

Telephone: [REDACTED]

Reference: [REDACTED]

Steering Group of Online Safety Industry Associations

Via email: [REDACTED]

Dear Steering Group

The Queensland Family and Child Commission (QFCC) welcomes the opportunity to comment on the proposed Phase 2 Industry Codes (the Codes). The digital environment can bring a sense of belonging and community to children and young people. However, this environment also introduces risk into their lives, and it is essential there are safeguards in place to minimise these risks. As such, the QFCC welcomes the development of the Codes as one layer of a multilayer system needed to keep Queensland children safe in the online landscape.

The QFCC is a statutory body legislated to influence change that improves the safety and wellbeing of Queensland's children and families, and to promote and advocate for the responsibility of families and communities to protect and care for children. We do this by monitoring systems, collaborating with key agencies and organisations, and amplifying the views of children and young people.

The QFCC recognises the importance of online safeguards as a tool in protecting individuals from harmful material on the internet. In 2019, the QFCC established the *Out of the Dark* program in response to the 2015 *Queensland Organised Crime Commission of Inquiry*¹ to address internet-related child sexual abuse. We collaborated with key agencies including Queensland Police Service's Task Force Argos, the Department of Education, the Office of the eSafety Commissioner, yourtown, and Bravehearts, to amplify messages that aim to educate children, young people and their caregivers about how to recognise, prevent and respond to online child sexual grooming. This work reinforces the importance of involving industry, government and advocacy groups in the development of online safety resources, enhancing sector capacity and leveraging existing community trust to amplify important messaging.

In 2022, the QFCC hosted the Amplify Forum: Solutions for Online Safety, an event designed by young people for young people aged 13 to 17 years to engage in conversations about safe digital practices and child rights in the digital environment. Their views can be found [on the QFCC website](#) as part of the *Out of the Dark: Information for educators* toolkit. I have also attached

¹ Queensland Organised Crime Commission of Inquiry (2015). Queensland Organised Crime Commission of Inquiry Report. http://www.organisedcrimeinquiry.qld.gov.au/__data/assets/pdf_file/0017/935/QOCCI15287-ORGANISED-CRIME-INQUIRY_Final_Report.pdf



our recent submissions to the *Statutory review of the Online Safety Act 2021*² (Attachment 1) and the *Criminal Code Amendment (Deepfake Sexual Material) Bill 2024*³ (Attachment 2) for your consideration. These submissions, like much of the work undertaken by the QFCC, were informed by the views and experiences of QFCC Youth Advocates to best understand the perspectives of young people.

The QFCC maintains the Queensland Child Death Register and works directly with researchers and key stakeholders to raise community awareness of risk factors for children and young people and develops prevention programs and policies, including addressing suicide risk. The QFCC welcomes the industry's efforts to address and remove self-harm material which encourages, promotes or provides instruction for suicide, self-injurious behaviours and/or eating disorders, or associated behaviours.

Research tells us that a history of self-harming behaviour, suicidal ideation and previous suicide attempts are associated with future suicidality.⁴ Of the 20 Queensland children who died from suicide in 2022–2023, nine had previously engaged in self-harming behaviour. The importance of implementing measures to prevent children encountering self-harm material must be prioritised by industry, government, and sector partners, to ensure vulnerable children are safeguarded from being directly or indirectly, intentionally or unintentionally, exposed to material with potentially fatal consequences. The QFCC commends the development of the Codes and their focus on protecting and preventing children from harmful content. As generative artificial intelligence becomes more functional and accessible, this is more critical than ever. Children and young people are internet natives, with 95 per cent of children aged 8 to 17 years accessing the internet.⁵

We urge industry to involve young people at all stages of consultation, code development, implementation, and review, to ensure that these safeguards are indeed appropriate for the way in which young people access and use the online world. We commend the work that has already been undertaken, including eSafety's research with young people aged 16 to 18 years regarding how mandatory age verification, or similar, for online pornography could practically be achieved in Australia. Given 62 per cent of teenagers have been exposed to harmful content online, and 81 per cent of parents with preschoolers say their children use the internet, we urge industry to engage with younger children⁶, and to engage with them earlier.

² QFCC (2024). Statutory Review of Online Safety Act (Submission). https://www.qfcc.qld.gov.au/sites/default/files/2024-07/QFCC_Submission_-_Online_Safety_Act_2021.pdf

³ QFCC (2024). Criminal Code Amendment (Deepfake Sexual Material) Bill 2024 (Submission). <https://www.qfcc.qld.gov.au/sites/default/files/2024-07/Criminal%20Code%20Amendment%20%28Deepfake%20Sexual%20Material%29%20Bill%202024.pdf>

⁴ QFCC (2023). Annual Report - Deaths of children and young people Queensland 2022–23. https://www.qfcc.qld.gov.au/sites/default/files/2024-03/QFCC_Report_Child_Deaths_2022-23_Accessible2.pdf

⁵ Australian Communications and Media Authority (2013). Like, post, share: Young Australian's experience of social media. <https://apo.org.au/sites/default/files/resource-files/2013-08/apo-nid35223.pdf>

⁶ UNICEF Australia (2024). What is harmful content? <https://www.unicef.org.au/parent-teacher-resources/online-safety/harmful-content>



Clear safeguards need to be in place to protect the community from online harm and are of particular importance given the potential impact on young people who lack the developmental capacity to appropriately mitigate or respond to exposure to harmful online materials. Additional consideration must be afforded to vulnerable children including those with a lived experience of complex trauma such as those living in out-of-home care, children involved in the youth justice system, those who have experienced domestic and family violence, children with disabilities, as well as First Nations children for whom exposure to harmful content can exacerbate existing, and often intersectional, vulnerabilities.

The QFCC welcomes the increased safeguards relating to age-restricted materials and urges attention be given to education and capacity-building to ensure the Codes are accessible, comprehensible and appropriately implemented. Young people have previously expressed to us the importance of holding digital platforms accountable for online behaviours while balancing protections against harmful content and the need for open communication.

The eSafety Commissioner's objective of empowering all end-users, parents and guardians, to supervise the content their children can access online is supported by the QFCC. We urge the inclusion of clear, user-friendly tools in the Codes that allow end-users to set filters, block content and monitor children's online activities. This includes providing carers with clear instructions on how to implement and use these measures effectively. These resources must empower parents and carers to discuss online safety in an age-appropriate manner.

The success of the Codes will depend on the relevance and responsiveness to the evolving landscape of the online world. Risks posed by artificial intelligence, deepfake, and image-harvesting from social media platforms are a newly emerging space that must be monitored. The QFCC stresses the importance of co-creating resources and codes with children and young people from diverse backgrounds, and with a range of lived experiences, to ensure the online world remains both accessible and protective of their rights, safety and wellbeing.

If you have any queries in relation to this matter, please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED]

Yours sincerely

[REDACTED]

Luke Twyford
Principal Commissioner
Queensland Family and Child Commission

19 November 2024

