

# Senate Committee on Cyber-Safety

Submission to the inquiry into the issue of sexting by minors

July 2013

## Overview

The Australian Communications and Media Authority (ACMA) welcomes the opportunity to make a submission to the Senate Committee on Cyber Safety Inquiry into the issue of sexting by minors.

Sexting (understood by the ACMA to mean the sending of sexual messages, photos or videos, online or using a mobile phone) has emerged in recent years as an important online safety issue for young people. The prevalence and ease of access of internet and mobile technologies has made it easy to capture and send images of a sexual nature, and for these images to be resent to others beyond the intended recipient.

While it is not just young people who send sexts, particular issues can arise when young people are involved. The taking, receiving or forwarding of sexual images of minors may constitute a criminal act as production, distribution or possession of child pornography under Australian Commonwealth and State law. Young people may be subject to heightened levels of peer pressure to create or forward such images and the impact of the subject's loss of control over private images may be more serious and lasting.

This submission outlines the findings of recent ACMA research into young peoples' experience of sexting, and draws on experiences derived from delivery of our Cybersmart education program to outline our recommendations on effective strategies for dealing with this issue.

The ACMA is well placed to assist the Committee in its deliberations on this important subject and would welcome opportunities to provide further information on its thinking, research and programs.

## ACMA's role in relation to sexting

The ACMA has had a legislative role in relation to online content regulation and cybersafety education since 1999. The ACMA has functions under the *Broadcasting Services Act 1992* (the BSA) to:

- investigate complaints about prohibited or potentially prohibited online content;
- monitor compliance with codes and standards dealing with online content;
- advise and assist parents and responsible adults in relation to the supervision and control of children's access to internet content and content services;
- conduct and coordinate community education programs about internet content, internet carriage services and content services, in consultation with relevant industry and consumer groups and government agencies;
- conduct and commission research into issues relating to internet content, internet carriage services and content services; and
- liaise with regulatory and other bodies overseas about co-operative arrangements for the regulation of the internet industry.

Since 2000, when the online complaints hotline commenced operation, the ACMA has investigated more than **25,000** complaints into online content about prohibited and potentially prohibited online content.

Increasingly, our regulatory role in relation to online content is supported by our work in delivering a broad range of cybersafety education and awareness programs. Under the Cybersmart banner, the ACMA has developed a comprehensive suite of programs that address the cyber education needs of our key audiences of young people, parents and teachers.

Cybersmart programs are designed to equip Australians with the skills, knowledge and behaviours needed to engage safely and confidently as digital citizens in the networked society. Programs are based on research, and independently evaluated to ensure they are effective in driving behaviour change.

Sexting is covered as a key element in Cybersmart programs directed at teenagers, parents and teachers. Program elements are discussed in more detail below.

In recommending an educative approach to dealing with the issue of sexting, the ACMA acknowledges the distinction between peer-to-peer sexting (that is, young people taking and sending sexually suggestive content to each other, often in the context of a shared relationship) and the production and distribution of online child sexual abuse material where there is clearly a societal harm, and which requires a legislative response.

### **ACMA research into young people's experiences of sexting**

The ACMA has conducted research into young people's experience of the online world since 2000. Its most recent report, *Like Post Share: Young Australians' experience of social media*<sup>1</sup> explores for the first time issues relating to young people's experience of sexting.

*Like, Post, Share* was a quantitative research study with fieldwork conducted in July 2012. The full study comprised an online questionnaire asked of 1,511 young people aged 8 – 17 and their parents.

In the research study, 16 and 17 year old participants were asked if they or someone within their group of friends had sent or received sexually suggestive photos or videos of themselves or others.<sup>2</sup> Of the 241 responses:

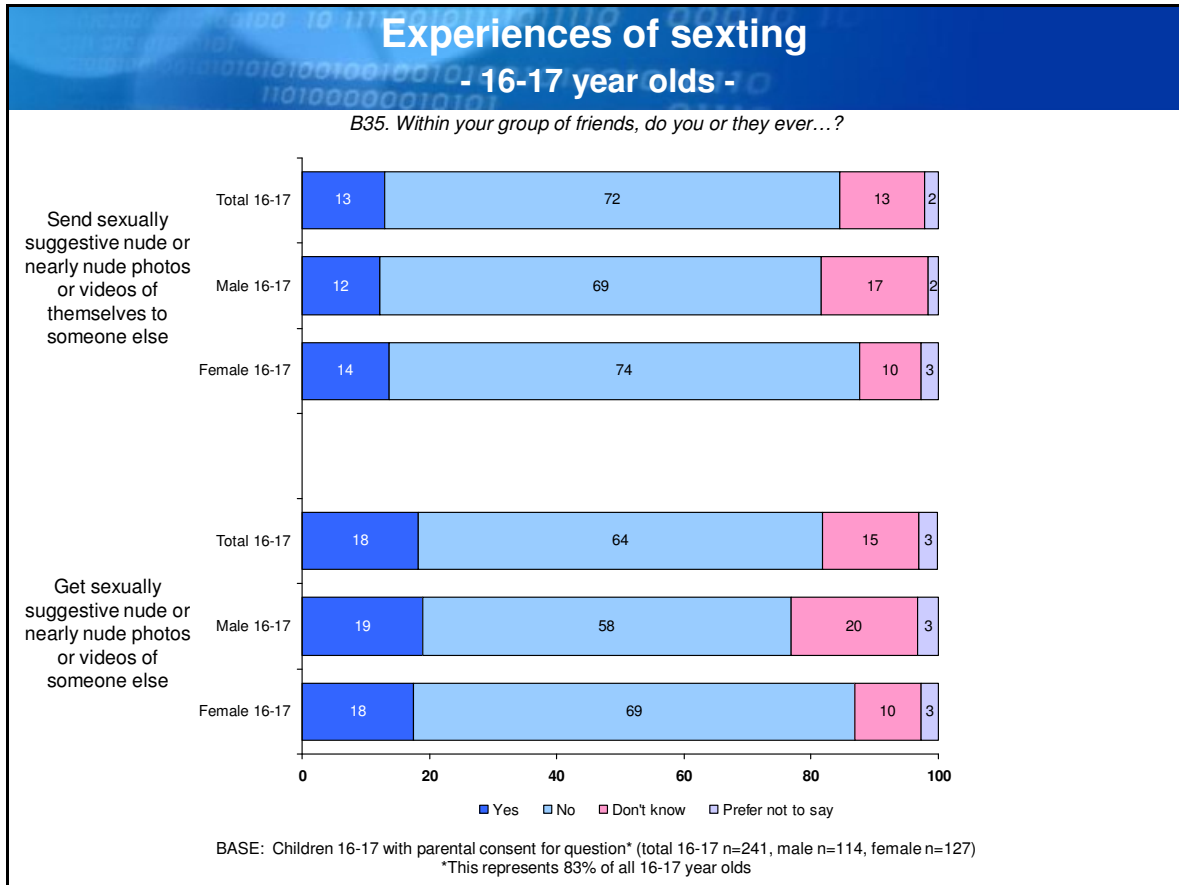
- thirteen per cent of 16 – 17 year olds reported that either they or someone in their friend group had **sent** sexually suggestive nude or nearly nude photos or videos of themselves to someone else.
- eighteen per cent of 16 – 17 year olds reported that they or someone within their group of friends had **received** sexually suggestive nude or nearly nude photos or videos of someone else.
- there is little difference on these measures between males and females, although males were more likely to say they don't know if they or their friends had received sexually suggestive images, compared to females (20 per cent compared to ten per cent respectively).

Table 1 sets out these findings.

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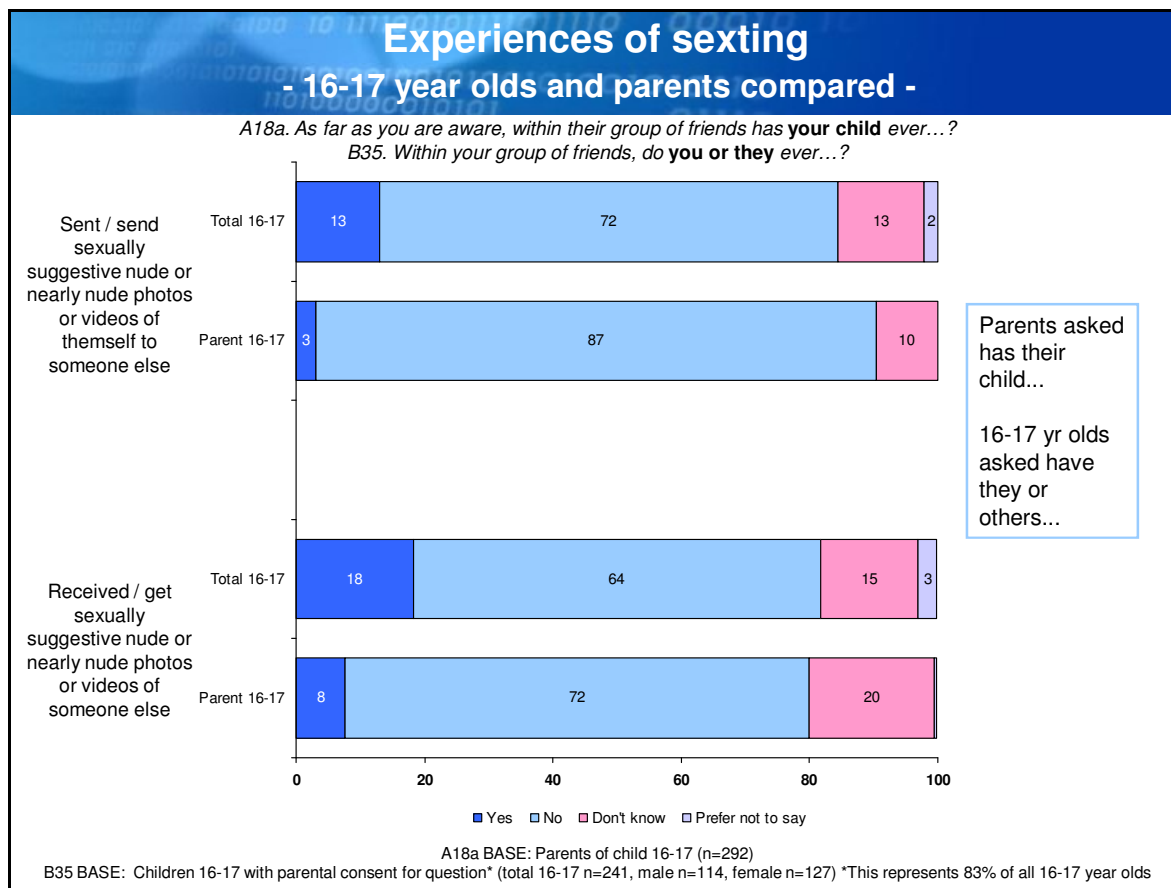
<sup>1</sup> The full report is due for publication on 2 August 2013

<sup>2</sup> Young people under the age of 16 who participated in the broader *Like, Post, Share* research were not asked questions about their experience of sexting due to sensitivities about raising this subject matter in a research project of this nature.



**Table 1: Young people's experience of sexting**

Research findings indicated significant differences between parents' and their children's accounts of their child's experience of sexting. Parents were asked the question whether within their child's group of friends anyone had ever sent or received sexually suggestive material of themselves or someone else. For both questions, the proportion of parents who reported that within their group of friends their child had experienced sexting was 10 per cent lower than their child's reported experience. Table 2 sets out this finding.



**Table 2: Experience of sexting, young people and parents**

The findings from *Like, Post, Share* sit within an emerging body of research exploring this issue. More work is required to gain a broader understanding of the extent to which young people are engaging in the practice of creating, sending and receiving material of this nature.

### ACMA approaches to sexting

The ACMA considers that education is critical in providing young people with the ability to make appropriate choices in relation to cyber education issues and develop the knowledge and skills to operate as effective digital citizens.

In developing its Cybersmart Program, the ACMA's approach to program development has emphasised the following factors.

*(1) Education is key, and must be effectively targeted to the audience*

With sexting, as with other cyber issues, education programs must extend beyond the persons directly involved in the activity to also include peers, parents and teachers - those in a position to inform the initial choice or support people adversely affected by sexting. The Cybersmart program contains a range of initiatives tailored to young people, parents and teachers and providing education and support on this issue.

In order to achieve cut through with target audiences, programs must be recognised as credible by the audience. A key element in establishing credibility is the language used to describe the issue.

While most audiences recognise what is meant by the word 'sexting', the ACMA is aware that young people themselves do not commonly use the term, and are more likely to use a range of other words or phrases to describe the practice. Cybersmart programs aim to use terminology or describe the practice of sexting in ways that will be recognisable to the target audience.

The ACMA acknowledges the distinction between the initial, deliberate sharing of sexually suggestive images, often between romantic partners or prospective partners, and the subsequent resharing of materials which may be non-consensual and beyond the subject's control. Advice should be targeted to sender and recipient at each stage of the process.

For example, the ACMA advises the sender to think twice before sending any sexual image, and be aware that once an image is sent or posted it can be impossible to remove. Our advice is practical and non-judgemental, recognising that there are reasons why teenagers may send images they subsequently regret. We advise all parties to show respect and not ask for or forward sexting images, and warn the recipient that if they subsequently forward the image they may be committing a criminal act.

*(2) A variety of delivery mechanisms should be used, to maximise engagement*

Education is not a one size fits all approach. In dealing with the issue of sexting, as with all cyber education matters, Cybersmart aims to target audiences through a range of program delivery mechanisms, enabling audiences to access information in a format that resonates with them and is most suitable for their needs.

- through the comprehensive **Cybersmart Outreach program**, face-to-face presentations for young people, parents and teachers are offered alongside full day or half day Professional Development modules for teachers, and tailored sessions for Pre-Service teachers. Information on sexting is included in all general internet safety awareness presentations for secondary students, parents and teachers; and in all teacher and parent focused sessions. For teachers, a new module has been recently added to the Professional Development program focusing on positive online relations, and aiming to increase teachers' understandings of why young people sext and cyberbullying, and the possible social and legal consequences.
- the **Cybersmart website** offers general information, education programs and lesson plans. Information on sexting has been released in short format infographics, for quick reference, with more detailed advice for teens, parents and teachers. New content has recently been added to help young people who have sent a sext and subsequently regretted it, advising them of practical steps they can take to help remedy the situation.
- the **Cybersmart Online Helpline** is provided for young people impacted by sexting and other cyber issues. The counselling service is offered in partnership with Kids Helpline, specialist providers of counselling and support for young people. The service is free of charge and confidential.
- **Tagged** is a short film and education package for teens dealing with the issues of cyberbullying, sexting, and digital reputation management. *Tagged* is accompanied by comprehensive lesson plans and support materials exploring the issue from the multiple perspectives (participants and bystanders).

- Cybersmart’s Facebook campaign for teens, *The Cloud*, provides engaging content in a humorous, teen-friendly format, with opportunity for user comment and feedback. Sexting is one of the issues covered on the Facebook page.

These program components complement and inform each other. For example, Cybersmart Outreach trainers engage directly with real people and real problems, and provide insights into the information needs of students, teachers and parents. Feedback from the trainers enables the ACMA to shape all its program to meet identified needs and provide solutions to real problems.

A key aim of the Cybersmart program is to facilitate positive online engagement. The ACMA’s *Digital Citizens Guide* identifies three principles that encapsulate this, urging users to “engage positively”, “know your online world” and “choose consciously” when making decisions online. The guide reminds users about the element of individual control that is involved in online interactions, and provides tools and resources which can assist the user to ‘think before you click’.

A full list of ACMA programs dealing with sexting is at Appendix A below.

*(3) Education must be evidence based, and evaluated to ensure it is driving behaviour change*

Education programs on sexting, as with all cyber education programs, must be built on a firm evidence base to ensure that they are tailored and robust. In particular, evidence will inform decisions on the scope of issues that need to be addressed, and ensure prevention strategies target the right audience in the most effective manner possible.

In relation to sexting, the ACMA is informed by both its own research and that of others. While a body of research is emerging on this issue, further study is needed to confirm prevalence rates for sexting, and establish which prevention strategies are likely to be most effective for young people.

Program evaluation is also critical, to ensure that resources being developed are hitting the mark and driving behaviour change amongst the target audience.

A key component of program evaluation is consultation and testing with the relevant audience group as well as with subject matter experts. The ACMA’s practice is to ensure that all resources are tested with the target audience at development stage, and feedback is incorporated into subsequent stages of program development. Our materials on sexting have been developed in conjunction with psychologists and teachers, who are well equipped to advise on the best ways to stop sexting occurring and how to support the subject if it has got out of control.

The ACMA also implements a program of post-implementation program review, to ensure that its programs are achieving desired results in terms of behaviour change.

For example its education package *Tagged*, which deals with sexting alongside cyberbullying and digital reputation management, was independently evaluated with the report findings published in March 2013. The evaluation, comprising a series of focus groups with teenagers and teachers, found that:

- teachers considered that *Tagged* was relevant, engaging, and provided a comprehensive package of materials that would enable them to engage with young people on these potentially sensitive issues.
- young people have a strongly increased awareness of cybersafety issues after having seen the video. In particular, they are more aware of the need to think before they post anything online and to consider the potential impact on others.

- additional content could be developed to support young people who have witnessed a bullying or sexting situation to take positive action to resolve the situation. The ACMA is now acting on this recommendation by developing additional lesson plans and audio-visual content that specifically support the bystander, including by providing them with a series of strategies that they could put in place to support a friend who has been impacted by sexting.

#### *(4) Importance of a partnership approach*

Promoting cybersafety and digital citizenship is a shared responsibility, in which a number of stakeholders have an important role in play. Collaboration with industry, other levels of government and the non-government sector in Australia and internationally is a key element of the ACMA's Cybersmart Program and assists in the formulation and dissemination of consistent messaging and advice.

The benefits of partnership include:

- the provision of consistent and effective messages
- increased audience reach for cybersafety information
- better use of available resources and less duplication
- safety messages can be tailored to particular services and platforms

In working to raise awareness of the risks of sexting, the ACMA has worked closely with researchers, police, education, NGOs and industry bodies in order to more closely understand the issue, and formulate common messages. This is an evolving area both in Australia and internationally, and we look to identify best practice work in Australia and overseas to ensure our advice is as current and helpful as possible.

For example, we are currently working with two Australian entities to customise a UK resource 'so you got naked online' for an Australian audience. This resource, which is contemporary and teen-friendly, explains the consequences of sexting in non-judgemental terms, and suggests practical sources of help for young people who have sent a sexually suggestive image and are having regrets about it.



## Appendix—Overview of the Cybersmart program

The ACMA's Cybersmart program consists of a wide range of resources and programs. A snapshot of resources covering the issue of sexting follows:

### Cybersmart website

The [Cybersmart website](#) is the cornerstone of the ACMA's Cybersmart program.

It is a one-stop shop for cybersafety education and awareness, with news, resources and information about current cybersafety issues and practical advice about how to deal with them.

The Cybersmart website hosts resources specific to particular audience demographics and features a specific web portal for schools, providing teachers with easy access to free educative classroom resources. The site has attracted over **2,800,000** visits since launch in 2009.

The ACMA's Cybersmart website homepage



**For young people**—the site provides tips and advice that reinforce positive online behaviour as well as quizzes, animations, and high-quality, interactive games. Content on sexting includes advice on the possible consequences, along with guidance on how to deal with sexting if it has got out of control.

**For parents**—the site contains practical advice about guiding their child’s online use. The advice aims to demystify the online world and encourage parents to actively engage alongside their children. Resources on sexting include advice on the possible legal and social consequences of sexting, alongside practical advice on how to provide support if their child comes to them with a problem.

**For schools**—the schools portal hosts a number of age-based education resources for teachers. The resources include films, online games and animations. Each resource is supported by comprehensive lesson plans structured by capabilities, theme and age range. Sexting lesson plans are provided for middle and upper secondary students, and new plans are under development for lower secondary students.

In addition to classroom resources, the schools portal provides information on issues related to online safety and links to cybersafety policies and procedures from education jurisdictions throughout Australia.

Also aimed at educators, the Outreach portal on the site provides access to a series of free professional development opportunities as well as presentations for students, staff and parents.

### **Cybersmart social media**

The Cybersmart program recognises the value of engaging directly with our target audiences, and the importance of being able to respond rapidly with advice and information about emerging issues of concern. For this reason, we have established the [Cybersmart blog](#) and an active presence on [Twitter](#), [YouTube](#), and [Facebook](#).

Our Facebook campaign, titled *The Cloud: Dream On*, is aimed at teens. Its core elements are eight videos taking a creative look at current topics in online safety. These include sexting, as well as illegal downloads, cyberbullying, safe online shopping and location services.

*The Cloud: Dream On* was created with the support and advice of industry leaders and teens who provided valuable feedback about preferred content, approaches and development.

The Cybersmart blog has featured posts from cybersafety experts and real-life accounts from students, parents, teachers, and librarians. Issues covered include cyberbullying, teenagers and privacy, and how different generations can educate each other about staying safe online.



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Complementing and building on the website information, the Cybersmart Outreach program delivers face-to-face presentations to audiences of students, parents and teachers. Delivered Australia-wide and without charge, the three programs currently available are the:

- Professional Development (PD) for Educators program, both face-to-face and online
- Internet Safety Awareness presentations for teachers, students and parents
- Pre-service Teacher Training program.

The Outreach program has been highly successful. Since launch in 2009, over 780,000 parents, teachers and young people Australia-wide have participated in the program.

### **Professional Development for Educators**

The Professional Development (PD) for Educators workshop was developed in consultation with key stakeholders and Australian education bodies. It was launched in January 2009 and has recently been remodelled and updated. The full- or half-day, free workshops provide teachers with a comprehensive understanding of a modern student's technology profile, digital media analysis, positive online behaviour (which deals with sexting and cyberbullying), personal and peer safety and the legal obligations of schools and teachers to minimise and address risks.

Teachers who attend the PD workshop have advised the ACMA that they are:

- better equipped with the tools and confidence to engage students on cybersafety
- able to incorporate strategies into the curriculum to keep students safe at all year levels
- aware of the capabilities required to develop good digital citizens
- better able to identify and prevent issues, including cyberbullying
- better able to use ACMA teaching resources—including sample school policies, case studies, lesson plans, video resources and more.

The PD for Educators program is accredited, endorsed or recognised in all states and territories and is available in all regional and metropolitan areas across Australia. Delivered by an experienced cybersafety trainer with an education background, the PD program is offered as either a workshop held at a particular school, or as an off-site workshop held at a local venue.

Feedback from the PD program remains very positive with 99 per cent of participants rating the program as either 'excellent' or 'very good'. The PD program is an area where Australia has led the world in the provision of comprehensive cybersafety education.

**Connect.ed**, an interactive online professional development program for teachers, is designed to complement and build on the Outreach suite of Cybersmart presentations and workshops. Comprising a set of four modules, the program is self-paced and accessible by all teachers across Australia, including casual relief teachers. Connect.ed immerses teachers into the online world of young people, giving them the knowledge, confidence and tools to help their students have positive online experiences.

### **Pre-service Teacher program**

As an extension to the highly successful PD workshop, the ACMA launched its Pre-service Teacher program in July 2010. This is a national program designed for education students in their final year at university. The program is aimed at equipping pre-service teachers with the skills and knowledge to educate their future students about cybersafety issues such as cyberbullying, sexting, safe social networking, e-security, identity protection and responsible digital citizenship.

Consisting of a 50-minute lecture and a 90-minute tutorial, the program is the result of extensive consultation with key stakeholders and the university sector.

As a result of the time that the trainer has given ... our students have been able to add to their knowledge not only about matters that have a bearing upon their final Professional Experience, but also about the various issues that are so important for them to understand regarding the Teaching Profession which they will soon enter.

*Lecturer, James Cook University, Townsville, 2011*

The presentation was very useful and engaging. By far this was one of the best lectures I've heard all year.

*4th year student University of Technology, Sydney 2012*

Very relevant to current professional experience & future employment. Successfully & succinctly highlighted issues & current trends.

*4<sup>th</sup> year student, University of Queensland, 2013*

### **Internet Safety Awareness presentations**

The Cybersmart Outreach program provides Internet Safety Awareness presentations in support of a whole-school approach to cybersafety education. An Outreach trainer provides 45 to 90-minute presentations on cybersafety issues for students, parents and teachers. These presentations are adapted to suit the different audiences and ages of the student groups. They are easy to understand, non-alarmist, thorough and informative, and cover a range of issues including:

- the ways children use the internet and emerging technologies
- potential risks faced by children when online, such as cyberbullying, identity theft, inappropriate contact and exposure to inappropriate content
- tips and strategies to help children stay safe online

Feedback includes:

*We are most appreciative of the opportunity to have had the Cybersmart trainer present to our students, parents and teachers and help deliver a consistent message around internet safety. We would recommend these presentations to other schools without hesitation. We had other staff attend several presentations. The ACMA presentations were clearly the most useful and effective.*

Victoria, 2012

*The quality of information and the clarity of the presentation seemed to have quite an impact on the students. It was relevant, presented at their level and well-paced to maintain their attention. I know it has made a difference at our school, just by listening to the conversations. It also provides a strong grounding for further discussions.*

Queensland, 2012

### [Cybersmart Online Helpline](#)

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For young people who need in-depth assistance following a negative online experience, Cybersmart provides an Online Helpline. Young people experiencing issues such as sexting, cyberbullying, the misuse of personal information online, or exposure to offensive content or unwanted contact, are able to access free, confidential online counselling. This service is provided in conjunction with the Kids Helpline—specialist providers of counselling services for children and young people.

### [Cybersmart Help Service—1800 880 176](#)

For parents, teachers or others with general enquiries about cybersafety issues, the ACMA operates the *Cybersafety Help Service* on 1800 880 176 or by email to [cybersmart@acma.gov.au](mailto:cybersmart@acma.gov.au). In addition to assisting callers with general cybersafety enquiries, this service enables people to book Outreach presentations or order cybersafety resources for use in their school or community group.

## [Tagged](#)

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*Tagged* is a video-based resource aimed at secondary school students aged 14 to 17 years. The centrepiece of this resource is a short film that follows a group of friends who post a rumour about another student, sparking a chain of events that has unintended consequences. The video covers cyberbullying, sexting and digital reputation issues. Students are encouraged to think about how their online actions can have real-world consequences.

*Tagged* is supported by teacher and student resources, including lesson plans and additional character interviews that further explore the film's themes and promote positive online behaviour. *Tagged* is available both as a DVD and online.

*Tagged* has achieved considerable national and international recognition since its release, winning several national and international film awards including the Australian Teachers of Media Award for best secondary school resource and a silver medal in the New York Festivals Television and Film Awards in 2012. Over **128,000** people have viewed *Tagged* online since its launch in September 2011.

## [Digital Citizens' Guide](#)

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The [Digital Citizens' Guide](#) (The Guide) provides an umbrella framework for tools and resources which support positive engagement and stronger online communities. *The Guide*, supported by a

short video, complements existing Cybersmart programs and promotes consistent messages of confident online engagement. *The Guide* was developed through research into community, industry and not-for-profit sector views on digital citizenship, an extensive review of existing international digital citizens programs, and testing of core digital citizenship principles with focus groups.

*The Guide* has been welcomed by a wide range of industry and community partners, including: Google, Facebook, Telstra, Microsoft, the Commonwealth Bank, The Alannah and Madeline Foundation, Yahoo!7, the Interactive Games and Entertainment Association, the Internet Industry Association, the Family Online Safety Institute, Bravehearts, and the Centre for Internet Safety.