


Your reference:

Our reference: HF

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The Director, Cyber Safety Policy and Programs  
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Dear Director

### **Enhancing Online Safety for Children**

Thank you for the opportunity to provide a submission to the Australian Government's Enhancing Online Safety for Children consultation paper.

Victoria Legal Aid is a specialist provider of legal information, advice and representation to children and young people in Victoria. Staff in our criminal law program have extensive specialist experience in providing advice and representation to minors and to people charged with sexual offending. Our family and children's law program promotes the interests of children and our civil law program produces resources on cyber-bullying for young people. This range of practice and project experience gives us a balanced and informed perspective.

We are of the view that existing offences targeting cyber-bullying are adequate and that resources should be invested in education programs to give young people the tools to understand and apply the law.

Victoria Legal Aid is of the view that existing criminal offences adequately deal with serious instances of cyber-bullying behaviour that warrant intervention by the criminal justice system. For behaviour that is less serious and involves a lower level of moral culpability, it should continue to be the role of parents, carers and teachers to guide young people away from what can be considered to be anti-social behaviour.

Victoria Legal Aid considers that an investment in supporting early intervention and prevention is preferable to costly civil and criminal enforcement regimes. We have developed a number of resources to educate young people about the boundaries between acceptable conduct and illegal conduct. In 2013 VLA launched Below the Belt<sup>1</sup>, an educational smart-phone application aimed at young people. Below the Belt has information on sex and consent, sexting and cyber-bullying for

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<sup>1</sup> <https://www.legalaid.vic.gov.au/find-legal-answers/sex-and-law/resources/below-belt-sex-selfies-and-cyberbullying>

young people in Australia, including victims of sexting or cyber-bullying and friends who want to support them. Resources like these can assist young people to understand that cyber-bullying can constitute criminal conduct.

If you would like to discuss any of the above matters further, please contact Senior Policy Officer Gabriela Pulczynski to discuss on 9269 0183 or via email on [gabriela.pulczynski@vla.vic.gov.au](mailto:gabriela.pulczynski@vla.vic.gov.au).

Yours faithfully



**HELEN FATOUROS**  
Director, Criminal Law Services