



March 2025

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# **Draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025**

Submission

## Introduction

Suicide Prevention Australia is the national peak body for the suicide prevention sector. We exist to provide a clear, collective voice for suicide prevention, so that together we can save lives. We have more than 350 members ranging from national household name agencies, such as Lifeline, Beyond Blue and Black Dog Institute, to small community-based organisations and local collaboratives in every State and Territory; as well as individual service providers, practitioners, researchers, students and people with lived experience. This represents more than 140,000 workers, staff and volunteers across Australia. We believe that through collaboration and shared purpose, we can work towards our ambition of a world without suicide.

A number of Suicide Prevention Australia's members have expressed strong concerns about the Online Safety Amendment (Social Media Minimum Age) Bill 2024 passed in Parliament in November 2024, amending the Online Safety Act 2021. Whilst Suicide Prevention Australia is pleased to see the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules) consider exemptions for digital services providing mental health and crisis support, we continue to have concerns that the regulations as currently framed are a missed opportunity to ensure a safer social media environment for all Australians. To achieve this we propose that an additional exemption category be created for social media platforms that can demonstrate a **safety by design** approach that meets the expectations of Australians on a safe online environment.

This additional exemption category would not only allow young people to access the benefits of social connections through social media in a safe environment. It would also provide an incentive for social media platforms to be safer for all users, benefiting all Australians who use social media.

Suicide Prevention Australia will be providing feedback on the topics outlined in the Discussion Paper, specifically addressing:

- Services that primarily function to support the health and education of end-users
- Other services that shouldn't be subject to the minimum age

We have three recommendations:

- The exemption of services that have the sole or primary purpose of supporting the health of end users should be maintained in the final Bill.
- In determining which services have the primary function to support health and education, Government should engage with the suicide prevention sector to ensure that all digital media and apps that help prevent suicide are included in this category.
- An additional exemption category be created for social media platforms that can demonstrate a **safety by design** approach that meets the expectations of Australians on a safe online environment.

## Health and education services

Suicide Prevention Australia strongly supports the Australian Government's approach to take out of scope services with a significant purpose to enable people to get the education and health support they need.

There have been strong concerns in the suicide prevention sector that the Online Safety Rules could prevent and disrupt young people's access to vital support services that promote wellbeing and distress management. To avoid this, the exemptions for mental health and suicide prevention apps and digital services are imperative. Unlike general social media, digital mental health and crisis services are designed to offer personalised, real-time intervention for vulnerable users facing mental health crises, such as suicidal ideation or self-harm.

There are a number of examples of the benefits of support apps and online resources:

- Impact findings from batyr's online lived experience storytelling app for young people, OurHerd, indicate that it led to increased mental health literacy and reduced barriers to help-seeking.<sup>1</sup>
- Reach Out's 2023-2024 annual report highlighted that user of their online communities and PeerChat services reported increased connection and validation of their experiences; with 76% of Youth Online Community users reporting they felt less alone and more connected.<sup>2</sup>
- A program for young people bereaved by suicide, called the Let's Talk Suicide virtual camp, helps young people heal from the guilt, shame and blame often associated with suicidal grief.<sup>3</sup>
- Community forums run by SANE Australia provide invaluable access to moderated peer support nationally. Participant's reflections on their experiences highlighted that the forums positively affected their wellbeing, with those perceiving this benefit showing higher recovery scores after six weeks of Forum use.<sup>4</sup>

An exemption ensures that platforms such as these can operate flexibly, offering tailored support, connecting users with professional services, and facilitating timely interventions without unnecessary barriers. Prioritising mental health and safety in these contexts is essential for safeguarding the well-being of young people and providing opportunities for effective help-seeking.

**Recommendation:** The exemption of services that have the sole or primary purpose of supporting the health of end users should be maintained in the final Bill.

We welcome specific references to online services in the Discussion Paper including ReachOut, PeerChat, and Kids Helpline's MyCircle. We would recommend that the following additional social media, digital media and apps should be considered as part of this category:

- OurHerd app powered by batyr

<sup>1</sup> Hanckel, B., Collin, P., Ahmed, S. (2021). 'OurHerd: Assessing the outcomes and Pathways to Impact, Sydney: Western Sydney University. [https://cdn.prod.website-files.com/608b63a78e49d2b3debd720/630ea4e6408c44682d0d2d3b\\_OurHerd-App-WSU-Summary-Report-Jan-2022.pdf](https://cdn.prod.website-files.com/608b63a78e49d2b3debd720/630ea4e6408c44682d0d2d3b_OurHerd-App-WSU-Summary-Report-Jan-2022.pdf)

<sup>2</sup> ReachOut. (2024). ReachOut's 2022–23 Social Impact Report, ReachOut Australia, Sydney, 2024. <https://d1robvhmkdqpun.cloudfront.net/116e3981197fc23975f5805826dfea5a.pdf>

<sup>3</sup> Krynska K, Currier D, Andriessen K. (2023). Evaluation of a New Online Program for Children Bereaved by Suicide: The Views of Children, Parents, and Facilitators. Archives of Suicide Research. DOI: 10.1080/13811118.2023.2185559.

<sup>4</sup> SANE Australia. (2024). 2024 Annual Report: Digital support powered by the people of SANE. [https://www.sane.org/images/Annual\\_Reports/SANE-Annual-Report-2024.pdf](https://www.sane.org/images/Annual_Reports/SANE-Annual-Report-2024.pdf)

- SANE online Forums
- Clearly Me
- QLives Youtube Channel
- Beyond Now safety planning app
- Let's Talk Suicide virtual camp

This list is not exhaustive and it is critical that Government engages with the suicide prevention sector in establishing the digital media and apps should be considered as part of this category. Suicide Prevention Australia would be willing to provide assistance with any such engagement.

**Recommendation:** In determining which services have the primary function to support health and education, Government should engage with the suicide prevention sector to ensure that all digital media and apps that help prevent suicide are included in this category.

## Other Services

There are risks involved in using social media. And these risks do not just apply to children and young people. People of all ages can be subject to abuse or scams that can drive a risk of suicide. Addressing those risks requires a careful and evidence-based response that acknowledges the role that the digital world plays in the lives of all Australians, including children and young people. Social media can provide vital connections for many young Australians, allowing them to access mental health resources, peer support networks, and a sense of community. Cutting off access risks exacerbating feelings of loneliness, isolation, and anxiety for young people.

Suicide Prevention Australia runs a quarterly survey of over a thousand Australians that tracks the causes of distress. The February 2025 Community Tracker survey shows that (24%) of young Australians (aged 18-24) reported having experienced elevated distress levels due to social media, self-image, and bullying in the past 12 months.<sup>5</sup> However the survey also showed that (33%) of young Australians reported elevated distress due to social isolation and loneliness. Whilst the reported negative impacts of social media are concerning, this highlights a need for improved efforts in creating psychologically safe digital media platforms.

Research has identified that digital platforms can act as protective factors for wellbeing, with young people crediting online help-seeking with an increase in the sense of control over their help-seeking journey, meeting the needs of those with a preference for self-reliance, or as a gateway for further help-seeking.<sup>6</sup> Further to this, consultations conducted by the National Mental Health Commission (2024) found that digital technologies were reported to have a positive impact on young people including facilitating positive connections, providing a sense of belonging, providing online support and opportunities to explore and understand individual identity.<sup>7</sup>

Suicide Prevention Australia advocates that what is needed are regulations to enforce a **safety by design** approach on all social media platforms that would make all Australians

<sup>5</sup> Suicide Prevention Australia. (2024). Community Tracker - Suicide Prevention Australia. (2025, February). Suicide Prevention Australia. <https://www.suicidepreventionaust.org/community-tracker>

<sup>6</sup> Pretorius, C., Chambers, D., & Coyle, D. (2019). Young people, Online Help-Seeking and Mental Health Difficulties: A Systematic Narrative Review (Preprint). *Journal of Medical Internet Research*, 21(11). <https://doi.org/10.2196/13873>

<sup>7</sup> National Mental Health Commission. (2024). Consultation summary: Digital technologies and youth mental health (May 2024). <https://www.mentalhealthcommission.gov.au/sites/default/files/2024-05/digital-technologies-and-youth-mental-health---2023-consultation-summary.pdf>

safer. The current regulations can be used to help achieve this by requiring **safety by design** as a way for platforms to be excluded from the regulations. This provides an incentive for platforms to take a **safety by design** approach as could be specified by the rules. This would then allow young people to access the benefits of those social media platforms in a safe environment, while also making these platforms safer for all Australians.

Suicide Prevention Australia is concerned that without taking on a **safety by design** approach, the draft Online Safety Rules could also hinder implementation of vital actions outlined in the National Suicide Prevention Strategy (the Strategy). In particular, this would undermine the Strategy's recommendation to "investigate opportunities to use technologies, including artificial intelligence, to identify and respond to emerging distress, including suicidal thoughts, on online platforms via collaboration with technology companies and leveraging relevant international work".<sup>8</sup> Taking a **safety by design** approach could support the recommendations outlined in the Strategy, by focusing on removing harmful suicide-related content from online platforms in order to reduce stigma as well as knowledge of means of suicide within the community.<sup>9</sup>

**Safety by design** puts onus on the technology companies to minimise online threats by anticipating, detecting and eliminating online harms before they occur.<sup>10</sup> Suicide Prevention Australia believes technology companies should be required to ensure that the functionality of the features of a digital service are safe and to create and develop psychologically safe platforms.

**Recommendation:** An additional exemption category be created for social media platforms that can demonstrate a **safety by design** approach that meets the expectations of Australians on a safe online environment.

Below are outlined a number of attributes that should be incorporated in the specifications of a **safety by design** approach based on research and international best practice. However, consultation will be key in ensuring rigorous specifications. Engaging with youth, parents, and the suicide prevention sector are all essential components of ensuring an evidence-base to the underpinning draft Online Safety Rules. We are urging policymakers to reconsider these parameters and to engage meaningfully with experts and young people. The United Nations Convention on the rights of the Child (UNCRC) identifies that when understanding the best interests of children, it is essential to engage them, listen to their views and ensure their views hold due weight.<sup>11</sup> They further identify that dependent on the context, organisations or regulatory bodies should ensure that where individuals cannot be directly consulted, key reputable representatives of children and young people should be involved.<sup>12</sup>

The development of best practice specifications for online safety should be conducted in collaboration with young people and experts in digital safety, mental health, suicide prevention and child protection to ensure that rules are both informed by people with direct experience, and are fit for purpose for the target audience.

<sup>8</sup> National Suicide Prevention Office. (2025). The National Suicide Prevention Strategy 2025-2035.

<sup>9</sup> Ibid.

<sup>10</sup> E-Safety Commissioner. Safety By Design. Accessed at: [Safety by Design | eSafety Commissioner](#)

<sup>11</sup> Reset Australia. (2024). Accountability & safety requirements: A framework for the Australian context. Reset Australia. <https://au.reset.tech/uploads/Accountability-&-Safety-requirements-0424-V2.pdf>

<sup>12</sup> Ibid.

## Content and Risks

Both the European Union (EU) and the United Kingdom (UK) have introduced regulations in recent years which ensure the onus for **safety by design** is on the technology companies, rather than allowing the technology industry to introduce codes. The UK's Online Safety Act (UK OSA), passed in November 2023, imposes duties on platforms to ensure safety by addressing content-related issues, systems design, and transparency. The UK OSA includes obligations for platforms to tackle illegal content, implement child safety measures, and provide transparency in their operations.

In comparison, the EU's Digital Services Act (DSA) focuses on broader systemic risks associated with platform designs and operations, including content moderation and data practices. Platforms are required to conduct risk assessments, implement mitigation measures, and provide transparency reports. The DSA also mandates annual independent audits. While the UK's approach is more balanced, the DSA offers a more extensive framework for regulating online safety. Under the EU's DSA, very large platforms are required to conduct risk assessments which include:

- Illegal content
- Risks towards fundamental rights, such as dignity and privacy and political freedoms
- Risks for civic discourse and electoral processes, and public security
- Risks around gender-based violence, public health, children's wellbeing, and serious negative consequences to people's physical and mental well-being<sup>13</sup>

When looking at risk assessment through an Australian lens, directives could be drawn from the E-safety Commissioner, which suggests that **safety by design** must have the following components to ensure technology companies are responsible for user safety, which include:

- Establishing protocols for engaging with law enforcement, support services, and illegal content hotlines.
- Implementing processes to detect, flag, and remove harmful or illegal content proactively.
- Conducting risk management and impact assessments to identify and address potential harms.
- Implement social contracts during user registration outlining safety responsibilities for all parties.
- Balance security, privacy, and user safety when managing personal data and information.<sup>14</sup>

## Age-appropriate Requirements

Implementing age-appropriate requirements ensures that platforms are specifically designed to protect vulnerable users while still allowing them to engage in positive and educational experiences online. Tailored protections in digital environments must address and reflect that children and young adults have unique developmental needs and vulnerabilities. Age-appropriate safeguards—such as content filtering and privacy settings—are critical in ensuring that digital interactions do not expose young users to harmful content,

<sup>13</sup> European Parliament & Council of the European Union. (2022). Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act). EUR-Lex. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2065>

<sup>14</sup> E-Safety Commissioner. Safety by Design/ Service Provider Responsibility. Accessed at: [Safety by Design | eSafety Commissioner](#)



cyberbullying, or other risks, including those related to suicide. Age-appropriate settings should also consider that phones and technology are often shared between siblings, and children and young people of different ages. These protections must be designed in a way that is in the best interests of young people, in that it supports the emotional, cognitive, and social development of young people whilst continuing to offer them a safe space to learn and connect. Examples of this include EU's DSA act's requirements for age-appropriate transparency measures and age-appropriate considerations in digital service design.<sup>15</sup>

The Information Commissioners Office (ICO) outlines within the *Standards of Age Appropriate Design* that the best interests of a child should be a primary consideration when designing and developing online services likely to be accessed by a child.<sup>16</sup> The Standards draw from the UNCRC that recognise a child's right to privacy and the importance of access to information, association with others, and play in supporting the child's development.<sup>17</sup> In addition, the UNCRC clearly identifies that in determining the best interests of a child, design must recognise the child's right to have a voice in matters that affect them; recognising the essential nature to engage children, listen to their views, and ensure their views hold weight in the decision making process.<sup>18</sup>

In addition, Suicide Prevention Australia argues that these requirements must not be limited to young people. Whilst the needs of young people under the age of 16 must be prioritised, the current draft Online Safety Rules fail to offer any protection to older young people and adults, who are also at risk from social media harm. The implementation of safety protocols should adapt to different age groups, ensuring that all users, regardless of age, are provided with the necessary tools and resources to maintain their well-being in the digital space. As such, the Online Safety Rules would be better positioned to focus on integrating flexible, age-appropriate safety measures that address the distinct needs of children, adolescents, and adults, ensuring that the evolving risks associated with digital use are mitigated across all stages of life.

## Default Privacy & Safety Settings

To ensure consistent and effective protection, all digital products and services must automatically provide the highest level of privacy and safety settings for users under 18 by default, ensuring robust protections against harmful content and interactions. The E-Safety Commissioner highlights that to ensure that potential harms have been evaluated in the design and provision of an online platform or service, service providers should consider privacy by design and user safety considerations.<sup>19</sup> Privacy by design principles recognise that privacy must be the default, and that this should be driven by data collection limitation and data minimisation.<sup>20</sup> In the context of the Online Safety Rules, this should include limiting the visibility of personal information with explicit consent required for any public sharing. In addition, platforms should adopt stringent data minimisation practices, ensuring

<sup>15</sup> National Suicide Prevention Office. (2025). The National Suicide Prevention Strategy 2025-2035.

<sup>16</sup> Information Commissioner's Office. (n.d.). *Age-appropriate design: A code of practice for online services*. ICO. Retrieved March 3, 2025, from <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/age-appropriate-design-a-code-of-practice-for-online-services/standards-of-age-appropriate-design/>

<sup>17</sup> United Nations General Assembly. (1989). Convention on the Rights of the Child. Treaty Series, 1577, 3.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

<sup>18</sup> Information Commissioner's Office. (n.d.). The United Nations Convention on the Rights of the Child. ICO. Retrieved March 3, 2025, from <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/how-to-use-our-guidance-for-standard-one-best-interests-of-the-child/the-united-nations-convention-on-the-rights-of-the-child/>

<sup>19</sup> E-Safety Commissioner. (n.d.). Safety by design. Australian Government. Retrieved March 3, 2025, from <https://www.esafety.gov.au/industry/safety-by-design>

<sup>20</sup> University of California Santa Cruz. (n.d.). *Privacy by design – Foundational principles*. Retrieved March 3, 2025, from <https://privacy.ucsc.edu/resources/privacy-by-design---foundational-principles.pdf>

that only essential data is collected from young users. Personal data, such as location information, usage patterns, and sensitive personal identifiers, should not be harvested for marketing, advertising, or data profiling purposes.

Young users and their guardians should also be fully informed about how their data will be used and the implications of sharing personal information online. Consultations with young people conducted by the E-Safety Commission highlighted that ensuring the technology industry provides clear rules and guidance that is easy to read and highly visible is a priority.<sup>21</sup> Platforms should implement clear, easily understandable privacy policies and consent forms, with a focus on explaining how data may be utilised for features such as content recommendations, targeted ads, or social interactions. Users should have the right to access, modify, or delete their data at any time, with clear processes for doing so.

The EU DSA has a number of rules for online platforms reflecting these recommendations, including:

- Holding online platforms accountable to ensuring a high level of privacy, safety and security for minors; including designing their services with age-appropriate measures (Article 38)
- Providing clear and accessible terms of service and age-appropriate transparency measures (Article 39 & 40)
- Taking targeted measures to protect the rights of the child, including age verification and parental control tools, and tools aimed at helping minors signal abuse or obtain support (Article 35)<sup>22</sup>

By embedding these safety measures into the design of digital services, there is an opportunity to reduce exposure to harmful content and potential for distress, while preserving the benefits of a connected, educational, and supportive online environment.

## Enforcement

Services that fail to comply with the established rules, for example allowing people under the age of 16 to access or utilise apps that are not exempt, or by neglecting to implement appropriate safeguards, should be subject to clear and enforceable consequences. For instance, under the EU's DSA, the EU can issue penalties of up to 6% of global annual turnover for failures to effectively mitigate risks, or fines of up to 1% of global annual turnover for supplying incorrect, incomplete or misleading information as part of meeting transparency obligations.<sup>23</sup> Furthermore, non-compliant platforms should be required to demonstrate clear and corrective actions to meet the regulatory standards, including updated privacy protocols, age verification systems, and content moderation tools. The goal of these penalties should be to ensure that the safety and well-being of young users are prioritised, and to hold platforms accountable for their role in upholding these critical protections.

Ofcom, the UK media regulator, is empowered to enforce the Act, issue codes and guidance, and ensure platforms conduct risk assessments and mitigation measures. Failure to comply can lead to severe fines and even shutdowns for significant breaches. Under the EU DSA, non-compliance can result in fines of up to 6% of global turnover, with the potential for service closure in extreme cases.

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Reset Australia. (2024). Accountability & safety requirements: A framework for the Australian context. Reset Australia. <https://au.reset.tech/uploads/Accountability-&-Safety-requirements-0424-V2.pdf>



## Conclusion

Suicide Prevention Australia supports the Australian Government's aim to make a safer online environment and to implement regulations to achieve this. However, an approach focussed solely on young people, and using complete bans on social media, risks unintended consequences. This approach is problematic both because it risks cutting young people off from the potential wellbeing benefits of social media, and because it is a missed opportunity to make social media safer for all Australians. An approach that focussed on ensuring **safety by design** would avoid these problems.

The current regulatory approach does not embed a **safety by design** approach. However, it can be used to move towards this. The proposed exemption for services focussed on health and education will help ensure that young people are not cut off from some of the benefits of online interactive technology. However, there are further benefits that mainstream social media services could provide if made into safe online environments. To ensure young people can access these benefits there should be a further exemption category for social media services that can demonstrate a **safety by design** approach. In addition, this would benefit all Australians, as social media services who embedded **safety by design** principles in order to be able to have young people as service users, would then also be providing a safer service to all.

## Acknowledgements Statement

Suicide Prevention Australia acknowledges the unique and important understanding provided by people with lived and living experience. This knowledge and insight is critical in all aspects of suicide prevention policy, practice and research. Previous advice provided by individuals with lived experience helped guide the analysis and recommendations outlined in this submission.

As the national peak body for suicide prevention, our members are central to all that we do. Advice from our members, including the largest and many of the smallest organisations working in suicide prevention, as well as practitioners, researchers and community leaders is key to the development of our policy positions. Suicide Prevention Australia thanks all involved in the development of this submission.

**If you or someone you know require 24/7 crisis support, please contact:**

**Lifeline: 13 11 14**

[www.lifeline.org.au](http://www.lifeline.org.au)

**Suicide Call Back Service: 1300 659 467**

[www.suicidecallbackservice.org.au](http://www.suicidecallbackservice.org.au)

**For general enquiries**

02 9262 1130 | [policy@suicidepreventionaust.org](mailto:policy@suicidepreventionaust.org) | [www.suicidepreventionaust.org](http://www.suicidepreventionaust.org)