



Inquiry into the Online Safety Amendment (Social Media Minimum Age) Bill 2024 to the Environment and Communications Legislation

Submission to Inquiry

by:

**First Nations Peoples
Aboriginal Corporation
(ICN: 9520)**

PART ONE – OPENING STATEMENT

Thank you for the opportunity to present this submission on behalf of the **First Nations Peoples Aboriginal Corporation (FNPAC)**. FNPAC is deeply committed to advancing the welfare of Indigenous Australians, focusing on addressing critical issues like health, social well-being, cultural preservation, and economic empowerment. Our organization recognizes the challenges that Indigenous communities face, including disparities in healthcare access, educational opportunities, economic development, and social justice.

We wish to express our **deep concerns and opposition** to the **Online Safety Amendment (Social Media Minimum Age) Bill 2024 to the Environment and Communications Legislation**. While the Bill's intent to protect children from harmful online content is commendable, its **vague terminology and expansive scope risk disproportionately affecting Indigenous communities** that already face systemic barriers to digital access, education, and social inclusion, particularly **Indigenous children under 16 years of age**.

PART TWO – ISSUES OF CONCERN

Risks to Indigenous Children and Communities

- 1. Exclusion from Digital Education and Resources:**
For Indigenous children in regional and remote areas, social media and online platforms are often vital for accessing education and cultural programs. The ambiguous definitions of “social media” and “harmful content” could result in unnecessary restrictions on platforms that support e-learning and collaboration. This exclusion could widen the educational gap for Indigenous youth who already face significant challenges in accessing quality education.
- 2. Barriers Due to Lack of Identification:**
Age verification systems necessitated by the Bill **require official identification**. **Many Aboriginal and Torres Strait Islander children and families**, particularly in remote areas, **lack access to such documentation**. This could effectively block them from accessing platforms and services essential for education, healthcare, and community support, increasing their digital isolation.
- 3. Risk of Misclassification and Overreach:**
The **Bill's vague criteria** for regulating content **may lead to misclassification of Indigenous cultural expressions or discussions as harmful or inappropriate**. For Indigenous children, this **could restrict access to culturally significant material** or community-led initiatives, further alienating them from their heritage and identity.
- 4. Privacy and Trust Concerns:**
Indigenous communities often have heightened concerns about data privacy and the misuse of personal information. **Broad and poorly defined requirements for age and identity verification** could deter families from using digital services, reducing engagement in education, commerce, and social support networks critical to their well-being.
- 5. Limited Access to Technology:**
In remote communities, reliable internet and digital infrastructure are often unavailable or insufficient. Age verification systems requiring stable online access may further **restrict Aboriginal and Torres Strait Islander people's ability to engage in digital activities like distance learning or online commerce**.

6. **Cultural and Privacy Concerns:**
Verification processes that collect personal data might not align with cultural sensitivities or privacy expectations within Indigenous communities. **Fear of data misuse or lack of trust** in external systems **could discourage participation** in online platforms, **exacerbating digital exclusion**.
7. **Exacerbating Social Inequality:**
Indigenous Australians already face systemic challenges in employment, healthcare, and education. **Overly restrictive or poorly implemented regulations could deepen existing inequities**, limiting opportunities for these communities to connect with broader markets and services.

PART 3 – RECOMMENDATIONS

To mitigate the risks the **Online Safety Amendment (Social Media Minimum Age) Bill 2024** poses to Indigenous children and communities, the following actions are recommended:

1. **Clarify Definitions** – Ensure precise and unambiguous definitions of “social media” and “harmful content” to prevent the unnecessary restriction of e-learning platforms and cultural programs that are critical for Indigenous education and community engagement.
2. **Exemptions for Education and Cultural Platforms** – Create provisions to exempt educational, cultural, and community-led platforms from broad regulations to guarantee access for Indigenous children to digital resources, learning tools, and cultural materials.
3. **Streamlined Age Verification** – Implement age verification processes that do not rely solely on official identification, such as alternative verification methods suited to remote communities, ensuring access for those without traditional identification.
4. **Cultural Sensitivity in Verification Systems** – Develop culturally sensitive age and identity verification systems in consultation with Indigenous leaders to respect privacy, trust, and cultural norms.
5. **Privacy Protections** – Strengthen data privacy safeguards to address Indigenous communities’ concerns about misuse of personal information, ensuring secure systems for storing and handling verification data.
6. **Expand Digital Infrastructure** – Invest in digital infrastructure in remote Indigenous communities to support stable internet access, enabling effective implementation of the Bill without excluding those with limited connectivity.
7. **Consult Indigenous Communities** – Engage with Aboriginal and Torres Strait Islander representatives during legislative and regulatory processes to ensure policies are inclusive and reflective of community needs and aspirations.
8. **Monitor and Address Unintended Impacts** – Establish an independent review mechanism to monitor the Bill’s effects on Indigenous children and communities, allowing for adjustments and exemptions where necessary.
9. **Educational Campaigns** – Launch awareness initiatives to educate Indigenous families about the Bill’s objectives, safeguards, and their rights to ensure informed engagement with regulated platforms.
10. **Promote Digital Equity** – Incorporate measures to address existing social inequalities by ensuring that Indigenous communities have equitable access to digital services and opportunities for education, commerce, and cultural preservation.

By implementing these recommendations, the Bill may achieve its aim of protecting children online while preserving access, equity, and opportunities for Aboriginal and Torres Strait Islander communities.

Thank you for your attention to this crucial matter.

Warm Regards

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