

Joint Select Committee on Social Media and Australian Society

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Attorney-General's Department

Hearing date: 02 July 2024

Question date: 02 July 2024

Zoe Daniel asked the following question:

Can you explain the idea of a Children's Online Privacy Code and how that would work?

How would such a code protect children from targeted harmful advertising (gambling/junk food/alcohol etc)?

The response to the question is as follows:

A Children's Online Privacy Code would outline requirements in relation to the design of online services that are likely to be accessed by children. The Code would be enforceable against entities that are regulated under the Privacy Act and provide online services that are covered by the Code.

It is expected that the Code would be developed in consultation with a range of stakeholders including children, parents, child development experts, child welfare advocates, industry and the eSafety Commissioner. The development of the Code would also be informed by consideration of the experience of other jurisdictions. For example, the United Kingdom's Age Appropriate Design Code details how the best interests of the child should be upheld in the design of online services, including by specifying what default privacy settings should be in place, such as switching off profiling, or where profiling is essential to the provision of the service ensuring appropriate measures are in place to protect the child from any harmful effects (in particular, being fed content including advertisements that are detrimental to their health or wellbeing).