

# Cyber safety for families

Anyone can talk to a lawyer for free at Tasmania Legal Aid.

To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.

A lawyer can listen to your story and help identify the next steps you can take.

Support for families whose children use social media and are connected with others via technology.

## How does the law affect my child's use of technology?

A child aged 14 years is considered old enough to understand their actions and can be charged with committing an offence. Between the ages of 10 and 14, the police need to prove that a child suspected of committing an offence knew what they were doing. Laws relating to the sending, receiving and storing of naked or sexually explicit images is strictly illegal for any person under the age of 18.

A cybercrime is a criminal offence that is committed using technology. A child can commit a cybercrime without intending to break the law. Examples of this include the following.

- Stalking – making unwanted phone calls, SMSs, emails or other messages on social media that intimidates or frightens someone.
- Defamation – saying something untrue about someone or a company that damages their reputation, which could also have a financial impact on them (e.g. they lose some work as a result of what said that was untrue).
- Sexual harassment – any form of unwelcome sexual behaviour that's offensive, unwelcome, humiliating or intimidating. This can include making sexual comments on social media.
- Sexting – sending, receiving or forwarding sexually explicit messages or images via mobile phone or other devices or on social media.

## What do I need to know about sexting?

Sexting is a text or image-based message that is sexually explicit. Statistics show that more than 50% of Australian teenagers have sent or received a nude. As well as being illegal for anyone under the age of 18 to sext, sexting can lead to other offences such as sexual harassment.

Sending a sext may be considered sexual harassment by the person receiving it. Sexting can also lead to manipulation and sextortion. There are 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 child's social wellbeing.

Even if someone is over 18 years of age, it is an offence to send a sext to someone who does not consent to receiving it, or to send a nude image if that person does not give permission to send it.

## What do I need to know about bullying?

Bullying is a misuse of power in a relationship that involves ongoing and repeated behaviour that can cause harm. Some young people may be particularly susceptible to peer pressures which can lead to bullying behaviours. Cyberbullying is a real issue because technology makes it so easy to bully someone without seeing the harm done.

Making fun of someone online can be a form of cyberbullying, even though it seems harmless or is intended to be funny. A young person may not consider that bullying behaviour in a group chat is very serious. However, there can be serious legal consequences for those who

take part in this kind of online behaviour, and harm done to those who are bullied.

## What if I find a nude photo on my child's device?

A nude photo should immediately be deleted from a child's device or social media account. Talk to your child about the legal consequences and possible harm from sending nudes. If your child has received a nude, the child should respond to the sender, explaining that they do not want to receive a nude. You can encourage or arrange for your child to seek some support in case it continues, or they feel worried about it. See below for some useful places to get support for your child.

## What are some useful messages to give my child about technology?

Using technology can be fun and can help a young person engage more with the world around them. Technology can help a young person connect with other people around interests and, when used safely, create and nurture friendships. Because there is a danger that someone you 'meet' online is not who they say they are, discuss with your child how they can look after themselves by not revealing personal information such as their phone number, home address, or what school they attend. Help your child understand privacy setting for the apps they use and create some rules with your child about how they use their device.

## Where can we go if we need some help?

[Kids Helpline](#) – this service is for young people up to 25 years of age. Call 1800 55 1800 to speak with a counsellor at any time of the day.

[Headspace](#) is a youth-focused mental health service for young people aged 12-25. Phone counselling is available all day, every day on 1800 650 890. Online chat is available 9.00 am to 1.00 am EST daily.

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

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.