



## TASMANIAN ASSOCIATION OF STATE SCHOOL ORGANISATIONS INC.

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### TASSO Submission to the Online Safety for Children Discussion Paper

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The Tasmanian Association of State School Organisations Inc. (TASSO) is the peak body representing the parents and carers of children/students aged 0-18 in Tasmanian government schools and colleges. Formed in 1947 TASSO also represents the interests of school associations, parents and friends groups, school communities and wider community concerns (a total of approximately 85,000 parents and carers).

TASSO appreciates the opportunity to comment on the Australian Government's consultation paper *Enhancing Online Safety for Children*.

TASSO believes that the emergence of new mobile and internet technologies and social media platforms increase the vulnerability of children to a variety of online threats such as access to inappropriate content, cyber-bullying, cyber-stalking and 'sexting'.

At our 2013 State Conference, TASSO adopted a range of policies in regards to the action that can be taken in Tasmanian schools to improve online safety for students. Our relevant policies are as follows:

#### 7. Online Safety for Students

##### 7.1 Education & Awareness

- (a) Tasmania's Information and Communication Technologies (ICT) curriculum should include an online safety component throughout Kinder to Year 12. Online safety material in the ICT curriculum should be:
  - based on the best available research; and
  - updated regularly to reflect changes in technology and culture.
- (b) In addition to Tasmania's ICT curriculum, TASSO encourages schools to run programs that promote cyber-safety to their entire student population.
- (c) TASSO recognises that schools can draw on valuable cyber-safety resources provided by the Australian Communications and Media Authority (ACMA).
- (d) The Department should encourage schools to involve their school communities in the development of cyber-safety awareness and education programs. Program detail should be communicated to school communities through newsletter articles, information sessions and other appropriate means.
- (e) TASSO believes in the importance of educating parents as well as students how to effectively manage the risks associated with ICT access.

##### 7.2 Contact With Teachers Through Social Media

- (a) TASSO believes that social media can be a powerful tool for positive contact between teachers and students, however given the risks involved it should only occur under strict circumstances:
  - Parent/guardian permission should be obtained for students under 18 years of age;

- Teachers should only use social media to contact students who are old enough to use social media under the policy of the relevant platforms (students who are not old enough should be forbidden to access these platforms during school time or using school resources);
- Teachers should only contact students through social media using accounts set up specifically for that purpose, to which the school has access to monitor the account;
- Social media should be regarded as a supplement to other methods of communication among students or between students and teachers—students should never be required to use social media to fulfil their assessment requirements.

## **8. Student Behaviour Online**

### **8.1 General Guidelines**

- (a) TASSO believes the Department should make clear in its Discipline and Learner Wellbeing and Behaviour, in what circumstances schools have a responsibility to manage the behaviour of students, particularly outside school hours.
- (b) TASSO believes that managing unacceptable behaviour by students using ICT resources is the responsibility of the school when:
  - the behaviour involves the use of school ICT resources or networks; the behaviour is directed by a student towards another student, a teacher or another employee of the Department of Education; or
  - the behaviour occurs during school hours or on school grounds.
- (c) All students, regardless of age, should be required to sign a contract agreeing to the appropriate use of their school's ICT resources and networks. Parents or guardians should be required to co-sign the agreement for students under 18.
- (d) Although some students will be too young for their agreement to have legal force, TASSO believes that the signing of the contract plays an important role in reinforcing appropriate behaviour using school ICT resources and networks.

### **8.2 Cyberbullying**

- (a) TASSO believes that cyber-bullying, like other forms of bullying and harassment, is a hurtful and destructive behaviour and must be taken very seriously by schools.
- (b) TASSO believes schools should:
  - Raise awareness of cyber-bullying among the school community;
  - Encourage students to report instances of cyber-bullying by other students;
  - Encourage students to keep copies of cyber-bullying messages as evidence;
  - Keep a log of user activity on school computers and networks; and
  - Recognise the unique nature of cyber-bullying—that it is easier to perpetrate outside school hours than other forms of bullying.
- (c) TASSO believes it is appropriate for schools to treat an allegation of cyber-bullying as a criminal matter and involve police where the offence is sufficiently serious.

### **8.3 Offensive, Illegal or Inappropriate Content Online**

- (a) Schools have a responsibility to take all practicable steps to stop their students from accessing offensive, illegal or inappropriate content online either through school ICT resources and networks or personal devices during school time.

Schools should be encouraged to invest in technology to filter inappropriate content and/or keep a log of student activity online.

### **8.5 ICT Access Sanctions for Student Offenses**

TASSO supports decisions by schools, where necessary, to supervise, restrict or suspend student access to school ICT resources or networks for ICT-based offenses.

### **8.6 Networked Mobile Devices in Schools**

- (a) TASSO believes that school associations should have the discretion to determine whether students are allowed to bring privately owned networked mobile devices (eg. tablets, laptops or smart phones) or mobile phones to school.
- (b) Where such devices are allowed, the school will have a clear policy outlining who is responsible in the event a device is lost, stolen, or damaged or someone gains unauthorised access. Schools must communicate clearly to students the risks they face by bringing their devices to school.
- (c) Such devices should strictly be used for school purposes or emergency contact with parents, guardians or carers.
- (d) TASSO does not support students being required to give schools their mobile numbers. In circumstances where a school needs to pass on information out of school hours to a student under 18 it is appropriate to contact their parent, guardian or carer.

TASSO welcomes the Australian Government proposing initiatives to improve online safety for children, and the opportunity to provide feedback on each of the initiatives the Government has proposed.

We note that the issue of online safety for young people, including children, was addressed very comprehensively by the Australian Parliament's Joint Select Committee on Cyber-Safety in its report *High Wire Act: Cyber-Safety and the Young*. While TASSO appreciates that the Government is implementing policies on online safety for children which it took to the election, a great deal of work has gone into the inquiry and the production of the report. We believe the report and its recommendations are still largely relevant today, and we would encourage the Government to draw on the report in developing future policy regarding online safety for children.

It appears that the Government is taking a highly regulatory approach to an issue that may be more effectively addressed through the education and empowerment of children and driving behavioural change. This requires a coordinated approach involving government, children, their parents/carers, schools and the wider community.

In the case of younger children, particularly those of primary school age, it is important that their use of online technology be heavily supervised by parents or those under their care, including schools. These children are more vulnerable to online risks.

This supervision, accompanied with discussion with parents/carers and teachers, can contribute to children's education about the safe use of technology.

### **Children's e-Safety Commissioner**

While the Government's proposed Children's e-Safety Commissioner has a range of functions, his/her role is summarised as "a single point of contact for online safety issues for industry, Australian children and those

charged with their welfare. The Commissioner will also take the lead across government in implementing policies to improve the safety of children online.”

TASSO believes that the Australian Communications and Media Authority (the ACMA), as the lead agency for providing help, education and resources for online safety for children, has a wealth of expertise and experience which would lend itself well to this role.

As such, we would prefer the e-Safety Commissioner to be a member of the ACMA and administrative support provided by the ACMA.

We are pleased that the Commissioner’s responsibilities will include establishing a program for schools to deliver online safety education, and we hope that such a program would draw on the excellent cyber safety resources already produced by the ACMA.

Given the risks posed by rapid changes in technology, it is important for any legislation relevant to online safety to be reviewed annually to keep up to date these changes. The proposed Children’s e-Safety Commissioner could contribute to these ongoing reviews as part of his/her role.

### **Rapid removal of material from social media sites**

While TASSO welcomes moves to protect children from harmful content, we note that there could be some difficulties in implementing legally-enforceable remedies. Notices to remove content are subject to the limits of Australia’s jurisdiction, whereas many social media sites are not hosted in Australia. This is a challenge faced by the ACMA in its enforcement of the Online Content Scheme.

If the Government can find ways of effectively overcoming these issues, TASSO would support exempting social media sites from the scheme if they have appropriate policies in place to deal with harmful material and those policies are implemented effectively.

While establishing a legal remedy to this issue presents some challenges, it could be a last resort if social media sites do not act responsibly. However, TASSO would prefer an approach in which the Government works with industry, with advice from appropriate experts in child psychology, to improve the policies and practices of social media sites when it comes to dealing with content that is harmful to children.

TASSO welcomes the cooperative approach that has been taken with industry through the *Cooperative Arrangement for Complaints Handling on Social Networking Sites*, although we note that such an arrangement relies on the goodwill of participating sites and that, although most of the large social media providers are participating, Twitter has not yet joined the scheme.

### **Dealing with cyber-bullying under Commonwealth legislation**

TASSO believes that current state and federal laws are sufficient to deal with harassing, threatening or intimidatory behaviour online which is sufficiently serious to warrant a criminal sanction.

TASSO does not believe that criminalising any form of bullying, particularly by minors, is an effective deterrent to bullies. Instead, TASSO concurs with the Alannah and Madeleine Foundation’s submission to the 2011 Senate inquiry into Cyber-safety and the Young, which stated that, because the relationship of bullying to cyber-bullying is integral to the abuse, responses would be best focused on behavioural change in schools and beyond.

We also note that the Family Online Safety Institute's submission to the same inquiry contended that the solutions to cyber-bullying should include education, empowerment and the use of website tools and services to mitigate the likelihood that children will fall prey to cyber-bullying.

The best way to tackle cyber-bullying is through a co-ordinated approach involving young people, their parents, schools and the wider community to raise awareness of online risks and strategies to mitigate and respond to those risks, and to counter inappropriate behaviour online.

### **Other observations**

While it is not covered in the discussion paper, TASSO believes that the ACMA does an excellent job producing and distributing print and online resources to assist children, parents, schools and others in the community to understand and promote online safety.

We would encourage the Government to continue supporting this role within the ACMA through funding. Increasing the ACMA's cyber safety budget would be an effective use of any additional funding aimed at improving online safety for children.

We commented earlier in this submission about the importance of taking a coordinated approach to online safety for children involving children, their parents/carers, schools and the wider community.

TASSO has been lobbying for some time for the Tasmanian Government to support and fund initiatives to facilitate parent engagement in schools. When parents are engaged as partners in their school communities and their child's education, it helps create synergy between their education at home and their education and school.

TASSO believes that awareness and education are powerful tools for online safety, and a coordinated approach is greatly enhanced by engaging parents in their school community.

Once again, TASSO re-iterates the need for any legislation the Government considers regarding online safety, or any legislation that is already in place, to be updated annually to take account of changes in technology.