



**CHILDREN
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AUSTRALIA**

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10 October 2024

Committee Secretary
Senate Legal and Constitutional Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

By email to: legcon.sen@aph.gov.au

Dear Secretary

SUBMISSION ON PRIVACY AND OTHER LEGISLATION AMENDMENT BILL 2024 [PROVISIONS]

Thank you for the opportunity to provide input to this very important inquiry.

Children and Media Australia (CMA) has a long history of engaging with, analysing and critiquing laws and regulations intended to protect the child media consumer, and is pleased that legislation is finally being proposed to address children's privacy needs.

CMA is a peak not-for-profit national community organisation whose mission is to support families, industry and decision makers in building and maintaining a media environment that fosters the health, safety and wellbeing of Australian children. CMA membership includes ECA (Early Childhood Australia), ACSSO (Australian Council of State Schools Organisations), APPA (Australian Primary School Principals Association), AHISA (Association of Heads of Independent Schools Australia), the AEU (Australian Education Union), the Australian Children's Television Foundation, the Parenting Research Centre, the Council of Mothers' Union in Australia, SAPPA (South Australian Primary Principals Association), and other state-based organisations and individuals.

CMA's core activities include the collection and review of research and information about the impact of media use on children's development, and advocacy for the needs and interests of children in relation to media use.

In its work, CMA is always guided by child development research and by the *UN Convention on the Rights of the Child (CRC)*. In the context of this Inquiry we draw attention to article 18, which recognises the role of parents, and places an obligation on States to support them in their child-rearing:

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2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall *render appropriate assistance* to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children. (emphasis added)

The provision of an effective system for protecting children’s online privacy (to which they have a right under article 16) is an important aspect of this assistance, especially in the current era when the role of online engagement in children’s lives is bigger than ever, and continuously growing.

CMA has had the advantage of reading a draft of the submission prepared by Reset.Tech Australia, and we wish to endorse that submission and commend it to the Committee. In particular, we agree wholeheartedly with the three major points made in that submission. For ease of reference these are:

1. Support for the development of a Children’s Privacy Code (and we look forward to participating in discussions about the precise content of that code);
2. Support for the move away from industry-drafted co-regulation by default; and
3. The hope that the next tranche of reforms will be pursued without delay.

We would of course be very happy to expand on these points from the perspective of an organisation that has been supporting and advocating for children’s needs and rights as media consumers, across a range of issues and regulatory structures, for a good number of years.

Yours sincerely

Professor Elizabeth Handsley
President

*******END OF SUBMISSION*******