

Online Child Safety and Social Media Ban



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Recent statistics

Recent survey of Australians aged 16 to 24 years of online sexual victimisation:

- 7.6% experienced sharing of a sexual image of themselves without consent
- 17.7% experienced online sexual solicitation by an adult

Of those who had experienced online sexual victimisation:

- 15% experienced sharing of a sexual image of themselves without consent before the age of 13
- 25% experienced online sexual solicitation by an adult before the age of 13

eSafety Commissioner complaints statistics:

- In 2024, 46% of cyberbullying complaints were in relation to children 13 years old and younger
- Children aged 12 and 13 accounted for 35% of cyberbullying reports
- Girls are reporting cyberbullying at double the rate

Emerging issues and challenges

Cyberbullying amongst students

- School's duty of care in relation to conduct outside of school hours and during term holidays

Online harm - evidence

- Identifying perpetrators of harm
- Gathering evidence
- Alteration or deletion of evidence

Staff contacting students on social media and outside of work hours

- *“The Commission continues to see concerning instances where organisations...appear reluctant to characterise behaviour as ‘sexual misconduct’, despite there being a proven pattern of overly personal and intimate conduct towards a child or conduct that seriously crosses professional boundaries.” (CCYP Annual Report 2023-2024)*

Social media ban

- Social media ban will be effective from December 2025.
- The ban requires social media platforms to take reasonable steps to prevent users under the age of 16 from having an account on its platform.
- It applies to Facebook, Instagram, Snapchat, TikTok and X.

Potential impact on students

- Correlation between social media use and life satisfaction
- Potential impacts on marginalised and vulnerable cohorts

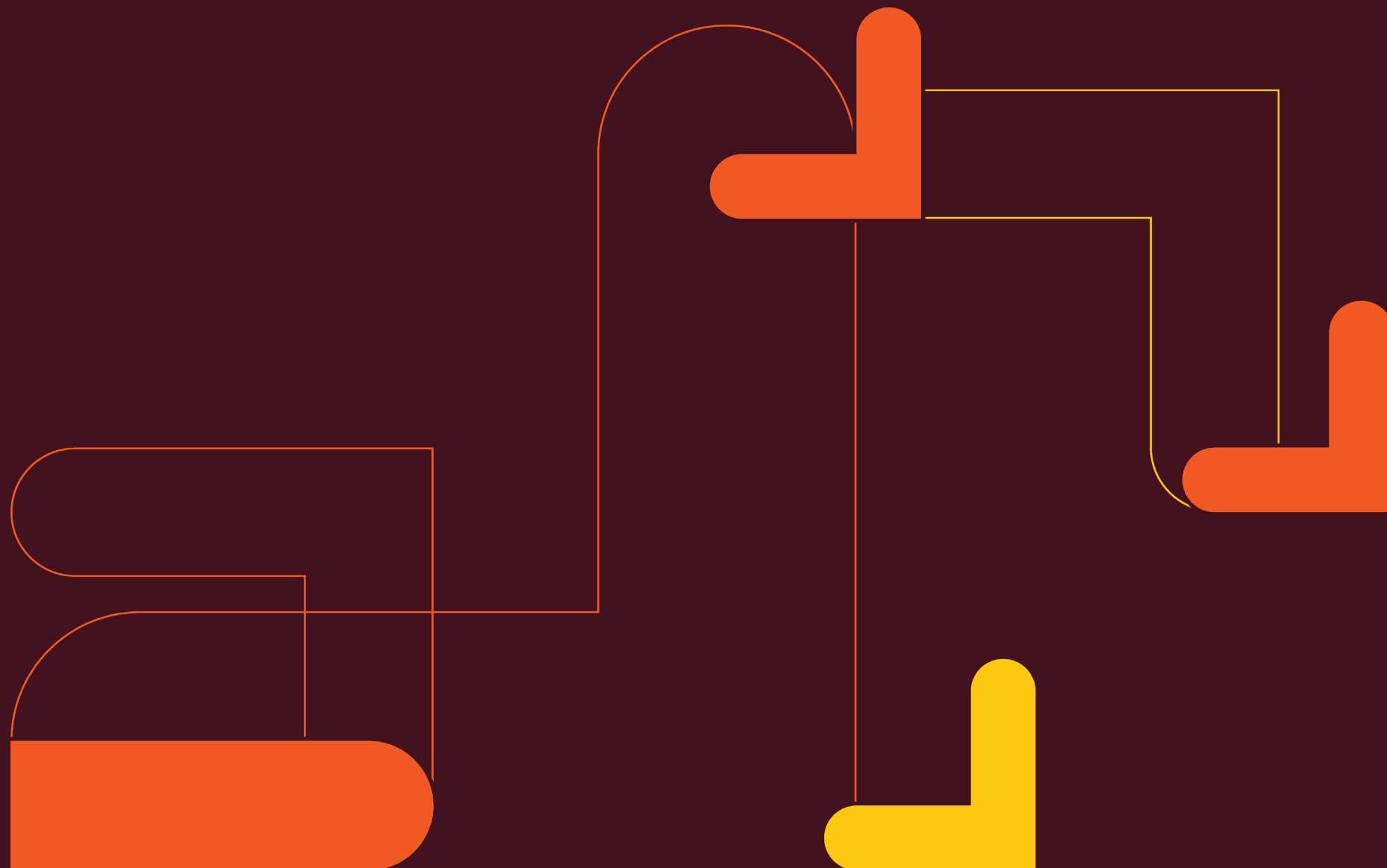
What does this mean for schools?

- Changing expectations to police? Discipline for social media use?
- Duty of care





Case studies





Case study – Snapchat incident

A year 10 student, Madison, tells you that she was sent a photo on Snapchat by another student, Fiona. Madison and Fiona used to be close friends but had a falling out.

Madison is distressed because the photo showed her face on an undressed body in a sexual manner. She said she was unable to screenshot the deepfake photo before it disappeared. Madison is scared that the photo has been sent to others because people have been smirking at her all day.

When you advise Fiona of the allegations made against her, she denies them. Madison's parents want the School's support to report the matter to the police.

What are the key issues?

What should your immediate priorities and actions be?

What impact does the age of the students have on your reporting obligations?

What non-legal options do you have to address the alleged conduct?



Case study – Teacher reviews

You receive a report that students have created a social media page and students have been invited to post anonymous ‘reviews’ of teachers at the school, similar to Rate My Teacher.

The reviews include photos which have been altered to show teachers making silly faces and in a derogatory way. One review says that a teacher at your school, Mr X, is a massive flirt and is always hanging out near the female toilets before and after sport. Another review calls a female teacher Ms A ‘hot’ and makes sexually suggestive, threatening and intimidating remarks about the teacher.

When you interview students about the Instagram page, it becomes clear that multiple students who have the login details for the page, but no one knows who started the page or who has made the individual reviews.

What are the issues?

What are your options for addressing the conduct of students and Mr X, if any?

What steps could you take to minimise the risk of harm to staff?



Case study – Fake Instagram account

Madison says that after she told the school about the Snapchat photo sent to her, Fiona has stopped talking to her. The other three girls in their friendship group have also started ignoring Madison and have removed Madison from their social media.

Madison shows you a message from Fiona calling her derogatory names and provides screenshots of these messages. When Fiona is provided evidence of the message, Fiona says that she did not send these messages and that someone must have created a fake profile imitating her Instagram account to send the messages.

What steps might you take to gather and assess the evidence?

What factors should you consider before taking disciplinary or restorative processes?

Questions?



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