



12 January 2022

**Committee Secretary**  
**Select Committee on Social Media and Online Safety**  
**PO Box 6021**  
**Parliament House**  
**Canberra ACT 2600**

By email: [smos.reps@aph.gov.au](mailto:smos.reps@aph.gov.au)

Dear Committee Secretary

### **Inquiry into Social Media and Online Safety**

Save the Children's comments towards this inquiry are based on our perspective as Australia's leading child rights organisation, and our work to directly support families across Australia, which reaches over 30,000 children and adults in many of Australia's most disadvantaged communities every year.

Child Wise collaborates with public, private and not-for-profit organisations across Australia and the world, to create and maintain a culture where child safety is front of mind and organisations are empowered to prevent children ever being abused or harmed.

Through our work we witness and participate in the complex weaving of technology into children's lives. Our observation concurs with research that this experience is not universal, impacted by factors such as digital poverty, literacy, and inclusion which are in turn impacted social contexts such as parent education levels, employment status and cultural background.<sup>1</sup> Technological advancements along with socio-political context have and will continue to evolve. For instance, touch screen technology enabling access for very young children or the COVID-19 pandemic necessitating a rapid pivot of technology's uses to meet children's education, socialisation and health needs. Whilst we recognise the skill and resources children bring to their digital lives, we welcome critique of the notion of children as digital "natives". Digital learning occurs in much the same way that traditional learning does, through observation, role modelling and scaffolding by family, peers and educators.<sup>2</sup>

The sophisticated attention-harnessing techniques underpinning the business models of tech companies, widely employed in everything from social media apps, game consoles and advertising, heavily influences children's experience, as it does adult users. However, children are not mini adults. Their brain, social development and cognitive ability, are all still forming. For young children this may mean that the wide-reaching technological networking capabilities of the internet and the associated risks are not fully understood. Children may be able to link the internet with their social sphere but simply cannot comprehend the scale and scope of networked populations, elements of which can and do pose as an extreme danger for children. For teenagers the internet offers a complex set of experiences, some with high

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<sup>1</sup> See A. Graham & P. Sahlberg, (2021) *Growing Up Digital Australia: Phase 2 technical report*, Gonski Institute for Education, UNSW, Sydney, <https://www.gie.unsw.edu.au/growing-digital-australia-phase-2-results>.

S Christine & S. Edwards (2017). *Young children playing and learning in a digital age a Cultural and Critical Perspective*. Routledge London.

<sup>2</sup> Early Childhood Australia (ECA). (2018). Statement on young children and digital technologies. Canberra, ACT: ECA. <http://dx.doi.org/10.23965/ECA.001>



rewards and others with devastating consequences. The rights and development of children and young people must be understood and accounted for in analysis of issues, information distribution, behaviour change initiatives as well as in broader policy and technological based mitigation measures to improve social media and online safety.

We recognise that there are fundamental flaws in the design of social media technology particularly for keeping children, and people more broadly, safe from online harassment and bullying. Solutions are complex requiring more than voluntary market force amendments to technology that largely focus on exclusion of individual accounts or users. System design solutions should complement, not complicate, behaviour change for children and their families as end users, as well as recognising children as content creators themselves. Again, the behaviour of children and others online does not occur in a vacuum, so we need to be cognisant of social media's contribution and response to broader social and economic factors and trends.

In providing these comments, we highlight the Australian Government's international obligations under the United Nations Convention on the Rights of the Child. We note the Australian Government made a submission to the Committee on the Rights of the Child's draft General Comment No. 25 on children's rights in relation to the digital environment in August 2020. In its submission, Australia affirmed the importance of the work, but had concerns about state responsibility on details including encryption, access to data and consent. This General Comment has now been adopted by the United Nations Committee on the Rights of the Child.<sup>3</sup> Save the Children considers general comments, including General Comment No. 25, as an authoritative source of legal interpretation of international human rights law, which the Australian government should draw upon.

We also note the substantial domestic policy activity regarding digital access, safety and accountability within Australia currently occurring and support the Australian Government's proactive approach to digital inclusion and safety. Child Wise was pleased to respond to the Australian Government's invitation to make a submission to the *Online Privacy Bill Exposure Draft* (December 2021) and *Restricted Access System Declaration Online Safety Act 2021 Discussion Paper* (September 2021).<sup>4</sup> Save the Children made a joint submission with Good Things Foundation to the National Indigenous Australians Agency's (NIAA) consultation process on the digital divide for First Nations' families (November 2021).<sup>5</sup> Key points from these submissions which are also relevant to this inquiry include:

#### *Online Privacy Bill Exposure Draft*

- Use of the "child's best interest" should be the central approach for privacy protection and data processing. We support the definition and interpretation as provided by the United Nations Convention of the Rights of Child.
- The requirement that platforms must take reasonable steps to verify the age of their users is also important, but we note that these steps must be inclusive, to ensure that children and young people's access is not reduced nor affected by socio-economic factors. For example, requirements for identification documents such as passports or birth certificates will have a disproportionate negative impact on some young people.

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<sup>3</sup> United Nations Committee on the Rights of the Child, *General comment No. 25 (2021) on children's rights in relation to the digital environment*, CRC/C/CG/25, 2 March 2021.

<sup>4</sup> Child Wise. *Submission to the Online Privacy Bill Exposure Draft*, (December 2021) and Child Wise. *Submission to the Restricted Access System Declaration Online Safety Act 2021 Discussion Paper* September 2021. Both at: <https://www.childwise.org.au/page/77/submissions>

<sup>5</sup> Save the Children and the Good things Foundations. *Joint Indigenous Digital Inclusion Plan NIAA*. (November 2021). <https://www.savethechildren.org.au/getmedia/cd43f003-6ef8-4523-aa15-67dd5d6fbeb3/good-things-foundation-save-the-children.pdf.aspx>

*Restricted Access System Declaration Online Safety Act 2021 Discussion Paper*

- The implementation of Restricted Access Systems under the Act is supported for specific circumstances across relevant websites, online advertising, social media and gaming. However, we do not support a “one-size-fits-all” solution to this complex problem, particularly in social media services that are designed for, and used by, children as a key part of their everyday lives. It is imperative that in protecting children from harm, the regulation does not inhibit access to services that many young people would consider essential, and which may contribute to safety and wellbeing, e.g. access to support services, information and pro-social connection.
- Consultation with children and young people about their experiences is paramount to the development and implementation of the Online Safety Act 2021 (Cth), as it is critical that they have a voice in decisions which impact their lives.

*Joint Indigenous Digital Inclusion Plan (NIAA consultation)*

- People who are on low incomes, have lower levels of education, have a disability, are older or have a mobile-only connection, First Nations people and people living in regional/rural Australia are particularly at risk of being digitally excluded.<sup>6</sup>
- Addressing digital inclusion is critical in addressing the realisation of fundamental human rights issues. Broader concerns with respect to Indigenous peoples and digital inclusion were noted by the United Nations in the General comment No. 25 on children’s rights in relation to the digital environment released in 2021.<sup>7</sup>
- Our programmatic experience suggests digital poverty and exclusion directly impacts digital safety for children, with shared or cheaper devices limiting the technological solutions available to restrict access to inappropriate or dangerous content. In addition, behavior change programs relying on strong English literacy skills often cannot meet the needs of First Nation’s people, especially where English is not a first language.
- More tailored, community-led digital ability, access and safety programs are needed. These should be co-designed with First Nations families with children, to help those struggling with digital skills and access to not get left behind in our digital world.

With regard to the Committee’s terms of reference, notably (g) *actions being pursued by the Government to keep Australians safe online*, we strongly recommend that the Committee seeks to drive an integrated approach, linking the above initiatives and other work of the ESafety Commissioner to reduce duplication and confusion and to bring about the best outcomes for children and families. As the timing of this Inquiry precedes the Youth Advisory Council establishment and introduction of new safety Commissioner powers under the Online Safety Act we encourage further consultation in the near future with strong emphasis on diverse and inclusive children’s and youth participation.

Child Wise and Save the Children have experience with children’s participation if the Committee wishes to find out more information. We also encourage the Committee to consult with the National Children’s Commissioner and be aware of the important longitudinal Family Cohort Study and the Centre of Excellence for the Digital Child which will continue to deepen our shared understanding of children’s interaction with a dynamic digital world.<sup>8</sup>

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<sup>6</sup> Thomas, J, Barraket, J, Wilson, CK, Holcombe-James, I, Kennedy, J, Rennie, E, Ewing, S, MacDonald, T, (2020), *Measuring Australia’s Digital Divide: The Australian Digital Inclusion Index 2020*, RMIT and Swinburne University of Technology, Melbourne, for Telstra, p. 15

<sup>7</sup> United Nations Committee on the Rights of the Child, [General comment No. 25 \(2021\) on children’s rights in relation to the digital environment](#), CRC/C/CG/25, 2 March 2021.

<sup>8</sup> Australian Research Council. Centre of Excellence for the Digital Child. <https://www.digitalchild.org.au/>



Thank you for considering this submission. If we can provide further detail, please do not hesitate to contact us at any time.

Kind regards,

[Redacted signature]

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