WESNET
The Women's Services Network

SUBMISSION RE: Online Safety Amendment (Digital Duty of Care) Bill 2026

OCTOBER 2026

WESNET Inc
Freecall: 1800WESNET
Email: wesnet@wesnet.org.au
Web: www.wesnet.org.au
ABN: 16 068 548 631

Acknowledgements

Acknowledgement of Country

Wesnet would like to acknowledge and pay respects to all First Nations people, as the Traditional and only Custodians of this country we call Australia. We recognise First Nations peoples' culture, wisdom, and connection to this land and pay our respects to Elders, past, present and future. We recognise the loss of land and culture, acknowledging the consequences of dispossession and colonisation on First Nations peoples. We acknowledge that sovereignty over this land was never ceded. This land always was and always will be Aboriginal land. First Nations women have multiple roles and identities relating to their culture, community, age, ability, sexual orientation and gender identity. Wesnet works tirelessly for an inclusive future free from violence. We acknowledge the strength and resilience of First Nations women, particularly those who have experienced domestic and family violence, and those who support and advocate for survivors of domestic and family violence. We pay our deepest respects to those who have lost loved ones as a result of domestic and family violence. Wesnet will actively learn from the experiences and advocacy of First Nations women, and support First Nations women in their quest for safety and equality.

Acknowledgement of survivors

Wesnet also takes this opportunity to acknowledge all survivors of gender-based violence. We pay respect to those who did not survive and to their family members and friends.

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About Wesnet

We are the Peak body for Specialist Women's Domestic and Family Violence (DFV) Services in Australia. Our vision is a future where all women and children live free of domestic and family violence and its consequences.

With almost 400 eligible members across Australia, Wesnet represents a range of organisations whose core business is supporting survivors of DFV, including women's refuges and supported accommodation services, crisis response and case management services, counselling, and recovery and information and referral services.

Harnessing its large national network of members and associate members, Wesnet plays an important role in identifying unmet needs, canvassing new and emerging issues, facilitating policy and sector debate and providing advice to government to provide improved responses to the problem of domestic and family violence. We do this within our communities, and in partnership with non-government stakeholders.

Wesnet works within a feminist framework which promotes understanding domestic and family violence as gendered violence, and that women's and children's experiences are also intrinsically shaped by their ethnicity, culture, ability, age, gender identity and class.

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Table of Contents

Acknowledgements....2
Summary of recommendations....5
Introduction....7
Addressing gender-based violence (GBV) and its intersection with systemic discrimination....8
Require risk assessments to assess the risks of the harms identified in the Bill....10
Addressing the cumulative harm of GBV....10
Code of Practice to address GBV....11
Addressing fake nude material....12
Addressing sexually explicit content promoting non-fatal strangulation....12
Excluded material and public interest material....13
Private communications exception....14
Harms associated with the operation of design features specific to the male grievance industry....15
- Design features and children....15
- Design features and adults....15

Age checks and victim-survivors....16
Final remarks....17

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Summary of recommendations

- ★ Recommendation 1: Implement recommendations from the campaign led by Joshua Bornstein and the Australia Institute to strengthen the Digital Duty of Care, including a direct right of action for individuals who suffer harm.
- ★ Recommendation 2: If a direct right of action is not established, amend the Bill to allow individuals to complain to the eSafety Commissioner about an alleged breach of the Digital Duty of Care. Require eSafety to inform the complainant whether it will investigate the matter and, if it does, to notify them of the outcome.
- ★ Recommendation 3: Amend sections 25D and 25E to recognise harmful material or conduct targeting an individual or group of people's protected characteristics.
- ★ Recommendation 4: Amend section 27 to expressly require providers to identify and assess actual or reasonably foreseeable risks of gender-based violence, including technology-facilitated gender-based violence, occurring through or facilitated by their services.
- ★ Recommendation 5: Expand the definition of harm and amend section 27 to recognise harm arising from repeated or coordinated conduct, including conduct occurring across multiple accounts or services.
- ★ Recommendation 6: Amend Clauses 28 and 166B to state that 'The Commissioner must prepare and issue a code of practice for online services to address gender-based violence. The code must contain advice and examples of minimum steps and good practice for assessing risks of harm to women and children from seriously harmful material and conduct. Before producing the guidance (including revised or replacement guidance), the Commissioner must consult the Domestic, Family and Sexual Violence Commissioner, specialist domestic and family violence services and survivor advocates.
- ★ Recommendation 7: Amend section 86B so the Commissioner does not need to establish both that a service was designed predominantly to generate fake nude material and that it is predominantly used for that purpose in order to take action.
- ★ Recommendation 8: Include 'Sexually explicit material that includes violent and seriously injurious practices, such as strangulation' under 'Seriously harmful material and conduct' (Clause 25D).
- ★ Recommendation 9: Define 'material that is in the public interest'. This should include guidance and examples, such as advocacy by specialist

family and domestic violence services, and survivor-advocates with lived and living experience of inequality and/or gender-based violence.

- ★ Recommendation 10: Require online services to explain how automated moderation systems will apply to material in the public interest to ensure they do not disproportionately restrict the content or accounts of individuals and communities experiencing systemic discrimination.
- ★ Recommendation 11: Consider the implications of private communications exception for victim-survivors of gender-based violence to support their privacy and safety, while ensuring that online services are accountable for preventing harms in messaging services.
- ★ Recommendation 12: Include endless scrolling, likes and follower counts, and disappearing content on the list of design features that have negative behavioural impacts (25G(1)).
- ★ Recommendation 13: Recommender algorithms must be switched off by default to prevent online services from fueling the male grievance industry more commonly known as the manosphere.
- ★ Recommendation 14: Include an adult equivalent of 25G so that adults in Australia are protected from harms associated with the access or exposure to design features of online services.
- ★ Recommendation 15: Consider the impact of age checks on victim-survivors of gender-based violence, including those from marginalised communities.
- ★ Recommendation 16: Implement recommendations from the Working with Women Alliance submission.

Introduction

Wesnet welcomes the opportunity to submit to the Senate Environment and Communications Legislation Committee's inquiry into the *Online Safety Amendment (Digital Duty of Care) Bill 2026*. As we are an unfunded peak body, Wesnet only has capacity to provide a shorter submission within the short timeframe that the introduced Bill (the Bill) is open for public consultation, despite the complexity of the issues at hand.

As stated in our joint submission with the Working with Women Alliance on the exposure draft, Wesnet supports the introduction of a Digital Duty of Care. We especially support amendments made since the exposure draft that reflect some of the key recommendations from our joint submission and the joint open sector letter led by the Working with Women Alliance. One of these amendments is the inclusion of gender-based violence and image-based abuse being explicitly recognised within the Digital Duty of Care. These amendments contribute to the new duty's intended purpose to ensure a safe online environment, particularly for victim-survivors of gender-based violence.

This submission makes further recommendations to ensure the Digital Duty of Care can be strengthened so that all women, children, trans- and gender diverse communities and communities that are marginalised can enjoy a safer online environment.

Wesnet is also a signatory to the campaign led by Joshua Bornstein and the Australia Institute to strengthen the Digital Duty of Care, including a direct right of action for individuals who suffer harm.[1] However, if a direct right of action is not implemented, the Bill should, at a minimum, provide a statutory pathway for individuals to make a complaint to eSafety about an alleged breach of the Digital Duty of Care. Schedule 3 repeals section 40 of the Online Safety Act 2021, which currently permits complaints about breaches of industry codes or standards, without establishing an equivalent pathway for breaches of the new Duty. A complainant should be told whether their matter will be investigated and, if it is, notified of the outcome.

[1] "Petition: Make Big Tech pay when they harm Australians," The Australia Institute, accessed on October 30, 2026, https://nb.australiainstitute.org.au/big-tech.

- ★ **Recommendation 1: Implement recommendations from the campaign led by Joshua Bornstein and the Australia Institute to strengthen the Digital Duty of Care, including a direct right of action for individuals who suffer harm.**
- ★ **Recommendation 2: If a direct right of action is not established, amend the Bill to allow individuals to complain to the eSafety Commissioner about an alleged breach of the Digital Duty of Care. Require eSafety to inform the complainant whether it will investigate the matter and, if it does, to notify them of the outcome.**

Addressing gender-based violence (GBV) and its intersection with systemic discrimination

While we appreciate that the Digital Duty of Care now explicitly recognises gender-based violence, we are concerned that the Bill does not sufficiently consider how it intersects with discrimination for marginalised communities. We note that the Explanatory Memorandum for the Digital Duty of Care includes a Statement of Compatibility with human rights,[2] including the right to protection against discrimination.[3] However, the description frames the right to protection around differentiating between the safety of adults and children online by applying different harm thresholds to both, rather than protecting against discrimination based on a person's or group's protected characteristics. As a result, the Bill does not explicitly recognise how gender-based violence can intersect with discrimination, including but not limited to racism, homophobia, transphobia, ableism, and ageism directed at adults and children.

This is at odds with the intersectional approach adopted by the *National Plan to End Violence against Women and Children 2022–2032,*[4] and the evidence base that clearly demonstrates how gender inequality intersects with:

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[2] The Parliament of the Commonwealth of Australia (2026) *Online Safety Amendment (Digital Duty of Care) Bill 2026: Explanatory Memorandum*, https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fems%2Fr7553_ems_646770dc-4740-4989-9e2e-e1e129e42251%22, pp.9-22.

[3] The Parliament of the Commonwealth of Australia (2026) *Online Safety Amendment (Digital Duty of Care) Bill 2026: Explanatory Memorandum*, pp. 20-21.

[4] Intersectionality is the concept used to understand how intersecting forms of power, privilege and discrimination, including ageism, homophobia and racism, impact communities. Kimberle Crenshaw introduced the concept to refer to sexism and racism experienced by Black women, and the concept has expanded to include additional forms of oppression and inequality. Kimberle Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics, "*University of Chicago Legal Forum* 1 (1989), https://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8/.

- the impacts of colonisation to drive violence against Aboriginal and Torres Strait Islander women,[5]
- ableism to drive violence against girls and women with disability,[6]
- ageism to drive intimate partner violence against older women,[7]
- racism to drive violence against women from refugee and migrant backgrounds,[8]
- LGBTIQA+-specific drivers of violence against LGBTIQA+ people.[9]

The evidence base is also supported by findings in Wesnet's Third National Survey of Technology Abuse and Domestic Violence in Australia (Third National Survey) that people from specific communities may be at a higher risk of tech-facilitated abuse due to increased barriers to accessing support. This includes: women from non-English speaking backgrounds, women with disability, First Nations women and LGBTIQ+ communities.[10]

The lack of recognition of intersecting harms can mean that some conduct may fall within the general provisions concerning serious menacing or harassment. However, those provisions focused on harm to an individual may not capture material that promotes hostility towards a broader group. As we highlighted in our joint submission to the exposure draft, the Statutory Review of the *Online Safety Act 2021* recommends that the Digital Duty of Care 'should at a minimum include… harms to mental and physical wellbeing, including threats to harm or kill, or attacks based on a person or group of people's protected characteristics, such as sex, gender, sexual orientation, race, ethnicity, disability, age or religion'.[11] We urge the Committee to implement that recommendation.

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[5] Our Watch (2018) *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children* (Melbourne: Our Watch), https://www.ourwatch.org.au/preventing-violence/aboriginal-and-torres-strait-islander-women.

[6] Our Watch & Women with Disabilities Victoria (2022) *Changing the landscape: A national resource to prevent violence against women and girls with disabilities* (Melbourne: Our Watch), https://www.ourwatch.org.au/preventing-violence/women-with-disabilities.

[7] Our Watch (2022) *Preventing intimate partner violence against older women* (Melbourne: Our Watch), https://www.ourwatch.org.au/preventing-violence/older-women.

[8] Our Watch and Myriad Kofkin Global (2025) *Preventing violence against women from migrant and refugee backgrounds: Consultation findings report* (Melbourne: Our Watch), https://www.ourwatch.org.au/preventing-violence/migrant-and-refugee-women.

[9] Our Watch & Rainbow Health Australia ARCSHS (2026) *Changing with pride: A national framework to prevent violence against LGBTIQA+ people* (Melbourne: Our Watch), https://rainbowhealthaustralia.org.au/news/changing-with-pride#:~:text=Strengthen%20gender%2Dbased,LGBTIQA%2B%20people.

[10] Wesnet (2026) *Third National Survey of Technology Abuse and Domestic Violence in Australia* (Wesnet), https://wesnet.org.au/3rdnatsurvey, p.32.

[11] Recommendation 5. Delia Rickard (2024),*Report of the Statutory Review of the Online Safety Act 2021,* https://www.infrastructure.gov.au/department/media/publications/report-statutory-review-online-safety-act-2021, p. 21.

★ **Recommendation 3: Amend sections 25D and 25E to recognise harmful material or conduct targeting an individual or group of people's protected characteristics.**

Require risk assessments to assess the risks of the harms identified in the Bill

Section 27 requires services to identify 'reasonably foreseeable risks', along with the material or conduct that gives rise to them. It also requires services to consider relevant service features and other systems or processes. It does not expressly require providers to assess the risks arising from the statutory harms identified in sections 25D and 25E. Specifically, it does not require services to examine gender-based violence as a systemic risk. This leaves a clear gap between recognition in the Bill, and prevention of gender-based violence in practice. A service could complete a technically compliant risk assessment without examining whether its service facilitates technology-facilitated gender-based violence. It could also fail to consider whether its systems amplify material promoting hostility towards women or gender equality, despite the Bill expressly recognising such material as harmful to children. Without a clear link between section 27 and the harms recognised elsewhere in the Bill, a provider could define the scope of its assessment narrowly and address only the risks it chooses to identify.

This gap risks creating room for malicious compliance. Naming gender-based violence will have limited practical effect if services are not required to examine how they create or increase that risk. Section 27 must therefore expressly require providers to assess gender-based violence, including technology-facilitated gender-based violence, and identify the measures needed to address it.

★ **Recommendation 4: Amend section 27 to expressly require providers to identify and assess actual or reasonably foreseeable risks of gender-based violence, including technology-facilitated gender-based violence, occurring through or facilitated by their services.**

Addressing the cumulative harm of GBV

Wesnet notes that the Explanatory Memorandum for the Digital Duty of Care states that risk assessments must consider campaigns of many small abusive messages from multiple users that may not seem serious on their own.[12] Perpetrators of intimate partner violence often use multiple technologies,

[12] The Parliament of the Commonwealth of Australia (2026) *Online Safety Amendment (Digital Duty of Care) Bill 2026: Explanatory Memorandum*, https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fems%2Fr7553_ems_646770dc-4740-4989-9e2e-e1e129e42251%22, p.72.

including accounts and platforms, as part of a broader regime of coercive control that inflicts considerable and lasting harms for victim-survivors.[13] Women in politics are also subjected to volumetric abuse more than men in politics, which undermines democracy and women's rights.[14] We urge the Committee to ensure that cumulative harm is included and recognised in the broader definition of harm in the Explanatory Memorandum and in the Bill.

★ **Recommendation 5: Expand the definition of harm and amend section 27 to recognise harm arising from repeated or coordinated conduct, including conduct occurring across multiple accounts or services.**

Code of Practice to address GBV

Clauses 28 and 166B (1)p & q state that the Commissioner may publish guidelines to assist persons responsible for online services to meet their digital duty of care. As recommended in our joint submission, this can be strengthened by developing a Code of Practice to improve online safety for women and children. The United Kingdom *Online Safety Act 2023* mandates the publication of guidance for service providers to improve online safety for girls and women, and that the regulator should consult with the Domestic Abuse Commissioner.[15] While there is existing Industry guidance on safety by design in Australia,[16] developing a specific Code of Practice to address gender-based violence should be prioritised.

★ **Recommendation 6: Amend Clauses 28 and 166B to state that 'The Commissioner must prepare and issue a code of practice for online services to address gender-based violence. The code must contain advice and examples of minimum steps and good practice for assessing risks of harm to women and children from seriously harmful material and conduct. Before producing the guidance (including revised or replacement guidance), the Commissioner must consult the Domestic, Family and Sexual Violence Commissioner, specialist domestic and family violence services and survivor advocates.**

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[13] Wesnet (2026) *Third National Survey of Technology Abuse and Domestic Violence in Australia,* p.20.
[14] Lucina Di Meco (2023) *Monetizing Misogyny: Gendered Disinformation and the Undermining of Women's Rights and Democracy Globally*. (#ShePersisted), https://she-persisted.org/wp-content/uploads/2026/05/ShePersisted_MonetizingMisogyny.pdf.
[15] Ofcom. (2025) *Statement and Guidance: A safer life online for women and girls* (London: Ofcom), https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/a-safer-life-online-for-women-and-girls.
[16] eSafety Commissioner (2024) *Technology, gendered violence and Safety by Design* (eSafety Commissioner), https://www.esafety.gov.au/sites/default/files/2024-09/SafetyByDesign-technology-facilitated-gender-based-violence-industry-guide.pdf?v=1786603903734.

Addressing fake nude material

The Bill has created a higher threshold for an app or website to remove fake nude material. The exposure draft stated that the Commissioner must establish that an app or website was designed predominantly to generate fake nude material, *or* that it is predominantly used for that purpose. The Bill requires both criteria to be established by replacing the 'or' with 'and'. However, a service may be designed principally to generate fake nude material without yet being predominantly used that way. Conversely, a general-purpose service may become widely used to generate this material even though that was not its stated purpose. In either case, the service may facilitate abuse at scale while falling outside the specific removal power. We recommend restoring the threshold to that stated in the Exposure Draft.

★ **Recommendation 7: Amend section 86B so the Commissioner does not need to establish both that a service was designed predominantly to generate fake nude material and that it is predominantly used for that purpose in order to take action.**

Addressing sexually explicit content promoting non-fatal strangulation

We appreciate that the Bill retains recognition of sexual violence as a distinct form of harm. We draw attention to the practice of sexual strangulation, which is common among young Australians. 57 per cent of young Australians report being strangled by a partner during sex.[17] It is also a significantly gendered practice, with 78 per cent of transgender and gender-diverse people and 61 per cent of women reporting being strangled during sex.[18] Men usually enact sexual strangulation, regardless of the gender of their partner.[19] It is also often done without communication or consent.[20]

As per our joint submission, non-fatal strangulation poses a risk to women and girls. It is a risk factor in intimate partner violence and 'one of the most lethal forms'.[21] Non-lethal strangulation can leave little visible physical evidence, and yet lead to serious injury, acquired brain injury or death.[22] Material that normalises strangulation in a sexual context should be understood as gender-based violence.

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[17] "Breathless: A dangerous sexual practice is on the rise," It's time we talked, accessed October 28, 2026, https://www.breathlesscampaign.com/.
[18] "*ibid*.
[19] "*ibid*.
[20] "*ibid*.
[21] Toivonen & Backhouse (2018) *National Risk Assessment Principles for domestic and family violence* (ANROWS), p.13. the by defining
[22] "It left no marks", Women's Health NSW, accessed October 28, 2026, https://www.itleftnomarks.com.au/.

★ **Recommendation 8: Include 'Sexually explicit material that includes violent and seriously injurious practices, such as strangulation' under 'Seriously harmful material and conduct' (Clause 25D).**

Excluded material and public interest material

The Bill creates a new category of 'excluded material' that falls outside of seriously harmful material and harmful material to children so platforms do not have to act against it. We note that excluded material includes information on public health and safety, harm-reduction and public interest content. We welcome the inclusion of public interest material as it reflects a recommendation in our joint submission to ensure that the Digital Duty of Care strikes a balance in addressing the circulation of harmful content, need for public interest material and freedom of expression based in human rights frameworks. Nevertheless, this inclusion can be strengthened with a definition of 'material that is in the public interest'. This should include guidance and examples, such as advocacy by specialist family and domestic violence services, and survivor-advocates with lived and living experience of inequality based on protected characteristics and/or gender-based violence.

In addition, research shows that automated content moderation systems can disproportionately flag or remove content by communities experiencing marginalisation, resulting in 'over-removal, discrimination and censorship. Reliance on inherently biased datasets and opaque training processes can amplify pre-existing inequalities, risking homogenisation of expression, and erasure of linguistic and cultural diversity'.[23] Without an explicit freedom of expression safeguard and requirements for human review of automated moderation decisions, the duty may inadvertently silence marginalised communities.

[23] The United Nations (UN) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression, and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information in Africa (2025) *Joint Declaration on AI, freedom of expression and media freedom,* https://www.ohchr.org/sites/default/files/documents/issues/expression/statements/2025-10-24-joint-declaration-artificial-intelligence.pdf.

- ★ **Recommendation 9: Define 'material that is in the public interest'. This should include guidance and examples, such as advocacy by specialist family and domestic violence services, and survivor-advocates with lived and living experience of inequality and/or gender-based violence.**
- ★ **Recommendation 10: Require online services to explain how automated moderation systems will apply to material in the public interest to ensure they do not disproportionately restrict the content or accounts of individuals and communities experiencing systemic discrimination.**

Private communications exception

Wesnet notes that the new duty includes a private communications exception, which does not require any action to be taken in relation to lawful communication occurring in private solely between consenting adults (26(7)). We recognise that the exception implicitly recognises the rights to freedom of speech, expression, and privacy. Indeed, victim-survivors are often reliant on private communications with their trusted networks to maintain connection and manage safety. They may be communicating safety plans with formal and informal networks. Ensuring the privacy of victim-survivors is critical for their safety.

At the same time, perpetrators of family violence most commonly use smartphones and messaging apps, and social media and online platforms to perpetrate tech-facilitated abuse. Wesnet's Third National Survey findings showed that in 2025, 96.1 per cent of practitioners reported witnessing abuse using smartphones and messaging apps either 'Often' or 'All the time', and 94.1 per cent of practitioners reported seeing abuse via social media and online platforms 'Often' or 'All the time'.[24] The private communications exception may prevent online services from being held accountable for harms occurring in messaging services.

We note that the Explanatory Statement states that detection tools such as child sexual abuse material detection or tools that disrupt video and calls 'should be applied where there is a risk of serious illegal harm'.[25] We encourage the Committee to balance the tension between victim-survivor safety and privacy and consider if there are detection tools that can protect privacy without breaking encryption.

[24] Wesnet (2026) *Third National Survey of Technology Abuse and Domestic Violence in Australia,* p.7.
[25] The Parliament of the Commonwealth of Australia (2026) *Online Safety Amendment (Digital Duty of Care) Bill 2026: Explanatory Memorandum*, p.68.

★ **Recommendation 11: Consider the implications of private communications exception for victim-survivors of gender-based violence to support their privacy and safety, while ensuring that online services are accountable for preventing harms in messaging services.**

Harms associated with the operation of design features specific to the male grievance industry

Design features and children

The Bill states that for children under 16 on social media, there are only three types of features automatically treated as harmful or as having negative behavioural impacts: recommender features, "logged-in features" and any feature the Minister adds (25G(1)).

Endless scrolling, likes and follower counts, and disappearing content are no longer on the list in their own right. We recommend that endless scrolling, likes and follower counts, and disappearing content are included on the list of design features with negative behavioural impacts (25G(1)). That way, children under 16 on social media would be protected from them whether or not they are logged in. Further, given that there is lack of clarity as to if user empowerment tools are opt-in or opt-out,[26] we suggest that recommender algorithms are switched off by default. This is particularly important given research finds that the 'manosphere' is a male grievance industry that targets and exploits boys' and men's need to belong and need for economic security, and how online platforms fuel this industry in part via recommender algorithms.[27]

★ **Recommendation 12: Include endless scrolling, likes and follower counts, and disappearing content on the list of design features that have negative behavioural impacts (25G(1)).**

★ **Recommendation 13: Recommender algorithms must be switched off by default to prevent online services from fueling the male grievance industry, more commonly known as 'the manosphere'.**

Design features and adults

We reiterate the importance of protecting adults from the 'harms associated with access or exposure to design features of online services' (25C), given that it takes an average of 23 minutes for male-identified accounts to receive misogynist

[26] We note there is a separate determination on this issue.
[27] Reset Tech and Equimundo, (2026), *The Grift Economy: How Young Men Are Being Sold Fake Belonging and Fake Wealth Online*, https://www.equimundo.org/resources/the-grift-economy/, p.6.

content.[28] This is even more problematic as such content is embedded into innocuous content like self-improvement, lifestyle and health.[29] We recommend an adult equivalent of 25C so that adults in Australia are protected from harms associated with the access or exposure to design features of online services.

★ **Recommendation 14: Include an adult equivalent of 25G so that adults in Australia are protected from harms associated with the access or exposure to design features of online services.**

Age checks and victim-survivors

The Bill introduces the requirement to check users' ages and restrict access for platforms that children could use to access pornography (Section 27D–27F). The Bill does not specify what those methods must be, meaning platforms could require identity documents or sensitive data such as a face scan.

If the age check requires identity documents, it is likely to impact victim-survivors who may not have access to them. This is because access to identity documents is often controlled by perpetrators. Victim-survivors may also have left violent homes without identity documents.

In addition, proof of identity (POI) can be a barrier for members of diverse communities, such as migrant and refugee communities.[30] Naming conventions and dates can vary, such that identity documents may have inconsistent spelling of names and dates. It is critical to ensure that age checks do not inadvertently limit access to online services, particularly for victim-survivors and those from marginalised communities. One possible solution to this challenge is to establish identity at the device level, so that users are not expected to provide private and sensitive data to multiple online services.[31]

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[28] Baker, C., Ging, D., & Andreasen, M.B. (2024) *The role of algorithmic recommender functions on YouTube Shorts and TikTok in promoting male supremacist influencers* (Dublin: Dublin City University Anti-Bullying Centre), https://www.dcu.ie/antibullyingcentre/recommending-toxicity.
[29] Fisher, K., Benakovic, R., O'Gorman, K., Rice, S., Tierney, K., Miller-Idriss, C, Dashtgard, P., & Seidler, Z. (2026) "Development and application of the Masculinity Content Classification Framework" *Telematics and Infomatics* 107, https://doi.org/10.1016/j.tele.2026.102402.
[30] "Identity documents for refugees," Refugee Council of Australia, accessed July 2, 2026, https://www.refugeecouncil.org.au/identity-documentation/.
[31] Note that Wesnet does not endorse technology companies or their products. Toby Murray, "Apple's new age verification is a game-changer for kids' safety online. We need the rest of big tech to follow", *The Conversation* published on October 8, 2026, https://theconversation.com/apples-new-age-verification-is-a-game-changer-for-kids-safety-online-we-need-the-rest-of-big-tech-to-follow-293838.

★ **Recommendation 15: Consider the impact of age checks on victim-survivors of gender-based violence, including those from marginalised communities.**

Final remarks

As Wesnet is an unfunded peak body, our capacity to make recommendations is limited. We understand that Working with Women Alliance is also submitting to you and recommend their submission.

★ **Recommendation 16: Implement recommendations from the Working with Women Alliance submission.**