

Submission to the Senate Environment and Communications Legislation Committee

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

25 November 2024

Social media ban risks isolating disabled youth

The Australian Government's proposed legislation to restrict social media access for people under 16 risks seriously harming Australia's disabled young people.

Children and Young People with Disability Australia (CYDA) joins other disability representative organisations in opposing the blanket ban outlined in the [Online Safety Amendment \(Social Media Minimum Age\) Bill 2024](#).

Instead, we call for a nuanced approach that respects young peoples' human rights to inclusion, expression, and access to information.

Social media and the Internet are often a lifeline for young people with disability, providing one of the few truly accessible ways to build connections and find community. It is a place where young people can choose how they want to represent themselves and their disability and learn from others going through similar things. It provides an avenue to experiment and find new opportunities and can help lessen the sting of loneliness.

Cutting off that access ignores the lived reality of thousands and risks isolating disabled youth from their peer networks and broader society.

The importance of social media for young people with disability

Social media offers a platform for young people with disability to meet, share experiences, and engage in advocacy.

It is especially vital for those not always able to do so in person, including people with disability and chronic illness still unable to safely access many physical spaces due to the ongoing risks posed by COVID-19.

[Findings from the eSafety Commission](#) highlight the role social media plays in the lives of young people with disability:

- More than half visit social media weekly or more often (53%), while 42% access it daily
- One in four make new friends or contacts weekly, compared with 20% of Australian children overall
- Seven in 10 feel it is easier to be themselves online, compared with 59% of their peers
- 9% maintain an almost constant presence online, 3% higher than the national average

Accessibility challenges in proof of age requirements

Furthermore, the proposed legislation's proof of age requirements raise serious accessibility concerns for young people with disability.

Many government tools for identification verification remain inaccessible, disproportionately excluding those who cannot provide specific standardized forms of ID, such as a driver's licence.

Alternative forms, like state-based proof of age cards, are often not supported by verification systems, creating further barriers for disabled young people.

Human rights implications

Freedom of expression, access to information, and the right to privacy are human rights enshrined in [multiple international human rights treaties](#), including the International Covenant on Civil and Political Rights (ICCPR) and the UN Committee on the Rights of the Child (CRC).

Article 3(1) of the latter calls for children to be given meaningful opportunities to be heard on matters affecting them. Unfortunately, the public was given only 24 hours on 22 November 2024 to give feedback on the Online Safety Amendment Bill.

An outright ban of social media for people under 16, following minimal efforts at community consultation, risks violating the human rights of the young people such reform is intended to support.

A better approach

While social media provides significant benefits, young people with disability are also disproportionately exposed to harmful content, with 72% encountering at least one type of harmful online content, according to the eSafety Commission.

Addressing online harm is vital, but a more nuanced, inclusive and effective approach is needed to prevent negative consequences for disabled young Australia.

Instead of a blanket ban reform should focus on:

- Placing a legal duty of care on social media companies to ensure safer platforms for all users
- Embedding digital literacy and online safety education into the national curriculum to help young people navigate online spaces responsibly
- Ensuring accessibility in all aspects of implementation, including proof of age requirements, to avoid excluding disabled young people from social participation

CYDA and its partners welcome the opportunity to collaborate with the government to ensure any regulatory measures are inclusive and respectful of the rights of young people with disability.

This statement is endorsed by:

- Children and Young People with Disability Australia
- Women With Disabilities Australia
- People with Disability Australia
- Disability Advocacy Network Australia
- Physical Disability Australia
- First Peoples Disability Network
- Community Mental Health Australia
- Australian Autism Alliance
- Down Syndrome Australia

For more information or further comment, please contact CYDA:

Email: media@cyda.org.au

Phone (03) 9417 1025

www.cyda.org.au