



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

Federation Chamber

PRIVATE MEMBERS' BUSINESS

ThinkUKnow Program

SPEECH

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Questioner
Speaker Brodtmann, Gai, MP

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Ms BRODTMANN (Canberra) (12:07): As the shadow assistant minister for cybersecurity and Defence, I thank the member for Forrest for bringing forward this motion on cyber safety, because with the speed at which technology evolves, we can never talk about and we can never hear enough about cyber safety. Programs like these are really important. They make a valuable contribution to our community. They make a valuable contribution in covering a range of topics of concern to the community, including sexting, cyberbullying, online child exploitation, online privacy and what steps need to be taken when things go wrong.

A cyber safety presentation covering the perspectives of both the law enforcement and the industry provides our communities with a greater understanding of what the cyber threats are, whether there are criminal implications and what enforcement or other outcomes could result. While there is a range of these programs for very small and teenage Australians and Australians in their twenties, we also need to spend as much time focusing on parents and grandparents. In my first term of parliament I ran a series of cyber safety presentations where we actually introduced and discussed with grandparents in particular what was taking place online, the challenges that their grandchildren were confronting and how they could play a role in ensuring that their grandchildren in particular were safe.

While our understanding of the cyber environment grows, we are seeing more of us develop a digital footprint with more of our personal lives and transactions occurring online. In light of this, we need to consider whether our legal frameworks are keeping up with the pace of change. Just last week we considered changes to the enhancing online safety and protecting minors online issue. In the enhancing online safety debate, we heard how the changes would enhance the soft powers of the eSafety Commissioner. In the protecting minors online debate, we heard how changes to the code could protect children from grooming and exploitation and where suspects could be apprehended or charged before an event took place. This is in response to that tragic circumstance surrounding what happened to Carly Ryan.

While the protecting minors online bill will be considered further, subject to the outcome of a Senate inquiry, we missed a significant opportunity with the Enhancing Online Safety for Children Amendment Bill. The bill did not create any new offences or civil penalties and it did not provide any new regulatory powers. It failed to take account of policy suggestions from Labor—from the member for Gellibrand—about criminalising the non-consensual sharing of private sexual material, or, as it is known, revenge porn.

In 2016, both a Senate inquiry and COAG recommended that the Commonwealth legislate for offences in relation to revenge porn, but the Turnbull government failed to act. In parallel, some states and territories have begun to criminalise the conduct at the state and territory level. They have responded in the past 12 months. But, even now, there is still no overarching Commonwealth law that can provide consistency, a baseline of protection across the nation that will address the inconsistencies from state to state and territory to territory. The Turnbull government will make the excuse that, in November 2016, COAG agreed to develop principles for harmonising revenge porn laws, but they have made no commitment to introducing or supporting Commonwealth legislation to criminalise this outrageously egregious behaviour. That is why Labor reintroduced its bill in October 2016. Labor will continue to fight for the criminalisation of revenge porn, including the creation of appropriate Commonwealth offences. Again, I commend the member for Gellibrand, who initiated that bill. Just because the Turnbull government has its head in the sand on these issues does not mean we are afraid to tackle them head-on. Labor members, like the member for Gellibrand, are tackling this head-on.

Until now, our focus has been on promoting education and awareness of internet safety and responsibility. Last week's consideration of the protecting minors online bill was the first time in many years that a government had pursued a legislative enforcement option to address online predators. Labor wants to ensure that all Australians feel safe online and recognises that parents should be able to feel safe knowing that their children will not meet the same tragic fate as Carly Ryan. Our legal frameworks need to continually adapt to the technological environment and community expectations—they are vitally important—as they evolve over time to ensure that enforcement

and safeguards are in place so that Australian children are safe and parents can have peace of mind knowing that their children are being kept safe.