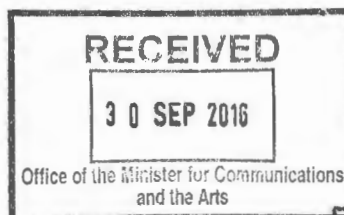


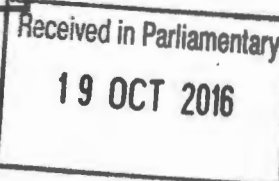
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Australian Government

Department of Communications and the Arts



MS16-002012

**SUBJECT: Children's eSafety Commissioner – Selection Process Outcomes****TIMING: FOR ACTION BY 13 OCTOBER 2016****KEY ISSUES:**

1. The role of Children's eSafety Commissioner is currently vacant and the assessment panel has concluded a process which has been endorsed by the Australian Public Service Commissioner.
2. Five candidates were interviewed and the panel considers three of the five could undertake this role. We therefore recommend to you the following shortlist of suitable applicants:

Ms Julie Inman Grant, ^{s47F}

3. The panel agreed that of these three, Ms Inman Grant was the strongest and preferred candidate for the role. Ms Inman Grant has impressive national and international experience in major global technology companies, a strong track record of achievement in delivering innovative strategies to improve cyber safety, excellent communications skills, and experience in advising government. She would also be well-equipped to expand the role if required.

4. ^{s47F}

5.

6. The Selection Advisory Committee Report is at **Attachment A**. We have assessed the suitability of applicants against the selection criteria you agreed on 6 May 2016 (MS16-000560 refers). Mr Alastair MacGibbon and I would appreciate the opportunity to discuss the outcomes with you at your earliest convenience. You may also wish to meet with Ms Inman Grant as the preferred candidate. Following this, we will prepare a draft letter to the Prime Minister with your recommendation.

RECOMMENDATIONS:

That you:

1. Note the report of the assessment panel for the Children's eSafety Commissioner (**Attachment A**) recommends Ms Julie Inman Grant as the preferred candidate.
2. Indicate whether you agree to meet with Ms Inman Grant in order to progress the appointment process.

1. ☒ Noted / Please discuss2. ☒ Agreed / Not agreed

MITCH FIFIELD

17/10/2016

^{s22(1)(a)(ii)}

Contact Nos: (02) 6271 1872

Date: 29 September 2016

Name: Heather Smith
Secretary

Instructions for PSS: Nil

Contact Officer: ^{s22(1)(a)(ii)}Tel: (02) ^{s22(1)(a)(ii)} / ^{s22(1)(a)(ii)}

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BACKGROUND/ISSUES:

On 6 May 2016 in MS16-000560, you agreed to the Department commencing a selection process conducted under the Australian Public Service Commission's *Merit and Transparency: Merit-based selection of APS agency heads and APS statutory office holders* (the Guidelines) in order to appoint a new Children's eSafety Commissioner.

Under section 50 of the *Enhancing Online Safety for Children Act 2015*, you may appoint a person as the Commissioner provided you are satisfied that the person has substantial experience or knowledge, and significant understanding, in at least one of the following fields:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety;
- public policy in relation to the communications sector;
- child welfare or child wellbeing.

The full selection report (**Attachment A**) sets out broadly the skills and experience of the suitable candidates, all of whom have experience and knowledge of at least one of the above fields.

Your role as outlined in the Guidelines advises that you may consider meeting one or more of these candidates or consulting more widely with colleagues, the assessment panel or others prior to making a final decision. Once you have made a decision you will need to follow the normal appointment processes which includes writing to the Prime Minister with your recommended candidate.

If you decide not to appoint any of the candidates recommended by the assessment panel, under the Guidelines you are required to write to the Prime Minister outlining the reasons for your decision.

Recruitment process

On 17 June 2016, advertisements seeking applications from candidates to fill the role of the Commissioner commenced. Eighteen applications were received. Following interviews with shortlisted applicants, a selection report was prepared for the assessment panel which outlined the capabilities, strengths and weaknesses of the shortlisted applicants.

Next steps

You may wish to meet with Ms Julie Inman Grant, the preferred candidate, prior to making a final decision and writing to the Prime Minister recommending an appointment. You may also wish to meet with the two other suitable candidates. Following notification of your decision, we will prepare a letter for you to send to the Prime Minister seeking his agreement to the appointment of your recommended candidate.

CONSULTATION:

Nil

ATTACHMENT

Attachment A – Selection Advisory Committee Report

*Staff-in-Confidence***SELECTION ADVISORY COMMITTEE REPORT****CHILDREN'S eSAFETY COMMISSIONER
DEPARTMENT OF COMMUNICATIONS AND THE ARTS****BACKGROUND**

The Department of Communications and the Arts engaged the executive search firm, Executive Intelligence Group (EIG), to assist with the selection process for the Children's eSafety Commissioner. EIG advertised the vacancy on behalf of the Department, undertook an executive search to identify additional suitable candidates, shortlisted applicants and participated in the final selection interviews. The Selection Advisory Committee was fully consulted throughout the process.

The position was advertised on Wednesday 15 June 2016 in APS Jobs, Seek Executive, the Australian Financial Review Online, LinkedIn, the Departmental Website, and Careerone. A copy of the information provided to candidates outlining the role can be found at [Attachment D](#).

SELECTION ADVISORY COMMITTEE

The Selection Advisory Committee comprised:

Dr Heather Smith, (Chair), Secretary, Department of Communications and the Arts.

Mr Alastair MacGibbon, Prime Minister's Special Adviser on Cyber Security.

Ms Stephanie Foster, (APSC Representative), Deputy Commissioner, APSC.

s22(1)(a)(ii) was the EIG consultant for the process.

The APSC's representative's certification is at [Attachment A](#).

FIELD OF APPLICANTS

The advertising process attracted 18 applications for the position. After considering written claims, the Committee agreed to further examine the claims of 5 candidates at formal interviews which took place on Wednesday 31 August and Thursday 1 September 2016. A full listing of all applicants, with reasons for non-interview (where applicable), can be found at [Attachment C](#).

SELECTION METHODOLOGY

The Committee structured the interviews around discussion points based broadly on the key attributes required for the position together with questions addressing issues of particular relevance. Written applications, interview performance, and referee reports (where obtained) were used as the basis of selection.

PANEL SUMMARY

At the conclusion of interviews, and following referee checking, the Committee was unanimous in its view that there were three candidates who could undertake the role, and two candidates who could acquit the responsibilities of the role very effectively.

Staff-in-Confidence

Ms Julie Inman Grant holds dual Australian and US Citizenship and is a corporate affairs and public policy professional with more than 20 years' experience in the corporate, government and non-profit sectors with an emphasis on a wide range of Information and Communications Technology (ICT) policy issues. She specialises in online child safety, privacy and security and has, among other things, developed a range of online guides and programs including the Twitter Rules and Tools safety kit that has been translated into twelve languages and is used by Twitter globally. Ms Grant has an impressive career, commencing in the U.S. Congress where she worked on technology and education policy, as well as social issues concerning women and children. She has held ambassadorial roles with major global technology companies, run her own consultancy business, and been involved in various Consultative Working Groups on Cyber Safety advising successive governments.

Ms Inman Grant's energy and passion was clear at interview. She has a very strong technology background, understands the technology industry, and has extensive experience in issues relating to cyber safety for children and women. The Committee considered that she has the potential to drive innovation and provide strong leadership in improving online safety for Australian children, and indeed more broadly, and the style and intellect to not only continue the work of the Office but to enhance and adapt its scope of influence. The Committee considered Ms Grant's 'insider' knowledge of the sector would be a particular asset.

s47F



Staff-in-Confidence

s47F



On balance the Committee agreed that Ms Inman Grant was the strongest candidate for the role. With her impressive and directly relevant background, including national and international experience in major global technology companies, her strong track record of achievement in devising and delivering new and innovative strategies and platforms to improve cyber safety generally, particularly for children and women, and her experience in advising government, she would provide significant value to the Office. Her intellect, sense of presence and relationship skills are also translatable beyond her immediate role.

s47F



*Staff-in-Confidence***INDIVIDUAL ASSESSMENTS**

Individual assessments and referee reports (where applicable) relating to each of the interviewed candidates are provided later in this report. Their applications, in order of rating, can be found at Attachment B.

.....
Dr Heather Smith
(Chair)

/ /

.....
Mr Alastair MacGibbon
(Member)

/ /

.....
Ms Stephanie Foster
(APSC Representative)

/ /

*Staff-in-Confidence***INDIVIDUAL ASSESSMENTS**

Individual assessments and referee reports (where applicable) relating to each of the interviewed candidates are provided later in this report. Their applications, in order of rating, can be found at Attachment B.

s22(1)(a)(ii)



Dr Heather Smith
(Chair)

20/9/2016

Mr Alastair MacGibbon
(Member)

/ /

Ms Stephanie Foster
(APSC Representative)

/ /

Staff-in-Confidence**INDIVIDUAL ASSESSMENTS**

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Dr Heather Smith
(Chair)

/ /

.....
Mr Alastair MacGibbon
(Member)

/ /

s22(1)(a)(ii)
.....

Ms Stephanie Foster
(APSC Representative)

20/09/2016

*Staff-in-Confidence***INDIVIDUAL ASSESSMENTS**

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.....
Dr Heather Smith
(Chair)

/ /

s22(1)(a)(ii)

Mr Alastair MacGibbon
(Member)

27/9/16

.....
Ms Stephanie Foster
(APSC Representative)

/ /

Staff-in-Confidence

The following documents are attached:

APSC Representative's Certification	<u>Attachment A</u>
Applications of those interviewed	<u>Attachment B</u>
Schedule of applicants and reasons for non-interview	<u>Attachment C</u>
A copy of the Candidate Information Package provided to candidates	<u>Attachment D</u>

**PUBLIC SERVICE COMMISSIONER'S REPRESENTATIVE'S
DOCUMENTATION OF SELECTION PROCESS FOR
CHILDREN'S eSAFETY COMMISSIONER
DEPARTMENT OF COMMUNICATIONS AND THE ARTS**

(Please tick as appropriate)

Advertisement

- ☒ The vacancy was advertised on *APSjobs* website
☒ The vacancy was advertised in the national press

Assessment Panel

- ☒ The assessment panel comprised at least one male and one female

Shortlisting of Applicants

- ☒ I was fully involved in considering applications and deciding the shortlisting
☒ Where initial shortlisting was undertaken by an executive search firm, the committee carefully endorsed the shortlisting
☒ Applicants were shortlisted on the basis of merit* against the selection criteria

Selection Report

- ☒ I agree with the final report recommending a shortlist of suitable candidates

Any Comments on process.....
.....
.....
.....
.....
.....

s22(1)(a)(ii)

Signature _____
(name) **Ms Stephanie Foster**
Australian Public Service Commissioner's Representative

20/09/2016

Date:

***Definition of merit for the purpose of Agency Head/Statutory Office Holder Shortlist**

- An assessment is made on the relative suitability of the candidates for the duties, using a competitive selection process, and
- The assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required for the duties; and
- The assessment focuses on the relative capacity of the candidates to achieve outcomes related to the duties, and
- The assessment is the primary consideration in making the decision.

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Applications of those interviewed

Attachment B

**CHILDREN'S eSAFETY COMMISSIONER
DEPARTMENT OF COMMUNICATIONS AND THE ARTS**

NAME:	Julie Inman Grant
CURRENT POSITION:	Director of Government Relations, APAC, Adobe Systems, Australia
QUALIFICATIONS:	Master of Arts (International Communications), American University School of International Service, Washington DC, USA, 1995 Bachelor of Arts (International Relations), Boston University College of Liberal Arts, Boston, USA, 1990
PROFESSIONAL MEMBERSHIPS	Certified Information Privacy Professional, International Association of Privacy Professionals, since 2009
REFEREES:	s47F

COMMITTEE'S COMMENTS

Ms Inman Grant holds dual Australian and US Citizenship and is a corporate affairs and public policy professional with more than 20 years' experience in the corporate, government and non-profit sectors with an emphasis on a wide range of Information and Communications Technology (ICT) policy issues, and specialising in online child safety, privacy and security. She is currently working with Adobe and in her previous role she was Twitter's senior public policy representative in Australia, New Zealand and South-East Asia, managing a small team of public policy professionals to help shape the policy and regulatory environment in a way that benefits Twitter's users. In this capacity she has, among other things, developed a range of online guides and programs including the Twitter Rules & Tools safety kit that has been translated into twelve languages and is used by Twitter globally.

Prior to her role with Twitter Ms Inman Grant founded and managed a consulting and advisory firm, specialising in security, safety, privacy, public policy and corporate social responsibility issues which provided strategic guidance to corporate, non-profit and government clients. She has extensive corporate experience with Microsoft including devising and developing Microsoft's government, industry, and community affairs programs and law enforcement outreach initiatives for Australia and New Zealand, particularly developing policy positions, monitoring legislation, overseeing political activity and building third party relationships. Ms Inman Grant has authored a number of blogs and publications including position papers on "Stimulating Innovation in the Information Economy in Australia," and "The Technology Policy Blueprint: The Way Forward" and has participated in a range of Government-sponsored Consultative Working Groups on Cyber Safety under the Howard Government (2007-8), Rudd and Gillard Governments (2009), and Abbott and Turnbull Governments (2014-16). She claims highly developed skills and extensive international experience in public speaking and engagement with media, complex stakeholder management with Government, industry and the

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NGO community, as well as extensive experience working with law enforcement on a range of investigations, training programmes and online safety issues. Ms Inman Grant cites as major career achievements her leadership in the introduction of the *ThinkUKnow* partnership between Microsoft & the AFP; and the *#PositionofStrength* safety initiative for women which is promoted by Twitter.

At interview Ms Inman Grant's passion for the role of the Children's eSafety Commissioner was evident. She was personable, engaging and brought an energy to the discussion which was refreshing. She listened well and provided well considered responses to the questions which demonstrated not just her technical capabilities, but her strong ability to read the environment and to anticipate issues and develop appropriate responses. She has a broad interest across a range of social issues, a sound appreciation of the interdependencies across sectors and an ability to adapt and influence beyond a narrow remit. She has a strong understanding of the role of the Children's eSafety Commissioner and its challenges but also brought much broader insights into this important field of work. While at times her responses could have been a little more focused, the content was rich and the delivery impactful. She left the Committee with a strong sense that she would bring innovation and entrepreneurship to the organisation, would enhance its reputation and scope of influence, and would be seen as a highly credible appointment who would bring vitality and substance to the role.

Ms Inman Grant's key strengths are:

- Strong understanding of technology;
- Experience working in major global technology companies;
- Experience in driving cyber safety initiatives in commercial environments;
- Professional credibility;
- Strategic perspective on the future role of the Office.

Balanced against these, however, Ms Inman Grant:

- Does not have experience as a statutory office holder;
- Has had more limited media and representational experience.

Referees were very supportive of Ms Inman Grant commenting, amongst other things, that she has a broad understanding of the contemporary issues around child protection; has a good technical understanding of the issues; has a very strong ability to broker relationships and establish and utilise networks; and is known to all enforcement agents at this level in the country – a very important element in undertaking this role. They also said that she has an excellent understanding of the technology and the providers; has not worked within government but is likely to be able to take direction from government and feed information back to government in influencing policy; has high level strategic capability; has the intellect and policy background to translate into this role very well; and presents well publicly. One referee noted that Ms Inman Grant, in working in an organisation with a broad remit and a small number of resources, will need to ensure she gets the right balance in determining priorities and bringing people along who may not have the same work ethic. He noted that she was very receptive to feedback and he thinks this is an issue in the past.

Staff-in-Confidence**Children's e-Safety Commissioner
Department of Communications and the Arts
Reference Check One**

Name of candidate: Ms Julie Inman Grant

Present position: Director of Government Relations, APAC, Adobe Systems

Name of referee: s47F

Position of referee:

Contact details of referee:

Date of reference: September 2016

Referee Comments

s47F

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Attachment A

s47F



Comments taken by:

s47F

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Transport, Regional Development, Communications, Sport and the Arts

Staff-in-Confidence**Children's e-Safety Commissioner
Department of Communications and the Arts
Reference Check Two**

Name of candidate: Ms Julie Inman Grant

Present position: Director of Government Relations, Adobe Systems

Name of referee: s47F

Position of referee:

Contact details of referee:

Date of reference: September 2016

Referee Comments

s47F

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Attachment A

s47F


Comments taken by:

s47F
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**Children's e-Safety Commissioner
Department of Communications and the Arts
Reference Check Three**

Name of candidate: Ms Julie Inman Grant

Present position: Director of Government Relations, APAC, Adobe Systems

Name of referee: s47F

Position of referee:

Contact details of referee:

Date of reference: September 2016

Referee Comments

s47F

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Attachment A

s47F



Comments taken by:

s47F



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Attachment A

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Attachment A

Schedule of applicants and reasons for non-interview

Attachment C

Reasons for interview / non-interview					
#	Name	Qualifications	Career History	Interview	Reasons for interview / non-interview
1.	Inman Grant, Julie	MA (Int'l Comm), American University 1995 BA (IR), Boston University 1990 Certified Information Privacy Professional, Int'l Assoc of Privacy Professionals 2009	- May 2016 – Director Govt Relations Adobe - May 2014 – May 2016 Director of Public Policy, ANZ & SE Asia, Twitter - Sep 2012 – Apr 2014 Managing Director, Security, Safety, Privacy & Policy Strategies (S2P2) Pty. Ltd - Aug 2009 – Sep 2012 Global Director of Privacy & Online Safety, Microsoft Corporation, Redmond, WA USA - Nov 1995 – Jul 2009 Director of Security, Privacy and Online Safety, Microsoft Corporation (Washington, DC, Sydney & Melbourne).	Yes	Since May 2016 Ms Inman Grant has been the Director of Government Relations, Asia and Pacific for Adobe Systems. Prior to that she was the Director of Public Policy (ANZ & SE Asia) for Twitter and from 2012 to 2014 she managed her own consultancy firm which specialised in online safety, security, privacy and policy. Ms Inman Grant also worked for Microsoft for 17 years in a variety of positions. Ms Inman Grant has significant international experience in online security, especially in regards to children, and privacy. She has strong relevant experience and a very good understanding of social media and internet issues. Ms Inman Grant also has relevant experience in handling complaints arising from social media and online activity. Ms Inman Grant appears to have a level of gravitas in the area of e-safety and appropriate public media experience. Ms Inman Grant's general leadership and liaison skills and her ability to transition into the role may need to be tested further at interview.

s47F

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Attachment A

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Attachment A

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Attachment A

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Attachment A

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CANDIDATE INFORMATION PACK

Children's eSafety Commissioner

Department of Communications and the Arts

Reference No: 538

Close date: 5.30pm 8 July 2016

executive
intelligence
group

The Position and Person

Children's eSafety Commissioner

Reports to:

Location: The position may be located in Canberra, Sydney or Melbourne.

Overview

Position Overview

The Office of the Children's eSafety Commissioner commenced operation on 1 July 2015 to, among other things:

- Provide a national leadership role in improving online safety for Australian children; and
- Resolve complaints about cyberbullying of Australian children by administering a scheme for the rapid removal of cyberbullying material from large social media sites, and a cyberbullying civil notice regime.

Role of the Commissioner

The Commissioner will provide a national leadership role in improving online safety for Australian Children by administering:

- a two-tiered scheme, backed by legislation, for the rapid removal of cyberbullying material from large social media sites; and
- a cyberbullying civil notice regime, under which the Commissioner will have the power to issue civil notices to a person who posted cyberbullying material targeted at an Australian Child.

Other functions of the Commissioner include:

- promoting online safety for children;
- supporting and encouraging the implementation of measures to improve online safety for children;
- coordinating activities of Commonwealth departments, authorities and agencies relating to online safety for children;
- collecting, analysing, interpreting and disseminating information relating to online safety for children;
- supporting, encouraging, conducting, accrediting and evaluating educational, promotional and community awareness programs that are relevant to online safety for children;
- making, on behalf of the Commonwealth, grants of financial assistance in relation to online safety for children;
- supporting, encouraging, conducting and evaluating research about online safety for children;
- publishing reports and papers relating to online safety for children;
- advising and giving the Minister reports about online safety for children;
- consulting and cooperating with other persons, organisations and governments on online safety for children;
- advising and assisting persons in relation to their obligations under the proposed Enhancing Online Safety for Children legislation; and
- monitoring and promoting compliance with the Enhancing Online Safety for Children legislation.

Knowledge, Skills and Abilities

To be successful in this role you will have demonstrated high-level leadership and vision, and a record of effective advocacy on relevant policy issues, including strong media management and public communication skills. You will have strong familiarity with social media products and services and other consumer services provided over the internet. Experience with communications sector public policy issues and experience participating in or engaging closely with

the internet industry is critical. You will be capable of engaging with key online safety stakeholders, including State and Territory police and other law enforcement officials. You will also have:

- Strong familiarity with social media products and services and other consumer services provided over the internet;
- Experience with communications sector public policy issues;
- Experience participating in or engaging closely with the internet industry;
- Capacity to engage with key online safety stakeholders; and
- A demonstrated record of effective advocacy on relevant policy issues, including strong media management and public communication skills.

Experience in complaints handling or customer service processes is also highly desirable.

Key stakeholders include:

Key stakeholders for the Commissioner will include:

- (1) State and Territory police and other law enforcement officials
- (2) The internet industry including internet service providers, social media sites and application providers in Australia and overseas
- (3) Parents, teachers, schools and their respective peak bodies
- (4) Australian children and young people
- (5) Advocacy groups and NGOs
- (6) Commonwealth and State government officials; and
- (7) Academics and researchers working in online safety.

The person

To be successful in the role you will need to meet the selection criteria outlined on page 4. In addition, you will have experience in complaints handling and management of high volume complaints or customer service processes.

Qualifications

Relevant tertiary qualifications are desirable. In addition, membership of relevant professional associations or institutes will be well regarded.

Security

This position requires the successful candidate to have (or the ability to obtain) a Negative Vetting 2 (NV2) level security clearance.

Remuneration

The remuneration arrangements for the Commissioner are made under Determination 2015/09 by the Remuneration Tribunal in accordance with the *Remuneration Tribunal Act 1973*. The current base salary is \$247,810 per annum with a total remuneration package of \$339,460 per annum.

Tenure

The successful candidate will be offered a non-ongoing opportunity for a specified term of up to 5 years, with the possibility of further reappointment at the discretion of the relevant Minister.

Eligibility

To be eligible for engagement to the Australian Public Service (APS), applicants must be Australian citizens or have permanent residency status pending the granting of Australian citizenship. There are also restrictions on the employment of people who have accepted a redundancy benefit from an APS agency or a non-APS Commonwealth employer within the previous 12 months. Prospective appointees will be required to satisfy health, character and security checks.

Selection Criteria

The criteria below are applied when selecting for positions within the Australian Public Service. When considering applicants, Selection Advisory Panels will seek evidence of performance against each of the criteria. Selection panels may use a range of methods to identify work outcomes, capabilities and behaviours that demonstrate performance. It is therefore in the interests of candidates to present their application in a way that demonstrates significant outcomes associated with each of the criteria, as well as the capabilities and behaviours that underpin them. (Please note that it is not necessary to address the capabilities and behaviours individually).

1. Achieves Results

Relevant capabilities and behaviours:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers intended results

2. Cultivates productive working relationships

Relevant capabilities and behaviours:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people

3. Exemplify personal drive and integrity

Relevant capabilities and behaviours:

- Demonstrates Public Service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development

4. Communicates with influence

Relevant capabilities and behaviours:

- Communicates clearly
- Listens, understands and adapts to audience
- Negotiates persuasively

5. Shapes strategic thinking

Relevant capabilities and behaviours:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and opportunities
- Shows judgement, Intelligence and common sense

6. Additional mandatory criteria

Relevant capabilities and behaviours:

- Strong familiarity with social media products and services and other consumer services provided over the internet
- Experience with communications sector public policy issues
- Experience participating in or engaging closely with the internet industry
- Capacity to engage with key online safety stakeholders*
- A demonstrated record of effective advocacy on relevant policy issues, including strong media management and public communication skills

7. Highly desirable criteria*Relevant capabilities and behaviours:*

- Experience in complaints handling and management of high volume complaints or customer service processes

The Office

Background

On 1 July 2015 the *Enhancing Online Safety for Children Act 2015* commenced, establishing the Office of the Children's eSafety Commissioner (the Office) as an independent statutory office within the Australian Communications and Media Authority (ACMA) to take a national leadership role in online safety for children. The Office is committed to helping young people have safe, positive experiences online and encouraging behavioural change, where a generation of Australian children act responsibly online – just as they would offline.

Mr Alastair MacGibbon was appointed as the first Children's eSafety Commissioner (the Commissioner) and commenced in the role on 1 July 2015. He resigned from this position on 30 May 2016.

A key function of the Commissioner is to promote online safety for children. The Commissioner administers a complaints system to quickly remove cyberbullying material that is harmful to a child from social media sites. The Commissioner also supports online safety education programs, and administers the Online Content Scheme (which targets illegal and offensive content in Australia and overseas).

The Commissioner is also funded to deliver a resource package on online safety for women, including for people from culturally and linguistically diverse communities, and to develop resources to counter violent extremism amongst Australian youth.

The Office provides online safety education for Australian children and young people, a complaints service for young Australians who experience serious cyberbullying, and addresses illegal online content through the Online Content Scheme.

The Office has established good cooperative relationships with key social media partners including Ask.fm, Facebook, Flickr, Google+, Instagram, Twitter, Yahoo!7 Answers, Yahoo!7 Groups and YouTube. During its first nine months of operation, the Office dealt with over 1500 telephone and email enquiries and referred more than 4300 young people to Kids Helpline. The Office also resolved 124 cyberbullying complaints through strong cooperation with its social media partners.

The Office's goal is to empower all Australians to explore the online world – safely.

More information

More information about the Office is available at: www.esafety.gov.au

How to apply

In preparing your application you should address the selection criteria and also take into account the other attributes required for the role. Applications, in **one Word document** and quoting **Reference Number 538** should be **emailed** to: admin@execintell.com.au.

Hard copy applications may be faxed on (02) 6232 2222 or posted to:

s47F
Directors
Executive Intelligence Group
PO Box 5125
BRADDON ACT 2612

Applications close at 5.30pm on 8 July 2016.

Before submitting your application, please ensure you can answer 'yes' to the following:

1. Have you completed the application form?
2. Have you included your CV?
3. Have you addressed the Selection Criteria?
4. Have you included current contact details?
5. Have you prepared your application in one Word document?
6. Have you named your application; Surname, First Name #538 eSafety Commissioner, Communications
7. Is your application succinct and informative?

Please note:

It is our standard practice to acknowledge the receipt of all applications via email. In the event that you do not receive an email acknowledging receipt of your application, please contact us on (02) 6232 2200.

In lodging your application with **Executive Intelligence Group** via email to admin@execintell.com.au please ensure that you do **NOT** use Departmental secure email or titling of emails which could lead to issues with sending and receiving. We are unable to receive or read these and there is a high likelihood that your application will be overlooked.

How to approach preparing your application

Generally prospective applicants will be busy and time poor. The purpose of your application is to put forward your claims for a role in a way that is succinct and compelling, and which provides the best possible snapshot of your strengths and achievements.

When framing your application, you should take account of the requirements of the position and the selection criteria against which you will be assessed.

The following are some tips that may help you in preparing your application:

- Complete the application form which states: your name, the position (with Reference Number) applied for, your current contact details, current position, current approximate remuneration, educational qualifications and referees (where possible)
- Keep your application succinct (7-10 pages – this is a guide only). **This should be in a single document for ease of handling.**
- Include key elements such as:
 - an employment history;
 - a short summary identifying your specific achievements, skills and what you can offer to this role; and
 - a statement of claims which illustrates your experience against the requirements of the role/selection criteria.
- It is important that the information in your application is correct, particularly dates and contact details, and it also helps if you clearly nominate whether the organisation is a government (Commonwealth, State or Territory), private sector, or a community organisation etc.
- For more recent roles (approximately the last 5 years) a quick snapshot of the key responsibilities you had in each role would be valuable; while we do not generally require detailed information on roles held more than five years ago, we do need to have a full picture of your career history.
- Please also include dates and details relating to your educational qualifications.
- The format for applications is quite flexible – we do not require elaborate presentation, however we do need the application to be easy to read, accurate and concise.

We wish you all the best with your application.

Privacy Policy

At the Executive Intelligence Group Pty Ltd we are committed to safeguarding personal information collected for the purposes of providing our services. When dealing with your personal information, Executive Intelligence Group must comply with the Federal Privacy Act 1988 (the Privacy Act). In accordance with this legislation, the purpose of this statement is to tell you what sort of information we will collect about you, how we will use it, how you may correct or change it and how to contact us.

What information we collect

Leadership Development including Coaching

The personal information we collect about you may include information provided by you and/ or your employer (if we are engaged by them) such as your name, mailing address, current position, employment history, telephone numbers, email addresses, academic qualifications, professional memberships, your hobbies and interests and your performance.

Executive Search

The personal information we collect about you may include information provided by you in your application, resume or CV such as your name, mailing address, current position, employment history, telephone numbers, email addresses, academic qualifications, professional memberships, your hobbies and interests. We may also collect and/or verify information relating to your application from a range of sources including but not limited to former and current employers, nominated referees and academic institutions.

We may collect information by telephone, email, letter, facsimile or any other means of communication.

How we use this information

Executive Intelligence Group will use the personal information we collect for the purpose for which it has been provided to us and for other services provided by us or any subsidiary. In addition, your personal information may need to be disclosed to external service providers engaged by Executive Intelligence Group. These providers may include any third party facilitators, coaches, mentors, scribes and our IT provider (who will need access to our systems to maintain them). We will not use your personal information for any other purpose without first seeking your consent, except in accordance with the Privacy Act.

Access to your information

In most circumstances you have the right to see and have a copy of personal information about you that we hold. If at any time you believe that the information that we hold about you is inaccurate you should contact our privacy officer, whose details are shown below. If the request is complex or time consuming, we may charge you a fee for giving you access.

Security

Executive Intelligence Group will take reasonable steps to keep secure any personal information that we hold and keep this information accurate and up to date. Personal information is stored in a secure server or secure files.

Contact Us

You can make further inquiries or lodge complaints about our privacy policy by contacting our privacy officer: email: admin@execintell.com.au. You can also make complaints to the Office of the Federal Privacy Commissioner.

~~PROTECTED~~

MS16-002156



Australian Government

Department of Communications and the Arts

SUBJECT: Appointment of the Children's eSafety Commissioner – Letter to the Prime Minister

TIMING: BY 24 OCTOBER 2016 TO ENABLE RECEIPT BY THE PRIME MINISTER BY 25 OCTOBER 2016

KEY ISSUES:

1. On 29 September 2016 in **MS16-002012**, the Department provided you with a report on the selection process outcomes for the Children's eSafety Commissioner (the Commissioner).
2. We understand that following consideration of the report and meeting with the assessment panel, you have agreed to appoint Ms Julie Inman Grant as the Commissioner.
3. Attached is a letter for your signature to the Prime Minister, seeking approval of the appointment of Ms Inman Grant to fulfil the role of Commissioner (**Attachment A**).
4. At the Prime Minister's discretion, he may decide that this appointment should be considered by the Cabinet. The relevant s34(2) forms are included with the letter to the Prime Minister, should these be required (**Attachment B**).
5. The letter to the Prime Minister will need to be received by 25 October 2015 to be considered at s34(2).
6. Under section 50(1) the *Enhancing Online Safety for Children Act 2015*, you are responsible for appointing the Commissioner by written instrument. Unlike some other appointments within your portfolio, this appointment is not made by the Governor-General, and does not need to go to the Executive Council.
7. Once the Prime Minister or the Cabinet makes a decision, we will provide you with the documentation required for you to make the appointment.

RECOMMENDATION:

1. That you sign the letter to the Prime Minister seeking his approval or that of Cabinet for the appointment of Ms Inman Grant	1. Signed/Not signed
	MITCH FIFIELD/...../2016
Name: s22(1)(a)(ii)	Contact Nos: (m) s22(1)(a)(ii)
Branch: Content and Copyright	(w) 02 6271 s22(1)(a)(ii)
	Date: 2016
Instructions for PSS: Nil	Contact Officer: s22(1)(a)(ii)
	Tel: 02 6271 s22(1)(a)(ii)
PDMS CC List: Dr Smith, Ms O'Loughlin, Dr Pelling	

SENSITIVITIES: Nil

CONSULTATION: Department of Prime Minister and the Cabinet

~~PROTECTED~~

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

The Hon Malcolm Turnbull MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Appointment of the Children's eSafety Commissioner

Dear Prime Minister

I am writing to seek your approval or, at your discretion, that of the Cabinet, for the appointment of Ms Julie Inman Grant as the Children's eSafety Commissioner (the Commissioner) for a period of five years.

The position of the Commissioner is established under the *Enhancing Online Safety for Children Act 2015* (the Act) which commenced on 1 July 2015.

In accordance with Government requirements set out in the Australian Public Service Commission's *Merit and Transparency: Merit-Based selection of APS agency heads and APS statutory office holders guidance* (the APSC guidelines), this position was advertised and an open recruitment process, chaired by the Secretary of the Department of Communications and the Arts, was conducted to find suitable candidates for the appointment.

The Commissioner takes a high public profile to provide leadership across Government, industry and the community in enhancing children's online safety. Ms Inman Grant was shortlisted as a highly suitable candidate for the appointment and I recommend her for the position based on her skills and community standing.

Ms Inman Grant has impressive national and international experience in major global technology companies, a strong track record of achievement in delivering innovative strategies to improve cyber safety, excellent communications skills, and experience in advising government. Ms Inman Grant has the potential to drive innovation and provide strong leadership in improving online safety for Australian children and more broadly.

Ms Inman Grant has strong familiarity with social media products and services and other consumer services provided over the internet. She has demonstrated experience in communications sector public policy issues and experience in engaging closely with the internet industry as well as the capacity to engage with key stakeholders.

~~PROTECTED Sensitive: Cabinet~~

In accordance with the proposed requirements in clause 50(2) of the Act, I am satisfied that Ms Inman Grant has substantial experience and knowledge, and significant standing, in each of the fields of:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety; and
- public policy in relation to the communications sector.

Based on the above, I recommend Ms Inman Grant for appointment to the position of Children's eSafety Commissioner for a period of five years (the maximum term permitted under the Act).

The completed ^{s34(2)} forms for Ms Inman Grant, including curriculum vitae and ^{s34(2)}, are enclosed.

Yours sincerely

MITCH FIFIELD

Encl. ^{s34(2)}, curriculum vitae and ^{s34(2)} for Ms Julie Inman Grant.

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

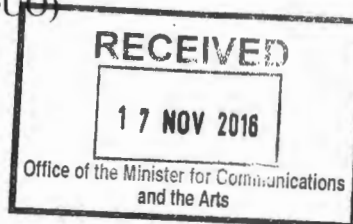
~~PROTECTED Sensitive: Cabinet~~

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Australian Government

Department of Communications and the Arts



MS16-002328

SUBJECT: Appointment of the Children's eSafety Commissioner – Letter of Appointment**TIMING: FOR ACTION BY 26 NOVEMBER 2016**

Received in Parliamentary

22 NOV 2016

KEY ISSUES:

- On 6 May 2016 in MS16-000560, you agreed to the Department commencing a merit-based selection process to appoint a new Children's eSafety Commissioner (the Commissioner).
- On 24 October 2016 in MS16-002156, you wrote to the Prime Minister seeking his agreement to appoint Ms Inman Grant. On ^{s34(2)} [redacted] agreed to the appointment.
- A letter of appointment has been prepared for your signature (**Attachment A**) to appoint Ms Inman Grant as the Commissioner under subsection 50(1) of the *Enhancing Online Safety for Children Act 2015* for a period of five years from the date of the letter.

RECOMMENDATION/S:

That you sign the letter to Ms Julie Inman Grant appointing her as Commissioner (**Attachment A**).

Signed/Not Signed

MITCH FIFIELD

18.../11.../2016

Contact Nos: (m) ^{s22(1)(a)(ii)} [redacted](w) 02 ^{s22(1)(a)(ii)} [redacted]

Date: November 2016

Name: ^{s22(1)(a)(ii)} [redacted]

Division: Content

Instructions for PSS: Nil

Contact Officer: ^{s22(1)(a)(ii)} [redacted]Tel: 02 ^{s22(1)(a)(ii)} [redacted]PDMS CC List: Heather Smith, Richard Windeyer, ^{s22(1)(a)(ii)} [redacted]**SENSITIVITIES: Nil****CONSULTATION: Nil**

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BACKGROUND:

The statutory office of the Children's eSafety Commissioner is a full time position that can be held for a maximum period of five years. It is proposed Ms Inman Grant be appointed for a period of five years from the date of the letter of appointment.

The remuneration for this position is determined by the Remuneration Tribunal in accordance with the provisions of the *Remuneration Tribunal Act 1973*. The current determination took effect on 28 September 2016 setting the Children's eSafety Commissioner's base salary at \$247,810 per annum and total remuneration at \$339,460 per annum. Recreation leave entitlements are also determined by the Remuneration Tribunal.

Under subsection 54(2) of the *Enhancing Online Safety for Children Act 2015* (the Act), you may grant the Commissioner leave of absence (other than recreation leave) on the terms and conditions that are determined by you. For the purposes of consistency and administrative ease given that the Office of the Children's eSafety Commissioner is notionally attached to the ACMA, we propose that you determine that these terms and conditions for other leave types be the terms and entitlements afforded to a full-time member of the ACMA.

The standard provisions governing the behaviour and duties of public officials set out in Subdivision A of Division 3 of Part 2-2 of the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act) do not apply to the Commissioner, as the Commissioner is not an accountable authority nor an official of a Commonwealth entity. Although the Act established the Commissioner as an independent office holder, the Commissioner is not an agency, nor an agency head for the purposes of the PGPA Act.

Given this, and to provide clarity, the letter of appointment (at **Attachment A**) for the Commissioner sets out your expectations and makes it a condition of appointment that she will comply with the general duties of officials as if she were subject to the PGPA Act and comply with the processes set out in the accountable authority instructions of the ACMA as if she were an official of the ACMA. This has the effect of applying standard governance and financial accountability arrangements to Ms Inman Grant and is consistent with the arrangements previously applied to Mr MacGibbon.

The standard provisions impose:

- a duty of care and diligence;
- a duty to act in good faith and for proper purpose;
- a duty not to improperly use an official position;
- a duty not to improperly use information; and
- a duty to disclose personal interests.

Division 2 of Part 2-2 of the PGPA Act also allows an accountable authority of a Commonwealth entity to give instructions to an official of the Commonwealth entity relating to the finance law (accountable authority instructions).

The letter of appointment also sets out certain rules and expectations in relation to Ms Inman Grant's conduct. As a statutory office holder, the Commissioner will be bound by the Australian Public Service (APS) Code of Conduct in section 13 of the *Public Service Act 1999* in the same way as an APS employee.

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In light of this condition of appointment, any failure to comply could be used as grounds to terminate her appointment for misbehaviour under paragraph 58(1)(a) of the Act. This has the effect of applying a similar enforcement mechanism to the standard enforcement mechanism in section 30 of the PGPA Act.

Notification and feedback to unsuccessful applicants will be managed by the executive search firm, Executive Intelligence Group (EIG), who will notify unsuccessful candidates of the outcome of their application in writing and, as required, provide oral feedback to unsuccessful candidates.



SENATOR THE HON MITCH FIFIELD
MINISTER FOR COMMUNICATIONS
MINISTER FOR THE ARTS
MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Ms Julie Inman Grant

s47F

Appointment as Children's eSafety Commissioner

Dear Ms Inman Grant

Julie

I am writing to appoint you, under subsection 50(1) of the *Enhancing Online Safety for Children Act 2015* (the Online Safety Act) together with subsection 4(2) of the *Acts Interpretation Act 1901* as the Children's eSafety Commissioner (the Commissioner) for a period of five years, commencing on Monday 16 January, 2017.

The Commissioner is an independent statutory office that is supported by the Australian Communications and Media Authority (the ACMA) in accordance with the Online Safety Act.

Under section 50 of the Online Safety Act, I may appoint a person as the Commissioner provided I am satisfied that the person has substantial experience or knowledge, and significant understanding, in at least one of the following fields:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety;
- public policy in relation to the communications sector;
- child welfare or child wellbeing.

I note that you have impressive national and international experience in major global technology companies, including at Twitter and Microsoft. You also have a strong track record of achievement in delivering innovative strategies to improve cyber safety, excellent communications skills, and experience in advising government.

In accordance with subsection 50(2) of the Online Safety Act, I am satisfied that this professional history provides you with substantial experience or knowledge, and significant standing, in at least the following fields:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety; and
- public policy in relation to the communications sector.

Remuneration for the position is determined by the Remuneration Tribunal in accordance with the provisions of the *Remuneration Tribunal Act 1973*. The current determination took effect on 28 September 2016 setting the Children's eSafety Commissioner's base salary at \$247,810 per annum and total remuneration at \$339,460 per annum. Recreation leave entitlements are also determined by the Remuneration Tribunal.

In relation to other, non-recreation leave terms and conditions, under subsection 54(2) of the Online Safety Act, I determine that the terms and conditions for other leave will be the same as the terms and conditions afforded to a full-time member of the ACMA.

As an appointee to a statutory office, I expect you to perform your functions and exercise your powers in accordance with the standards expected of public officials. As a statutory office holder, you are bound by the Australian Public Service (APS) Code of Conduct in section 13 of the *Public Service Act 1999* (the Public Service Act) in the same way as APS employees.

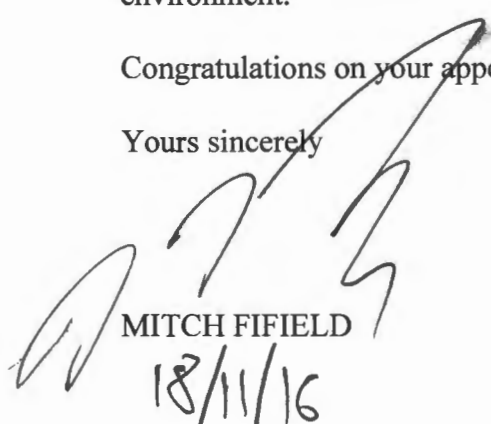
I also expect you to comply with the following additional terms and conditions of holding office, which I determine under section 59 of the Online Safety Act:

- to uphold and promote the APS Values set out in section 10 of the Public Service Act;
- to comply with the general duties of officials in subdivision A of Division 3 of the *Public Governance, Performance and Accountability Act 2013* as if you were an official of a Commonwealth entity for the purposes of that Act; and
- as far as practicable, to follow the processes set out in the accountable authority instructions of the ACMA as if you were an official of the ACMA.

I am confident that your diverse skills and experience will enable you to make a valuable contribution to this important area of public policy in a dynamic communications environment.

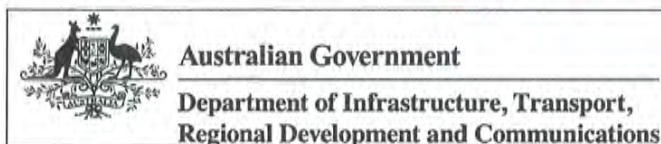
Congratulations on your appointment.

Yours sincerely



MITCH FIFIELD

18/11/16

~~PROTECTED CABINET~~

Dispatched to MO

02 MAR 2021

Ministerial Submission
MS21-000154

BY: OPO

RECEIVED

- 2 MAR 2021

Office of the Minister for Communications
and the Arts

To: Minister for Communications, Urban Infrastructure, Cities and the Arts,
the Hon Paul Fletcher MP (for decision)

Subject: eSafety Commissioner reappointment – notification of intent

Critical Date: Routine

Recommendations for Minister Fletcher: That you

1. Agree to seek to reappoint Ms Julie Inman Grant as the eSafety Commissioner for another five year term.	Agreed / Not Agreed
2. Sign the letter to Ms Inman Grant at Attachment A to formally advise of your intention to reappoint her.	Signed / Not Signed
3. Note the information provided in this brief.	Noted / Please Discuss
 Minister's Signature:.....	4 3 Date:...../.../2021
Minister's Comments	Quality Rating
	1. Very Poor 2. Poor 3. Satisfactory 4. Good 5. Excellent

Purpose:

1. To seek your formal agreement to seek to reappoint Ms Inman Grant as the eSafety Commissioner for a five year term. We recommend that you sign the letter to Ms Inman Grant to notify her of your intention to reappoint.

Key Issues:

2. Following your submission on 17 February to the Remuneration Tribunal regarding the eSafety Commissioner's remuneration, your office indicated your intention to reappoint Ms Inman Grant for another term. The first step in the reappointment process is a letter (Attachment A), providing formal notification to Ms Inman Grant of your intention to reappoint her as eSafety Commissioner for another five year term.

3. The appointment of the eSafety Commissioner is considered a 'significant Government appointment', and the process outlined in the Cabinet Handbook for appointments must be followed.

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

Following your formal agreement and notification to Ms Inman Grant, we will commence the Cabinet appointments process to reappoint Ms Inman Grant and brief you accordingly.

Sensitivities: N/A

Financial Implications: N/A

Background/Issues:

4. Ms Inman Grant's term of appointment commenced on 16 January 2017, with her current appointment due to expire on 15 January 2022.

5. As outlined in sections 50 and 51 of the *Enhancing Online Safety Act 2015*, the Commissioner is to be appointed by the Minister by written instrument, and is eligible for appointment if the Minister is satisfied that the person meets the criteria in section 50. The position of eSafety Commissioner is on a full time basis for a period not exceeding five years, however, the Commissioner may be reappointed. This appointment process will continue in the Online Safety Bill you introduced to Parliament on 24 February 2021 (clauses 167 and 168 of the Bill refer).

6. The Cabinet Handbook states that the process for significant Government appointments includes consideration "no more than three months in advance" of when the position is to be filled, ^{s47C}

a. We consider it likely that the Prime Minister will refer the reappointment to Cabinet. Ms Inman Grant's initial appointment was considered and endorsed ^{s34(2)}

b. If the appointment is referred to Cabinet, we recommend that your office engage with the offices of the Cabinet Secretary and the Prime Minister to get the item listed on the Cabinet agenda.

7. The Australian Public Service Commission's (APSC) Merit and Transparency Policy must also be followed. This policy requires that you formally write to the incumbent to inform them of your intention to reappoint.

Communication/Media Activities: N/A

Consultation:

8. PM&C; APSC; Governance, Parliamentary & Integrity Branch

Attachments: Attachment A

Contact Officer:	^{s22(1)(a)(ii)}	Cleared by:	Bridget Gannon
Position:	Director	Position:	Assistant Secretary
Branch:	Digital Platforms & Online Safety	Branch:	Digital Platforms & Online Safety
Phone/Mobile:	02 ^{s22(1)(a)(ii)} / ^{s22(1)(a)(ii)}	Phone/Mobile:	02 ^{s22(1)(a)(ii)} / ^{s22(1)(a)(ii)}

Instructions for MAPS: A copy of the letter to Ms Inman Grant (Attachment A to this brief) is to be provided to the Australian Public Service Commissioner, Mr Peter Woolcott AO, and the Secretary of the Department of Infrastructure, Transport, Regional Development and Communications, Mr Simon Atkinson.

Responsible Adviser: ^{s22(1)(a)(ii)}

Distribution CC List: Simon Atkinson, Richard Windeyer, Pauline Sullivan, Bridget Gannon, ^{s22(1)(a)(ii)}
^{s22(1)(a)(ii)} ^{s22(1)(a)(ii)}

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~



PARLIAMENT OF AUSTRALIA • HOUSE OF REPRESENTATIVES

PAUL FLETCHER MP

Federal Member for Bradfield
Minister for Communications,
Urban Infrastructure,
Cities & the Arts

MS21-000154

Ms Julie Inman Grant
eSafety Commissioner
PO Box Q500
Queen Victoria Building
Sydney NSW 1230

Dear Ms Inman Grant *Julie*

I am writing to you regarding your current term of appointment as the eSafety Commissioner, which is due to expire on 15 January 2022.

I am pleased to advise you of my intent to reappoint you for a further five year term, commencing on 16 January 2022.

The position of eSafety Commissioner is considered a significant government appointment and is subject to the appointment process outlined in the Cabinet Handbook. Officials from my Department will be in touch with you to seek your assistance with the reappointment process.

Should you wish to discuss the reappointment process, the contact officer in my Department is Bridget Gannon, Assistant Secretary, Digital Platforms and Online Safety Branch (02 ^{s22(1)(a)(ii)}) or bridget.gannon@infrastructure.gov.au.

A copy of this letter has been sent to the Australian Public Service Commissioner, Mr Peter Woolcott AO, and the Secretary of the Department of Infrastructure, Transport, Regional Development and Communications, Mr Simon Atkinson.

Thank you for your work to fulfil the Government's commitment to keep Australians safe online. I look forward to your continued success in your role as the world's first dedicated online safety regulator.

Yours sincerely

Paul Fletcher

4/3/2021

~~PROTECTED CABINET~~

s22(1)(a)(ii)

s22(1)(a)(ii)

Attachments: MS - FLETCHER - Att D - s34(2).docx; MS - FLETCHER - Att C - Cabinet-PM Approval - CV Julie Inman Grant.doc

s22(1)(a)(ii)

From: ESAFETY - INMANGRANT,Julie <[REDACTED]@esafety.gov.au>
Sent: Friday, 4 June 2021 12:03 PM
To: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
Subject: RE: eSafety Commissioner's reappointment [REDACTED]

~~PROTECTED~~

Hello [REDACTED]

Attached are my completed documents. I'll send my full CV in email, should you need it. I also couldn't figure out how to provide my signature as I can't get it onto fortress and don't have access to a printer and scanner. If it isn't considered protected, I'd be happy for this to be sent to [REDACTED] on email and she can insert my digital signature. Thanks for your patience on this! Julie

From: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
Sent: Monday, 17 May 2021 5:08 PM
To: ESAFETY - INMANGRANT,Julie <[REDACTED]@esafety.gov.au>
Subject: FW: eSafety Commissioner's reappointment [REDACTED, CAVEAT - SH.CABINET, ACCESS - Personal Privacy] [REDACTED]

~~PROTECTED~~

Hi Julie,
 Email on normal email refers...
 BG

~~PROTECTED~~

From: Gannon, Bridget
Sent: Monday, 15 March 2021 6:40 PM
To: 'ACMA - INMANGRANT,Julie' <[REDACTED]@acma.gov.au>

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

Cc: s22(1)(a)(ii) .acma.gov.au' <s22(1)(a)(ii) .acma.gov.au>

Subject: eSafety Commissioner's reappointment [SEC-PROTECTED, CAVEAT-SH.CABINET, ACCESS-Personal Privacy]

~~PROTECTED, SH.CABINET, Personal Privacy~~

Dear Julie

I am writing following Minister Fletcher's letter of 4 March 2021 which noted his intention to reappoint you as the eSafety Commissioner for another five year term.

This appointment of eSafety Commissioner is considered a 'significant Government appointment' and the process for appointments outlined in the Cabinet Handbook must be followed. Part of this process includes the completion of a s34(2) form and an up to date Curriculum Vitae. I have attached both of these documents for your review and completion. Once complete, these will form part of the Minister's Submission to the Prime Minister (or at the Prime Minister's discretion, a Submission to the Cabinet) seeking agreement to your reappointment.

Please don't hesitate to get in touch if you have any questions about these forms or the reappointment process more generally.

Kind regards
Bridget

Bridget Gannon

Assistant Secretary, Digital Platforms and Online Safety
Department of Infrastructure, Transport, Regional Development and Communications

P +61 2 s22(1)(a)

P +61 s22(1)(a)(ii)

bridget.gannon@infrastructure.gov.au

2 Phillip Law Street, Canberra ACT 2601
GPO Box 2154 Canberra, ACT 2601

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

~~PROTECTED, SH.CABINET~~

This material may contain 'personal information' as defined under section 6 of the Privacy Act 1988

~~PROTECTED, SH.CABINET, Personal Privacy~~

This material may contain 'personal information' as defined under section 6 of the Privacy Act 1988

~~PROTECTED, SH.CABINET, Personal Privacy~~

~~PROTECTED~~

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~~PROTECTED CABINET~~

 Australian Government Department of Infrastructure, Transport, Regional Development and Communications	Dispatched to MO 28 JUN 2021	Ministerial Submission MS21-000142

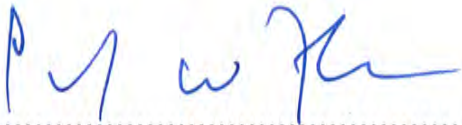
To: Minister for Communications, Urban Infrastructure, Cities and the Arts,
the Hon Paul Fletcher MP (for decision)

Subject: Reappointment of eSafety Commissioner – Cabinet documents

Critical Date: Routine



Recommendations for Minister Fletcher: That you

1. Sign the letter to the Prime Minister at Attachment A seeking the reappointment of Ms Julie Inman Grant to eSafety Commissioner.	Signed / Not Signed
2. Approve the Cabinet's appointment documentation at Attachment B, Attachment C, Attachment D and Attachment E.	Approved / Not Approved
Minister's Signature: 	Date: 10/7/2021
Minister's Comments	Quality Rating
	1. Very Poor 2. Poor 3. Satisfactory 4. Good 5. Excellent

Purpose:

1. To provide you with advice on the process to reappoint Ms Julie Inman Grant as the eSafety Commissioner for another five year term as agreed by you on 4 March 2021 (MS21-000154 refers).

Key Issues:

2. Ms Julie Inman Grant's current appointment expires on 15 January 2022. On 4 March 2021 (MS21-000154) you asked that we commence the reappointment process. It is proposed that Ms Inman Grant be reappointed to the position of eSafety Commissioner of the Office of the eSafety Commissioner for a further period of five years. This appointment is not subject to the Government policy on the gender balance target.

3. The eSafety Commissioner is considered to be a 'significant' Government appointment for the purposes of the Cabinet Handbook. As such, you must write to the Prime Minister seeking his approval of the appointment, or at his discretion, approval by the Cabinet, before it is made. A letter to the Prime Minister with a proposal of appointment must be accompanied by the required Cabinet documentation, Attachment B, Attachment C, Attachment D and Attachment E, provided with the letter at Attachment A.

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

4. The draft letter at Attachment A recommends Ms Inman Grant for reappointment due to her demonstrated success in the position since her appointment commenced in 2017. Ms Inman Grant's extensive national and international experience in major global technology companies has provided her with a deep understanding of social media products and services that she has leveraged in her appointment as eSafety Commisisoner. As eSafety Commissioner, Ms Inman Grant has successfully implemented new legislative regimes, advocated for and provided support to Australians who have had negative experiences online, and contributed to Australians' understanding of online safety issues.

5. Ms Inman Grant has confirmed interest in being considered for reappointment as the eSafety Commissioner, has agreed to the proposed remuneration, and confirmed there is no conflict of interest that could preclude her from appointment. Ms Inman Grant's ^{s34(2)} form is at Attachment B, curriculum vitae is at Attachment C, ^{s34(2)} is at Attachment D and a current board membership list for the Office of the eSafety Commissioner is at Attachment E. Should the appointment be referred to Cabinet for consideration, a summary of Ms Inman Grant's suitability and suggested talking points is at Attachment F.

Sensitivities: N/A

Financial Implications: N/A

Background/Issues:

6. Timing: The Cabinet usually only considers appointments 3 months before the appointment is due to expire. The Cabinet Division in the Department of the Prime Minister and Cabinet has advised that early consideration is at the discretion of the Prime Minister, or the Cabinet Secretary if the Prime Minister refers the appointment to Cabinet for consideration (MS21-000154 refers).

7. Remuneration: On 5 May 2021, the Remuneration Tribunal wrote to you to confirm agreement to increasing the eSafety Commissioner's remuneration if the Online Safety Bill is passed. The Tribunal will issue a new determination and the eSafety Commissioner's total annual remuneration will increase from \$360,250 to \$415,680 (response to MS21-000071 refers) to take effect when the Act commences. The Appointment details form (Attachment B) references the current total remuneration as this is the amount reflected in the current determination.

Communication/Media Activities: N/A

Consultation:

8. Australian Public Service Commission; Governance, Parliamentary and Integrity Branch; eSafety Commissioner; the Department of the Prime Minister and Cabinet.

Attachments:

Attachment A: Letter to the Prime Minister

Attachment B: Appointment details

Attachment C: Curriculum vitae

Attachment D: Private interests declaration

Attachment E: Board membership list

Attachment F: Suitability and talking points

Contact Officer:	^{s22(1)(a)(ii)}	Cleared by:	Bridget Gannon
Position:	Director	Position:	Assistant Secretary
Branch:	Digital Platforms & Online Safety	Branch:	Digital Platforms & Online Safety
Phone/Mobile:	02 ^{s22(1)(a)(ii)} / ^{s22(1)(a)(ii)}	Phone/Mobile:	02 ^{s22(1)(a)(ii)} / ^{s22(1)(a)(ii)}

Instructions for MAPS: Nil

Responsible Adviser: ^{s22(1)(a)(ii)}

Distribution CC List: Simon Atkinson, Richard Windeyer, Pauline Sullivan, Bridget Gannon, ^{s22(1)(a)(ii)}
^{s22(1)(a)(ii)}

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

PARLIAMENT OF AUSTRALIA • HOUSE OF REPRESENTATIVES



PAUL FLETCHER MP

Federal Member for Bradfield
Minister for Communications,
Urban Infrastructure,
Cities & the Arts

MS21-000142

The Hon Scott Morrison MP
Prime Minister
Parliament House
Canberra ACT 2600

Dear Prime Minister

I am writing to seek your approval, or at your discretion, that of the Cabinet, for the reappointment of Ms Julie Inman Grant as the eSafety Commissioner (the Commissioner) for a term of five years.

Appointment to the position of Commissioner is established under the *Enhancing Online Safety Act 2015* (EOSA). The position requires a formal selection process, however, in accordance with the Australian Public Service Commission's Merit and Transparency Policy a selection process is not required where it is intended to reappoint the incumbent. As such, no formal selection process was undertaken to reappoint Ms Inman Grant.

Ms Inman Grant has successfully fulfilled the position of Commissioner since her appointment in 2017. Some of Ms Inman Grant's key achievements include:

- implementing the *Enhancing Online Safety (Non-consensual Sharing of Intimate Images) Act 2018*, to administer a complaints and objections system to help deal with instances of image-based abuse;
- implementing the *Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019*, which was introduced in response to the Christchurch terrorist attacks in March 2019 to help the Commissioner deal with abhorrent violent material online;
- advocating for and providing support to Australians who have had negative experiences online; and
- leading the national coordination of online safety awareness and contributing to Australians' increased understanding of online safety issues.

Ms Inman Grant's significant national and international experience in major global technology companies, strong track record of achieving innovative strategies to improve cyber safety, excellent communication skills, and experience advising government have contributed to her success in the position. Ms Inman Grant has leveraged her deep understanding of social media services and products to contribute to positive outcomes and online experiences for Australians, including women and children.

~~PROTECTED CABINET~~

In accordance with the requirements in section 50 of the EOSA, I am satisfied that Ms Inman Grant has substantial experience and knowledge, and significant standing in the following fields:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety; and
- public policy in relation to the communications sector.

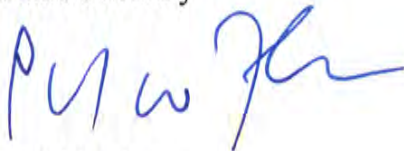
Ms Inman Grant has completed the requisite declarations regarding her private interests which raised no concerns. I have enclosed the ^{s34(2)} [REDACTED] Curriculum Vitae and ^{s34(2)} [REDACTED] form, as well as the required board membership list. With regard to Ms Inman Grant's remuneration, I note that the Remuneration Tribunal recently agreed to an increase from \$360,250 per annum to \$415,680 per annum, to take effect when the Online Safety Act commences.

The position of Commissioner is not subject to the Government policy on the gender balance target, and as such no consultation on this policy has occurred.

Ms Inman Grant's current appointment expires in January 2022. However, I am seeking your early consideration of this matter to provide certainty and stability as eSafety prepares for the new online safety legislation.

I have carefully considered the proposed appointee and believe she has the appropriate skills, experience and background to continue to make a valuable contribution as the eSafety Commissioner. I highly commend this proposed reappointment to you.

Yours sincerely



Paul Fletcher

10 / 7 / 2021

Enc.

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Saturday, 17 July 2021 4:15 PM
To: Gannon, Bridget
Subject: RE: Not urgent - checking the process for JIG reappointment [SEC=OFFICIAL]

OFFICIAL

Thanks very much BG. We will chat to PMO.

s22(1)(a)(ii)

OFFICIAL

-----Original Message-----

From: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
 Sent: Friday, 16 July 2021 11:20 PM
 To: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>
 Subject: Re: Not urgent - checking the process for JIG reappointment [SEC=OFFICIAL]

Hi s22(1)(a)(ii)

I just remembered that I forgot to respond to your email. Sorry!

We contacted PM&C this week with a view to influencing their briefing to the PM on minister Fletcher's letter.

Appointments are usually considered by cabinet 3 months before expiry (Julie's appointment expires in January). We have argued case for early consideration to provide certainty as the bill is implemented and to avoid reappointment being dealt with (or announced) at the same time as commencement on the legislation.

PM&C tell me they advanced this approach in their briefing. You may wish to contact s22(1)(a)(ii) to encourage early consideration by Cabinet.

I note that the PM could sign off on the reappointment without going to cabinet - but I didn't get too far with PM&C with this suggestion.

Also, for info, I've emailed Julie this week (responding to her request for an update) saying we just need to sit tight and wait.

Bg

> On 16 Jul 2021, at 11:02 am, s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au> wrote:

>

> OFFICIAL

>

> Hi Bridget

>

> A non-urgent process question around the reappointment of Julie.

>

> The appointment table attached lists a proposed s34(2), but in the letter to the PM I think it could possibly be a PM call (or at his discretion it would go to Cabinet). Would it be possible for one of your team to just check in on the the process and what we need to do and when so we do all the right things?

>

> Thank you

>

> s22(1)(a)
> (ii)
>
> s22(1)(a)(ii) | Senior Adviser
> Office of the Hon Paul Fletcher MP
> Minister for Communications, Urban Infrastructure, Cities and the Arts
>
> Suite MG.48 | Parliament House | Canberra ACT 2600 | 02 s22(1)(a)(ii)
> Commonwealth Parliamentary Offices | 1 Bligh Street | Sydney NSW 2000
> | 02 s22(1)(a)(ii)
>
> M: s22(1)(a)(ii)
>
> I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.
>
>
> OFFICIAL
>

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Friday, 30 July 2021 4:56 PM
To: s22(1)(a)(ii); DLO
Cc: Gannon, Bridget
Subject: RE: eSafety Commissioner reappointment brief [SEC-PROTECTED, CAVEAT-SH.CABINET]
Attachments: JIG reappointment.docx

~~PROTECTED, SH.CABINET~~

Dear s22(1)(a)(ii) s22(1)(a)(ii)

We've noticed that the briefing includes:

s34(2)

I've made this change in the attached if you wanted to swap the document.

Cheers!

s22(1)(a)(ii)

~~PROTECTED, SH.CABINET~~

From: s22(1)(a)(ii)
Sent: Friday, 30 July 2021 4:01 PM
To: DLO
Cc: Gannon, Bridget; s22(1)(a)(ii); s22(1)(a)(ii)
Subject: eSafety Commissioner reappointment brief [SEC-PROTECTED, CAVEAT-SH.CABINET]

~~PROTECTED, SH.CABINET~~

Afternoon all

Bridget, s22(1)(a)(ii) - thanks for this eSafety Commissioner reappointment brief. I have made only minor changes, attached FYI. s22(1)(a)(ii)

s22(1)(a)(ii) - will you make sure this is in the Minister's folder for Monday? Let me know if I need to do anything else.

s22(1)(a)(ii) - FYI.

Thank you

s22(1)(a)(ii)

s22(1)(a)(ii) | Senior Adviser

Office of the Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure, Cities and the Arts

Suite MG.48 | Parliament House | Canberra ACT 2600 | 02 s22(1)(a)(ii)
Commonwealth Parliamentary Offices | 1 Bligh Street | Sydney NSW 2000 | 02 s22(1)(a)(ii)

M: s22(1)(a)(ii)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

~~PROTECTED, SH.CABINET~~

Released under the FOI Act 1982 by the Department of Infrastructure,
Transport, Regional Development, Communications, Sport and the Arts

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Friday, 17 September 2021 1:34 PM
To: Gannon, Bridget; s22(1)(a)(ii)
Cc: s22(1)(a)(ii); s22(1)(a)(ii); Sullivan, Pauline
Subject: RE: Advice on eSafety governance [SEC-PROTECTED]
Attachments: s22(1)(a)(ii).pdf; s22(1)(a)(ii).pdf

~~PROTECTED~~

Hi s22(1)(a)(ii)

s22(1)(a)(ii)

Thanks

s22(1)(a)(ii)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

~~PROTECTED~~

From: Gannon, Bridget
Sent: Friday, 17 September 2021 10:23 AM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii); Sullivan, Pauline
Subject: RE: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

Thanks s22(1)(a)(ii)

s22(1)(a)(ii)

BG

~~PROTECTED~~

From: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>
Sent: Friday, 17 September 2021 10:07 AM
To: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
Cc: s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>;
 Sullivan, Pauline <Pauline.Sullivan@communications.gov.au>
Subject: RE: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

Hi Bridget and team

Thanks again for this advice.

The Minister would like a SoE to go along with the reappointment documentation, that should also have terms and conditions for the reappointment.

s22(1)(a)(ii)

Cheers

s22(1)(a)(ii)

~~PROTECTED~~

From: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>
Sent: Thursday, 9 September 2021 4:44 PM
To: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
Cc: s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>;
 Sullivan, Pauline <Pauline.Sullivan@communications.gov.au>
Subject: RE: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

Thanks and agree – this is what I have suggested in my note, I'll let you know what he decides.

Thanks again

s22(1)(a)(ii)

~~PROTECTED~~

From: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>
Sent: Thursday, 9 September 2021 4:35 PM
To: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>
Cc: s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>;

Sullivan, Pauline <Pauline.Sullivan@communications.gov.au>

Subject: RE: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

Thanks s22(1)(a)(ii)

Well progress the reappointment.

s22(1)(a)(ii), the reappointment would be a good time to do it.

BG

~~PROTECTED~~

From: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>

Sent: Thursday, 9 September 2021 4:08 PM

To: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>

Cc: s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>;

Sullivan, Pauline <Pauline.Sullivan@communications.gov.au>

Subject: RE: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

Thanks very much BG. s22(1)(a)(ii) we will await advice on the reappointment paperwork. This was really helpful, thank you.

~~PROTECTED~~

From: Gannon, Bridget <Bridget.Gannon@infrastructure.gov.au>

Sent: Tuesday, 7 September 2021 4:44 PM

To: s22(1)(a)(ii) <s22(1)(a)(ii)@communications.gov.au>

Cc: s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@INFRASTRUCTURE.gov.au>;

Sullivan, Pauline <Pauline.Sullivan@communications.gov.au>

Subject: Advice on eSafety governance [SEC-PROTECTED]

~~PROTECTED~~

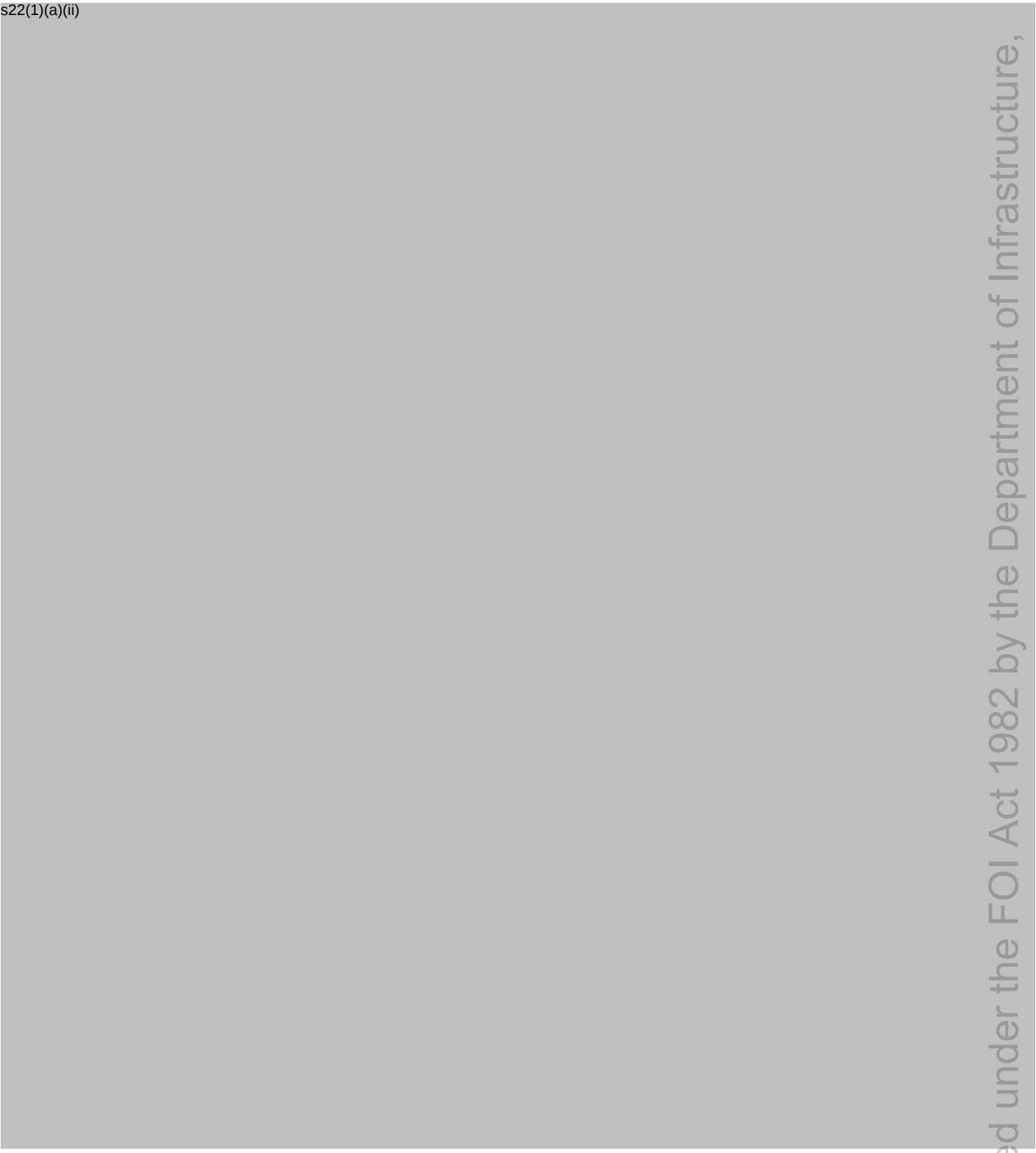
Hi s22(1)(a)(ii)

s22(1)(a)(ii)

Thanks,
BG

+++++

s22(1)(a)(ii)



s47C



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Transport, Regional Development, Communications, Sport and the Arts

We are currently preparing the reappointment documents for the eSafety Commissioner, s47C

s22(1)(a)(ii)

~~PROTECTED, SH.CABINET~~

Begin forwarded message:

From: "s22(1)(a)(ii)" <s22(1)(a)(ii)@communications.gov.au>
Date: 18 August 2021 at 4:19:25 pm AEST
To: "Gannon, Bridget" <Bridget.Gannon@infrastructure.gov.au>
Subject: Advice on eSafety governance [SEC=OFFICIAL]

OFFICIAL

Hi Bridget
s22(1)(a)(ii)

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Transport, Regional Development, Communications, Sport and the Arts

s22(1)(a)(ii)

Thank you

s22(1)(a)
(ii)

s22(1)(a)(ii) | **Senior Adviser**
Office of the Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure, Cities and the Arts

Suite MG.48 | Parliament House | Canberra ACT 2600 | 02 s22(1)(a)(ii)
Commonwealth Parliamentary Offices | 1 Bligh Street | Sydney NSW 2000 | 02 s22(1)(a)(ii)

M: s22(1)(a)(ii)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

OFFICIAL

~~PROTECTED, SH: CABINET~~

~~PROTECTED, SH: CABINET~~

~~PROTECTED, SH: CABINET~~

~~PROTECTED~~

~~PROTECTED. CABINET~~

Australian Government

**Department of Infrastructure, Transport,
Regional Development and Communications**

Meeting Brief
MB21-001026

To: **Minister for Communications, Urban Infrastructure, Cities and the Arts,
the Hon Paul Fletcher MP** (for information)

Subject: Regular meeting with the eSafety Commissioner, 29 September 2021.

s22(1)(a)(ii) - outside scope of request

Purpose of Meeting:

1. Your regular meeting with the eSafety Commissioner, Ms Julie Inman Grant, is an opportunity to discuss s22(1)(a)(ii) - outside scope of request

s22(1)(a)(ii) - outside scope of request

~~PROTECTED. CABINET~~

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Transport, Regional Development, Communications, Sport and the Arts

~~PROTECTED. CABINET~~

s22(1)(a)(ii) - outside scope of request

7. Reappointment: Ms Inman Grant's current appointment expires in January 2022. Following Cabinet approval we are preparing a letter of (re)appointment, effective 16 January 2022 and will work with your office on terms and conditions and a Statement of Expectations as part of this reappointment.

s22(1)(a)(ii) - outside scope of request

Contact Officer: s22(1)(a)(ii)
Position: Director
Branch: Digital Platforms & Online Safety
Phone/Mobile: (02) s22(1)(a)(ii) / s22(1)(a)(ii)

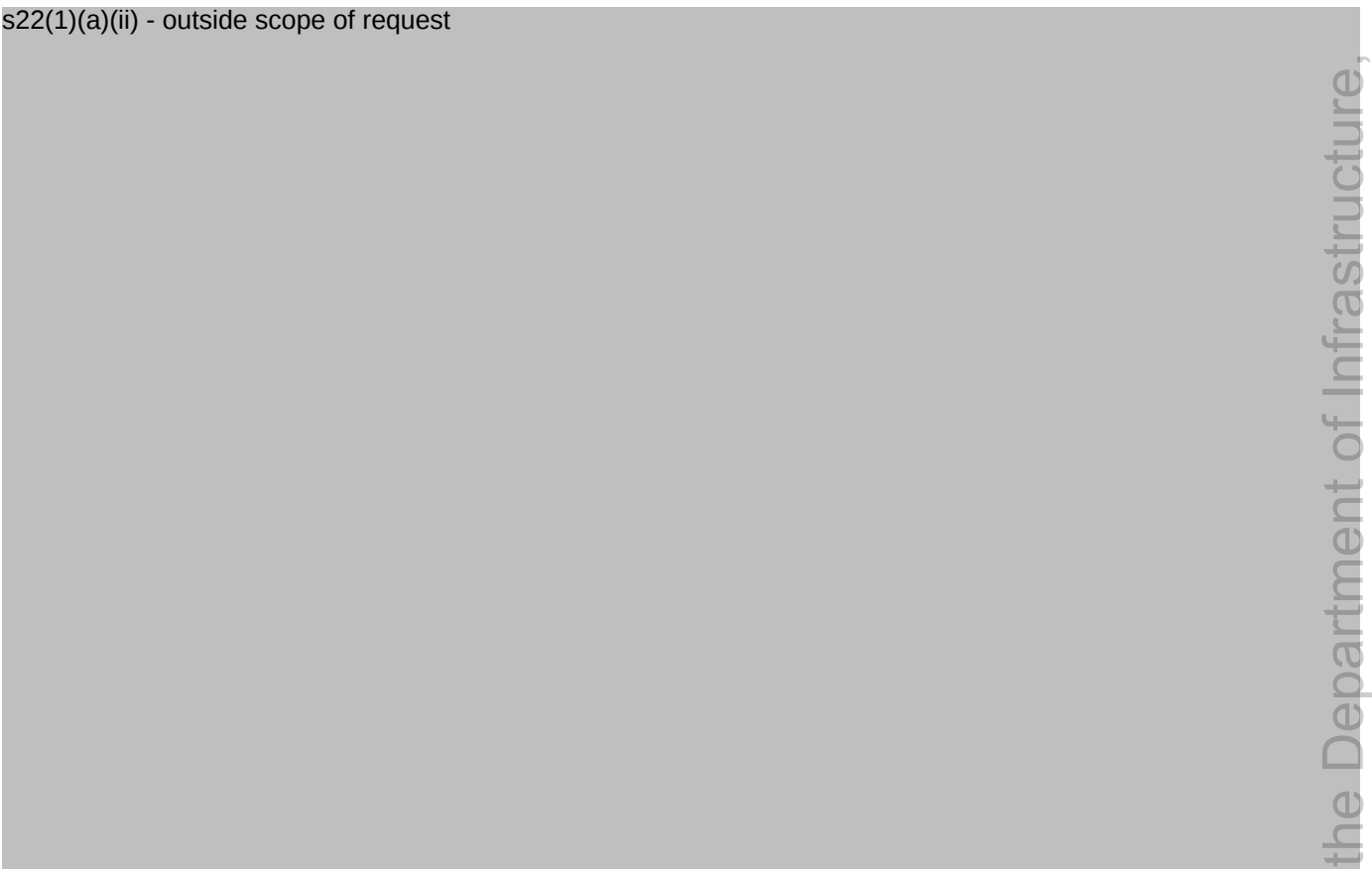
Cleared by: Bridget Gannon
Position: Assistant Secretary
Branch: Digital Platforms & Online Safety
Phone/Mobile: (02) s22(1)(a)(ii) / s22(1)(a)(ii)

~~PROTECTED. CABINET~~Released under the FOI Act 1982 by the Department of Infrastructure,
Transport, Regional Development, Communications, Sport and the Arts

~~PROTECTED. CABINET~~

TALKING POINTS

s22(1)(a)(ii) - outside scope of request



If raised: reappointment.

- The paperwork for your re-appointment is being prepared. s22(1)(a)(ii) will discuss with you what will be required.

s22(1)(a)(ii) - outside scope of request

~~PROTECTED. CABINET~~

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OFFICIAL: SENSITIVE

 Australian Government Department of Infrastructure, Transport, Regional Development and Communications	Ministerial Submission MS21-001463
	Dispatched to MO 10 DEC 2021

To: Minister for Communications, Urban Infrastructure, Cities and the Arts,
the Hon Paul Fletcher MP (for decision)

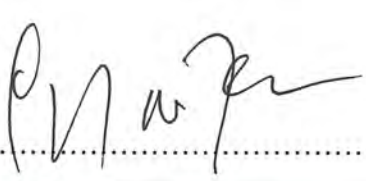
RECEIVED**10 DEC 2021**

Subject: eSafety Commissioner instrument of appointment and Statement of Expectations

Office of the Minister for Communications
and the Arts

Critical Date: Please action by 23 December to allow time for Ms Inman Grant to be notified of her reappointment before her current term ends on 15 January.

Recommendations for Minister Fletcher: That you

1. Agree to the conditions of office for the eSafety Commissioner outlined in the letter to Ms Inman Grant by signing the letter and instrument at Attachment A .	Signed / Not Signed
2. Sign the letter to the Chair of the Australian Communications and Media Authority (ACMA) notifying her of Ms Inman Grant's reappointment at Attachment B .	Signed / Not Signed
3. Approve the Statement of Expectations for the eSafety Commissioner at Attachment C .	Approved / Not approved
Minister's Signature: 	Date: 18/12/2021
Minister's Comments	Quality Rating
	1. Very Poor 2. Poor 3. Satisfactory 4. Good 5. Excellent

Purpose:

1. This brief seeks your agreement to an instrument reappointing Ms Julie Inman Grant as eSafety Commissioner under subsection 50(1) of the *Enhancing Online Safety Act 2015*, which will continue under the *Online Safety Act 2021* (**Attachment A**). The reappointment includes a set of conditions of office for the eSafety Commissioner. This brief also seeks your agreement to a Statement of Expectations (SoE) for the eSafety Commissioner (**Attachment C**).

Key Issues:

2. On s34(2) [redacted] agreed to reappoint Ms Julie Inman Grant as eSafety Commissioner for a further period of 5 years when her term ends on 15 January 2022. Your office asked the Department to develop a SoE to be issued to the Commissioner alongside the reappointment.

3. The letter at **Attachment A** includes conditions of office. These have been included in the letter rather than in the SoE because they are expectations of Ms Inman Grant personally and the letter is not a public document. s22(1)(a)(ii) [redacted]

OFFICIAL: SENSITIVE

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OFFICIAL: SENSITIVE

4. The conditions of office are tied to the instrument of appointment. They will apply to Ms Inman Grant for as long as she holds the office of eSafety Commissioner.^{s42}

5. We have prepared a letter to Ms Nerida O'Loughlin, the Chair of ACMA, as the statutory authority notifying her of Ms Inman Grant's reappointment as eSafety Commissioner (**Attachment B**). We propose Ms O'Loughlin also receives a copy of your letter to Ms Inman Grant so that she has visibility of the eSafety Commissioner's conditions of office.

6. We recommend a formal SoE for the eSafety Commissioner which would require a Statement of Intent in response, and both documents would be public (**Attachment C**). The eSafety Commissioner has not been issued a formal SoE before.^{s22(1)(a)(ii)}

^{s22(1)(a)(ii)} Issuing this formal SoE for publication is in line with the new Regulator Performance Guide issued by the Department of the Prime Minister and Cabinet in July 2021 where, as a regulator, the eSafety Commissioner should be issued a SoE separately to the ACMA.

7. The SoE includes the expectation that the eSafety Commissioner prepare a corporate plan, and continue to prepare annual reports including performance reporting in line with best practice principles set out in the Regulator Performance Guide. Requiring eSafety to prepare a corporate plan either by itself or as part of the ACMA's corporate plan is appropriate, given its expenditure and responsibilities, and represents a step forward in the organisation's maturity. The SoE also includes the expectation that arrangements for support services provided to eSafety by the ACMA will be formalised through a Memorandum of Understanding or Service Level Agreement.

Sensitivities: N/A.

Financial Implications: N/A.

Background/Issues: N/A.

Communication/Media Activities: N/A.

Consultation:

8. eSafety; PM&C; the Department's Legal Services branch.

Attachments:

Attachment A: Letter to Ms Inman Grant with instrument of appointment.

Attachment B: Letter to the Chair of the ACMA.

Attachment C: Statement of Expectations for the eSafety Commissioner.

Attachment D: Letter appointing Ms Inman Grant as Children's eSafety Commissioner in 2016.

Attachment E: ^{s22(1)(a)(ii)}

Contact Officer: ^{s22(1)(a)(ii)}
 Position: Assistant Director
 Branch: Online Safety
 Phone/Mobile: 02 ^{s22(1)(a)(ii)}

Cleared by: ^{s22(1)(a)(ii)}
 Position: A/g Assistant Secretary
 Branch: Online Safety
 Phone/Mobile: 02 ^{s22(1)(a)(ii)} ^{s22(1)(a)(ii)}

Instructions for MAPS: When dispatching Attachment A, please include a copy of Attachment C. When dispatching Attachment B, please include a copy of Attachment A and Attachment C.

Responsible Adviser: ^{s22(1)(a)(ii)}

Distribution CC List: Simon Atkinson, Richard Windeyer, Pauline Sullivan, Bridget Gannon.^{s22(1)(a)(ii)}
^{s22(1)(a)(ii)}



PARLIAMENT OF AUSTRALIA • HOUSE OF REPRESENTATIVES

PAUL FLETCHER MP

Federal Member for Bradfield
Minister for Communications,
Urban Infrastructure,
Cities & the Arts

MS21-001463

Ms Julie Inman Grant
eSafety Commissioner
PO Box Q500
Queen Victoria Building
Sydney NSW 1230

Dear Ms ^{Julie}~~Inman~~ Grant

I am writing to appoint you as the eSafety Commissioner, under subsection 50(1) of the *Enhancing Online Safety Act 2015* together with section 33AA of the *Acts Interpretation Act 1901*, for a period of five years commencing on 16 January 2022. The instrument of appointment is attached.

In accordance with the requirements in section 50 of the *Enhancing Online Safety Act 2015*, I am satisfied that you have substantial experience and knowledge, and significant standing in the following fields:

- the operation of social media services;
- the operation of the internet industry;
- public engagement on issues relating to online safety; and
- public policy in relation to the communications sector.

Your significant national and international experience in major global technology companies, strong track record of achieving innovative strategies to improve cyber safety, excellent communication skills, and experience advising government have contributed to your success as eSafety Commissioner.

I have every confidence that your passion and expertise will continue to make a huge difference in the field of online safety. I applaud your commitment to contributing to positive outcomes for Australians online, particularly women and children.

There have been significant developments in the online landscape and the regulatory environment during your time as Commissioner. Your expanding role and responsibilities mean that you attract more scrutiny than before. I have attached a Statement of Expectations, and expect you to respond with a Statement of Intent within 90 days, and make both documents available on the eSafety website.

You will hold office as the eSafety Commissioner on the condition that you meet the Conditions of Office below. I have determined these terms and conditions under section 59 of the *Enhancing Online Safety Act 2015*, which provides that the Commissioner may hold office on the terms and conditions in relation to matters not covered by the Act that are determined by the Minister. This provision is also found at section 177 of the *Online Safety Act 2021* (OSA). I have set these conditions to reflect your heightened public profile and increase in remit and responsibilities.

Conditions of office

Official of the ACMA

1. On the commencement of the OSA (on 23 January 2022), in accordance with section 170 of the OSA, you will be an official of the Australian Communications and Media Authority (ACMA) for the purposes of the finance law (within the meaning of the *Public Governance, Performance and Accountability Act 2013*).
2. As an official of ACMA, you are expected to follow Accountable Authority Instructions (Instructions) issued by the Accountable Authority of ACMA to the extent that the Instructions are not directions in relation to the performance of a function, or the exercise of a power, by you as Commissioner.
3. I also expect that you will conduct yourself in accordance with the Australian Public Service Values as set out in section 10 of the *Public Service Act 1999* and the APS Code of Conduct as set out in section 13 of that Act.

Social media

4. There is increased scrutiny that comes with increased functions and powers, and accordingly I expect you to take reasonable steps to ensure your social media presence aligns with the guidance provided by the Australian Public Service Commission, particularly in regard to casting no doubts on your impartiality and willingness to implement the policies of an elected government.

Cooperation with other entities

5. As eSafety grows, the need for a strong relationship with ACMA is increasingly important. I expect you to work collaboratively and proactively with ACMA on corporate matters including arrangements for payment of fees, accommodation and recruitment. I expect you to consult ACMA in planning related to proposed Budget measures which may impact ACMA's ability to provide effective corporate support.
6. I thank you for your cooperation in keeping the Department apprised of your plans to take annual leave and your travel outside of Australia, and I ask that you continue this in order that I have visibility of leave and travel arrangements.

7. I expect you to continue to work cooperatively with the Department and other Commonwealth, state and territory government agencies, and non-government and private sector organisations to further the Government's online safety policy agenda. I would also appreciate you alerting me to significant events related to your office's activities and functions, including internationally.

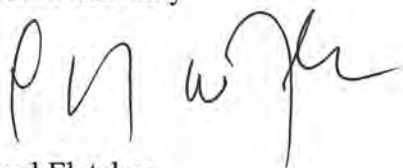
You have demonstrated outstanding dedication to making Australia an influential voice internationally and a world leader in online safety. The spike in online harms associated with lockdowns during the COVID-19 pandemic was formidable, and your dedication to managing the unprecedented volume of harms was impressive.

Thank you for your excellent work towards keeping Australians safe online. I look forward to your continued success in your role as the world's first dedicated online safety regulator.

Under clause 2(2) of Schedule 3 of the *Online Safety (Transitional Provisions and Consequential Amendments) Act 2021*, the instrument of appointment will function as if it were made under subsection 167(1) of the OSA when it commences on 23 January 2022.

A copy of this letter has been sent to Ms Nerida O'Loughlin, Chair of ACMA, as the accountable authority.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Fletcher', with a stylized flourish at the end.

Paul Fletcher

18/12/2021



eSafety Commissioner Appointment 2021

I, Paul William Fletcher, Minister for Communications, Urban Infrastructure, Cities and the Arts:

- a) under subsection 50(1) of the *Enhancing Online Safety Act 2015* together with subsection 33AA of the *Acts Interpretation Act 1901*, appoint Julie Inman Grant as the eSafety Commissioner for a period of 5 years beginning on 16 January 2022;
- b) under section 59 of the *Enhancing Online Safety Act 2015*, determine that a condition on which Julie Inman Grant holds office as the eSafety Commissioner is that she meet the expectations outlined in my letter dated 18 December 2021 accompanying this instrument.

Dated

18 / 12 / 2021

Paul Fletcher MP

Minister for Communications, Urban Infrastructure, Cities and the Arts



PARLIAMENT OF AUSTRALIA • HOUSE OF REPRESENTATIVES

PAUL FLETCHER MP

Federal Member for Bradfield
Minister for Communications,
Urban Infrastructure,
Cities & the Arts

MS21-001463

Ms Nerida O'Loughlin
Chair
Australian Communications and Media Authority
PO Box 78
Belconnen ACT 2616

Dear Ms O'Loughlin ^{Nerida}

I am writing to advise you that I have appointed Ms Julie Inman Grant, under subsection 50(1) of the *Enhancing Online Safety Act 2015* together with subsection 4(2) of the *Acts Interpretation Act 1901*, as the eSafety Commissioner for a period of five years, commencing 16 January, 2022.

Under subsection 2(2) of the *Online Safety (Transitional Provisions and Consequential Amendments) Act 2021*, this instrument of appointment will function as if it were made under subsection 167(1) of the *Online Safety Act 2021* (OSA) when the OSA commences on 23 January 2022.

I have attached a copy for your information as the accountable authority. Thank you for your work to clarify the governance arrangements of the eSafety Commissioner, which will come into effect on 23 January 2022.

A copy of my letter to Ms Inman Grant is attached.

Yours sincerely

Paul Fletcher

18 / 12 / 2021



COMMONWEALTH OF AUSTRALIA

eSafety Commissioner

Government Statement of Expectations

This Statement of Expectations (SoE) outlines the Australian Government's expectations concerning the operations and performance of the eSafety Commissioner. The Government is issuing this SoE to eSafety consistent with regulatory best practice and relevant legislative frameworks, while taking into account the Commissioner's statutory independence.

For the purpose of this SoE, the term 'eSafety' includes the eSafety Commissioner and staff supporting the Office of the eSafety Commissioner, who are provided by the Australian Communications and Media Authority (ACMA) to support the eSafety Commissioner's functions.

Role of the eSafety Commissioner

The online world has brought extraordinary economic, social and educational benefits, which Australians enjoy every day. However, these benefits can only be fully realised if Australians can engage confidently and safely in the online world.

The Government recognises there are online risks that can cause harm to both adults and children. The Government is committed to enhancing online safety for all Australians by ensuring there are proper regulatory controls and support systems in place to mitigate risks and allow Australians to confidently take advantage of the benefits of the digital environment.

In 2015, the Government established the Children's eSafety Commissioner (eSafety Commissioner) to take a national leadership role in online safety for Australian children and to help protect them from cyberbullying harm. In recognition that vulnerable adults also face dangers online, the Government expanded the eSafety Commissioner's remit in 2017 to all Australians.

The Government's vision is for eSafety to continue to be a high performing and responsive regulator that administers a principles-based regulatory framework in a way that minimises harms to Australians online, is efficient and effective, and that achieves the objectives set out in the *Online Safety Act 2021* (OSA).

Implementing the *Online Safety Act 2021*

Under the OSA, the functions of the eSafety Commissioner include:

- promoting online safety for Australians;

- administering the complaints system for cyber-bullying material targeted at an Australian child;
- administering a complaints system for cyber-abuse material targeted at an Australian adult;
- administering a complaints and objections system for non-consensual sharing of intimate images;
- administering the Online Content Scheme, including industry codes; and
- coordinating activities of Commonwealth Departments, authorities and agencies relating to online safety for Australians.

The Government expects the eSafety Commissioner to prioritise resources to administering regulatory functions under the OSA above the eSafety Commissioner's other functions.

Transparency and accountability

To provide confidence to regulated entities and the wider community, the Government expects that the eSafety Commissioner will be open and transparent in the conduct of its regulatory functions. Where the exercise of its powers may have significant implications for regulated entities or the markets in which they operate, the eSafety Commissioner will consult with industry, the Government and other relevant stakeholders.

As a maturing regulator, the eSafety Commissioner faces additional scrutiny and accountability that comes with increased functions and powers. The Government expects the eSafety Commissioner to formulate an internal review scheme and publish it on the eSafety website (as required under section 220A of the OSA) before the OSA takes effect on 23 January 2022.

The Government expects the eSafety Commissioner to prepare a corporate plan and continue to prepare annual reports including performance reporting in line with best practice principles set out in the Regulator Performance Guide.

Regulator Performance

The Government expects the eSafety Commissioner to respond to this SoE with a Statement of Intent (Sol) within 90 days and make both this SoE and the Sol available on the eSafety website.

The Government expects that the eSafety Commissioner will act in accordance with regulatory best practice in its decision-making, policies, processes and communication practices to maximise effectiveness, efficiency and transparency. The Government's preference is for principles-based regulation that identifies the desired outcomes, rather than prescribing how to achieve them. An outcomes-based approach is more likely to accommodate change within the online environment.

The Government considers that regulators, including eSafety, should adopt a risk-based approach to compliance obligations, engagement and enforcement, allowing for proportionate approaches suited to the size, nature, complexity and risk of regulated entities.

Engagement with ACMA

From 23 January 2022, when the OSA takes effect, the eSafety Commissioner is an official of ACMA for the purposes of the finance law (within the meaning of the *Public Governance, Performance and Accountability Act 2013*).

As an official of the ACMA, the Commissioner is expected to follow the ACMA Accountable Authority Instructions (Instructions) issued by the Accountable Authority of ACMA to the extent that the

Instructions are not directions in relation to the performance of a function, or the exercise of a power, by you as eSafety Commissioner.

The eSafety Commissioner is an independent statutory appointment. While functionally separate to the ACMA, the ACMA provides corporate support services to the eSafety Commissioner and also provides staff to enable the eSafety Commissioner's functions to be fulfilled. These support services are currently provided through informal arrangements. The Government expects that these arrangements will be formalised through a Memorandum of Understanding or Service Level Agreement.

Engagement with the Department of Infrastructure, Transport, Regional Development and Communications

The Department plays an essential role in developing online safety policy; conducting public consultations; and overseeing the development of new policy proposals supporting the eSafety Commissioner's functions.

The Government expects the eSafety Commissioner to continue to work closely with the Department to fulfil the Government's objective of keeping Australians safe online.

Engagement with the responsible Minister

The eSafety Commissioner must prepare and give to the Minister a report on the operations of eSafety each quarter. In addition, the Government expects eSafety to report each financial year, as soon as practicable after the end of the financial year, to the Minister on the effectiveness of online protections for minors, both at home and at school.

These reports are in addition to the information eSafety provides to the Minister by request on an ad hoc basis and reporting requirements under the OSA.

Engagement with other stakeholders

The Government expects that eSafety will maintain robust, effective and collaborative working partnerships with online service providers and digital platforms in Australia and in overseas jurisdictions, to ensure the proper functioning of Australia's online safety framework.

The Government expects eSafety to maintain collaborative relationships with other Commonwealth agencies, as well as nongovernment organisations working in the online safety space.

18/12/21

s22(1)(a)(ii)

From: DLO
Sent: Monday, 20 December 2021 3:19 PM
To: julie.inmangrant@esafety.gov.au
Cc: DLO; s22(1)(a)(ii)@esafety.gov.au
Subject: MS21-001463 - Correspondence from Minister Fletcher to the eSafety Commissioner [SEC=OFFICIAL]
Attachments: MS21-001463 - Correspondence from Minister Fletcher to the eSafety Commissioner.pdf; MS21-001463 - eSafety Commissioner Appointment Instrument.pdf; MS21-001463 - Statement of Expectations - eSafety Commissioner.pdf

OFFICIAL

Good afternoon Ms Inman Grant

Please find attached correspondence from Minister Fletcher regarding your appointment as eSafety Commissioner.

Also attached is the Appointment Instrument and Statement of Expectations.

Kind regards,

s22(1)(a)(ii)

Office of the Hon Paul Fletcher MP

Minister for Communications, Urban Infrastructure, Cities and the Arts

Suite MG.48, Parliament House, Canberra ACT 2600

t: 02 s22(1)(a)(ii) | e: Minister@communications.gov.au

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