



21 June 2024

Director – Strategy and Research

Online Safety, Media and Platforms Division

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

GPO Box 594

Canberra ACT 2601

Submitted [online](#).

Dear Director,

Amaze submission to Online Safety Act review.

Amaze works to build acceptance and understanding of autism in communities, educational settings, organisations and businesses, and wider society. Informed by evidence, experts and lived experience, we influence policy change for Autistic people and provide independent, credible information and resources to individuals, families, professionals, government, and the wider community. We are closely connected with the community through our national Autism Connect helpline, peer support networks and capacity building initiatives.

Autism is a neurodevelopmental disability that affects the way people communicate and interact with the world. The way it affects people may change over time and every Autistic individual is different, with varying strengths, challenges and needs for support. Autism is highly prevalent and is among the largest disability groups in Australia. While data suggests that 1 in 100 people are Autistic, it is likely that this number is much higher, particularly with many Autistic adults remaining undiagnosed. Autism frequently co-occurs with other conditions, including intellectual disability, ADHD and mental health conditions.¹

We welcome this opportunity to contribute to your review of the *Online Safety Act 2021* (the Act). The purpose of our submission is to highlight the vulnerability of some Autistic people online and encourage considerations of how the Act may be amended to better protect and support this cohort.

Our submission highlights evidence that Autistic people may be more likely to engage in problematic internet and game use, and be more vulnerable to harm online, than non-Autistic people. It encourages the Inquiry to consider how the Act may better protect and support Autistic people, including by requiring targeted information resources, driving research and ensuring complaint mechanisms are clear, accessible and transparent. It also recommends that consideration be given to strengthening provisions regarding cyberbullying, abhorrent violent content and intimate images to better protect Autistic service users.

1. Autistic people may be more likely to engage in problematic internet and game use, and be more vulnerable to harm online, than non-Autistic people.

There is evidence that young people with disability are more likely to experience negative online behaviours, engage in negative online behaviours and see inappropriate content online (including sexual content/conversations) than young people without disability. They are also more likely than people without disability to report feeling negative emotions after a negative online experience (e.g. feeling sad or angry and/or poor self-esteem, mental health, sense of social connection).²

There are a range of characteristics associated with autism that may cause some Autistic people to be particularly vulnerable to harm online. These can include social vulnerabilities and difficulty understanding and recognising the intentions, emotional states, and experiences of others, as well as the subtleties of another person's attitude towards them, subtext and hidden meaning. They may also have difficulty understanding and establishing appropriate boundaries (e.g. knowing what information is/isn't safe or appropriate to share, and with whom).³

While more evidence is needed, there is some evidence that problematic internet and game use may be more prevalent among Autistic people of all ages, than non-Autistic people.^{4 5} While definitions vary, 'problematic' use is generally considered to involve a lack of control over time spent online, withdrawal symptoms when not online and/or negative consequences across emotional, social and professional domains due to excessive use.⁶ There is also evidence that neurodivergent young people, including Autistic young people, may be more involved in cyberbullying (as victims and perpetrators) compared to their typically developing peers.^{7 8} Similar to non-Autistic females, Autistic females may be more likely to experience cyberbullying and online sexual harassment than Autistic males.^{9 10}

While some research has been conducted, more is required to build an understanding of whether:

- Autistic people may be more vulnerable to, or at risk of radicalisation or terrorism engagement, compared to non-Autistic people. Certain Autistic traits and sociological factors may make some Autistic people more vulnerable to radicalisation, such as social exclusion, rejection, bullying, neglect and poor social support.¹¹
- Autistic people may be at greater risk of online scams. Potential risk factors related to autism for some Autistic people may include social vulnerability/naivety and impulsivity.¹²
- Autistic people may be at greater risk of exposure to sexual content/pornography. Possible risk factors for some Autistic people may include limited sexual knowledge and less positive social interactions or opportunities to develop social skills, or learn about sexuality from peers, compared to non-Autistic people. Autistic people can also be literal thinkers, leading them to believe that pornography is an accurate/real representation of sex.¹³

While there is evidence that parents and caregivers of children with disability may be more likely to communicate with their children about negative online experiences, and may be more likely to employ mediation strategies than the national average, children with disability do not appear more likely to share their experiences (for example, of encountering sexual images) with their parents. Furthermore, while most parents and caregivers set rules to limit their young person or child's time online, there is evidence that children and young people with disability can be more likely to hide their internet use or spend more time online than allowed by their parents and carers, compared to children and young people without disability. Children with disability are more likely to find restrictions on internet use onerous or difficult to adhere to and find ways to get around them.¹⁴

It follows that while best practice is yet to be established on how to best protect Autistic people online, a multifaceted approach is clearly required. It must include targeted information and resources for Autistic people and their parents and carers (and for students and their teachers), as well as online safety mechanisms and regulatory measures. Further research is also needed to comprehensively understand the vulnerabilities of this cohort online.

Amaze was recently funded by the e-Safety Online Grant Program to create resources to support Autistic children and young people to have positive, safe and healthy gaming habits. We were pleased to develop a series of resources to help parents and carers better understand the gaming world. The resources cover a range of areas, including genres, parental controls, behaviours to look out for and practical strategies that can be implemented to promote healthy gaming. They include four written resources and two videos designed to help parents and carers build the confidence to support young gamers in their lives.

Further targeted information resources for parents and carers of Autistic children, to support healthy internet use, are also needed. As are information resources on internet and game use for Autistic people of all ages, and the people that support them (including teachers, disability service providers and employers).

2. Protecting vulnerable Autistic internet and game users under the Online Safety Act.

The Act aims to protect Australians from cyberbullying, unlawful intimate images and other abhorrent and harmful online content, including through the development of Basic Online Safety Expectations and Industry Codes and Standards. While it provides some protections for vulnerable users, particularly children, we urge you to consider how these protections may be expanded to better protect Autistic service users of all ages and experiences.

The Act should play a key role in:

- **Protecting Autistic service users:** For example, consideration may be given to expanding the functions of the Commissioner under s.27 of the Act to specifically require that the Commissioner take targeted steps to protect the safety of vulnerable cohorts, such as Autistic people. Section 46 of the Act could be expanded to require that Basic Online Safety Expectations include reasonable steps to ensure 'all end users, including vulnerable users, are able to use the service in a safe manner'. Section 138 could also be amended to require that Industry Codes and Standards include procedures for protecting vulnerable users.

Identification of reasonable steps and procedures for protecting vulnerable users should be required to be undertaken in co-design and consultation with the vulnerable users they seek to protect, including Autistic people, their parents and carers, and relevant sector organisations.

- **Driving research and co-designed targeted information resources and training:** For example, consideration may be given to amending s.27 of the Act to require that the Commissioner publish accessible information resources targeted at vulnerable cohorts, such as Autistic people, and drive research to address evidence gaps related to vulnerable cohorts. The Act should require the co-design of any targeted information resources and training, ensuring that the cohorts they seek to support are at the centre of their design, implementation and review. Consideration may also be given to amending s.138 to require that Industry Codes and Standards require tailored information for vulnerable users (and for children, their parents) about safely accessing their services.
- **Ensuring complaints mechanisms are accessible and outcomes are transparent:** For example, section 27 may be amended to require that the Commissioner provide clear, accessible and transparent complaints mechanisms, processes and information resources that meet the needs of vulnerable cohorts, such as Autistic people. Section 138 could also be amended to require that Industry Codes and Standards include clear, accessible and transparent complaints processes. Transparency will be key to understanding the experiences of vulnerable service users and informing future work to protect and support these cohorts.

We would also encourage you to engage in an accessible and targeted consultation with Autistic people to better understand their needs for support and protection online, their information resource needs and the accessibility of complaints mechanisms. Amaze would be pleased to assist with this consultation and facilitate the engagement of our community members.

Other ways the Act may be amended to protect Autistic users may include:

- **Strengthening protections from cyberbullying and abhorrent violent content:** Section 7 of the Act currently applies an objective test of whether 'an ordinary reasonable adult' would be offended by content that may potentially be described as cyberbullying. This differs to the test relevant to the cyberbullying of children (s.6) which is subjective and considers the impact of the material on a particular child. Consideration should be given to making the test in section 7 subjective given some cohorts may be more likely to be offended and harmed by certain types of cyberbullying or cyberbullying content than others, and suffer more serious negative consequences. As discussed in section 1 above, an Autistic adult may be more readily harmed by cyberbullying content than a non-Autistic person. Similarly, content is only considered "abhorrent violent content" under the Act (s.95) if it is likely to cause "significant harm to the Australian community". It does not consider whether the content may cause significant harm to particular cohorts of children or adults.

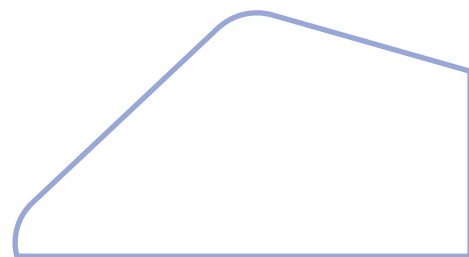
- **Protecting Autistic people from the unlawful sharing of their intimate images** - In determining whether an image should be exempt from the prohibited intimate image provisions under s.86 of the Act, we are pleased that the 'intellectual capacity, vulnerability or other relevant circumstances of the depicted person' is taken into account. However, consideration should be given to whether cognitive capacity and/or neurodivergence, including autism should also be expressly required to be taken into account.

Please contact me by email at david.tonge@amaze.org.au or by phone on [03 9657 1600](tel:0396571600) if we can assist by providing further information or answering any questions you may have.

Yours sincerely,



Mr. David Tonge
Acting Chief Executive Officer



References

- ¹ For more information about autism, please see the Amaze [website](#).
- ² eSafety Commission (2023) [A new playground: Digital lives of young people with disability](#)
- ³ Kostin (2022) [Internet Safety for Schoolchildren and Adults with Autism Spectrum Disorders: Vulnerability and Areas of Assistance](#)
- ⁴ Murray et al., (2021) [Autism, Problematic Internet Use and Gaming Disorder: A Systematic Review](#)
- ⁵ Normand et al., (2021) [A Systematic Review of Problematic Internet Use in Children, Adolescents, and Adults with Autism Spectrum Disorder](#)
- ⁶ Murray et al., (2021) [Autism, Problematic Internet Use and Gaming Disorder: A Systematic Review](#)
- ⁷ Beckman et al., (2020) [Cyber bullying among children with neurodevelopmental disorders: A systematic review](#)
- ⁸ Abregu-Crespo et al., (2024) [School bullying in children and adolescents with neurodevelopmental and psychiatric conditions: a systematic review and meta-analysis](#)
- ⁹ Beckman et al., (2020) [Cyber bullying among children with neurodevelopmental disorders: A systematic review](#)
- ¹⁰ Brown et al. (2017) [Unwanted Sexual Contact: Students With Autism and Other Disabilities at Greater Risk](#)
- ¹¹ Druitt et al., (2023) [Do autism spectrum disorders \(ASD\) increase the risk of terrorism engagement? A literature review of the research evidence, theory and interpretation, and a discussion reframing the research-practice debate](#)
- ¹² Neupane et al., (2018) [Do social disorders facilitate social engineering?: A case study of autism and phishing attacks](#)
- ¹³ Mesibov & Sreckovic (2017) [Child and Juvenile Pornography and Autism Spectrum Disorder](#)
- ¹⁴ eSafety Commission (2023) [A new playground: Digital lives of young people with disability](#)