



AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

Bishops Commission for Life, Family and Public Engagement

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Director – Strategy and Research
Online Safety, Media and Platforms Division
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
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Dear Sir/Madam

Statutory Review of the Online Safety Act 2021

This submission from the Australian Catholic Bishops Conference is made to contribute to the Statutory Review of the Online Safety Act 2021 (**the Act**). This submission can be made public.

The Australian Catholic Bishops Conference is a permanent institution of the Catholic Church in Australia and the instrumentality used by the Australian Catholic Bishops to act nationally and address issues of national significance.

The Bishops Commission for Life, Family and Public Engagement (**the Commission**) is one of several commissions established by the Conference to address important issues both within the Church and in the broader Australian community. The Commission has responsibility for commenting on online safety.

Over five million Australians identify as Catholic¹, while more than half of all Australians profess a religious faith.² More than 417,300 Catholics worship every weekend in any of the 1,384 Catholic parishes across Australia.³

The Catholic Church and its agencies contribute in various ways across the spectrum of Australian society. As an integral part of its core mission, the Church seeks to assist people to experience the fullness of life. The Conference seeks to participate in public debate by making reasoned arguments that can be considered by all people of goodwill.

It is critical to confront the various dangers that vulnerable Australians may encounter online. This review must prioritise the measures necessary to safeguard children from the well-documented harms that exist online, such as pornography, grooming, exposure to violent content, abuse, threats, or cyberbullying.

¹ National Centre for Pastoral Research, 2023, *Social Profile of the Catholic Community in Australia*. <https://ncpr.catholic.org.au/wp-content/uploads/2023/04/2021-Social-Profile-of-the-Catholic-Community-in-Australia-R.pdf>

² Australian Bureau of Statistics 2022, *Religious Affiliation in Australia*. <https://www.abs.gov.au/articles/religious-affiliation-australia>

³ National Centre for Pastoral Research (2024), *The Australian Catholic Mass Attendance Report 2021*; Australian Catholic Bishops Conference (2023), *The Official Directory of the Catholic Church in Australia 2023-24*, St Paul's Publications: Strathfield, NSW.

The Act should enable an effective response to the multiple sources of online harm including policies that empower parents to take primary responsibility for the safety and needs of their children, regulation of online platforms by introducing a legally enforceable duty of care and an age verification system for any access to pornography.

Although there are a range of online harms that can negatively impact a broad spectrum of vulnerable people, the fact that children can access online pornography is a significant concern. Online pornography is easily accessible and can cause substantial harm to children and the wider community.

This submission will focus on the impact of online pornography on the health and well-being of children and how this can be addressed by improvements to the Act. As a result, this submission will have the most applicable responses to **Questions 11 and 12** of the Review's issues paper.

Children's ease of access to online pornography

A recent study conducted by the Australian Centre to Counter Child Exploitation (ACCCE) has found that more than 87 per cent of children between the ages of four and seven are accessing the Internet.⁴ Around 16 per cent of these very young children are doing so without any parental supervision.

According to one recent study, it was found that the average age of initial exposure to pornography among children was 13.2 years for males and 14.1 years for females.⁵ A background paper released in 2023 by the eSafety Commissioner found that 75 per cent of children aged 16–18 have seen online pornography and that one-third of Australian children were exposed before the age of thirteen.⁶ The report also revealed that 35 per cent of children who have encountered pornography were able to access it on social media.⁷

Children do not need to actively search for explicit content to be exposed.⁸ According to parents surveyed by a 2019 eSafety Commissioner's report, 40 per cent recorded that their children have accessed pornographic content accidentally, and 21 per cent had children who were sent the material by someone

⁴ Australian Centre to Counter Child Exploitation (February, 2020), 'Online Child Sexual Exploitation: Understanding Community Awareness, Perceptions, Attitudes And Preventative Behaviours', https://www.accce.gov.au/sites/default/files/2021-02/ACCCE_Research-Report_OCE.pdf

⁵ M. Crabbe, M. Flood, K. Adams (March 2024), 'Pornography exposure and access among young Australians: a cross-sectional study'. *Aust NZ J Public Health*.11:100135.

⁶ eSafety Commissioner, (August 2023), 'Roadmap for age verification and complementary measures to prevent and mitigate harms to children from online pornography', <https://www.esafety.gov.au/sites/default/files/2023-08/Age-verification-background-report.pdf?v=1718260589101>

⁷ eSafety Commissioner, (August 2023), 'Roadmap for age verification and complementary measures to prevent and mitigate harms to children from online pornography', <https://www.esafety.gov.au/sites/default/files/2023-08/Age-verification-background-report.pdf?v=1718260589101>

⁸ *5Rights Foundation* (2021), 'Pathways: How digital design puts children at risk', <https://5rightsfoundation.com/uploads/Pathways-how-digital-design-puts-children-at-risk.pdf>

they knew.⁹ Another study from the United Kingdom conducted in 2016 concluded that “Children were as likely to stumble across pornography as to search for it online”.¹⁰

The impact of pornography on children and the community

There is clear evidence of the harm that can be inflicted on children from exposure to pornography. Pornography use has been found to be related to lower mental well-being,¹¹ developing negative body image and sexual self-perceptions,¹² were more likely to develop poor relationship skills¹³ and were more likely to have engaged in risky sexual behaviour.¹⁴ Research conducted over the last several decades has highlighted the impact that easily accessible online pornography has on the mental health and well-being of girls and young women, linking online pornography consumption with eating disorders, depression and low self-esteem in women.¹⁵

These facts alone present a strong case for the Australian Government to act to protect children from harm. However, since pornography can have such a critical impact on the behaviour of a regular user, shaping young people’s beliefs and expectations around sex and relationships, frequent consumption of pornography has been correlated with harmful sexual behaviours.

Research findings indicate a strong correlation between exposure to explicit content online and the adoption of negative attitudes and behaviours towards women. In one study, women who experienced intimate partner sexual violence reported high pornography use in their partners.¹⁶ Women and girls have

⁹ eSafety Commissioner (2018), ‘Parenting and Pornography: Findings from Australia, New Zealand and the United Kingdom’, <https://www.esafety.gov.au/sites/default/files/2019-09/summary-report-parenting-and-pornography.pdf>

¹⁰ E. Martellozzo, A. Monaghan, J. Adler, R. Leyva, J. Davidson, M. Horvath (2016). ‘...I wasn’t sure it was normal to watch it...’ A quantitative and qualitative examination of the impact of online pornography on the values, attitudes, beliefs and behaviours of children and young people.’ *National Society for the Prevention of Cruelty to Children*, <https://dera.ioe.ac.uk/id/eprint/27973/1/MDX%20NSPCC%20OCC%20pornography%20report%20June%202016.pdf>

¹¹ C. Camilleri, J.T. Perry, S. Sammut, (2021). Compulsive internet pornography use and mental health: A cross-sectional study in a sample of university students in the united states. *Frontiers in Psychology*, 11,

¹² S.M. Doornwaard, D.S. Bickham, M. Rich, I. Vanwesenbeeck, R.J. van den Eijnden, R. J., T.F. ter Bogt, (2014). Sex-related online behaviors and adolescents' body and sexual self-perceptions. *Pediatrics*, 134(6), 1103–1110.

¹³ C. Huntington, B. Willoughby, G. Rhoades, (2022). Associations of Adolescents’ Pornography Viewing with their Romantic Relationship Skills and Behaviors. *The Journal of Sex Research*, 61(1), 80–91.

¹⁴ D. K. Braun-Courville, M. Rojas (2009), ‘Exposure to Sexually Explicit Web Sites and Adolescent Sexual Attitudes and Behaviors’, *Journal of Adolescent Health*, 45(2), 156-162; P. J. Wright, D. Herbenick, R. S. Tokunaga (2021). Pornography Consumption and Sexual Choking: An Evaluation of Theoretical Mechanisms. *Health Communication*, 38(6), 1099–1110.

¹⁵ G. Paslakis, C. Chiclana Actis, G. Mestre-Bach (2022), ‘Associations between pornography exposure, body image and sexual body image: A systematic review.’ *Journal of Health Psychology*. 27(3):743-760. *British Board of Film Classification* (January 2020), ‘Young people, Pornography & Age-verification’, <https://www.revealingreality.co.uk/wp-content/uploads/2020/01/BBFC-Young-people-and-pornography-Final-report-2401.pdf>

¹⁶ L. Tarzia, M. Tyler (2021). Recognizing Connections Between Intimate Partner Sexual Violence and Pornography. *Violence Against Women*, 27(14), 2687-2708. <https://doi.org/10.1177/1077801220971352>

also reported that their partners' consumption of pornography has led to them feeling pressured to engage in sexual acts that made them uncomfortable.¹⁷

Adolescents, in particular, who have seen pornography are also more likely to have engaged in sexually aggressive behaviour,¹⁸ regard women as sex objects¹⁹ and show greater tolerance of sexual violence towards women.²⁰ In an interview with ABC News in 2016, the then-head of the Childhood Foundation, Joe Tucci, claimed that in cases of problematic sexual behaviours among children, "pornography is a factor in 100 per cent of the cases we see, whereas it used to just account for a small portion of cases 10 years ago."²¹

The *National Plan to Address Violence Against Women and Children* likewise highlights the detrimental effect of pornography on women's safety, characterising it as "both prevalent and pervasive, perpetuating sexist, misogynistic and degrading views about women" and as a "serious concern in addressing the drivers of violence against women and children".²²

Additionally, the continued mistreatment of women within the pornographic industry,²³ the prevalence of revenge porn²⁴ and the emergence of AI-generated deepfakes²⁵ discredit the claim that the pornography that is readily available online is the product of 'fun between consenting adults'.

As a result, it is critical to consider all types of pornography among categories of material that constitute harm to children. In response to **Question 11**, although violent pornography is particularly harmful, all online pornography is harmful to children and the Commissioner should have powers to protect adolescents from its easy accessibility.

¹⁷ A. Quadara, A. El-Murr, J. Latham (2017). 'The effects of pornography on children and young people: An evidence scan'. Melbourne: *Australian Institute of Family Studies*.

¹⁸ E. A. Waterman, R. Wesche, G. Morris, K.M. Edwards, & V.L. Banyard (2022). 'Prospective Associations Between Pornography Viewing and Sexual Aggression Among Adolescents'. *Journal of research on adolescence*, 32(4), 1612–1625.

¹⁹ A. Quadara, A. El-Murr, J. Latham (2017). 'The effects of pornography on children and young people: An evidence scan'. Melbourne: *Australian Institute of Family Studies*.

²⁰ L.M. Ward (March 2016), 'Media and Sexualization: State of Empirical Research, 1995-2015'. *J Sex Res.* 2016 May-Jun;53(4-5):560-77..

²¹ Antoinette Lattouf (3 Sep 2016), 'Sexual assault among young people is on the rise. But why?', *ABC News*, <https://www.abc.net.au/news/2016-09-03/sexual-assault-among-young-people-is-on-the-rise.-but-why/7810866>

²² *Department of Social Services*, 'National Plan to End Violence against Women and Children 2022-2032', https://www.dss.gov.au/sites/default/files/documents/12_2023/national-plan-executive-summary.pdf

²³ M. Donevan (2021) "'In This Industry, You're No Longer Human": An Exploratory Study of Women's Experiences in Pornography Production in Sweden," *Dignity: A Journal of Analysis of Exploitation and Violence*: 6 (3) (1).

²⁴ A. Murça, O. Cunha, T.C. Almeida, (2023). Prevalence and Impact of Revenge Pornography on a Sample of Portuguese Women. *Sexuality & culture*, 1–17.

²⁵ Arwa Mahadwi (2 April 2023), 'Nonconsensual deepfake porn is an emergency that is ruining lives', *The Guardian*, <https://www.theguardian.com/commentisfree/2023/apr/01/ai-deepfake-porn-fake-images>

Responding to online harm

Given that children can be easily exposed to harmful pornographic content when online, there are three critical areas where the Government should amend the Act to improve protections for children using the Internet.

Empowering and educating parents

Parents have the primary responsibility in the raising of their children. As a result, a priority for Government intervention should be to equip parents to protect their children's online safety.

Parents may be dangerously unaware of how likely and easy it is for their children to access harmful online content. Although the vast majority of Australian children have encountered online pornography, research conducted by the eSafety Commissioner in 2019 found that less than a quarter of all parents thought that their children had, or were very likely to have, been exposed.²⁶ A similar report released in 2022 found that parents were more unlikely to be aware of their child's exposure to online sexual material than other harmful online content topics such as drug taking or self-harm.²⁷ This highlights the specific difficulty online pornography creates for parents trying to ensure their child's safety.

Parents must receive proper education and information in order to fully comprehend the potential risks when their child accesses the Internet. Parents would find it beneficial to have resources that help them discuss how to use the Internet with their children, implement effective parental control mechanisms and help when their child encounters something harmful.²⁸

In response to **Question 16** of the Review, although these high-quality resources exist, including through the eSafety Commissioner, given the continued unfamiliarity of parents with the likelihood of their children's access to harmful online content, such as pornography,²⁹ more must be done to advertise these resources. This can be improved through further funding, cooperation with schools to include parents in children's online safety training and an effective advertising plan. Additionally, and in response to **Question 9**, better pathways can be developed to help parents navigate eSafety's reporting mechanisms, which are currently underutilised.

Merits of age verification

It is widely recognised that exposing children to pornography is a form of abuse. It is crucial to prioritise the well-being of children and protect them from exposure to sexualised images that could hinder their

²⁶ eSafety Commissioner (2018), 'Parenting and Pornography: Findings from Australia, New Zealand and the United Kingdom', <https://www.esafety.gov.au/sites/default/files/2019-09/summary-report-parenting-and-pornography.pdf>

²⁷ eSafety Commissioner (2022), 'Mind the Gap: Parental Awareness of Children's Exposure to Risks Online', <https://www.esafety.gov.au/sites/default/files/2022-02/Mind%20the%20Gap%20-%20Parental%20awareness%20of%20children%27s%20exposure%20to%20risks%20online%20-%20FINAL.pdf>

²⁸ Social Research Centre (2022), The 2022 National Online Safety Survey – summary report, <https://www.infrastructure.gov.au/sites/default/files/documents/national-online-safety-survey-2022-wcag-accessible-report-25july2022-final.pdf>

²⁹ eSafety Commissioner (2022), 'Mind the Gap: Parental Awareness of Children's Exposure to Risks Online', <https://www.esafety.gov.au/sites/default/files/2022-02/Mind%20the%20Gap%20-%20Parental%20awareness%20of%20children%27s%20exposure%20to%20risks%20online%20-%20FINAL.pdf>

healthy development. In response to **Question 12** of the Review, the implementation of an online age-verification system that would require proof of age before access to online pornography, similar to those in law in the United Kingdom and Europe, is the most worthwhile intervention that the Australian Government could make for the protection and safety of our most vulnerable people.

The final report of the recent House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into Age Verification for Online Wagering and Online Pornography, released in 2020, also concluded that “that age verification can create a significant barrier to prevent young people - and particularly young children - from exposure to harmful online content. The Committee’s recommendations therefore seek to support the implementation of online age verification in Australia.”³⁰

Based on research conducted by the eSafety Commissioner, a majority of Australian adults are in favour of implementing age verification for online pornography.³¹ International bodies such as The Organization for Security and Cooperation in Europe (OSCE) have also recommended “implementing age verification technologies with a view to limiting the access of children to pornographic websites.”³²

Companies have a duty of care

Social and online media companies have a duty of care over what their users, particularly vulnerable users such as children, can access on their platforms. After more than a decade of social and online media companies attempting to self-regulate the content on their platforms, the design of their platforms and algorithms still fall short in safeguarding children.³³ In particular, industry self-regulation has repeatedly proven ineffective in protecting young people from the harms of online pornography.³⁴

In its response to a recently conducted Senate Inquiry, the Australian Government agreed that “It is particularly important that industry participants whose products and services are used by children take appropriate action to uphold the safety of their users.”³⁵ The statement said that if digital platforms and companies were to continue to fail to meet community standards, the Australian

³⁰ House of Representatives Standing Committee on Social Policy and Legal Affairs (February 2020), ‘Protecting the age of innocence: Report of the Inquiry into Age Verification For Online Wagering and Online Pornography’, https://parlinfo.aph.gov.au/parlInfo/download/committees/reportrep/024436/toc_pdf/Protectingtheageofinnocence.pdf;fileType=application%2Fpdf

³¹ eSafety Commissioner (October 2021), ‘Public perceptions of age verification for limiting access to pornography’, <https://www.esafety.gov.au/sites/default/files/2021-10/Public%20perceptions%20of%20age%20verification%20fact%20sheet.pdf?v=1718678737964>

³² Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (CTHB) (2021), ‘Survey Report of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings’ https://www.osce.org/files/f/documents/6/1/522934_1.pdf

³³ Yolanda Redrup and Andrew Tillett (28 March 2019), ‘Social media platforms can’t self-regulate’, *Australian Financial Review*, <https://www.afr.com/technology/social-media-platforms-can-t-self-regulate-20190327-p517y5>

³⁴ eSafety Commissioner, (August 2023), ‘Roadmap for age verification and complementary measures to prevent and mitigate harms to children from online pornography’, <https://www.esafety.gov.au/sites/default/files/2023-08/Age-verification-background-report.pdf?v=1718260589101>

³⁵ Australian Government, Government Response, April 2021, available at: <https://www.aph.gov.au/DocumentStore.ashx?id=e1e15f74-60db-4894-960b-4e89ddcf9834> (accessed 10 January 2022) p. 19.

Government could consider legislating more effective regulatory measures to protect Australians online.³⁶


In response to **Questions 4** and **19**, the Government should implement amendments to the Act that legally enforce the duty of care that social media platforms have for the children who access their platforms. These companies should be held legally responsible for providing and keeping to best practice mitigation strategies and risk assessments on the content available on their platform. There should be enforceable penalties for companies that fail to meet the terms of the Basic Online Safety Expectations.

In answer to **Questions 21** and **22** of the review, the Act would benefit from introducing some of the statutory duties included in the United Kingdom's Online Safety Act and the European Union's Digital Services Act. Like in the United Kingdom, there should be an imposed duty on online platforms that ensures that online platforms can identify and mitigate the appearance of content on their website that might be damaging to children. Like the European Union legislation, large online platforms must be able to demonstrate that they have engaged in adequate risk mitigation for children accessing content on their platform, including age verification, and provide better parental control tools and tools that help children signal when they have seen inappropriate content.

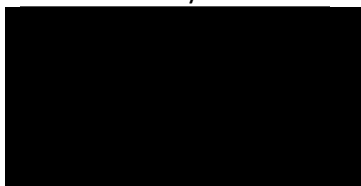
Conclusion

The Government must address the various dangers that vulnerable Australians, particularly children, encounter online.

The Government should empower parents to take primary responsibility for their children's online safety and provide them with resources and education on how to protect their children. The implementation of an age verification system for online pornography is vital to protect children. Additionally, online and social media platforms must also be subject to a legally enforceable duty of care to implement mechanisms that prioritise the safety of children and prevent them from accessing harmful content on platforms.

I would be happy to answer any questions the Committee may have. I can be contacted via Mr Jeremy Stuparich, Deputy General Secretary at the Conference on 

Yours sincerely



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³⁶ Australian Government, Government Response, April 2021, available at: <https://www.aph.gov.au/DocumentStore.ashx?id=e1e15f74-60db-4894-960b-4e89ddcf9834> (accessed 10 January 2022) p. 19.