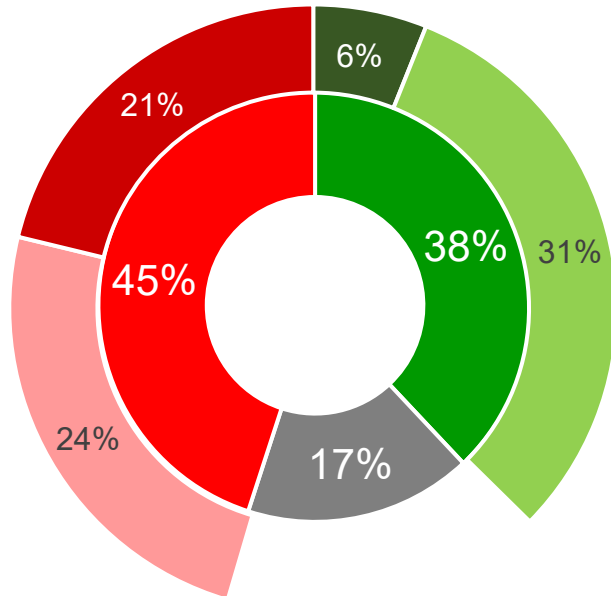
Q20a) Do you think only content that is on-line should be scanned, or should scanning include content stored on your physical devices, such as your phone or personal computer? Base: n=1,501 (All).



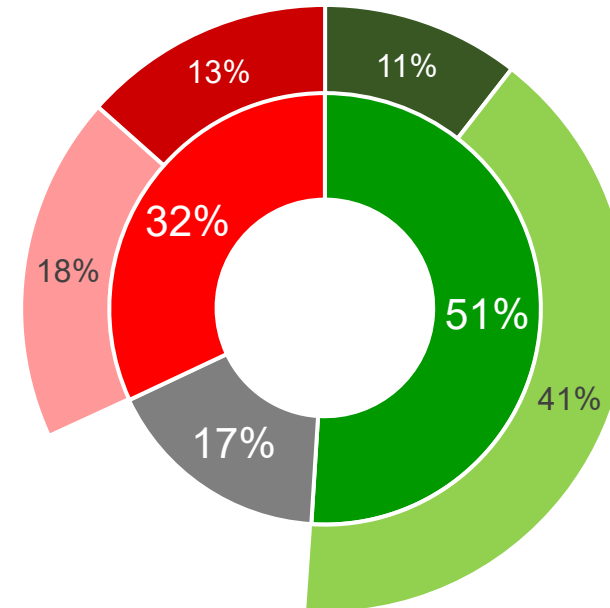
# Technological & Human Involvement

Around half would be comfortable with scanning if there were human checking, dropping to around four-in-ten if only technology was used. However, in both cases a substantial level of discomfort is present, with themes of accuracy and privacy coming into play here in our qualitative interviews.

**Only Technological Involvement**



**Technology with Human Checks**



- Very comfortable
- Fairly comfortable
- Unsure
- Fairly uncomfortable
- Very uncomfortable

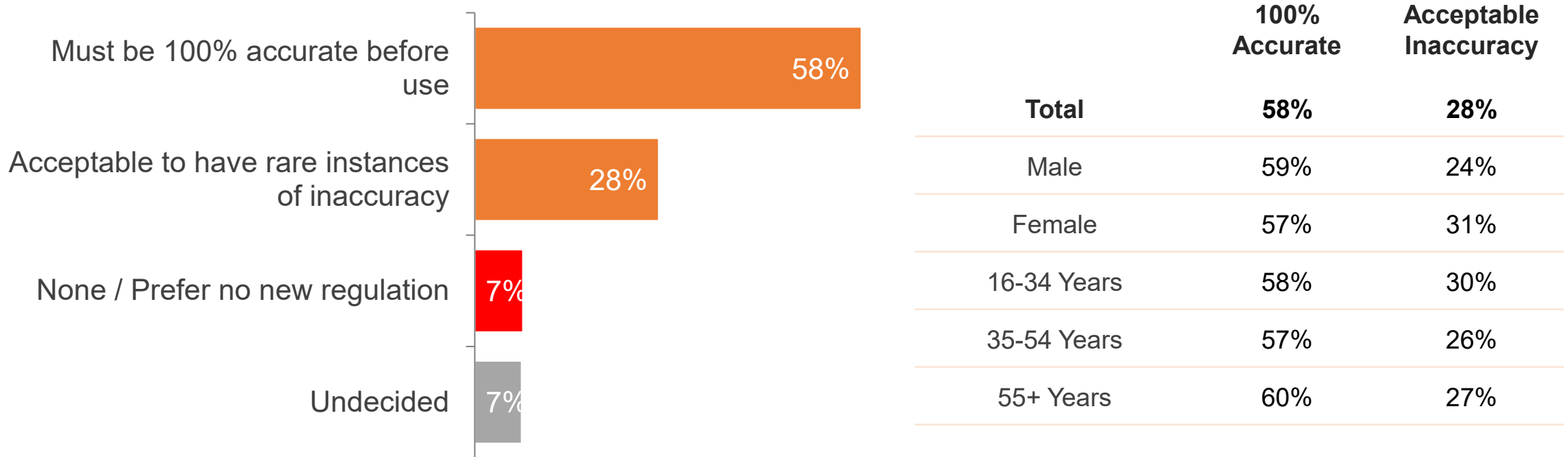
Q21/22) If the scanning of people’s services, accounts and files is undertaken by providers of digital services, how comfortable would you be if decisions about whether content is ‘restricted’ and removed are made automatically by technologies, such as by algorithms alone? Base: n=1,501 (All) Q22) And how comfortable would you be if decisions on what is and is not ‘restricted content’ and removed are made by humans checking content where the results produced by the technology are unclear? Base: n=1,501 (All)



# Level of Desired Accuracy

The importance of accuracy to Australians is reinforced when we find that a majority would like to see that the scanning technology is 100% accurate before it is rolled out. Just over a quarter are prepared to accept rare instances of incorrect identification of restricted content, but for most people in our qualitative interviews the risk of unfairly losing files, accounts or suffering penalties was too great.

Level of Desired Accuracy



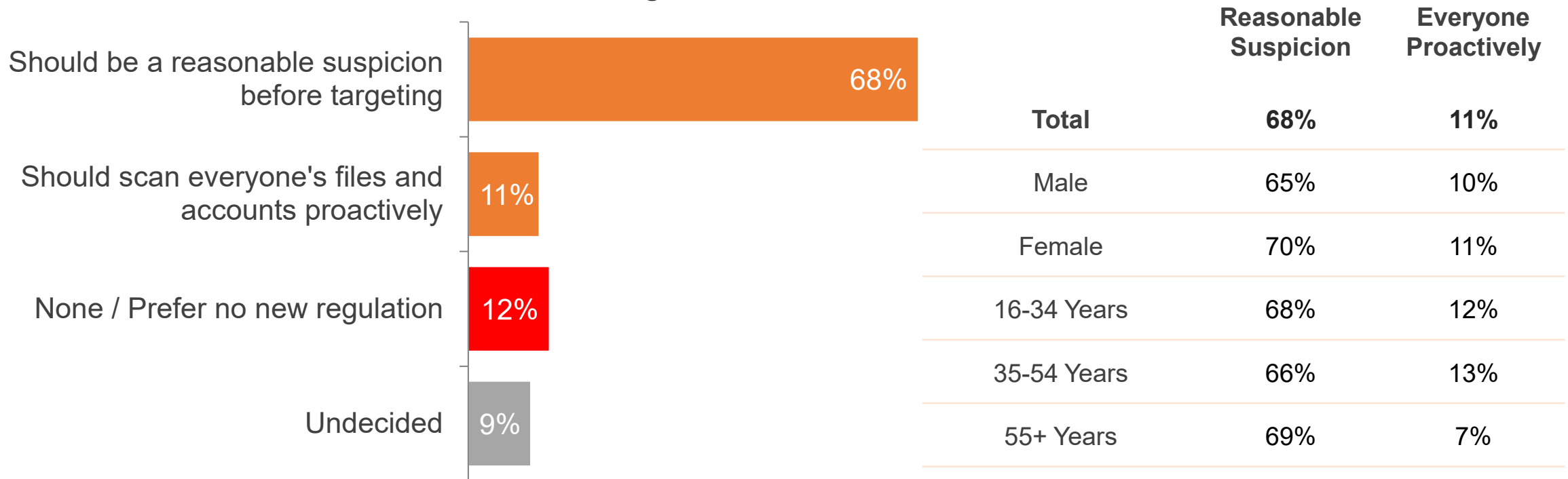
Q22c) There have been cases where more serious child exploitation or terrorism material was thought to have been detected in people's accounts and files, but it turned out not to be, with the consequence that their files or accounts have been removed. Do you think scanning and detection should be 100% accurate before it is used, or is it acceptable to have rare instances where it is inaccurate in order to achieve the regulation's objectives? Base: n=1,501 (All).



# Proactive or Targeted

Extending that theme, two-thirds would prefer that there is some sort of reasonable suspicion that a user has stored or sent restricted content before they are scanned or any action is taken. Just one-in-ten prefer the option of wholesale proactive scanning of files, messages and accounts despite this being a key part of the proposed architecture.

**Proactive or Targeted**

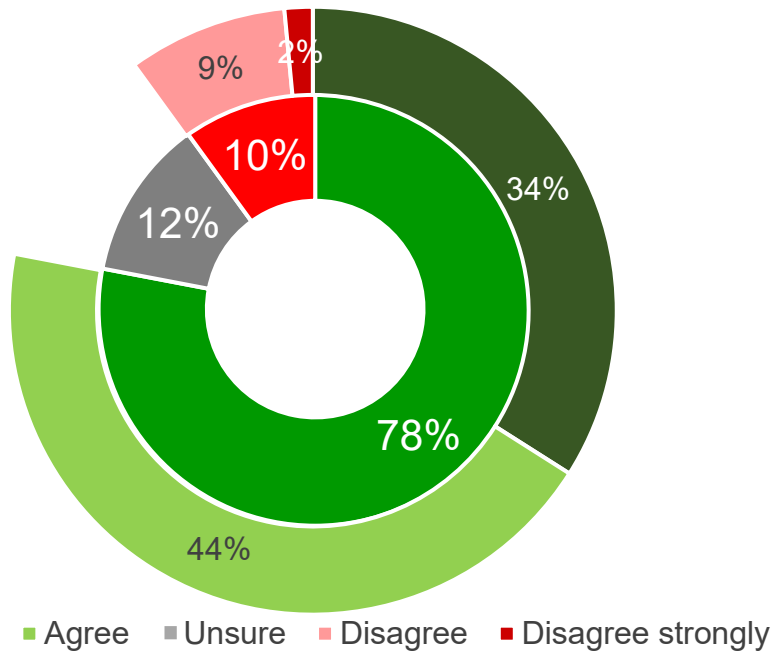


Q22a) Do you think that scanning for potentially 'restricted content' should be done proactively across everyone's on-line accounts and files, or should there be a reasonable suspicion that it holds such content before they are targeted for scanning? Base: n=1,501 (All).

# Requirement for a Warrant

Indeed, more than three-quarters agree that authorities should seek a warrant before targeting someone's account on-line, just as they would off-line, e.g. intercepting mail or searching a property. This goes back to the foundational view of being treated equally regardless of whether being on-line or off-line.

Requirement for a Warrant



	Total Agree	Strongly Agree	Total Disagree
<b>Total</b>	<b>78%</b>	<b>34%</b>	<b>10%</b>
Male	86%	42%	7%
Female	70%	26%	14%
16-34 Years	79%	37%	10%
35-54 Years	76%	32%	11%
55+ Years	78%	32%	11%

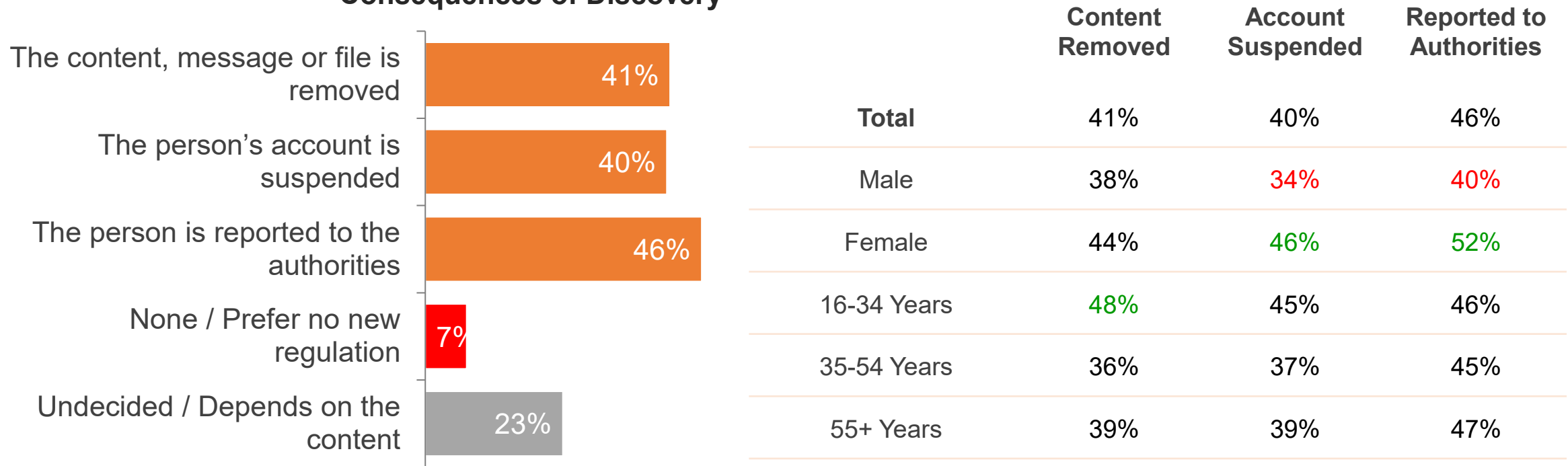
Q22b) Some people have said that people's on-line accounts and files should only be scanned if the authorities have a warrant to request digital services to do so, as is the case when phones are tapped or postal mail opened. Do you agree or disagree that authorities should seek a warrant before scanning people's files and accounts for 'restricted content'? Base: n=1,501 (All)



# Consequences of Discovery

Regardless of their views of scanning and particular materials, only a minority in each case thought that deletion, suspension or reporting were appropriate consequences of scanning and detection. Fully 79% did not tick all three options, i.e. find at least one unacceptable, but when automatic deletion is a core part of what is being proposed it is the first of these figures that is most significant.

**Consequences of Discovery**



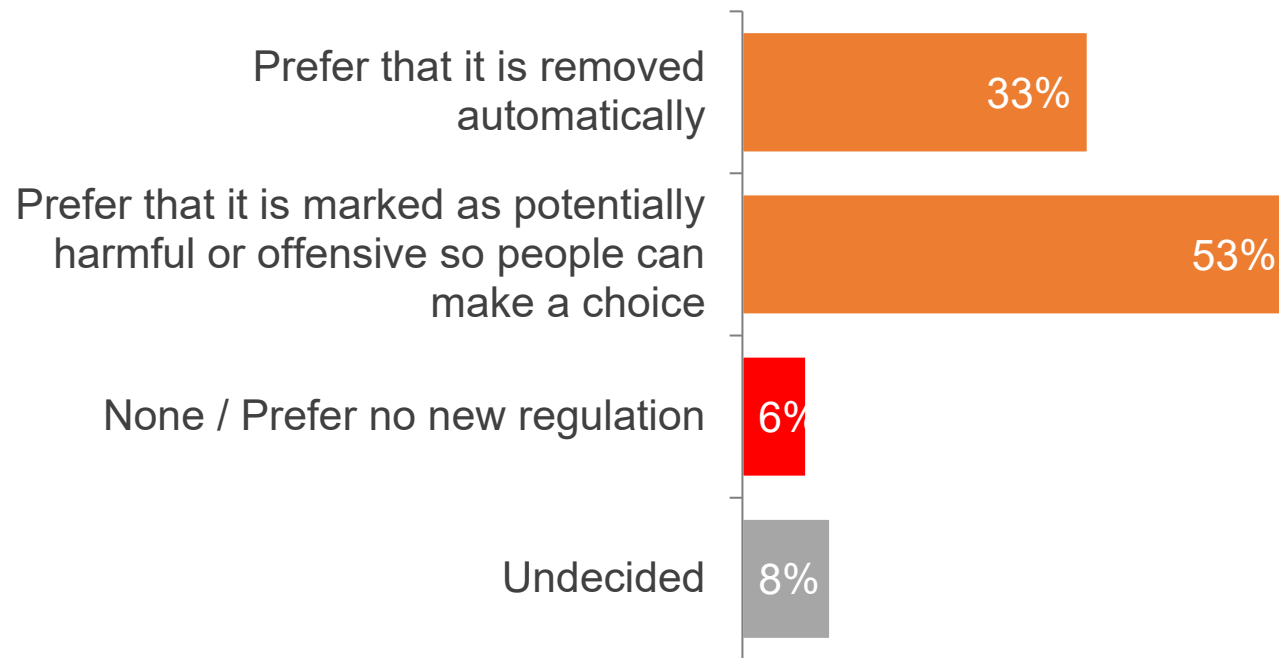
Q23) In the event that an account is found to be viewing, holding or sharing 'restricted content' that material, post or message may be removed, or in more serious cases the account could be suspended and/or the owner reported to the authorities. Which of the following do you think are appropriate reactions to the discovery of 'restricted content'? Base: n=1,501 (All).



# Treatment of Restricted Material

Finally, when asked whether they would prefer that restricted material is automatically deleted or is flagged as potentially harmful or offensive, just over half opted for the latter. So even when there is detection the idea of personal choice comes into play.

**Treatment of Restricted Material**



	Automatically Removed	Marked for a Choice
<b>Total</b>	<b>33%</b>	<b>53%</b>
Male	24%	57%
Female	41%	48%
16-34 Years	23%	63%
35-54 Years	33%	50%
55+ Years	42%	46%

Q24) And do you think its preferable to remove 'restricted content' automatically, or would you prefer that it is marked as potentially harmful content with labels and blurred images so that the user can make a choice on what to do with it? Base: n=1,501 (All).

- Appropriate Application
- Inappropriate Application
- Mixed Views

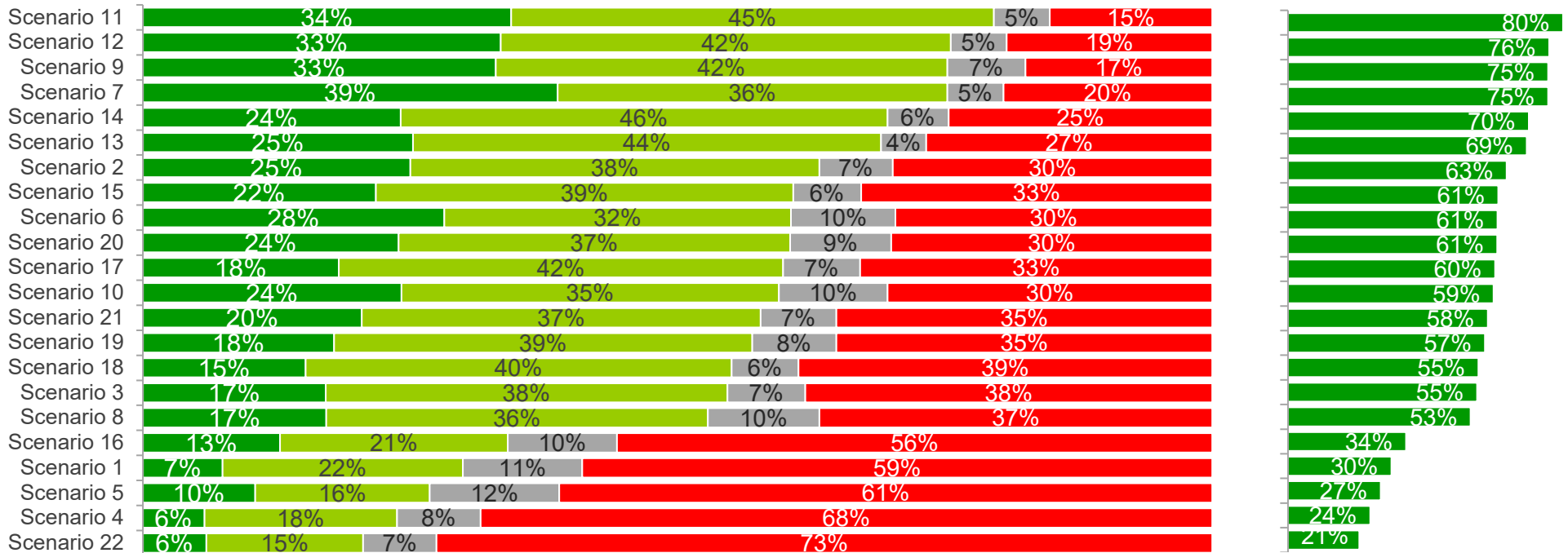


# Scenario Testing



# Appropriate Application

Survey respondents were given 22 scenarios to test how all these views might play out in real-world. Before getting into the detail, we can see that there is quite some variety in what is viewed as illegal or restricted and whether it should be scanned for, i.e. community expectations vary. No single case was thought to be illegal by a majority, and we found a great deal of confusion on this point in our qualitative interviews, e.g. violence or drug use might be illegal but is having a video or image of it?



■ Illegal & should be covered   ■ Restricted & should be covered   ■ Undecided   ■ Should not be covered   Total Covered

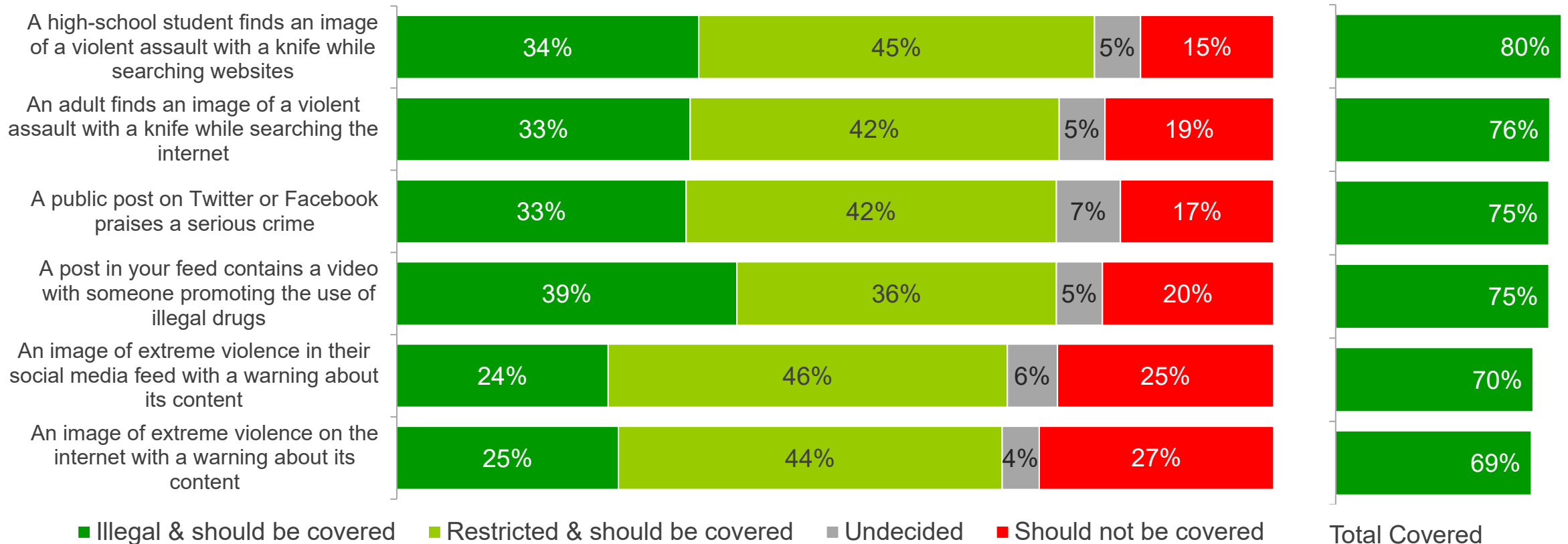
Q26) Deciding on complex issues like this can sometimes be made easier by looking a real-world examples. Below are some examples, and for each please tell us whether you think it should be illegal and acted upon, restricted and acted upon or whether it should not be acted upon regardless of how it might be rated. Base: n=1,501.





# Majority Consent for Acting on Content

Breaking this up, if there was to be a Code in place, over two-thirds thought that scenarios involving people coming across violent assaults or extreme violence (esp. without warning) could be covered, as well as promoting serious crime and drugs. However, even here few thought this content illegal.

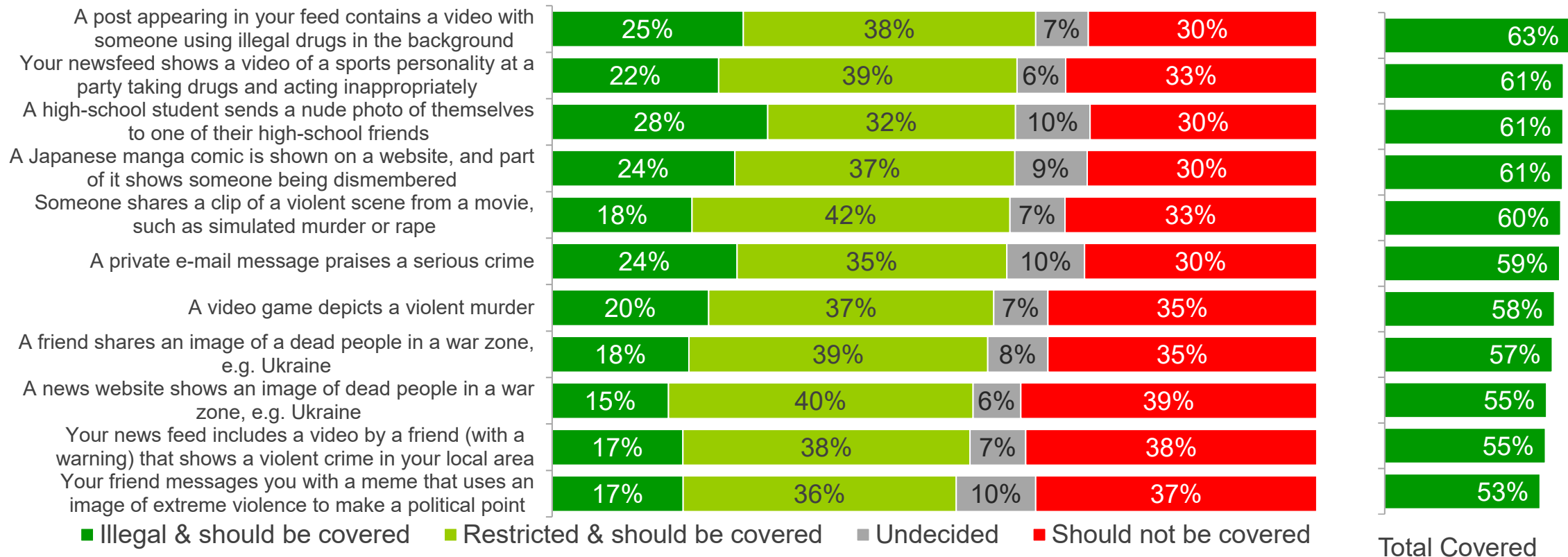


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# Narrow Majority Consent for Acting on Content

A narrower majority also felt that the following examples should be regulated. This includes drug use, but without promotion of that, simulated content and direct messages between contacts that include violence.

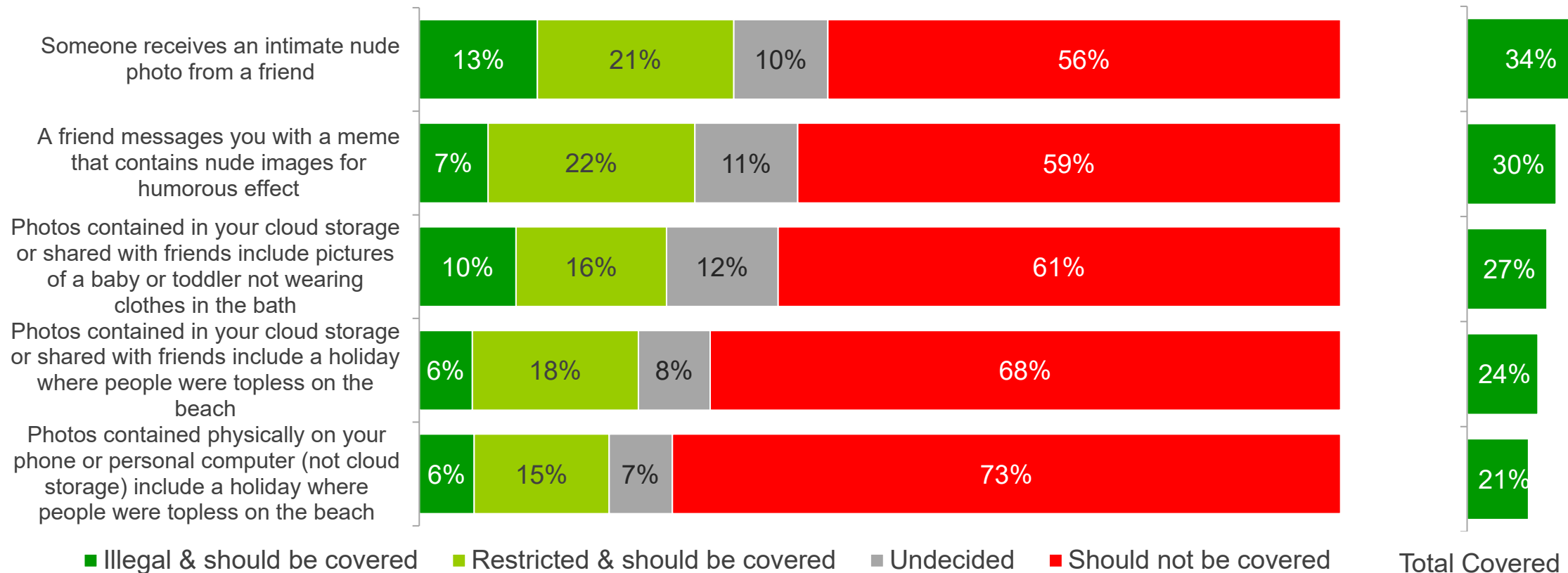


Q26) Deciding on complex issues like this can sometimes be made easier by looking a real-world examples. Below are some examples, and for each please tell us whether you think it should be illegal and acted upon, restricted and acted upon or whether it should not be acted upon regardless of how it might be rated. Base: n=1,501. 34



# Minority Consent for Acting on Content

And taking a step further down to majority rejection of scanning, we find private messages between friends and files stored on-line or on devices that involve nudity or intimate images. Clearly, these are regarded as less harmful and private (particularly by high users of digital services).



Q26) Deciding on complex issues like this can sometimes be made easier by looking at real-world examples. Below are some examples, and for each please tell us whether you think it should be illegal and acted upon, restricted and acted upon or whether it should not be acted upon regardless of how it might be rated. Base: n=1,501. 35

- Survey Questionnaire
- Survey Sample



# Appendices

# Appendix 1: Survey Questionnaire

## Class 1 Content Survey Questionnaire

### Geo-demographics (SAMPLE, SCREENER & PROFILING)

Q1-7 RELATE TO GEO-DEMOGRAPHIC AND LIFESTYLE QUESTIONS, E.G. AGE, SEX, LOCATION, INCOME, EDUCATION, ETC., USED IN SCREENING, SAMPLING AND PROFILING.

### On-line Use (BEHAVIOURS)

The remainder of this survey is about your on-line behaviours, experiences and preferences.

Q8 First, how frequently, if at all, do you use the following on-line and digital technologies and applications, including for work, study and personal use.

ORDERED	At least once a day	At least once a week	At least once a month	Less often	Never or hardly ever
A Send or receive messages by e-mail	1	2	3	4	5
B Use a search engine to find a website	1	2	3	4	5
C Visit websites for news, information, shopping or entertainment	1	2	3	4	5
D Use social media to post updates or view updates from other users	1	2	3	4	5
E Use social media or messaging services to privately (direct) message individual or groups of contacts	1	2	3	4	5
F Visit video sites or apps, such as YouTube	1	2	3	4	5
G Store and transfer files including using cloud services for both your computer and phone	1	2	3	4	5
H Use gaming sites, services and apps	1	2	3	4	5

D.P. TO CODE 'HIGH USER' AS 5+ X CODE 1, 'MEDIUM USER' AS 3-4 X CODE 1 AND 'LOW USER' AS 0-2 X CODE 1.

Q10 Now thinking about on-line issues and your own preferences, below are some things that other people have said about this topic. For each, please tell us whether you agree or disagree with what's being said.

RANDOMISE	Strongly agree	Somewhat agree	Neutral / Undecided	Somewhat disagree	Strongly disagree
A The internet should be entirely free from monitoring and censorship	1	2	3	4	5
B I may not like certain types of content myself, such as high-impact violence or pornography, but I accept that some other people may like it	1	2	3	4	5
C If something is not illegal off-line it should not be illegal on-line	1	2	3	4	5
D In general, privacy and security on-line are more important than regulating content that might be offensive to some	1	2	3	4	5
E In general, freedom of speech and expression on-line are more important than regulating content that might be offensive to some	1	2	3	4	5
F The power to search someone's e-mail, messages or files for potentially harmful material should be limited in the same way as the power to listen to phone calls, search their home or postal mail	1	2	3	4	5
G It is OK to violate someone's privacy and rights if potentially harmful material might be uncovered	1	2	3	4	5
H What you view on-line is your choice, and that's fine so long as you are given warnings about potentially harmful content	1	2	3	4	5
I It is parents that should have responsibility for teaching their kids how to be safe on-line and to set up parental controls	1	2	3	4	5
J I trust private digital companies with my private data and personal information	1	2	3	4	5
K I trust governments with my private data and personal information	1	2	3	4	5
L Governments should not be involved in censoring what people are exposed to on-line	1	2	3	4	5
M The individual should decide what to view and not view on-line, not governments or digital companies	1	2	3	4	5
N The responsibility for keeping kids safe should be shared between service providers, parents, schools and government	1	2	3	4	5
O The responsibility for keeping kids safe should lay with parents and schools, not government and service providers	1	2	3	4	5

# Appendix 1: Survey Questionnaire

## Introducing the Class 1 Code (AWARENESS & INITIAL OPINION)

The following questions include quite a lot of detail about on-line policy and laws, so please read them carefully before answering.

**Q14** Digital service providers can be required to assist law enforcement authorities to access people's electronic services and devices to detect suspected illegal activities, such as terrorism or child exploitation.

Before today, were you aware that digital service providers can be required to assist government agencies to gain access to people's online services and devices to detect illegal activities? ORDERED

- I am definitely aware of this 1
- I'm not sure, but I assume this happens 2
- I was unaware that this happened 3

**Q15** Separately, Australia's online safety regulator is now asking digital service providers to detect and remove a broader range of harmful online content in a more proactive way through enforceable Industry Codes.

In addition to illegal and harmful content, the codes will cover 'restricted content'. This is not necessarily illegal, but it would not be sold in shops or shown in cinemas because some adults may find it harmful or offensive, and it is deemed unsuitable for children under the 'restricted' film classification system.

'Restricted content' might include; scenes of real or simulated high-impact or violence; real or simulated pornography; real or simulated drug use and other crimes. Included in simulated content are things like text descriptions, acting or special effects in films, computer game scenes and animation.

Under the proposed codes, digital service providers may be required to scan for and remove restricted materials from a range of services such as social media services, messaging and gaming services and file storage services.

Before today, were you aware of the proposal that digital services scan people's files and accounts for 'restricted content' and remove it? ORDERED

- I am definitely aware of this 1
- I'm not sure, but I'm certainly not across the detail 2
- I was unaware 3

**Q16** Just based on what you know about the regulation of 'restricted content' right now, would you say you support or oppose these new requirements on digital service providers to scan for and remove it from people services, accounts and files?

- Strongly support 1
- Support 2
- Oppose 3
- Strongly oppose 4
- Neutral / undecided 5

## Opinions, Propositions & Preferences (CODE FEATURES)

We're now going to ask you a series of questions about the proposed 'restricted content' regulations. There are no right or wrong answers here, just your views, and in each case there is an option to say you would prefer no new regulations are introduced.

ALL GET Q17 FIRST

**Q17** Some 'restricted content' can be illegal, but much of it is rated as restricted because it is assessed as offensive or harmful to some adults, and can be harmful to children, even when it is simulated and not real.

Do you believe the new regulations should only focus on illegal material or should it scan for and remove both illegal and 'restricted content'? ORDERED

- Only illegal material 1
- Both illegal and restricted content 2
- Neither / Prefer no new regulation 3
- Undecided 4

25% GET Q18-18B SECOND, THIRD, FOURTH AND FIFTH (ROTATION A – NOTE)

**Q18** What age group should be protected from exposure to 'restricted content'? ORDERED

- Everyone regardless of age 1
- Only those aged under 18 years (when film classifications end) 2
- Only those aged under 16 years 3
- Only those aged under 12 years (before high school) 4
- None / Prefer no new regulation 5
- Undecided 6

# Appendix 1: Survey Questionnaire

**Q18a** Some people have said that asking people to give their date of birth when setting up apps or entering websites that deal with alcohol, gambling or nudity does not work because you can lie.

Do you agree or disagree that asking people's date of birth in this way is ineffective?

Strongly agree	1
Agree	2
Disagree	3
Strongly disagree	4
Undecided	5

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**Q18b** As an alternative, some people have proposed that apps and websites ask for confirmation of people's age via facial recognition or a verified ID, like a driver's licence or passport.

Do you support or oppose this stricter confirmation of age becoming the industry standard?

Strongly support	1
Support	2
Oppose	3
Strongly oppose	4
Undecided	5

---

25% GET Q19-20A SECOND, THIRD, FOURTH AND FIFTH (ROTATION B – NOTE)

**Q19** Next, if providers of online services were to scan people's services, accounts and files for 'restricted content', what types of material, if any, should be targeted for removal? This includes simulated as well as real material. You can tick all that apply. RANDOMISE 1-3 / MULTI-CODE (5-8 M.E.)

High-impact violence	1
Pornography	2
Drug use	3
Other criminal acts	4
None / Prefer no new regulation	5
Undecided	6

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**Q20** Which, if any, of the following personal accounts and files should providers of digital services be able to scan for all those types of 'restricted content'? You can tick all that apply. RANDOMISE 1-8 / MULTI-CODE (9-10 M.E.)

Social media posts that can be seen by anyone	1
Social media posts that are restricted to certain groups or contacts	2
Private or direct messages	3
Files stored online, e.g. photos and videos in social media accounts or cloud storage	4
E-mails	5
Files held on your physical devices, such as phones and personal computers	6
Publicly accessible websites	7
Gaming services, sites and apps	8
None / Prefer no new regulation	9
Undecided	10

---

**Q20b** And which, if any, of the following personal services, accounts and files should the government be able to ask to be scanned for all those types of 'restricted content'? You can tick all that apply. RANDOMISE 1-8 / MULTI-CODE (9-10 M.E.)

Social media posts that can be seen by anyone	1
Social media posts that are restricted to certain groups or contacts	2
Private or direct messages	3
Files stored online, e.g. photos and videos in social media accounts or cloud storage	4
E-mails	5
Files held on your physical devices, such as phones and personal computers	6
Publicly accessible websites	7
Gaming services, sites and apps	8
None / Prefer no new regulation	9
Undecided	10

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D.P. TO PRODUCE A SUMMARY TABLE OF Q20 AND Q20B WITH THESE ROEWS CROSSED BY BOTH, COMPANIES ONLY, GOV. ONLY, NEITHER.

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**Q20a** Do you think only content that is on-line should be scanned, or should scanning include content stored on your physical devices, such as your phone or personal computer? RANDOMISE 1-2

Only files and messages stored on-line	1
Files and messages stored on-line and on personal devices	2
Neither / Prefer no new regulation	3
Undecided	4

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# Appendix 1: Survey Questionnaire

25% GET Q21-22C SECOND, THIRD, FOURTH AND FIFTH (ROTATION C – NOTE)

**Q21** If the scanning of people’s services, accounts and files is undertaken by providers of digital services, how comfortable would you be if decisions about whether content is ‘restricted’ and removed are made automatically by technologies, such as by algorithms alone?

Very comfortable	1
Fairly comfortable	2
Fairly uncomfortable	3
Very uncomfortable	4
Undecided	5

**Q22** And how comfortable would you be if decisions on what is and is not ‘restricted content’ and removed are made by humans checking content where the results produced by the technology are unclear?

Very comfortable	1
Fairly comfortable	2
Fairly uncomfortable	3
Very uncomfortable	4
Undecided	5

**Q22c** There have been cases where more serious child exploitation or terrorism material was thought to have been detected in people’s accounts and files, but it turned out not to be, with the consequence that their files or accounts have been removed.

Do you think scanning and detection should be 100% accurate before it is used, or is it acceptable to have rare instances where it is inaccurate in order to achieve the regulation’s objectives? RANDOMISE 1-2

It must be 100% accurate before it is used	1
It is acceptable to have rare instances where it is inaccurate	2
Neither / Prefer no new regulation	3
Undecided	4

25% GET Q22A-24 SECOND, THIRD, FOURTH AND FIFTH (ROTATION D – NOTE)

**Q22a** Do you think that scanning for potentially ‘restricted content’ should be done proactively across everyone’s on-line accounts and files, or should there be a reasonable suspicion that it holds such content before they are targeted for scanning? RANDOMISE 1-2

There should be a reasonable suspicion before someone’s accounts and files are scanned	1
Digital services should scan everyone’s accounts and files proactively	2
Neither / Prefer no new regulation	3
Undecided	5

**Q22b** Some people have said that people’s on-line accounts and files should only be scanned if the authorities have a warrant to request digital services to do so, as is the case when phones are tapped or postal mail opened.

Do you agree or disagree that authorities should seek a warrant before scanning people’s files and accounts for ‘restricted content’?

Strongly agree	1
Agree	2
Disagree	3
Strongly disagree	4
Undecided	5

**Q23** In the event that an account is found to be viewing, holding or sharing ‘restricted content’ that material, post or message may be removed, or in more serious cases the account could be suspended and/or the owner reported to the authorities.

Which of the following do you think are appropriate reactions to the discovery of ‘restricted content’? You can tick all that apply. MULTI-CODE (CODES 1-3 M.E.) / RANDOMISE 1-3

The content, message or file is removed	1
The person’s account is suspended	2
The person is reported to the authorities	3
I would prefer no action was taken / no new regulation	4
Undecided / Depends on the content	5

**Q24** And do you think its preferable to remove ‘restricted content’ automatically, or would you prefer that it is marked as potentially harmful content with labels and blurred images so that the user can make a choice on what to do with it? RANDOMISE 1-2

Prefer that it is removed automatically	1
Prefer that it is marked as potentially harmful or offensive so people can make a choice	2
Neither / Prefer no new regulation	3
Undecided	5

**Q25** Sometimes people can change their minds on a subject after they have learnt more about it, and sometimes they don’t.

Given this, would you now say you support or oppose new regulations that would require companies to start to proactively scan the internet or devices for ‘restricted content’ and remove it?

Strongly support	1
Support	2
Oppose	3
Strongly oppose	4
Neutral / undecided	5



# Appendix 1: Survey Questionnaire

## Case Studies (REAL-WORLD SCEANRIOS)

**Q26** Deciding on complex issues like this can sometimes be made easier by looking a real-world examples. Below are some examples, and for each please tell us whether you think it should be illegal and acted upon, restricted and acted upon or whether it should not be acted upon regardless of how it might be rated.

RANDOMISE	Illegal and should be scanned for and acted upon	Restricted and should be scanned for and acted upon	Should NOT be scanned for or acted upon regardless of any rating	Don't know
A A friend messages you with a meme that contains nude images for humorous effect	1	2	3	4
B A post appearing in your feed contains a video with someone using illegal drugs in the background	1	2	3	4
C Your news feed includes a video by a friend (with a warning) that shows a violent crime in your local area	1	2	3	4
D Photos contained in your cloud storage or shared with friends include a holiday where people were topless on the beach	1	2	3	4
E Photos contained in your cloud storage or shared with friends include pictures of a baby or toddler not wearing clothes in the bath	1	2	3	4
F A high-school student sends a nude photo of themselves to one of their high-school friends	1	2	3	4
G A post in your feed contains a video with someone promoting the use of illegal drugs	1	2	3	4
H Your friend messages you with a meme that uses an image of extreme violence to make a political point	1	2	3	4
I A public post on Twitter or Facebook praises a serious crime	1	2	3	4
J A private e-mail message praises a serious crime	1	2	3	4
K A high-school student finds an image of a violent assault with a knife while searching websites	1	2	3	4
L An adult finds an image of a violent assault with a knife while searching the internet	1	2	3	4
M An image of extreme violence on the internet with a warning about its content	1	2	3	4
N An image of extreme violence in their social media feed with a warning about its content	1	2	3	4

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	Illegal and should be scanned for and acted upon	Restricted and should be scanned for and acted upon	Should NOT be scanned for or acted upon regardless of any rating	Don't know
O Your newsfeed shows a video of a sports personality at a party taking drugs and acting inappropriately	1	2	3	4
P Someone receives an intimate nude photo from a friend	1	2	3	4
R Someone shares a clip of a violent scene from a movie, such as simulated murder or rape	1	2	3	4
S A news website shows an image of dead people in a war zone, e.g. Ukraine	1	2	3	4
T A friend shares an image of a dead people in a war zone, e.g. Ukraine	1	2	3	4
U A Japanese manga comic is shown on a website, and part of it shows someone being dismembered	1	2	3	4
V A video game depicts a violent murder	1	2	3	4
X Photos contained physically on your phone or personal computer (not cloud storage) include a holiday where people were topless on the beach	1	2	3	4

**Q27** Again, sometimes people can change their minds on a subject after they have learnt more about it, and sometimes they don't.

Given this, would you now say you support or oppose their introduction of new regulations that would require companies to start to proactively scan the internet or devices for 'restricted content' and remove it?

- Strongly support 1
- Support 2
- Oppose 3
- Strongly oppose 4
- Neutral / undecided 5

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# Appendix 1: Survey Questionnaire

Q28 Introduction of these new regulations to tackle 'restricted content' would be a world first and it will be important to get it right. Some people have said that this should include significant public consultation and information campaigns so that everyone is aware of what is happening and has a chance to have their say.

Do you agree or disagree that the government should undertake significant public consultation and information campaigns before implementing the new regulations?

- Strongly agree 1
  - Agree 2
  - Disagree 3
  - Strongly disagree 4
  - Neutral / undecided 5
-



# Appendix 2: Survey Sample

Resolve used an on-line survey methodology. While there are some advantages to mixing in telephone samples in some circumstances, the length of this survey and some questions and the complexity of the concepts being communicated made an on-line survey more appropriate.

Resolve used the highest quality, purpose-built research panels to provide sample for this project. These are recruited primarily off-line, e.g. via random telephone surveys, and by invitation to avoid self-selecting samples and the inherent biases they create.

Below is a breakdown of the sample by sex, age and area, with minimum quotas and weighting factors applied to ensure accurate representation. We note that the survey aimed to achieve an over-sample of younger people to allow for analysis within that group of higher digital service users, but that this was weighted back to actual population incidence in the presented data.

	Total	Males	Females	16-34 Years	35+ Years	NSW	Victoria	Queensland	Other States
<b>Unweighted n</b>	1,501	715	777	1,000	501	475	395	300	331
<b>Unweighted %</b>	100	48	52	67	33	32	26	20	22
<b>Weighted n</b>	1,501	730	767	486	1,015	481	383	298	339
<b>Weighted %</b>	100	49	51	32	68	32	25	20	23



# Consolidated Industry Codes of Practice for On-line Class 1 Content

## Community Research

September 2022

COMMISSIONED BY THE DIGITAL INDUSTRY GROUP INC. (DIGI) & COMMUNICATIONS ALLIANCE