

THE USE OF SOCIAL MEDIA BY PARTICIPANTS IN DEFENCE YOUTH PROGRAMS

INTRODUCTION

1.1 The use of social media has become an integral component of modern communication, education and day to day social interaction.

1.2 Social media and online environments refer to technological devices and platforms including social network services (SNS) including but not limited to:

- a. Facebook, Instagram and Snapchat,
- b. blogs, chat rooms,
- c. gaming,
- d. online health, education and other services,
- e. apps, clouds, and sharing sites.

1.3 Social media also refers to the practices and social relationships that are formed through these platforms. Social media is used extensively by young people and while the appropriate use of social media can be a positive experience, misuse of social media can have a serious and lasting adverse effect on the health and reputations of both individuals and organisations.

1.4 By ensuring the safe use of social media, Defence personnel and non-Defence personnel in Defence youth programs¹ can play a crucial role in keeping young people safe and protecting them from abuse and sexual exploitation.

POLICY INTENT

1.5 The purpose of the policy is to minimise the opportunity for abuse in the Defence online environment in Defence youth programs and ensure adults and young people are equipped and informed with the knowledge and skills about safe online use.

POLICY PRINCIPLES

1.6 The principle that underpins this policy is:

1.7 **Principle 1** – Defence has a duty of care to inform adults and young people about safe online use.

POLICY PRACTICE AND MEASURES

1.8 Social media use especially among young people, poses a particular risk to child and youth safety. All Defence personnel and non-Defence personnel², have a

¹ **Defence Youth Program.** A Defence supported programs that offer a range of safe, challenging and high quality activities to young people across metropolitan and regional areas of Australia, including but not limited to: the Australian Defence Force Cadets, Defence Work Experience Program and the Training Ship Young Endeavour.

² **Non-Defence personnel:** all persons, paid or unpaid, who are not Defence personnel. which include:

- a. locally engaged employees, contractors, consultants and outsourced service providers operating in Defence where compliance is **NOT** specified in the terms of contract –

duty to be both aware and vigilant in this area and to take appropriate action, including reporting, where it is suspected that a young person is at risk of becoming a victim of an offence by an adult associated with Defence.

1.9 Safe social media practices must include careful consideration of the nature of the contact.

1.10 Principle 1 – Defence has a duty of care to inform adults and young people about safe online use.

OFFICIAL USE OF SOCIAL MEDIA

1.11 The Defence Communication Manual provides advice on how to conduct the communication and public affairs functions relating to:

- a. official media relations;
- b. social media;
- c. multimedia;
- d. publications;
- e. communication;
- f. event planning;
- g. crisis management; and
- h. corporate brand management.

1.12 Official communications are those on official Defence Youth Programs (DYP) social media channels. Personal communications are those on private social media channels, including social media channels with no connection or association with the program.

1.13 Those established by individuals or organisations with a connection with the DYP. If DYP participants disclose or imply in the course of using social media that they are a member of, or have an affiliation with Defence, they assume a responsibility to represent the DYP accurately and appropriately in accordance with this policy.

1.14 Defence youth programs are not permitted to create or operate official social media accounts which are recognisably associated with Defence without approval from an appropriate authorised delegate in accordance with Defence policy.

1.15 An authorised spokesperson³ or their delegate may be Defence personnel at any level in the Defence youth program, but must have completed appropriate Defence social media training.

1.16 An authorised spokesperson or their delegate with responsibility for official communications must in their official use of social media:

- a. disclose that they are a member of a Defence youth program in accordance with the Defence Communications Manual
- b. only disclose or comment on information that Defence has rated as being suitable for the public domain in accordance with the Defence Communications Manual

c. ADF Cadets adults.

³ **Authorised Spokes Person.** Means Defence personnel designated as authorised spokespeople with responsibility for official communications.

1.17 There may be consequences for Defence and the Commonwealth if inappropriate content is posted on a Social Networking Sites. These may include the following:

- a. **Reputation management.** Damage to the reputation Defence and the Australian Government may occur where a person breaches confidentiality or intellectual property rights, or where content posted is contrary to this policy, other Defence policies, practices or Codes of Conduct.
- b. **Defamation.** Defamatory comments may expose Defence and the Commonwealth where it is apparent that the person posting the comment is associated with the Defence youth program and there is no disclaimer indicating that the view expressed by that person was that person's view and not the view of the Defence or the Australian Government.
- c. **Breaches.** Confidentiality, Security, Privacy or Release of Personal Information. Where unauthorised release of restricted, confidential, sensitive, official or personal information occurs Defence and the Commonwealth may be exposed to a breach of its Privacy Policy and/or the *Privacy Act 1988*.
- d. **Unacceptable Behaviour.** Where a person's conduct in a social media website has the potential to bully, harass or unlawfully discriminate against another person, the offending person's conduct may breach a law of the Commonwealth and / or a State / Territory law, or the program code of conduct.

PERSONAL USE OF SOCIAL MEDIA

1.18 All Defence personnel and non-Defence personnel in a Defence youth program (adults and young people) have both an individual and collective responsibility for youth safety. These responsibilities include being a positive role model and minimising the risk of harm to others using social media.

1.19 Defence understands that people may participate in social media in their personal time and respects that what participants do in their personal time is their own business, however they are required to adhere to the relevant program Code of Conduct and carefully consider the nature of their comments on social media.

1.20 Many adults in youth-facing⁴ positions are to keep the social media contact with youth in 'real-time' only and limit online contact to group emails and general announcements. Email contact with a young person outside the program should go through the parent/guardian. Wherever possible and appropriate the parent/guardian and the manager/CO should be copied into the communication.

1.21 Because adults have a duty of care⁵ in managing appropriate boundaries, where a specific program requires contact⁶ with a young person, written approval should be sought from the parent/guardian. This written approval can range from an ad hoc approval for a specific case to a general permission provided annually (or for a shorter period).

⁴ **Youth-facing position.** A youth-facing position is an annotated position, where the contact with a person under the age of 18 is part of the individual's normal duties and not incidental to their work.

⁵ **Duty of Care.** In the context of Defence Youth Safety means the duty to take reasonable care to protect those children and/or young people from a reasonably foreseeable risk of harm.

⁶ **Contact. In the Defence Context.** Interaction involving Defence Personnel and non-Defence personnel, as part of their normal duties and one or more person/people under the age of 18. Contact is regular, frequent or prolonged, physical, face-to-face, oral communication, written communication or electronic communication; including regular use of social media, and / or includes overnight activities or unobserved supervision.

1.22 Defence personnel and non-Defence personnel must not use social media to initiate, seek or request private arrangements outside the program, such as outside work, or voluntary roles such as babysitting, sports coaching, house-sitting, tutoring.

CYBERBULLYING

1.23 Cyberbullying the use of information and communication technologies for deliberate hostile behaviour directed at a selected person with an intention to harm, belittle, harass, insult or molest, and can include:

- sending offensive, abusive or insulting texts or emails to the person
- taking or sharing offensive, obscene or indecent imagery of or pertaining to the person
- posting offensive, abusive or insulting messages about the person
- excluding the individual from online forums
- assuming the identity of the person and representing them in a negative manner or manner that may damage their reputation and relationship with others
- posting provocative offensive, extraneous or off-topic messages in an online community, such as a forum, chat room, or blog.

1.24 The [Criminal Code Act 1995](#), provides for an offence of 'using a carriage service to menace, harass or cause offence' and 'using a carriage service to make a threat'. These would capture conduct amounting to harassment, for example, via the internet, including social media, and telephone. Examples of prosecutions under this offence include:

- a. posting offensive pictures and comments on Facebook.
- b. tribute pages.
- c. posting menacing messages on Facebook.
- d. sending repeated menacing emails.

1.25 For the purposes of this section "carriage service" has the same meaning as in the [Telecommunications Act 1997](#).

1.26 [The Office of the Children's eSafety Commissioner](#) is a statutory office with a wide range of functions and powers to enhance online safety for Australian children.

1.27 Victoria's anti bullying legislation known as [Brodie's Law](#) has widened the scope of stalking provisions to include behaviour that includes serious cyberbullying.

1.28 A site with useful information on cyberbullying organised by state and territory and designed for young people is: [Lawstuff Australia](#).

GROOMING AND PORNOGRAPHY

1.29 The use of a variety of manipulative and controlling techniques; with a vulnerable subject; in a range of inter-personal and social settings; in order to establish trust or normalise sexually harmful behaviour; with the overall aim of facilitating exploitation and/or prohibiting exposure. Grooming a person under the age of consent⁷ for the purpose of sex or sexual gratification is a crime. This also applies to online or phone grooming.

⁷ **Age of Consent.** The legal age for consensual sex, according to the applicable state and territory legislation. In some jurisdictions it is 16 years of age, and in others it is 17 years of age (subject to the Special Care Provisions). See <https://aifs.gov.au/cfca/publications/age-consent-laws> for further information on Age of consent in each state and territory.

Taking, sharing or posting sexualised photos or videos of yourself or other people under the age of consent is a crime under child pornography laws.

1.30 Defence has defined the age of consent as 18 years old and does not tolerate any sexual interaction between adults and young people under the age of 18.

1.31 Defence does not tolerate behaviour of a sexual nature that constitutes a criminal sexual offence. Incidents of suspected abuse or pornography involving a young person must be reported to state and territory authorities in accordance with the applicable policies detailed below:

- a. Defence Incident Reporting and Management Manual
- b. The Youth Policy manual – Youth Safety Incident Management.
- c. Incident Management Guide.

1.32 Contact details for State Child Protection Authorities relating to making a report can be found on the YOUTH HQ website.

SAFE SOCIAL NETWORKING

1.33 Everything posted online is stored even if deleted. Every time an SMS message is sent it is saved by telecommunication companies even after it is deleted by the user. Emails and private messages sent are stored by the platform's host providers. Chat conversations through companies like Messenger and other social media applications are stored on servers. Every device that accesses the internet has its own Internet Protocol (IP) address that can be traced back to the user.

1.34 Using social media to air grievances/complaints is inappropriate as there may be negative or unintended consequences. The inappropriate use of social media is considered unacceptable and will constitute a breach of the relevant Defence organisation code of conduct.

1.35 The resources provided on the YOUTH HQ provide further information about safe use of social media and social networking.

REPORTING

1.36 Defence personnel and non-Defence personnel, who become aware, or suspect, abuse or neglect involving a young person has occurred or is occurring has a duty to report it directly to the relevant State or Territory Child and Youth Protection Authority or Police, and then to their line management / chain of command in accordance with policy contained in YOUTH POLMAN - Youth safety Incident Management.

RECORD KEEPING

1.37 The official use of social media creates official records which provide evidence of the Defence business activities for which there is a legal requirement to implement appropriate records management practices and privacy protection, as for any other Commonwealth record.

1.38 Advice and assistance on responsibilities to capture records, refer to the *Defence Records Management Policy Manual*.

RELATED POLICY

Defence Youth Policy Manual

Defence Records Management Policy Manual

Defence Communication Manual

COMMONWEALTH LEGISLATION

Archives Act 1983

Privacy Act 1988

Defence Force Discipline Act 1982

Defence Act 1903

Crimes Act 1914

Criminal Code Act 1995

Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Act (No. 2) 2004

Customs (Prohibited Imports) Regulations 1956

Public Service Act 1999

Telecommunications Act 1997

Legislation | Office of the Children's eSafety Commissioner

Accountable Officer: Chief Joint Capability

Policy Officer: Head Reserve and Youth Division