

Australian Council of Human Rights Authorities

Communiqué

13 November 2015

The Australian Council of Human Rights Authorities (ACHRA), which comprises the State, Territory and Federal human rights and discrimination authorities, met in Hobart to consider a number of issues of common concern and interest.

Cyber and Social Media Safety

AHCRA members met with Children's eSafety Commissioner Alastair MacGibbon to hear about the scope of his work. ACHRA members committed to working with Commissioner MacGibbon on cyber bullying and discrimination that affects and can harm children and their families. The Children's eSafety Commissioner's office 'provides Australians a range of up-to-date information and resources, coupled with a comprehensive complaints system to assist children who experience serious cyberbullying'. ACHRA members and the eSafety Commissioner identified the benefits of collaborating to:

- identify and require removal of material on social media sites that is harmful to children;
- educating the community about the role of the Children's eSafety Commissioner;
- promoting awareness of eSafety and what we can all do to protect our eSafety; and
- training and educating women and children affected by family violence in cyber awareness and protection.

Mosquito device

Mosquito devices emit a high frequency tone that is able to be heard generally by people up to the age of about 25 years and disrupts equilibrium. They are marketed as an 'anti-loitering' device. The tone irritates and can cause pain and other symptoms, such as dizziness, headache, nausea and impairment. As a result these devices 'encourage' people, particularly young people, to leave the locale they are in, such as shopping centres and bus malls.

Concerns with these devices included the unfair targeting of young people, the negative affect on young children and babies and their inability to effectively communicate their discomfort to an adult, a reported negative effect on people with certain disabilities, possible impact on assistance dogs and their ability to assist as required.

Authorities agreed to approach relevant consumer and product safety authorities to ask for the safety of these devices to be examined, with a particular focus on safety and health impacts on young people and other people in particular people with disabilities, and impact on assistance animals.

‘Disruptive market models

Emerging models of service delivery that disrupt traditional regulated services, such as in transport and accommodation, are providing new and innovative services. ACHRA is concerned, however, that compliance with important safety regulations, and standards designed to achieve accessible buildings and transport services may be compromised.

While Uber and AirBnB, for example, provide some consumers with access to a broader range of services, if they do not comply with obligations around safety and accessibility, disadvantaged consumers, such as people with disability and older people, can face reduced access to services and put more pressure on governments to fund additional services.

ACHRA will raise issues of consumer safety and inclusive access with relevant government authorities to promote an innovative and inclusive Australia as new service models including cyber services evolve.

Other issues considered

The Authorities also discussed:

- **Employment and work opportunities:** Federal Age and Disability Discrimination Commissioner Susan Ryan AM reported that the Willing to Work Inquiry focussing on workplace discrimination against older people and people with disability is progressing on track and the report is due July 2016.
- **Built Environment and Transport:** Authorities noted the review of the *Disability (Access to Premises-Buildings) Standards 2010* (Cth) and noted the ongoing difficulties with building assessments, compliance and monitoring of those standards.
- **Justice and rights:** Authorities noted the importance of the rights of people with disabilities to have access to justice services through the development of Disability Justice Plans.
- **Access to education:** the continuing exclusion of students based on behaviour linked to a disability was discussed as an ongoing rights issue for students with disabilities.
- **The recognition and rights of transgender or gender diverse people in secure settings:** this is an emerging area for future work.
- **Impacts of family violence on children:** National Children’s Commissioner Megan Mitchell reported on current work she is doing on this issue and the Authorities discussed the importance of promoting respectful relationships in all schools years.
- **Unconscious bias:** Authorities noted the importance of their work in promoting awareness of unconscious bias and countering negative impacts on equal opportunity for all.

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