16 January 2023

Ms Colleen Bebbington

Senior Coroner's Registrar, Coroner's Support Services

Coroner's Court of Victoria

Via email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Bebbington

COR 2019 005840 – Investigation into the death of Oliver Cronin

It was with a heavy heart that I read Coroner Spanos' report into the tragic death of Oliver Cronin. I wish to pass on my most sincere condolences to Oliver's family.

Thank you for providing me with an opportunity to respond to the report's recommendations (please see **Attachment A**).

As previously advised (please see **Attachment B**), any role played by eSafety to support research objectives – including assessing the complex implications of technology use – would not include clinical considerations for at-risk populations, as this is not best-aligned with our regulatory role. However, we could of course contribute non-clinical research while building on our existing expertise in producing prevention and awareness resources, such as those promoting positive and safe online gaming use.
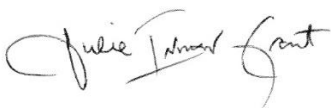
Our strategic priorities include preventing harms, and then providing a protective response when prevention fails. To achieve these goals, we believe it is best to adopt a holistic approach to technology that balances potential opportunities and benefits with risks and harms.

Our guidance to children and young people, parents, educators, and other professionals reflects this. As Coroner Spanos highlighted in her report, there are instances where online gaming can be a positive experience for children and adolescents. While research that considers the dynamic interaction between online gaming and wellbeing is still emerging, there are early findings that suggest a range of benefits for health and wellness. We would be pleased to help strengthen this work.

I want to assure you that, as Australia's online safety regulator, I am committed to ensuring the safety and protection of all Australians online.

Your findings will help to inform our strategic priorities in research and content development in the future. If you have any queries about this advice, please contact Morag Bond on 02 9334 7871, or parliamentary@esafety.gov.au.

Yours faithfully,

Julie Inman Grant

eSafety Commissioner

Attachment A – eSafety response to report recommendations

Recommendation	eSafety response
Recommendation 1: To help prevent psychological harms to adolescents and young adults from gaming platforms and online gaming, I recommend the Office of the eSafety Commissioner raises awareness in adolescents and young adults of the risks of gaming on their psychological wellbeing and promote the inclusion of information about gaming and psychological wellbeing in school based digital health programs.	**Response:** a) The Coroner's recommendation will be implemented. **Details of planned implementation:** The following actions are currently underway and will continue to be implemented throughout 2023: • Inclusion of appropriate safety messaging and proactive strategies in parent and carer webinars and professional learning for educators and mental health practitioners (particularly targeting those in school environments). These will be implemented from February 2023 (parent and carer webinar) and May 2023 (professional learning content). The Getting the most out of gaming webinar for parents and carers is currently advertised on our website and includes proactive strategies to create balanced gaming, warning signs of problematic gaming, and when and how to seek help. • Professor Daniel Johnson, Director, QUT Games Research Lab, will provide a professional development workshop to eSafety's Trusted eSafety Providers Community of Practice Forum (combined these providers presented to over 1 million Australians in the 21/22 financial year, mostly through school-based programs). The workshop will align with the requested content by the Coroner. This workshop is expected to take place by July 2023. • Online gaming will also be explored with our Online Safety Youth Advisory Council in 2023. The Council meets quarterly to discuss and explore key online safety issues impacting them and their peers aged 13 to 24. This will provide an opportunity to co-design relevant online safety resources and advice with young people, capturing their perspectives and needs on this issue. (ongoing) • eSafety will review all guidance in relation to online gaming that is available on our website. This review will be conducted throughout 2023. Content will reflect both benefits and potential risks to mental health and wellbeing, as well as appropriate support pathways (ongoing).

Recommendation 2:	Response:
To help develop a reliable evidence-base about gaming and adolescents and young adults in Australia, which will inform strategic and local policies, the standardisation of advice on the risks of psychological harms and online gaming, prevention strategies, and the development of contemporary and evidence-based interventions, I recommend the Office of the eSafety Commissioner promote research that establishes the incidence and prevalence of psychological harms to adolescents and young adults from online gaming.	a) There are unresolved issues with the Coroner's recommendation that need to be addressed. **Additional information:** **Issues needing resolution** - eSafety agrees that there is a clear need to conduct research to: - establish the prevalence and incidence of gaming disorders - inform the design of prevention and treatment interventions - evaluate the efficacy of interventions. - Under the Online Safety Act (2021), eSafety has a mandate to support, encourage, conduct and evaluate research about online safety for Australians. eSafety's research program tracks trends and collects, analyses and interprets data about a broad range of online risks and harms, to inform the development of eSafety resources and programs. eSafety also works with domestic and international agencies to proactively and collaboratively explore current and emerging online safety issues. - eSafety's research activities are focussed on understanding, in a general sense, the frequency and nature of harms that Australians within different segments of the community experience online. Through research eSafety also explores the lived experience of these issues, and approaches to mitigating or preventing harms, both to inform the development of new initiatives, and to evaluate existing interventions. - In her finding, Coroner Spanos refers to eSafety's Online Safety Grants Program as a potential funding source for research. The funding under this scheme is provided to support the delivery of online dafety education programs. Some of the recipients incorporate a research component to inform the development of their project outputs, however projects comprised of purely clinical/descriptive research, charting harms and their distribution within the community would not be eligible for funding under the Program. - The Coroner's recommendation focuses on clinical research. As advised by eSafety on 21 April 2022, such research is not best aligned with the eSafety Commissioner's regulatory role. - Such research should be carried out by an agency or institution with the requisite clinical expertise to design and conduct this research in a robust and safe manner. Psychiatric epidemiology studies of this kind are typically undertaken by academics and/or clinicians with expertise in psychiatry, psychology, public health and biostatistics.

	• eSafety notes that the relative lack of consensus regarding the definition and diagnostic criteria used to establish Internet Gaming Disorder (Lemmens & Hendricks, 2016[1]) makes a prevalence study complex. The DSM-V, the primary clinical diagnostic tool used in Australia, lists Internet Gaming Disorder as a disorder for further consideration; as such prevalence and incidence data should be first informed by, and reflective of, how it is defined in terms of diagnostic features, and considering other potential differential diagnosis. This necessitates that the research is undertaken by a clinical research body/bodies. • There are also duty of care considerations in undertaking research of this nature that can best be addressed by agencies with clinical experience and expertise. For example, support should be offered to those who meet the threshold for diagnosis, and the research instrument needs to be designed in such a way that potential for distress to participants is minimised. • As noted previously, eSafety's research function is a generalist one, and therefore lacks the requisite clinical expertise required to undertake research of this nature. eSafety suggests that agencies that may be well placed to lead or consult on this research include the Department of Health, the Australian Institute of Health and Welfare, and the National Mental Health Commission. Peak bodies such as the Australian Psychological Society (APS), the Australian Association of Psychologists (APPi), and the Royal Australian and New Zealand College of Psychiatrists (RANZCP) should also be involved. eSafety would be happy to assist in facilitating conversations with these bodies, as appropriate. **Range of possible solutions or alternative intervention(s) to resolve the issues identified.** • While eSafety does not believe it is the right agency to lead the design and implementation of research that establishes the prevalence and incidence of gaming disorders, eSafety is very willing to assist clinical research bodies in their efforts, and will seek to promote the results as and when they become available, including the results in its guidance to parents and young people where appropriate (as per Recommendation 1). • Further, eSafety is undertaking research that can complement clinical research undertaken by other agencies, and inform the design of prevention interventions. eSafety intends to

[1] Lemmens, J and S Hendriks. "Addictive online games: Examining the relationship between game genres and internet gaming disorder." Cyberpsychology, Behaviour and Social Networking (2016): 270-276.

	include within the 2024 iteration of our Youth and Parents survey, a gaming module which will explore children and young people's (aged 8 – 17 years) engagement with gaming platforms, and the frequency and nature of harms they are experiencing in their interactions with those platforms. This would not include, however, a diagnostic assessment of problem gaming (i.e., using the DSM-5 or ICD-11 criteria). • As with all eSafety's research, eSafety will disseminate and promote the findings from this project broadly via its website, media releases, and sharing across its networks as appropriate. **Relevant contact person responsible for the consideration of the recommendation** • Morag Bond, Executive Manager, Legal, MarComms and Research 02 9334 7871 Morag.Bond@eSafety.gov.au

21 April 2022

Coroner Paresa Spanos
65 Kavanagh Street
Southbank Victoria 3006
Coroners Court of Victoria

By email: Georgia.carrington@courts.vic.gov.au

To the Coroner

Consideration of recommendations – Pursuant to the request by the Coroners Court of Victoria dated 25 March 2022

The eSafety Commissioner (eSafety) is appreciative of the opportunity to comment on recommendations proposed as part of the Coroner's investigation into the death of Oliver Cronin.

Before we address the recommendations, eSafety wishes to extend our deepest condolences to the family of Oliver Cronin, for the tragic loss of their son.

Pursuant to your honour's request, eSafety has provided its position with regards to online gaming and issues identified in the report authored by Dr King, as well as consideration of the feasibility of the proposed prevention recommendations.

With regards to our position about online gaming and the issues raised by Dr King, eSafety is best placed to provide comment only to the possible primary prevention and government opportunities identified in the recommendations. Our response will consider how the recommendations relate to the broader spectrum of prevention activities that promote positive and safe online gaming use. The following information will not include clinical considerations for at-risk populations, as this is not considered to be best aligned with our role as a regulator.

eSafety considers that it is best to approach online issues and harms from a holistic perspective, with a balanced consideration to the potential opportunities and benefits, along with the potential risks and harms that can be associated with technology. Online gaming can be, and is often, a positive experience for most children and adolescents. Although research that considers the dynamic interaction between online gaming and wellbeing is still emerging, there is evidence that identifies a range of benefits for health and wellbeing.

As eSafety is focused on the prevention of protection from all online harms, our guidance to children and young people, parents, educators, and other professionals, considers strategies that are meaningful in reducing a range of risks. In addition to the risks mentioned in Dr King's report, other key concerns include online child sexual abuse (including grooming), exposure to inappropriate content, and cyberbullying. Our research does also indicate that the amount of time spent online is a recurring and highly ranked concern by parents[1].

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[1] eSafety Commission (2018) Digital parenting

When considering primary prevention approaches, given the embedded and fundamental role that technology plays in the lives of children and young people, it is important that strategies promote a long-term reduction in risk. eSafety and international research has identified that not all risks result in harm, and that under certain conditions, exposure to risks in a safe and supported way, can increase protective behaviours and upstander behaviour[2]. From a child rights perspective, it is of critical importance that prevention strategies focus on empowering children to build appropriate digital literacy, social and emotional skills, and help seeking behaviours that will keep them safe whilst engaging in their increasingly online world.

When considering appropriate strategies to promote balanced and safe online use, these must be tailored to the needs of the child, type of online behaviour, and the values of the family. Our research indicates that parents use a range of strategies to manage online use, and these can be separated into three main categories: enabling mediation (includes providing supportive guidance, encouraging help-seeking, and modelling through co-use); restrictive mediation (includes controlling access, moderating use and setting rules); and technology mediation (using technological based tools to control, monitor, or limit use)[3]. Whilst it is considered that restrictive and technical mediation may be beneficial for children of younger ages, as children develop these must be balanced with approaches that empower them to develop critical skills and experience the full range of benefits from technology. When children fear negative or device removal responses from their parents or caregivers, they will be less likely to talk about online concerns or report online risks. Restriction or exclusion measures may also risk inadvertently removing critical support networks and coping mechanisms for a child or young person, and such actions need to be undertaken carefully, with consideration to the full impact on the individual.

Key prevention strategies that we share with families include:

- Helping young people choose developmentally appropriate gaming experiences.
- Setting family boundaries around game play and activities with clear consequences.
- Helping young people understand the risks and protective behaviours to ensure safe game play.
- Building young people's gaming literacy to help them understand features of games that are designed to encourage longer play or spending money.
- Engaging in co-play and encouraging young people to play games in shared areas to support positive and pro-social game play.

Where there are challenges in managing online use, families may need to consider the use of restrictive or technology mediated approaches - in balance with proactive strategies - to help set safe boundaries and limits on usage. These measures may include using parental controls on devices, creating rules about rooms or times that are device free, and setting time limits. It is important when using these measures that there are clear consequences, parents are transparent in their use, and that measures focus on working with the child to identify practical ways to make minor incremental reductions. If families are identifying use that is problematic,

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[2] eSafety Commissioner (2021) Digital lives of Aussie teens
[3] eSafety Commissioner (2022) Mind the gap: Parental awareness of children's exposure to risks online

we strongly recommend that they engage a mental health professional to oversee the approach to managing online gaming and find strategies that work best for their family situation.

From a primary prevention perspective, we are in support of recommendations made by Dr King, which emphasise the need to provide education in the form of school-based programs, or directly to parents, and practitioners providing clinical care. It is considered that the use of environmental or technology measures may be appropriate, when used in balance with other strategies that promote healthy use, but that the use of these measures needs to be navigated by the family or professionals supporting the family. Strategies will be most effective when they are tailored to the individual circumstances of that child and the environment in which they are engaging in this behaviour.

In accordance with her honour's request, we have provided further consideration to the feasibility of the recommendations and the role of eSafety in the proceeding sections.

Recommendation 1. To prevent psychological harms to adolescents and young adults from gaming platforms and online gaming, that the Office of the eSafety Commissioner undertake to raise awareness in adolescents and young adults of the risks of gaming on their psychological wellbeing; and promote the inclusion of information about gaming and psychological wellbeing in school-based digital health programs.

We are in support of Recommendation 1 and agree there is an ongoing need to raise awareness of the impact of problematic gaming behaviours on wellbeing – in conjunction with promoting the benefits of gaming, and strategies that maximise balanced gaming behaviour.

With regard to raising awareness of the risks of online gaming on psychological wellbeing, eSafety takes an active role in promoting healthy and safe online gaming behaviour (and other online behaviour) through a number of established mechanisms. This includes:

- targeted content on our website with tailored information and resources in relation to online gaming accessible for children, young people, parents, and educators
- providing expert advice in strategic forums that influence curriculum and wellbeing initiatives in schools
- eSafety's free webinars and professional learning provided to families, educators, and other professionals within the school community Australia wide.

Our key messages across these activities include:

- risks and benefits associated with online gaming
- how to build healthy gaming habits and how to stay safe whilst gaming
- behavioural indicators that a child or young person is spending too much time gaming or that it is negatively impacting on wellbeing
- practical strategies to promote healthier use, and
- support pathways in relation to concerns about gaming behaviour.

In addition to working directly with children, families, and professionals, we are working with industry and organisation globally to adopt Safety by Design principles. Safety by Design puts user safety and rights at the centre of the design and development of online products and services, including games.

With consideration to the recommendation, and our planned prevention activities over the next 12 months, eSafety will be providing free webinars to families, educators and wellbeing

professionals that have an explicit focus on gaming and wellbeing. We will also be working with gaming and wellbeing professionals to ensure that we are providing guidance that is contemporary and evidence based.

Although eSafety does not directly implement school-based digital health programs, we can promote broader awareness of the relationship between online gaming and wellbeing through our Trusted eSafety Provider community of practice forums. These forums have regular attendance from over 35 organisations, who represent the key providers of online safety programs directly to students in schools across Australia. With regards to the recommendation of advocacy and inclusion of this information into school-based online safety programs, eSafety will engage experts to attend a forthcoming forum to present key information about problematic online gaming and wellbeing.

Recommendation 2. To develop a reliable evidence-base about gaming and adolescents and young adults in Australia, which will inform strategic and local policies; inform the standardisation of advice on the risks of psychological harms and online gaming; inform prevention strategies and the development of contemporary and evidence based interventions, that the Office of the eSafety Commissioner promote research that established the incidence and prevalence of psychological harms to adolescents and young adults from online gaming.

We support Recommendation 2, namely that the development of a robust evidence base in this nascent field is imperative to guide appropriate policy responses, prevention and treatment programs. The development of such an evidence base relies on the cooperative work of a range of stakeholders. This includes: academic institutions with a deep clinical research speciality in this field that can provide an in-depth description of risk and protective factors for disordered gaming, and design and evaluate prevention and treatment interventions that respond to this; national agencies with a research function (e.g. Australian Bureau of Statistics, Australian Institute of Health and Welfare) that can coordinate population-level monitoring and identify emerging trends; and funding bodies (e.g. National Health and Medical Research Council) who can provide the investment necessary to advance the evidence base.

eSafety is aware of a consortium of 15 leading researchers and practitioners, from universities around Australia and internationally, are currently addressing research of critical alignment to her honour's recommendations. This consortium of professionals – which includes Dr Daniel King – are considered to have leading expertise in fields of online gaming, addiction, and wellbeing. This research is being undertaken through a 5-year National Health and Medical Research Council grant. This research is a multistage project that seeks to understand the exact factors that lead to problematic play, addiction, and internet gaming disorder. The research team will be working closely with consumers of online games to co-design a digital health intervention that will minimise harm and treat internet gaming disorder. eSafety will look for ongoing opportunities to promote this critical research and integrate the evidence into our guidance.

It is our position that the perspectives and lived experiences of young people and their parents and carers must be central in setting the agenda for the development of the evidence base. The needs of frontline workers/practitioners who support adolescents and young adults at-risk of problematic online gaming also need to be included. This will increase the likelihood that the research outputs are of a high quality, relevant, contextualised and, ultimately, useful in supporting efforts to reduce the harms associated with online gaming.

The eSafety Commissioner's functions under Section 27 of Online Safety Act 2021, include:

- To collect, analyse, interpret and disseminate information relating to online safety for Australians

- To support, encourage, conduct, accredit and evaluate educational, promotional and community awareness programs that are relevant to online safety for Australians
- To support, encourage, conduct and evaluate research about online safety for Australians
- To publish (whether on the internet or otherwise) reports and papers relating to online safety for Australians

eSafety has a generalist research function with a broad remit with respect to online harms. Our research program is set based on our operational needs and priorities. Our decisions also consider new and emerging technologies and harms, trends from our Investigations Branch, and research being conducted by other government agencies and academic institutions.

We will certainly consider research about gaming and adolescents and young adults in Australia when reviewing and setting our future research program. We are open to partnering on research projects undertaken by research institutions, other government agencies, Not-For-Profits or industry, and/or to serving an advisory function on boards or steering committees. We are also interested in collaborating with researchers to translate evidence into resources for young people, parents, and frontline workers/practitioners. We will use our platform to promote and champion research undertaken by other research institutions in this space.

Thank you for providing eSafety the opportunity to provide our perspective. As Australia's online safety regulator, we are committed to ensuring the safety and protection of all Australians online. This information will help to inform our strategic priorities in research and content development in the future.

If you have any queries about this advice, please contact Sharon Trotter on 02 9334 7865, or enquiries@esafety.gov.au

Yours sincerely

Rebecca Razavi
Acting eSafety Commissioner