

Queensland Family and Child Commission

Submission

To: Department of Communications and the Arts

Date: 3 April 2019

Topic: Online Safety Charter

Submission summary:

The Queensland Family and Child Commission (QFCC) is pleased to provide a submission to the Department of Communication and the Arts on the Online Safety Charter.

The QFCC supports the development of an Online Safety Charter to articulate a set of community-led minimum standards for industry to protect citizens, especially children and vulnerable members of the community, from harmful online experiences.

The QFCC works collaboratively to influence change so Queensland is a safe place where children, young people and their families thrive in supportive communities. The QFCC is able to provide comment on specific questions relating to the safety and wellbeing of children and young people.

The QFCC recommends consideration of multiple factors that can influence a child's vulnerability, online safety education for children and young people, consistency with state and national approaches to supporting child safe environments, and a nationally-recognised brand or mark to clearly identify products that meet the requirements of the Online Safety Charter.

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The Queensland Family and Child Commission (QFCC) works collaboratively to influence change so Queensland is a safe place where children, young people and their families thrive in supportive communities.

The QFCC is continuing to implement the *Out of the Dark* project, initiated in response to the 2015 Queensland Organised Crime Commission of Inquiry report (Byrne Report).¹ The Byrne Report acknowledged the proliferation of new and emerging information and communication technologies has resulted in an increased exposure of children and young people to risks and harms associated with the online environment. Both perpetrators and children and young people have been identified as early adopters of new technologies, which increases opportunities for perpetrators to gain unmonitored access to children and young people online.

The goal of *Out of the Dark* is to raise awareness and promote behaviours that prevent, recognise and respond to online grooming. Evidence-based key messaging will be developed and tailored to specific audiences to motivate behavioural change.

The QFCC is pleased to see the release of the draft Online Safety Charter (the draft Charter) as a way to support minimum standards in online safety. This will help protect the most vulnerable in our community online.

In line with our functions, the QFCC provides comment on specific questions raised in the draft Charter relating to the safety and wellbeing of children and young people.

Content identification

Recommendation

The QFCC recommends consideration of *Join the Dots* as a platform to enhance online safety, including consultation findings about how to encourage children to use technology to report suspicious behaviour.

1. What are the examples of technology-facilitated solutions to enhance online safety, and how effective have these solutions been in addressing harms and mitigating risks?

*Join the Dots*² is a strong example of a technology-facilitated solution to enhance online safety, by giving children and adults the opportunity to anonymously report suspicious online behaviour related to grooming. Bravehearts released *Join the Dots* in 2014, and in 2018 the QFCC supported and funded Bravehearts to redesign the tool with an updated platform and interface.³

Prior to *Join the Dots*, no specific options existed for young people to anonymously report online grooming. Through the platform police have been able to receive information about individuals that pose a risk to children and young people and identify online trends.

¹ Queensland Organised Crime Commission of Inquiry 2015, *Report*, http://www.organisedcrimeinquiry.qld.gov.au/_data/assets/pdf_file/0017/935/QOCCI15287-ORGANISED-CRIME-INQUIRY_Final_Report.pdf, accessed 26 March 2019.

² Bravehearts, *Join the Dots*, <https://bravehearts.org.au/join-the-dots/>, accessed 27 March 2018.

³ Bravehearts, *Annual Report 2017-18*, <https://bravehearts.org.au/wp-content/uploads/2018/11/Annual-Report-2018-FINAL-web.pdf>, accessed 27 March 2019, p. 27.

Consultation with young people revealed they would be motivated to disclose information about suspicious online behaviour if:

- it would help protect younger and other siblings and peers
- the process allowed them to provide information on their terms (including the option to remain anonymous)
- they had confidence the organisation receiving the disclosure would act on it
- they felt believed and that they were making a difference
- the reporting option was targeted specifically at them (e.g. look, feel and language)
- reporting was simple, quick and easy.⁴

When designing technology-facilitated solutions to enhance online safety, it would be helpful to consult or co-design with children to make sure the solution is engaging and motivates children to take appropriate action.

Content moderation

Recommendation

The QFCC recommends:

- consideration of the impact of multiple factors on a child's vulnerability, and the particular needs of certain cohorts of children, including the impact of age, gender and location
- preventing and removing content relating to cyberbullying should be a priority for technology firms.

8. What sort of guidance should be available to moderators about dealing with vulnerable groups, such as children and Indigenous Australians?

The QFCC supports measures in the draft Charter for social media firms to remove cyberbullying content, embedding a 'take-down first' approach when responding to complaints relating to a child's online safety.

Moderators should be made aware of ways in which children and young people can be vulnerable. While children may be considered inherently vulnerable as consumers of online content, some cohorts of children also face particular vulnerabilities.

In the Australian context, moderators should be aware that specific cohorts of children may face additional levels of vulnerability, including those who:

- are Aboriginal and/or Torres Strait Islander children
- are from cultural and linguistically diverse backgrounds
- live with a disability
- live in particular locations

⁴ Bravehearts, *Annual Report 2017-18*, <https://bravehearts.org.au/wp-content/uploads/2018/11/Annual-Report-2018-FINAL-web.pdf>, accessed 27 March 2019, p. 27.

- live with socioeconomic disadvantage.⁵

Moderators may need to be aware of the impact of multiple factors on a child's vulnerability and screen for content that may increase the unique vulnerabilities of cohorts of children. Specific provisions in policy and guidelines may also be required to address these vulnerabilities.⁶

Moderators may also need to be aware that different age cohorts may also present with different levels of vulnerability. For example, research by the Office of the eSafety Commissioner shows while 7-8 per cent of 16 and 17-year-olds had sent intimate images of themselves to others, only 1 per cent of 14-year-olds and 4 per cent of 15-year-olds had done so. Girls are also more likely to have had this experience than boys (7 per cent versus 4 per cent).⁷

In addition, studies show most sexual abuse is perpetrated by people already known to victims. Social media, which connect users with existing relationships, may increase risks to children and young people from the adults they know.⁸ Moderators may need to be aware of these risks.

Location can also have an impact on a child's vulnerability in online spaces. For example, in some remote Aboriginal and Torres Strait Islander communities, adoption of internet communications technology has been recent and rapid. As people's level of digital capability and safety awareness generally corresponds to the length of time they have had access to the internet, remote users may be less aware of the risks associated with online activities. Inappropriate content, privacy issues, financial security and cyberbullying can be significant issues in this cohort.⁹

Cyberbullying

Cyberbullying is a significant concern for children and young people, especially through the increasing use of social media and mobile devices. Cyberbullying is most prominent among young people aged 10-15 years, and is known to overlap with traditional face-to-face bullying.

⁵ Andresen, S 2014, *Childhood Vulnerability: Systematic, Structural and Individual Dimensions*, Child Indicators Research: Dordrecht, Vol. 7, Issue 4, pp. 701-704; Queensland Child Protection Commission of Inquiry 2013, *Taking responsibility: a roadmap for Queensland child protection*, http://www.childprotectioninquiry.qld.gov.au/data/assets/pdf_file/0017/202625/qccpci-final-report-web-version.pdf, accessed 11 October 2018, p. 415.

⁶ Daniel, Brigid. April 2010, *Concepts of Adversity, Risk, Vulnerability and Resilience: A Discussion in the Context of the 'Child Protection System'*, Social Policy and Society: Cambridge Vol. 9, Issue 2, p. 235.

⁷ Office of the eSafety Commissioner 2017, *Young people and sexting – attitudes and behaviours*, <https://esafety.gov.au/parents/big-issues/sending-nudes-sexting>, accessed 27 March 2019, p. 14.

⁸ Mitchell, K. J., Jones, L. M., Finkelhor, D., & Wolak, J., 'Understanding the decline in unwanted online sexual solicitations for U.S. youth 2000–2010: Findings from three Youth Internet Safety Surveys'. *Child Abuse & Neglect*, 37, 2013, 1225-1236, p. 1233.

⁹ Rennie E, Hogan E & Holcombe-James I 2016, *Cyber safety in remote Aboriginal communities and towns: summary interim report*, Telstra and Swinburne Institute of Technology, https://www.telstra.com.au/content/dam/tcom/about-us/community-environment/pdf/Indigenous_Australians_Summary.pdf, accessed 27 March 2019.

Factors contributing to the rise of cyberbullying include access to the internet, smartphones and use of online communication methods.¹⁰ Other contributing factors may include:

- the perceived challenges in detecting cyberbullying
- the reduced likelihood of consequences for cyberbullying
- limited knowledge of how victims of cyberbullying may be impacted.

In 2018, the QFCC's *Growing up in Queensland* project heard the views of more than 7,000 children and young people through a range of methods, including surveys and focus groups. Of survey respondents, 56 per cent of respondents selected cyberbullying as their 'most important' issue, and 68 per cent selected bullying in general as an issue for them.

Focus group participants also spoke about the prevalence of bullying in person and online. Children and young people spoke about needing assistance finding helpful resources and resolutions. They advised the amount of time it took for adults to respond to bullying was often problematic, and a sense of community was needed in schools and wider settings to help them feel supported.¹¹ Technology firms could use child-friendly complaints and reporting tools to help build a supportive community online, and in moderation should be aware of the particularly significant impact of cyberbullying. Technology firms should prioritise preventing and removing content relating to bullying, while providing a safe online community to help children feel empowered to report bullying.

Improving the user experience

Recommendation

The QFCC recommends online safety education is provided to children and parents to support effective use of parental controls.

24. Are there barriers to obtaining or using parental controls? How can these barriers be managed and overcome?

To support parents to manage children's safety in online environments, children should be provided with meaningful education on how to keep safe online. In the *Growing up in Queensland* survey, 66 per cent of participants reported when they need help, they are more likely to turn to a friend than family, carers, the Internet, social media or professionals.¹² Children and young people also reported

¹⁰ Katz, I., Keeley, M., Spears, B., Taddeo, C., Swirski, T. & Bates, S., *Research on youth exposure to, and management of, cyberbullying incidents in Australia*, https://www.sprc.unsw.edu.au/media/SPRCFile/Youth_exposure_to_and_management_of_cyberbullying_in_Australia_Synthesis_report.pdf, accessed 30 May 2018, p. 3

¹¹ Queensland Family and Child Commission 2018, *This place I call home: the views of children and young people on growing up in Queensland*, www.qfcc.qld.gov.au/sites/default/files/This-place-I-call-home-report_FULL.pdf, accessed 15 March 2019, pp. 68-71.

¹² Queensland Family and Child Commission 2018, *This place I call home: the views of children and young people on growing up in Queensland*, www.qfcc.qld.gov.au/sites/default/files/This-place-I-call-home-report_FULL.pdf, accessed 15 March 2019, p. 77.

adults can respond in ways that are unhelpful, such as controlling situations or take them too far, providing bad or out-of-date advice, or doubting their children.¹³

Education and support to parents can help to overcome barriers to obtaining and using parental controls effectively. In 2018, the QFCC produced a set of fact sheets and a brochure under the heading *Don't Panic!* to help parents support their children to be safe online. These include top 10 tips, a fact sheet and a brochure to help parents understand and manage online safety.¹⁴

Online safety education pitched to children and young people can help users provide informed support to one another. The most successful education takes into account children's diverse dimensions of media use and use factual presentation styles, rather than 'scare-mongering' tactics.¹⁵ Online safety education could help provide a holistic approach to keeping children safe while interacting online.

Built-in child safety

Recommendation

The QFCC recommends:

- the Online Safety Charter be consistent with national and state initiatives to support safe environments for children, including the National Principles for Child Safe Organisations and the Queensland Anti-cyberbullying Taskforce
- a certification trade mark, which can clearly identify products that comply with the Online Safety Charter.

31. Who should be responsible for ensuring built-in child safety?

The Australian Government's *National Framework for Protecting Australia's Children 2009-2020* states 'protecting children is everyone's business'.¹⁶ Accordingly, every organisation involved in a child's online interactions, including technology firms, should take responsibility for ensuring the safety of children is a paramount priority.

There are a number of recent initiatives seeking to support safe environments for children and young people. In February 2019, the Council of Australian Governments endorsed the *National Principles for Child Safe Organisations* (the National Principles), which reflect the 10 child safe standards recommended by the Royal Commission into Institutional Responses to Child Sexual

¹³ Queensland Family and Child Commission 2018, *This place I call home: the views of children and young people on growing up in Queensland*, www.qfcc.qld.gov.au/sites/default/files/This-place-I-call-home-report_FULL.pdf, accessed 15 March 2019, p. 3

¹⁴ Queensland Family and Child Commission 2018, *Online safety resources*, <https://www.qfcc.qld.gov.au/kids/protecting-kids-online/online-safety-resources>, accessed 27 March 2018.

¹⁵ Swist, T, Third, A and Collin, P 2015, 'Scare-mongering about kids and social media helps no-one', *The Conversation*, www.theconversation.com/scare-mongering-about-kids-and-social-media-helps-no-one-44902, accessed 15 March 2019.

¹⁶ Australian Government (Department of Social Services) 2009, *National Framework for Protecting Australia's Children 2009-2020*, <https://www.dss.gov.au/our-responsibilities/families-and-children/publications-articles/protecting-children-is-everyones-business>, accessed 21 March 2019.

Abuse.¹⁷ The National Principles aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing across all sectors in Australia.

In addition, in 2018 the Queensland Government established the Queensland Anti-Cyberbullying Taskforce (the Taskforce). Its final report includes recommendations relevant to social media providers, including on identity verification, privacy settings, machine-learning algorithms to detect cyberbullying, reporting tools and processes, and publication of data on complaints and response times.¹⁸

The Online Safety Charter should be consistent with these approaches at state and national level to protect children, including in online environments. Technology firms should provide child-friendly information on how to stay safe using their online platforms, including child-friendly reporting mechanisms similar to *Join the Dots*. There needs to be an accessible and anonymous way for children to report issues and make complaints, where children trust their reports will be investigated. Technology firms should conduct random reviews of these reports to make sure reports are being investigated fully.

Certification trade mark

To promote safety and trust, the Online Safety Charter could expand to include a nationally-recognised brand or identification, such as a certification trade mark,¹⁹ that verifies an online product is safe. Technology firms releasing products designed for children could display the certification trade mark, which would allow parents and organisations to know which products have met the requirements of the Charter and are safe for children to use. The standards for certification could include moderation standards, information provided to children and parents, a child-friendly complaints mechanism, regular reporting, and reviews of the platform's responses to complaints.

¹⁷ Australian Human Rights Commission 2009, *COAG endorses National Principles for Child Safe Organisations*, <https://www.humanrights.gov.au/news/stories/coag-endorses-national-principles-child-safe-organisations>, accessed 21 March 2019.

¹⁸ Queensland Anti-Cyberbullying Taskforce 2018, *Adjust our settings: a community approach to address cyberbullying among children and young people in Queensland*, <https://campaigns.premiers.qld.gov.au/antibullying/taskforce/>, accessed 26 March 2019.

¹⁹ Australian Competition and Consumer Commission, *Certification trade marks*, <https://www.accc.gov.au/business/exemptions/certification-trade-marks>, accessed 27 March 2019.