



**Senate Select Committee on Cyber Safety
Inquiry into the Report on Options for Addressing the Issue of Sexting by
Minors**

Northern Territory Police Submission

In March 2013, Northern Territory (NT) Police established the Online Child Exploitation Investigation Unit, under the Sex Crimes Division, with a charter to prevent, investigate and apprehend offenders grooming and procuring youth for sexual exploitation and harm. In addition to this, the Unit takes the leadership in the NT for the ThinkUKnow Program, providing education and support to parents, teachers and caregivers of youth in relation to a number of areas of online concerns including sexting.

Whilst undertaking the charter of works within the Unit, members have been aware of a number of concerns specifically relating to minors being able to access telecommunications and the internet to engage in sexting, being:

- The need for a change to legislative requirements for telecommunication providers to maintain accurate records and logs of activity through mobile devices.
- Password access by investigators to all storage devices and accounts.
- Facebook laws and access to Facebook and other social media by law enforcement agencies.
- Requirement for greater access to education programs for minors in relation to the prevalence and future impacts of sexting.
- The complexity of the National Broadband Network rollout across the NT to areas in which have had little or no previous access to the internet.

Issue 1: The need for a change to legislative requirements for telecommunication providers to maintain accurate records and logs of activity through mobile devices.

Currently telecommunication providers do not need to track all information for billing purposes, and as such, do not currently capture the internet provider addresses of those persons utilising mobile connectivity. As a result of this utilisation of the internet, across many facets of social media, organisations for sexting purposes are untraceable.

When taken into consideration the impact that this represents for law enforcement agencies to accurately track adults who are utilising social media organisations for minors to undertake sexting behaviour, this lack of requirement to track all information exposes a significant risk of offences committed by adults on minors which are unable to be identified and hold evidence for prosecution purposes.

Issue 2: Password access by investigators to all storage devices and accounts.

NT Police currently face challenges in investigations in relation to not having legislation covering coercive powers to enable investigators password access to all storage devices and accounts. The Australian Federal Police and Queensland Police currently have coercive powers written within legislation requiring people in possession of storage devices and of internet accounts to provide investigators password access.

Issue 3: Facebook laws and access to Facebook and other social media by law enforcement agencies

There is an increasing prevalence involving the exploitation of internet communications and telecommunications by adults with sexualised interest in children. These internet communications and telecommunications are across numerous social media organisations including but not limited to Facebook, Yahoo Messenger, Diva Chat, BlogSpot, Club Penguin Snapchat, to name a few. The information access protocols of these social media organisations are often problematic when looking to access information by law enforcement agencies and significant time delays are often incurred with acquiring the information from the social media outlet source.

Issue 4: Requirement for greater access to education programs for minors in relation to the prevalence and future impacts of sexting.

NT Police have undertaken a responsibility to engage in the delivery of education relating to addressing online safety and security issues, specifically in the education of parents, teachers and caregivers of minors. However, with the growth in use of internet communications and telecommunications further education is required.

In addition to this, as new technology and applications are developed, embraced and utilised by minors, there will be an ever increasing need for adults to become more technically aware to the developments. Education, in relation to understanding minors utilisation of technology is paramount in assisting them to determine the appropriate way to interact.

Issue 5: The complexity of the National Broadband Network (NBN) rollout across the Northern Territory to areas in which has had little or no previous access to the internet.

The NT has many remote areas which have had either little or no exposure to internet communications or telecommunications. As a result, most members of remote communities will not have the knowledge or technical expertise to cope with a vast amount of information which will likely flood into those communities.

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There are many communities in the NT which are restricted from possessing pornographic material; however, with the rollout of the NBN, there will be difficulty in policing these restrictions with the ability to download, or upload pornography, being readily available.

Currently throughout these remote communities and locations, the sharing of child abuse material is restricted through Bluetooth technology, with an extremely short radius to the originating device. However, once the NBN is rolled out and community members become aware of the procedures to share information, there will be nothing to prevent sexting images taken of minors to be shared across any internet or telecommunication device.