



families australia
promoting the interests of families

Committee Secretary
Senate Standing Committee on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

12 January 2015

Dear Committee Secretary

Families Australia welcomes the opportunity to make a submission to the Environment and Communications Legislation Committee on the Enhancing Online Safety for Children Bill 2014 and Enhancing Online Safety for Children (Consequential Amendments) Bill 2014.

Established in 2001, Families Australia is Australia's national peak body representing and promoting the needs and interests of families. On behalf of over 750 member organisations operating across a diverse range of social support services such as family support, early childhood care, counselling, youth work, mental health and disability, we work to improve national-level policies and programs relating to families.

Since 2007, Families Australia has coordinated the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children¹ (the NGO Coalition), a consortium of around 156 major non-government community service organisations and prominent researchers from across Australia who work closely with the Australian, State and Territory Governments to implement the *National Framework for Protecting Australia's Children 2009-2020* (National Framework), Australia's first ever national plan to tackle child abuse and neglect² (See **Attachment A** for list of NGO Coalition members). The National Framework is implemented through a series of three year action plans.

Cyber (Online) safety for children has been an ongoing focus of the National Framework with the Second Three-Year Action Plan, 2012-2015³ including an action to develop and trial programs to prevent sexual abuse and keep children safe, including specific programs for remote Indigenous communities, such as the cyber smart outreach program.

Families Australia welcomes the Australian Government's commitment to Australia's children through improving online safety and protecting them from cyberbullying. Families Australia also notes and supports the submissions from members of the NGO Coalition to the consultation on the Discussion Paper on Enhancing Online Safety for Children (January 2014). Families Australia also notes the NGO Coalition members on the Online Safety Consultative Working Group, Dr Judith Slocombe, Ms Hetty Johnston AM, Mr Steve Betinsky, Mr Richard Cooke, and Mr Matthew Keeley.

¹ Details about the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children are available at <http://www.familiesaustralia.org.au/coalition/index.htm>

² Retrieved from <dss.gov.au>

³ Retrieved from <dss.gov.au>

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Families Australia supports the implementation of the Australian Government's election commitment to enhance online safety for children through:

- establishing a Children's e-Safety Commissioner (Commissioner) to take a national leadership role in online safety for children; and
- implementing an effective complaints system, backed by legislation that will get harmful cyber-bullying material targeted at an Australian child down quickly from large social media sites.

While supporting the establishment of a Children's e-Safety Commissioner, Families Australia would seek the Senate Committee's consideration of recommending the placement of the role of this Commissioner within the Australian Human Rights Commission with the National Children's Commissioner, or extending the role of the National Children's Commissioner. We would view this as more efficient, effective and independent than the establishment of a new office within the Australian Communications and Media Authority (ACMA).

The National Children's Commissioner has a strong leadership role in implementing, promoting and educating about the Convention of the Rights of the Child. This Convention goes to the heart of protecting Australia's children. The Human Rights Commission has also undertaken and participated in education and research in the areas of cyber-space and cyber-bullying. The Explanatory Memorandum clearly outlines the compatibility of the Bills with the human rights and freedoms recognised or declared in the international instruments of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

The Human Rights Commission has a key role in educating in human and child rights and has produced resources and reports such as the BackMeUp: Don't stand by, it could be you! Project. The National Children's Commissioner is also experienced in seeking the input and views of children and young people.

As an overall comment, the Bills appear to address key areas. Families Australia notes the lack of focus on parents and their interests, rights and responsibilities. We would like to see this area addressed.

Families Australia requests the Senate Committee's consideration of a recommendation that the 2018 formal evaluation of the new arrangements set out in the Bills include the views and voices of children and young people in line with the Convention on the Rights of the Child.

Thank you for the opportunity to provide this submission on the Enhancing Online Safety for Children Bill 2014 and Enhancing Online Safety for Children (Consequential Amendments) Bill 2014.

Yours sincerely

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Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children

Membership - alphabetical listing as at 9 January 2015

Aboriginal and Torres Strait Islander Healing Foundation
Aboriginal Child, Family and Community Care State Secretariat (NSW)
Aboriginal Family Support Services Inc.
ac.care
ACT Disability, Aged and Carer Advocacy Service
ACT for Kids
ACTCOSS
Adults Surviving Child Abuse
Alliance for Forgotten Australians
Anglicare Australia
Anglicare South Australia
Anglicare Tasmania
Anglicare Victoria
Anglicare WA
Association of Children's Welfare Agencies (NSW)
Australian Association for Infant Mental Health
Australian Association of Social Workers
Australian Catholic University, Institute of Child Protection Studies
Australian Child and Adolescent Trauma Loss and Grief Network (ACATLGN)
Australian Childhood Foundation
Australian College of Neonatal Nurses
Australian College of Nursing
Australian Community Children's Services
Australian Council on Children and the Media
Australian Council on Social Services
Australian Federation of Disability Organisations
Australian Foster Care Association
Australian Medical Association
Australian Network of General Practice
Australian Nursing Federation
Australian Physiotherapy Association
Australian Research Alliance for Children and Youth
Australian Youth Affairs Coalition
Baptcare
Barnardos Australia
Benevolent Society
Berry Street (Vic)
Brain Injury Australia
Bravehearts
Brewarrina Integrated Child and Family Centre
Brotherhood St Laurence
Burrin Dalai Aboriginal Corporation
Carers Australia

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Catholic Social Services
CatholicCare, Diocese of Broken Bay
Centre for Children and Young People, Southern Cross University
Centre for Community Child Health
Centre for Excellence in Child and Family Welfare (Vic)
Centrecare Inc.
Child Adolescent and Family Welfare Association of Australia
Child and Family Welfare (SA)
Child and Family Welfare Association Tasmania
Child Sexual Abuse Prevention Program
Children with Disability Australia
Children's Protection Society
Childwise
Connect Child and Family Services Inc.
Contact Inc.
CREATE Foundation
Deaf Children Australia
Early Childhood Australia
Early Childhood Intervention Australia
EPOCH (End Physical Abuse of Children)
Ethnic Communities Council of Queensland
Families Australia
Family Drug Support
Family Inclusion Network Australia
Family Life
Family Relationship Services Australia
Federation of Ethnic Communities' Councils of Australia
Flinders University
Foster Care Association (Vic)
Good Beginnings Australia
Goodstart
Gowrie Australia
Grandparents Australia
Griffith Institute for Social and Behavioural Research, Professor Ross Homel, PhD,
FASSA, AO, Professor of Criminology and Criminal Justice
Griffith University School of Human Services and Social Work
Heartfelt House
Homelessness Australia
International Social Service Australia
JK Diversity Consultants
Key Assets Australia
Life Without Barriers
MacKillop Family Services
Marymead Child & Family Centre
Maternal, Child and Family Health Nurses Australia
Meerilinga Young Children's Foundation Inc.
Melbourne Citymission
MensLine Australia
Mental Health Council of Australia
Mental Illness Fellowship (Qld)
Menzies School of Health Research
Mercy Family and Community Services
Micah Projects (QLD)

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Mind Australia
Mission Australia
Monash University
Murdoch Child Research Institute
NAPCAN
NAPCAN (NT)
National Aboriginal Community Controlled Health Organisation
National Association of Community Legal Centres
National Children's and Youth Law Centre
National Disability Services
Network of Community Activities
Newcastle University Family Action Centre
Novita Family Services
NSW Family Services
Open Place, Support Service for Forgotten Australians
Orygen Inc.
Our Watch
OzChild
Parenting Research Centre
Parkerville Children and Youth Care
Peakcare (QLD)
Playgroup (NSW)
Playgroup Australia Inc.
Public Health Association of Australia
Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited – QATSICPP
Red Cross Australia
Relationships Australia National
Relationships Australia Queensland
Remote Area Aboriginal and Torres Strait Islander Child Care Advisory Association Inc.
Richmond Fellowship ACT Inc.
Royal Australasian College of Physicians
Save the Children Australia
Secretariat of National Aboriginal and Islander Child Care
Siblings Australia
Smart Population
Social Policy Research Centre
Southern Junction Community Services
St Vincent de Paul Society
The Alannah and Madeline Foundation
The Centre for Community Child Health, Royal Children's Hospital Melbourne
The Congress of Aboriginal and Torres Strait Islander Nurses
The Mirabel Foundation
The Salvation Army Tasmania
The Smith Family
UNICEF Australia
UnitingCare (Gippsland)
UnitingCare (NSW/ACT)
UnitingCare (Tas)
UnitingCare Connections (Vic)
Uniting Care West
Uniting Communities, SA

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UnitingCare Burnside
UnitingCare Community (Qld)
UnitingCare National
University of Melbourne
University of South Australia, Australian Centre for Child Protection
University of Sydney
University of Western Australia, The Research Centre for Vulnerable Children and Families
Universtiy of NSW
Victorian Aboriginal Child Care Agency
Victorian Association for the Care and Resettlement of Offenders
Wanslea Family Services
Wesley Mission Brisbane
Winangay Resources
YMCA Australia
Yorganop Association
Youth Affairs Council of South Australia
Youth Off The Streets
YWCA Canberra