

Being Cyber Safe

YOU CAN TALK TO A
LAWYER FOR FREE AT
TASMANIA LEGAL AID

To get free legal information call **1300 366 611** or use *Legal Talk* – our online chat function on our website. Both services are available Monday to Friday, 9am to 5pm.

A lawyer can help by:

- Giving you some advice about your situation
- Speaking to the Court on your behalf
- Explaining the Court process to you.

? Where can I learn about being safe online?

Legal Aid has an [online learning module](#) for people to learn more about being safe online and using social media. It takes about 45-60 minutes to work through, and includes videos, activities and questions. You can access the module here [Being Cyber Safe](#).

? What is cyber crime?

A cyber crime is a criminal offence that is committed using technology. Some of the most common cyber crimes involve deliberately doing something illegal, such as stealing someone's identity through phishing emails or selling a fake product on the internet. However, a person can commit a cyber crime without intending to break the law. Examples of this are:

- **Stalking** - making unwanted phone calls or sending unwanted text messages, emails or other messages on social media that intimidates, harasses or frightens someone
- **Criminal Defamation** - saying something untrue about someone with the intention of causing serious harm to them
- **Sending offensive material** - sending, receiving or forwarding offensive material or other sexually explicit messages or images via mobile phone, other device or social media, without the consent of the person depicted or the person receiving the material can be a serious offence.



? How can technology be used in bullying?

Bullying is defined as an ongoing or repeated misuse of power in relationships that intends to cause harm. Cyber-bullying is a real issue because technology makes it so easy for a person to bully someone without seeing how it affects the other person.

Making fun of someone online in friendly banter can seem harmless or intended just to be funny. However, this may become a form of cyber-bullying that can cause harm to a person. Bullying behaviour in group chats may not seem serious but there can be serious consequences for those who participate in this kind of online behaviour.

? What's wrong with sexting or sending a nude?

If you are under 18 years of age it is a criminal offence to sext. It is also an offence to have a sexually explicit image of someone who is under 18 years of age on your device. These images are considered to be child pornography.

Sending a sext may be considered sexual harassment by the person receiving it. Sexting can lead to blackmail and sextortion. This is where a person can threaten to share your sext unless you do something or pay them money. There can be serious consequences for anyone who commits these offences. In addition to breaking the law, future employers may not want to employ someone with a criminal record. Sexting can have serious effects on friendships and your school will most likely need to get involved too.

Even if you are over 18 it is not okay to send a sext to someone who does not consent to receiving it, or to send a sext about someone if that person does not give you permission to send it.

? What should I do if I have sent or posted something I shouldn't have?

If you send or post something that you didn't intend to or regret, you should:

- 1. Stay calm and do what you can to delete the image** – if you have sent a picture or video you regret to someone, ask them to delete it immediately. If it is posted online remove any tags which identify people and report the image to the platform so it can be taken down. Ask friends you trust to help search for your images online and delete and/or report those images.
- 2. Report it** - If someone else has posted sexual or naked photos or videos of you online, report them to the service they posted it on. If they are at your school you can report them to a teacher if you choose to. It is not okay for them to share your image.
- 3. Talk to someone** – confide in someone you trust or reach out to a youth counselling or

support service. There are some organisations listed at the bottom of this fact sheet you can speak to.

- 4. Be honest with Police** – if Police get involved they will want to know who was involved and whether there was consent from those involved. Police want to prevent any harm to you and other young people.

? What should I do if someone sends me a sext?

You should delete a sext from your device or social media platforms if someone sends it to you or posts it. Tell the person who sent the sext that you do not want to receive it and get some help if it continues or if you feel worried at all about it.

? What should I do if someone has sent an image of me to another person, or posted it for others to view?

Regardless of age, it is a serious offence for someone to use an image of another person in a way that hurts them. This is a form of abuse and people who have experienced image-based abuse often want the images and videos removed immediately. But it is important to save evidence first. The eSafety Commissioner website has information about [collecting evidence](#) in sexting situations.



? How can my online activity affect my future?

You should always be careful when posting something to social media as you never can be sure who will see it. Any photo or comments you post can be reposted, screenshot or shared, even when you think the image is temporary and will be deleted quickly after being seen. People have lost their jobs because of things they have posted online.

Ask yourself - would you like your teacher, boss or people you only know through school or work to see what you have posted onto social media? The effects of posting offensive photos and comments can last a long time and cause people to think less of you.

? Where can I get some free help?

Here are some places you can get some help:

[Kids Helpline](#) - Call 1800 55 1800 to speak with a counsellor at any time of the day.

[Headspace](#) - Call 1800 650 890. Headspace are a youth-focused mental health service for young people aged 12-25. Phone counselling available all day, every day. Online chat available 9am to 1am EST daily.

The [eSafety Commissioner](#) provides a wide range of online safety programs and resources, including resources for parents helping their children safely navigate the digital world.

Helpful links

- Online learning module: www.legalaid.tas.gov.au/onlinelearning/beingcybersafe
- Being Cyber Safe: www.legalaid.tas.gov.au/latest-news/being-cyber-safe
- Collecting the evidence: www.esafety.gov.au/report/image-based-abuse/collecting-evidence
- Kids Helpline: www.kidshelpline.com.au
- Headspace: www.headspace.com
- eSafety Commissioner: www.esafety.gov.au