



SUBMISSION

Online Safety Amendment (Strengthening Enforcement for the Social Media Minimum Age) Bill 2026

Date: 24 July 2026

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**DEMOCRACY
COUNTS**

POWERED BY MCKINNON



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24 July 2026

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

ec.sen@aph.gov.au

Dear Sir or Madam,

The Democracy Counts campaign notes that on 1 July 2026, the Online Safety Amendment (Strengthening Enforcement for the Social Media Minimum Age) Bill 2026 was referred to the Senate Standing Committees on Environment and Communications for review.

We thank the Committee for this opportunity to provide input into its review of this legislation. Please accept this document as a public submission.

Yours sincerely,

TOM MOONEY
Executive Director and Campaign Director
Democracy Counts Campaign



About Democracy Counts

Democracy Counts is a growing alliance of organisations, civic leaders and Australians who care about protecting Australia's democracy. It is powered by McKinnon, an independent, non-partisan, not-for-profit organisation.

McKinnon was established in 2015 by Dr Sophie Oh and Mr Grant Rule. Its mission is to empower better governments for a stronger Australia. As a truly independent, non-partisan, not-for-profit organisation, McKinnon believes that real change is possible - but only if we take a long-term view in facilitating the development of political leadership, increasing public sector productivity, creating a thriving democracy and accelerating policy innovation.

Democracy Counts is campaigning on common-sense, practical, reforms across six priority areas:

1. Civics education and media/digital literacy;
2. Increasing investment into public interest journalism;
3. Regulating social media;
4. Lobbying reform;
5. Electoral funding reform; and
6. Ensuring an impartial and independent public service.

The Democracy Counts campaign seeks to support civil society organisations, practitioners, academics and policy makers already active in the democracy 'ecosystem'.

Democracy Counts exists to build public consensus, political pressure and space for the adoption of reforms that renew Australia's democracy by:

- building and supporting an alliance of organisations and Australians who care about Australia's democracy.
- leading public debate and harnessing appetite for the rules around politics and media to be renewed to ensure Australians remain in charge of the decisions that affect them.
- building internal policy capability, and establishing a Policy Council to develop and build consensus around strategic and implementable policy reforms that will help address the challenges our democracy is facing.

In so doing, Democracy Counts presents policymakers with policy options that are evidence-based, strategic and implementable.

A group of more than 40 Democracy Counts campaign partners, plus a further 20 individuals and organisations recognized for their work and expertise in the regulation of social media, (including: Digital Rights Watch, the Alannah & Madeline Foundation, Teach Us Consent) have been consulted in drafting this submission.

Online Safety Amendment (Strengthening Enforcement for the Social Media Minimum Age) Bill 2026

Democracy Counts notes the key features of this bill are:

- Under the planned changes, maximum penalties for digital and social media companies that fail to prevent under-16s from accessing their platforms will double from \$49.5 million to \$99 million.
- The eSafety Commissioner will receive strengthened powers to force companies to provide evidence of what they have done to stop young people from getting an account on their platforms.



- Third parties, including those providing age verification technology to platforms, will also be compelled to provide information to the e-Safety Commissioner.

In her recent comments at the National Press Club in Canberra, Squiz Media founder and managing director Claire Kimball described the Under-16's ban as “the fence around the swimming pool” which must be complemented with “swimming lessons (tools to help children navigate social media more safely)”.

While Democracy Counts welcomes efforts by the Government to protect children from harms when online, we urge policymakers not to neglect policies to help address the broader impact of social media on Australians and our way of life, and to educate and equip younger Australians to navigate this modern information environment.

Policy context

The Democracy Counts campaign intends to establish a Policy Council to develop and build consensus around strategic and implementable policy recommendations, including in relation to Social Media regulation.

Given the timing of this legislative review, this submission highlights a range of policy options that are being discussed by experts in the online regulatory ‘space’.

A long-term, decade long policy vision is needed to both redress current harms, but also safeguard from future digital threats, that extends across three key areas:

1. **Enhancing online safety, security and wellbeing laws.** When it comes to the specific harms of social media platforms and early AI platforms, the outcomes for end-users were either not regulated widely, or in Australia regulated narrowly for example for child-bullying and pro-terror content. One approach would be to move global regulation away from specific content focuses, into systemic focuses on the risks posed by digital platforms. This preventative risk-based focus should be tech agnostic, and grounded in a holistic concern for the human rights of end-users. In concrete terms, this could mean an overarching duty of care, with requirements for enforceable comprehensive risk assessments for all platform systems and reasonable steps for risk mitigations.
2. **Enhancing competition laws.** Many of the practices of current platforms and providers risk being anti-consumer (data patterns etc) and monopolistic or duopolistic. While there have been limited attempts to grapple with this in a sector specific way (e.g. the News Media Bargaining Code), an option for governments is to consider new frameworks for competition.
3. **Enhancing privacy laws.** Part of both remedying the individual privacy harms currently occurring and ensuring that ‘next gen’ technology is not able to hyperscale in a privacy vacuum rests on our ability to rapidly update and future proof privacy and data protections. Governments should consider moving away from consent-based models, ex-post enforcement and general permissiveness.

All of these areas of will need to be underpinned by:

- **Enhanced transparency.** Without transparency for regulators, and the public, none of the policy areas can be meaningfully enacted. Regulators need strong evidence gathering powers, resourcing to understand evidence, and the support of a civil society also capable of interrogating the system (via, for example, researcher access).



- **Enhanced accountability.** Fines should be proportionate to global revenue, and backed by potentially stronger powers such as criminal convictions or ‘turn off’ notices. In this regard, doubling of penalties is a positive move.

Community attitudes towards social media regulation

McKinnon’s *The State of Australian Democracy* report

McKinnon’s *The State of Australian Democracy* report was released in March 2026 and aims to understand how Australians think about the threats and opportunities for Australian democracy. The research presented in the report:

- examined public perceptions of democracy in Australia, including democratic institutions, systems, actors, and norms; and
- covered a number of topics that may be of interest to this inquiry, including in relation to social media.

A key finding from the report was that only 13% of Australians think people should be able to say and share whatever they want online, with no limitations.

Our research also found that:

- 67% of Australians support the government establishing an agency that has the power to track and remove disinformation campaigns, including foreign interference, from social media platforms, and only 12% oppose.
- 64% of Australians support imposing a tax on large social media companies to fund public interest journalism and re-establish local media, and only 10% oppose.

McKinnon is undertaking further research to understand Australians’ concerns about the impacts of social media and attitudes to policy responses, and we stand ready can provide further information to Senators upon request.

Policy Options for addressing harms caused by social media

In 2026, international policy discussion around preventing harms to social media users is mainly centred around the following policy options that address risks of polarisation, extremist ideologies, corrupted information architecture, informational warfare, and democratic deficit. Possible policy interventions include:

- Reset algorithm rights;
- Require a higher standard in content moderation;
 - Penalise those companies that don’t remove extremist content;
 - Require onshoring of content moderators (and executives with operational authority, and business assets);
- Mitigate content recommender systems that promote extremist views;
- Mitigate content monetisation programs that fund extremists;
- Guardrails on chatbots and Gen AI creating extremist content;
- Stronger requirements for advertising systems to prevent scam ads; and
- Prohibitions on, or opt outs for, micro targeting ads.

Democracy Counts looks forward to sharing with government a detailed policy paper including specific social media regulatory reform options.



New Media and Civics

Since 2023, McKinnon has undertaken exploratory research and engagement focused on strengthening young people's civic participation, with the aim of ensuring younger generations are well informed and active in our democracy and communities.

McKinnon has supported research that aims to measure the levels of online misinformation in Australia, and identify ways to address this. We are focussed on addressing the harms caused by misinformation, such as its impacts on polarisation, social cohesion, and public interest journalism.

A core contributor to a strong democracy is investment in civics education that will equip students with the knowledge and skills necessary to support their current and future civic participation. This goes beyond a general understanding of civics education as incorporating civic knowledge, skills, and attitudes, to proven practices for high-quality civics education, including:

1. Classroom instruction in civics, government, history, law, economics and geography
2. Discussion of current events
3. Service learning
4. Extra-curricular activities
5. Student participation in school governance
6. Simulations of democratic processes and procedures
7. News media literacy
8. Action civics
9. Social-emotional learning
10. School climate reform

High-quality civics education needs to go beyond building civic knowledge through traditional classroom-based instruction, to teaching students what civic participation looks like in practice and how citizens can engage in their communities through interactive participation and engagement.

There is also a need to ensure Australian civics education is fit for the 21st century in the context of a changed democratic environment including technological advancements (i.e. social media and Artificial Intelligence), increasing political and social polarisation, and the declining role of traditional media.

There is strong public support for civics education: McKinnon's *The State of Australian Democracy* report noted that 85% of Australians want more civics education.

Review mechanism

Significant reforms generally benefit from review following their implementation, as reviews can consider issues such as whether the reforms are operating as intended, whether there are unintended consequences, and whether the reforms require amendments to ensure that they are fit-for-purpose.



Recommendations

1. That the Government ensure that the Independent Regulator has strong evidence gathering powers, resourcing to understand evidence, and the support of a civil society also capable of interrogating the system (via, for example, researcher access).
2. That changes to the regime to prevent social media access by Under-16's is linked to continued investigations into interventions regarding the distribution of misleading information and truth in political advertising.
3. That changes to the regime to prevent social media access by Under-16's is linked to investigating how best to bolster the level of civics and digital media literacy, to equip students with the knowledge and skills necessary to support their current and future civic participation.
4. That the Government take note of measures being considered in other jurisdictions that should help social media users (irrespective of age) deal with the harms of social media, including addiction. These include measures to force changes to the way items appear in a user's feed (by reverse chronological order rather than by algorithmic led micro-targeting).
5. The statutory review of the Online Safety Act (Rickard, 2025) has recommended a singular duty of care encompassing safety by design principles, risk assessment, and risk mitigation, requiring systems-based approaches to address the scale of online harm (we note the government is progressing the Digital Duty of Care). In that context, the review also suggested that a licensing regime would be appropriate and identified measures to tie platforms to the jurisdiction. We recommend that the government continue to investigate a duty of care, including a licensing system to ensure it is enforceable, rather than merely a "signal".
6. That the Government consider an appropriate review mechanism to review the implementation of the reforms in the Bill.