Australia's Digital Duty of Care Senate Inquiry

Teach Us Consent's Submission to the Online Safety Amendment (Digital Duty of Care) Bill 2026 Inquiry

October 2026

TEACH US
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Acknowledgement of Country

Teach Us Consent acknowledges the Aboriginal and Torres Strait Islander Peoples as the First Peoples and Traditional Custodians of the lands on which we work, and pays respect to their continuing connection to land, waters and culture, cared for over more than 60,000 years.

We acknowledge the systemic violence, including sexual violence, that First Peoples have faced and continue to endure as a direct result of colonisation, and recognise that this history shapes the safety challenges we work to address today.

We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and to their stories, traditions and living cultures. We commit to walking alongside First Nations Peoples in building a brighter future, free from violence.

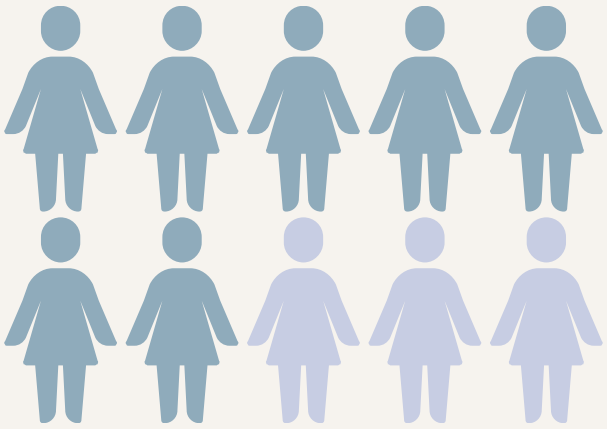


23 minutes

It takes just 23 minutes for a social media account mimicking a 16-18 year old boy to be fed misogynistic content, regardless of the account's viewing preferences.

73% of Gen Z social-media users have misogynistic content online, with 70% saying they believe misogynistic language and content are increasing. This rises to 80% for women.

73%



Recent polling from Teach Us Consent finds that regardless of political views, the vast majority (78%) of Australians think social media users should have full control over what they see online. This represents over 7 in every 10 people.

The Adolescent Man Box Report (2025) found that boys who strongly support restrictive ideas about "being a man" are more likely to cause harm to themselves and others.

The Movember (2025) Report on Young Men in the Digital World found that 38% of the men engaging with masculinities influencers follow their advice. These young men were also significantly more likely to use performance-enhancing or body modifying substances including steroids, nootropics or supplements, and diet pills

Introduction

Teach Us Consent welcomes the opportunity to make a submission to the Inquiry into the Online Safety Act Amendment (Digital Duty of Care) Bill 2026.

Our organisation, and the gender-based violence prevention sector at large, recognises the immense value of a digital duty of care. This legislation would shift the onus onto platforms to be responsible for the online spaces they create and, for the first time, give people a meaningful choice over what they see online.

We note there are aspects of the legislation that could be improved to create a safer environment for people online, especially young Australians. Teach Us Consent supports the Digital Duty of Care Bill, and specifically acknowledges improvements from the Exposure Draft to:

- include gender-based violence and image-based abuse in the list of “seriously harmful material or conduct",
- specify that material or conduct that encourages hostility towards women or gender equality is harmful to children,
- remove the discretionary ministerial power to designate additional harmful material; and
- remove the requirement that compels the eSafety Commissioner to apply for an additional removal notice for a piece of content 6-months after their initial application was granted.

Teach Us Consent proposes recommendations for stronger enforceability of the Digital Duty of Care. We refer to our separate submission on the draft user empowerment tool determination, mandating tech companies to seek a person’s affirmative and informed consent to use an algorithmically driven feed.

Our submission is informed by our direct work with young people and children aged 13-25 through mass digital consent education, youth-focused research and our Youth Advisory Group(s). In addition to youth engagement, a robust evidence base, ongoing sector consultation, including with tech and social media companies, and Teach Us Consent’s Expert Advisory Board contributes to our knowledge base immensely. Collectively, this shapes the policies we call for.

This submission is grounded in the context of the distinct and worsening trajectory of sexual violence in Australia, and an understanding that social media platform design has contributed to this.

About Teach Us Consent

Teach Us Consent Global Limited is a youth-led, registered Australian charity committed to pioneering consent education and systems-changing policies so people can foster healthy relationships and prevent normalised sexual violence, particularly among young people.

In 2025, Teach Us Consent launched the Fix Our Feeds campaign, calling on the Australian Government to require social media platforms to offer an opt-in model for algorithmic feeds, bringing the principle of affirmative and informed consent to people's online experiences. The campaign has drawn over 15,000 signatories to date and has attracted broad cross-sector support, including from public health experts, gender-based violence researchers, men and masculinities experts, prominent world leaders and, importantly, young people.

Teach Us Consent continues to advocate for legislative, policy and cultural change alongside mass digital education, with the goal of eradicating normalised sexual violence.

Support for the Bill

The Digital Duty of Care Bill proposes a range of reforms that ultimately require tech platforms to ensure a safe online environment for Australians. Teach Us Consent supports the broad intent of this Bill and specifically acknowledges improvements from the exposure draft to:

- **Include gender-based violence and image-based abuse in the definition of "seriously harmful material or conduct" (25D).** Explicitly naming "gender-based violence and image-based abuse" classifies this material and conduct as a systemic risk to safety that providers must address.
- **Specify that material or conduct that encourages hostility towards women or gender equality is harmful to children (25E).** This specification is crucial as it acknowledges how harmful it is to expose children to content or behaviours that are hostile toward women or the goal of gender equality.
- **Remove discretionary ministerial power to designate additional harmful material**. Teach Us Consent supports removing these powers to prevent changes that would alter the protections unnecessarily, or for political gain.
- **Remove the requirement that compels the eSafety Commissioner to apply for an additional removal notice for a piece of content 6-months after their initial application was granted.** This change will assist the Commissioner to act on reposted material without a fresh complaint, even if it reappears on a different platform or is posted by a different person.

Recommendations

Teach Us Consent refers to our submission to the draft user empowerment tool determination, which outlines our recommendations to ensure an opt-in model that proactively prompts people to choose an algorithm-driven feed or a following feed. The effectiveness of the Digital Duty of Care will depend on its enforcement. Allowing those who suffer harm to hold social media companies to account through a private right of action and a clear path to redress through, for example, an ombuds scheme are stronger mechanisms than a regulator alone imposing fines.

Public support in Australia for stronger accountability mechanisms is significant, and well ahead of what is currently proposed. Polling commissioned by The Australia Institute and conducted by YouGov in September 2026 found that 93% of Australians believe online platforms should be legally required to provide a safe online environment, 83% believe companies that facilitate illegal or dangerous content should be fined, and half believe executives of offending companies should face prison time in addition to a fine.



1. **Establish a private right of action**

A private right of action would legally empower consumers to seek redress for harms caused by online platforms, and act as a compliance incentive for tech companies. Recently in the US, we've seen how a private right of action can positively create systemic change in how platforms function and what they offer to users. In August 2026, 29 US states took Meta to trial over allegations that it intentionally designed Instagram and Facebook to be addictive. This resulted in a USD$18 billion settlement and a commitment to address these features for under-18s. Infinite scroll, autoplay, recommendation systems, notifications and other addictive features aren't neutral - they are deliberate product design features. In the instance that these products continue to be unsafe, companies responsible for these products should be made liable.

A private right of action would function differently in Australia due to the nature of our adverse costs ("loser pays") rule. For this reason, giving Australians the opportunity to enforce this right directly is not expected to create an unnecessary burden on the courts. It would, however, allow those who suffer harm to hold social media companies to account.

Teach Us Consent supports a private right of action and the establishment of an ombuds scheme to give individuals harmed by a breach of the Digital Duty of Care clear and direct paths to redress.

2. **Make penalties for non-compliance a percentage of a company's global revenue**

Companies captured by this legislation that do not comply should be subject to stronger maximum penalties, as a percentage of the company's global revenue. The Bill proposes that companies will face up to $109 million in penalties for non-compliance. Tech companies have astronomically high profits and very large profit margins, meaning the incentive to comply is not as strong as a penalty that deducts global revenue. A fine with an established quantity would also affect tech companies differently, whereby those with lower profits would be more likely to comply with the Digital Duty of Care, and those with higher profits may be less motivated to comply in good faith. The EU is considering fines up to 6% of a company's global revenue, New Zealand is proposing up to 10%, and Canada is proposing fines of up to 3%. Introducing a fine as a percentage of global revenue would therefore bring Australia in line with other democratic nations.

Conclusion

Teach Us Consent supports the Digital Duty of Care Bill as a first step in making tech platforms accountable for creating safe online environments for Australians. The effectiveness of the Digital Duty of Care will come down to enforcement. Giving Australians the ability to personally sue tech companies, and a clear path to redress through an ombuds scheme, are stronger mechanisms than a regulator alone imposing fines.

Australia is world-leading on online safety, and we were the first in the world to begin regulating the online sphere. Getting these reforms right would let that momentum continue and set a global standard.


BICYCLES
THE CLOWN BRIDE


culture



