

LEGAL AFFAIRS — CYBERBULLYING

1443. Hon Alison Xamon to the Leader of the House representing the Attorney General:

I refer to the Senate Legal and Constitutional Affairs References Committee’s report into the adequacy of existing offences in the Commonwealth Criminal Code and of State and Territory criminal laws to capture cyberbullying released in March 2018, and I ask:

- (a) does the McGowan Government support:
  - (i) recommendation 2 “that Australian governments consider how they can further improve the quality and reach of preventative and early intervention measures, including education initiatives, both by government and non-government organisations, to reduce the incidence of cyberbullying among children and adults”; and
  - (ii) recommendation 4, that Australian governments ensure that:
    - (A) the general public has a clear awareness and understanding of how existing criminal offences can be applied to cyberbullying behaviours;
    - (B) law enforcement authorities appropriately investigate and prosecute serious cyberbullying complaints under either State or Commonwealth legislation, coordinate their investigations across jurisdictions where appropriate, and make the process clear for victims of cyberbullying, and; and
    - (C) consistency exists between State, Territory and Federal laws in relation to cyberbullying;
- (b) if yes to any part of (a), please advise what work, if any, is proposed to address these recommendations and any timeframes for this work to be undertaken; and
- (c) if not to any part of (a), why not?

**Hon Sue Ellery replied:**

(a)–(c) Yes.

Through membership of the National Cybercrime Working Group (NCWG) the Government will ensure coordination of cybercrime messaging to key organisations and to the general public.

The Government continues to work with the NCWG to oversee regular reviews of *the Protocol for Law Enforcement on Cybercrime Investigations* initiative to ensure that it provides an effective means of coordinating cybercrime investigation activity.