



Report on consultation on the regulation of cyberspace

The JIM Cluster produced a consultation paper on 'Well-Being in Cyberspace. Regulating the Online World, Especially Concerning Child Sexual Abuse'. The Synod Ethics Committee provided their own reflection on the topic which was provided with the consultation paper to further assist reflection on the topic.

The papers were promoted through the Synod e-mail to congregations, the JIM Cluster website, the JustUpdate e-mail and the June JustAct newsletter. Uniting Church members and congregations were given until the end of August to provide feedback. The consultation paper included a draft proposal to take to the February 2021 Synod meeting.

The consultation paper offered six questions to guide reflection, but it was made clear that any feedback would be welcome.

The JIM Cluster offered to attend any forum organised by congregations on the topic. Feedback was invited by written submission, e-mail or phone conversation. The Cluster also hosted two online forums for any Uniting Church members to attend.

The Cluster received three written submissions. One by e-mail, from a member of the Blackburn North Nunawading congregation, supported the draft proposal.

Two written submissions were received from the Warrnambool Uniting Church, Church Council.

In the first submission the Church Council indicated they believed the following guiding principles should apply to the regulation of cyber space:

- Prevention of abuse in cyberspace through deterrents. We consider the need to establish identity in cyberspace to be critical.
- Protection of minors must be a priority. Large digital firms must not be permitted to override this principle.
- Protection of privacy from nefarious activity.

The Church Council stated they supported the draft recommendation with the following reservations:

- Government agencies should require a warrant to obtain private information as a measure of accountability.
- The Australia Government must take into account the human rights record of other countries before releasing information on Australian citizens.
- Large digital firms must be required to release data when requested by Australian police forces.

The Church Council requested that if the proposal is passed by the Synod meeting, the Synod should establish an on-going listening group with survivors.

The JIM Cluster wrote to the Warrnambool Uniting Church Council to seek clarification if the requirement to obtain a court warrant to establish the identity of people online would result in a significant number of cases of child sexual abuse going unaddressed, would they still see a court warrant as important. The Church Council replied that "We in no way wanted to have their [law enforcement agencies] investigative processes delayed by the need to obtain a warrant through the court, which you have indicated is likely to be a lengthy process."



They concluded by stating their position was:

We would again like to reaffirm our total support for the church's existing position as it stands: that the protection of children and adults from sexual abuse take priority over other concerns such as privacy. We are also very supportive of the recommendations which give consideration to online privacy and support safeguards over the powers law enforcement agencies are granted online.

The first online forum hosted by the JIM Cluster on 22 July involved two participants who were supportive of the draft recommendation to the Synod meeting.

The second online forum hosted by the JIM Cluster on 24 July involved three participants. Feedback from the participants was:

- Online safety should be the priority;
- There was a lack of ethics in the development of technology products;
- Concern about rights based language, we are in a covenant relationship with God and other people;
- Technology companies prioritise making money; and
- Justice should be done for the oppressed.

No one took up the invitation to have a direct phone conversation about the consultation document.

The JIM Cluster made amendments to the proposal to Synod to accommodate the feedback that was provided.

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JIM Cluster

10 September 2020