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## **Four reasons for the social media youth ban**

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Imposing a ban on social media for those under 16 years of age won't be simple and it certainly won't be a silver bullet. But it is the right thing to do.

The government's proposed ban has polarised policymakers, the media and experts. It has also become 'a play thing' of the politicking that is now reaching a new levels as we approach an election in early 2025.

How it will be enforced is still 'sketchy' to say least and the monitoring of the efficacy of the ban is likely similar. But on this issue, the risk of not taking action is far greater than the risk of action.

There is no doubt we also need to toughen other laws to make the internet safer for everyone as well as plug the many holes that exist in our privacy protections that are being exploited by social media platforms ... among others. The social media ban only solves some of our problems.

Yet there are four key reasons why we need this ban.

The first reason we support the under 16s ban on social media is because this law will be a critical 'norm-shaping' exercise that will help parents – the vast majority of whom want their kids to have less screen time.

Now, it is terrifically difficult for a parent to keep their child off social media until they are 13 years. They need the powers and steely resolve of a superhero to have any chance of keeping their children off social media until they are 16.

The current norm is for children to be on social media. The real risk for those children that are not on social media is social ostracism. There has been no debate, discussion or decision here. This norm has snuck up on us like a thief in the night.

If the rate of children using social media is reduced, and a parent can say 'it is the law', this will help parents in a significant way.

Social media platforms now set the 'social norm' (most setting a minimum age at 13). But this law would set the new norm at 16.

Secondly there is legal argument that supports the new law. The capacity to consent to contracts or agreements is a fundamental precondition for agreement.

As minors, children under sixteen are provided a variety of protections due to their lack of capacity to enter into and provide informed consent to contracts, including service agreements with social media giants.

This exists to protect children from being taken advantage of in commercial dealings. It is also a reflection of the fact that children don't have the capacity to give informed consent.

But there is currently nothing to stop young children from signing contracts with social media companies that they have no possibility of understanding.

The third reason for the ban is the dire need today to protect the mental health of our children.

Social media can be a constant and amplifying factor in bullying and abuse. It is leading young people to experience body dysmorphia and self-image issues – among many other ills. Young boys are increasingly being influenced by extreme figures in the 'manosphere' who spread denigrating information about women and the role of men.

We need to offer greater protection, better guardrails, for children until they reach the age of 16.

The fourth reasons we need this ban is that parents and educators are calling for this change.

Parents and teachers witness the impact of social media on kids firsthand. Effectively, the social norm today is that *social media is everywhere, all the time, and used by everyone*. This ranges from the bedroom to the classroom.

Research conducted by 36Months found that 59% of children aged 11-12 use social media. That number increases to 92% for those aged 15-16.<sup>1</sup>

Researchers from the University of Sydney also found that nearly 70% of young people have used TikTok or SnapChat and typically joined social media platforms in late primary school— with or without their parents' permission.

Ask any parent: they want their child to have less screen time. Social norms, social media addiction and peer pressure is against them

We should give our children - a protected class of citizen - appropriate protections from the harms that social media can cause.

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<sup>1</sup> <https://www.mi-3.com.au/21-05-2024/36-months-industry-stalwarts-launch-campaign-raise-social-media-minimum-age-16>

But we shouldn't stop there.

Our leaders must also move to strengthen online safety for everyone. This includes amending the Online Safety Act 2021 to directly regulate social media services to comply with safety by design measures.

We must also prioritise strong privacy measures to protect users from targeted marketing and the exploitation of their data – we have an excellent precedent in the European Union.

Social media services contribute to online harm through the 'rampant and intrusive generation, collection and monetisation of personal data'

Strong privacy measures can curtail these harms by protecting users from targeted marketing and the exploitation of their data by algorithms and recommender systems.

Taking action against social media platforms is not easy, the fix may not be perfect - as critics of the government's latest initiative rightly highlight – but the status quo is untenable.

If we do not act, we allow the current, damaging social norm to persist. We must instead move to protect our kids from the harm caused by social media. This bill to ban under 16s should be just the start.

