



22 November, 2024

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

To the Committee Secretary,

RE: Online Safety Amendment (Social Media Minimum Age) Bill 2024 [Provisions]

I am making this submission on behalf of the Digital Games and Research Association of Australia (DiGRA Australia). DiGRA Australia is the country's leading association of digital games and play research, with over 180 members from universities around Australia and New Zealand, including many who are experts in digital spaces and socialising, as well as children's digital play.

As expert researchers of digital media, DIGRA Australia **strongly opposes** this amendment to the *Online Safety Act 2021*. Instead of protecting young people online, the proposed amendment instead destroys fundamental opportunities for young people to socialise, express themselves, and learn about the world. It will have a negative impact on the daily lives of children, and it will make the internet a more dangerous place for children.

We are concerned that this amendment will:

- **Impinge fundamental rights of young people:** The UN Committee on the Rights of the Child states that “national policies should be aimed at providing children with the opportunity to benefit from engaging with the digital environment *and ensuring their safe access to it*”.¹ This amendment does the exact opposite.
- **Put vulnerable children at particular risk:** Children and teenagers in vulnerable situations (such as those in violent households, those being bullied, and LGBTQI+ children and teenagers), use social media to find information, build crucial social bonds, and learn how to protect themselves. This amendment's unnuanced approach removes these vital safety lines and will directly lead to an increase in youth suicide and self-harm.
- **Apply an overly broad definition of social media:** The definition of “social media service” in the *Online Safety Act* is so broad as to easily be applied to effectively any online service available today. This, combined with the current amendment's deliberate casting of a “wide net” through this definition gives the Minister of the day a concerning amount of power to decide any website or platform counts as a “social media service” that requires age-restriction, with no oversight.
- **Discourage platforms from protecting young people:** The Online Safety (Basic Online Safety Expectations) Determination 2022² requires that “the best interests of the child is a primary

¹ Committee on the Rights of the Child. [General comment No. 25 \(2021\) on children's rights in relation to the digital environment](#).

² eSafety Commissioner. [Basic Online Safety Expectations](#).

consideration in the design and operation of services likely to be used by children". The proposed legislation, in removing the legal right of children and young people to access these services, would therefore remove the expectation that social media services are designed to be safe and minimise harm for any young people who do access them anyway, which the amendment admits will inevitably occur.

- **Have implications of privacy rights for all Australians:** It is presently unclear how the age verification will work. Possible solutions such as a widespread Digital ID, biometric data or uploading personal documents directly to platforms have implications for the privacy rights of all Australians who use social media, not just for children and young people. The proposed legislation does not clarify how Australians' private information would be used or protected.
- **Ignore advice from key experts in favour of rushed implementation:** The current legislation has not taken into account evidence from digital media,³ youth or mental health experts and practitioners⁴, or from young people themselves. The Australian Human Rights commissioner, for instance, has described the one-day submission period as "entirely inadequate".⁵ Further, the parliamentary inquiry on social media and Australian society⁶ released earlier this week did not recommend a blanket ban approach to protecting children from online harms. It is vital that the government work with experts and young people to enact policies which would actually address their concerns and make online platforms safer for children.

In summary, we are in agreement with the vast majority of our fellow experts on digital media and young people when we say that this proposed amendment is wreckless, dangerous, vague, overreaching, and counterproductive to its stated goals.

Any such ban should be outright abandoned in favour of an evidence-based and productive education-based approach that empowers parents and young people to use social media safely and confidently.

Regards,

Associate Professor Brendan Keogh

President, Digital Games Research Association of Australia

³ For example, Submission 165 to the [The Joint Select Committee on Social Media and Australian Society](#) by the Digital Media Research Centre.

⁴ Australian Child Rights Taskforce. [Open letter re: proposed social media bans for children under 16-year olds.](#)

⁵ Lorraine Finlay. *A social media ban has serious implications for children and young people across the country.* [LinkedIn post]. https://www.linkedin.com/posts/lorraineifinlay_a-social-media-ban-has-serious-implications-activity-7265210161324003328-m6Gg/?utm_source=combined_share_message&utm_medium=ios_app&utm_campaign=copy_link

⁶ Joint Select Committee on Social Media and Australian Society. [Social media: The good, the bad, and the ugly.](#)