

Father Chris Riley's 
Youth Off The Streets®

Submission to The Senate

Cyber Safety and the issue of sexting by minors

July 2013

Introduction

This submission briefly outlines some of the key actions for addressing the growing issue of sexting by minors. This is in response to the established Senate Select Committee On Cyber Safety inquiry into sexting by minors.

We look at this issue through the eyes of an organisation that deals with disadvantaged youth aged between 12 and 21. We have prepared the submission by consulting our mental health professionals, youth workers, teachers and research consultants that work across our 25 services.

There was a consensus that education was the solution. Interestingly, the education must be directed at parents and emphasise how to have conversations with their kids about sexting: fully appreciating that many won't because it's an embarrassing conversation to have. Not only that, the current penalty for sexting is so severe that very few are charged. It's time to update the law and educate young people and parents about the problems associated with sexting.

It is our aim to provide actions that will reduce the incidents of sexting by minors. In no way will we eliminate this practice, but to educate as many as we can about the devastating consequences of when it does go wrong is imperative.

Youth Off The Streets

Youth Off The Streets is a non-denominational community organisation working for young people who are homeless, drug dependent and recovering from abuse. We support these young people as they work to turn their lives around and overcome immense personal traumas such as neglect and physical, psychological and emotional abuse.

It is our goal that these young people will leave our care drug free, with a high school education, living skills and full or part time job in hand.

Since opening in 1991, Youth Off The Streets has grown from a single food van delivering meals to young homeless people on the streets of Kings Cross to a major youth specific agency offering a full continuum of care through delivery of a wide range of services.

Our 25 services include aboriginal programs, crisis accommodation, alcohol and other drug services, counselling, accredited high schools, outreach and residential programs. Volunteers support us every step of the way.

Youth Off The Streets is accredited as a Designated Agency for Out of Home care and maintains policies and procedures that comply with the benchmark standards as defined by the Office for Children the Children's Guardian.

The legislative frameworks we comply with or work within are:

- Out of Home Care and Child Protection
- Children and Young Persons (Care and Protection) Act 1998 (NSW)

- Children and Young Persons (Care and Protection) Amendment
- (Parental Responsibilities Contracts) Act 2006 (NSW)
- Child Protection (Offenders Registration) Act 2000 (NSW)
- Crimes Act 1900 (NSW)
- Commission for Children and Young People Act 1998 (NSW)
- The Ombudsman Act 1974 (NSW)
- The Family Law Act 1975 (Cth)

Context – Today's technology, youth and sexting

Australia is becoming a highly sexualised society. Cameras are never far from reach and the ability to send photos across the globe takes just a few seconds. Mix this with the impulsive nature of young people and the social pressure to be 'sexy' – the issue of sexting is growing.

The social pressure to send revealing photos via multimedia message, social media sites or the internet, which takes a few seconds, is constantly applied to young people. A Melbourne University study indicated that both genders talked about the pressure girls experienced from boyfriends, or strangers to reciprocate an exchange of sexual images, often based on an impulse.

The impulsiveness of young people and their inability to consider future consequence is another reason to start educating them about the issues of sexting. We have found young people often don't know the laws they are breaking and when they do find out, they don't care enough to stop. Many see this kind of activity as 'fun', 'flirtatious' or 'cool' and it can be driven by their competitive nature: the constant need to out-do each other. Young people seem to think, if they get caught, it will just be a case of 'kids being kids', but there are severe legal ramifications.

We've shown the traits of young people that lead to sexting, but the age of sharing and cyberbullying make it a real issue. For example, a young person (15 years old) may send a sexually revealing photo of themselves to a partner they trust, which they view and keep to themselves. But when the relationship breaks down, it's just a few clicks away from being shared across multiple social networking sites with negative tags and comments. After the initial upload to social media, the photo is now on the internet permanently and it's virtually impossible to have it removed or restrict access to the photo. The young person, who originally sent the photo, is now distraught as all of their friends and strangers know them in a very private way.

We hear this sort of thing happening all the time, whether that is from our own young people or in the news, it's a growing problem that stems from young people's impulsiveness, social pressure, their competitive nature and the age of sharing. Below we detail some recommendations.

Recommendations

1. Parental education – Youth Off The Streets believes that this is a parental issue

We recognise that parents can't constantly monitor what their kids are doing online; however they do need to inform their kids of the potential pitfalls and legal consequences of sexting. The Government needs to start a campaign to educate parents on how to have these, often embarrassing, conversations with their kids and that it is vital kids understand the consequences of their actions. This is especially true when social pressure is used to coerce another person into sexting. This is when sexting becomes a form of cyberbullying.

Just like bullying, cyberbullying needs to be addressed at the home. Cyberbullying affects countless teens and adolescents on a daily basis. Parents need to understand that they are the kid's main advocate and need to take cyberbullying seriously. The Government needs to run an education campaign aimed at helping parents deal with bullying from a victim and perpetrator perspective.

2. The educational message – it must not be too future focused

The Government needs to carefully select its message and ensure it isn't too future focused. As mentioned above, Youth Off The Streets has found that young people are impulsive by nature and don't really care about future consequences until they happen. The message that parents need to give their kids must not be too future focused. Providing messages that deal with the negative social implications in the immediate future, would be a better deterrent than highlighting problems they'll face five or ten years in the future.

3. Schools can be part of the solution

Parents educating their kids should be the primary focus to address the issue of sexting, but schools can also re-enforce the message. The Government needs to institute and fund education classes on how to securely use social networks and the consequences of personal images going viral, combined with general lessons on browsing the internet securely and anonymously (as anonymously as possible) should minimise the issue. Knowing the ins and outs of privacy settings on the various social networking sites can make all the difference.

4. Changing the law – Child pornography charges are too harsh

The Government needs to review the law when it comes to teen sexting cases. It is absurd that two consenting teens can text each other and end up on the registered sex offenders list for the rest of their lives. We recommend changing it so there are consequences for engaging in this type of behaviour, but it doesn't ruin the rest of your life. There should be a chance for the young person to correct their mistake and learn from the experience.

Conclusion

We would like to commend The Senate for holding an inquiry into the teen sexting phenomenon, which is a growing issue and one that has claimed lives. We recommend the four actions above and will watch their progress closely, if they are implemented. Education will play a key role in minimising the issue.