

How the new Online Safety Act supports women

About the Online Safety Act

The internet is now an essential service that is an important part of our daily lives. It can be critical for people who depend on technology to connect to others in their community.

But as our online activity rises, so do the risks. We know from our research and investigative insights that women, and particularly women from diverse backgrounds and communities, are targeted by online abuse more than others.¹ We also know that online risks and harms are growing and changing, so eSafety needs to change as well.

In 2015, Australia's Enhancing Online Safety Act established the Office of the Children's eSafety Commissioner. In 2017, our role was extended to protecting all Australians from online harm, not just children. Now the Online Safety Act 2021 has given eSafety wider, more effective powers to help us keep pace with changes in technology and online behaviours.

Women are at greater risk of online harm

Women face disproportionate levels of online abuse. Two-thirds of reports to eSafety about cyberbullying of children and young people, image-based abuse and adult cyber abuse are made by women and girls. They are more likely to experience online abuse that is personal, sexualised and gender-based.

Online abuse can have a devastating impact. It can affect women's wellbeing, mental health, confidence, relationships and sense of safety. It can also lead to women stepping back from public conversations or self-censoring out of fear for their safety, security and privacy.

Technology comes with particular risks for women experiencing domestic and family violence. In a 2020 study, 99.3% of the frontline workers surveyed reported they had clients who had experienced stalking and abuse through digital and electronic technologies.²

Sharing intimate images or videos without the consent of the person shown, known as image-based abuse, is a common form of [tech abuse](#). eSafety research conducted in 2017 indicates that while one in ten Australians (10%) experience image-based abuse, women aged 18-24 and girls aged 15-17 experience image-based abuse at higher levels (24% and 15% respectively).³

The risks and impacts of online harm are compounded for culturally and linguistically diverse women, and women with disability. They are also increased for women with situational vulnerabilities such as being a victim-survivor of domestic and family violence or needing to maintain an online presence for work.

Similarly, people with diverse genders and sexualities experience online hate speech and image-based abuse at a higher rate than the national average in Australia.⁴

¹eSafety Commissioner 2020. [Protecting voices at risk online](#)

²Woodlock D, Bentley K, Schulze D, Mahoney, N, Chung D, and Pracilio A 2020. [Second National Survey of Technology Abuse and Domestic Violence in Australia](#), WESNET.

³eSafety Commissioner 2017. [Image-based abuse national survey](#)

⁴eSafety Commissioner 2020. Online Hate Speech. Henry N, Flynn A & Powell A 2019. [Image-based sexual abuse: Victims and perpetrators](#). Trends & issues in crime and criminal justice no. 572. Canberra: Australian Institute of Criminology. eSafety Commissioner 2020. Adults' Negative Online Experiences.

How the new laws support women

Women have told eSafety that Australia needs a combination of responses to deal with gendered online abuse. They say governments and the technology industry have responsibilities to prevent online risks and harms.⁵

The new laws enhance eSafety's ability to act quickly to protect all Australians from serious online harm. They also allow us to hold industry to account for online safety.

Online and electronic services and platforms now have half the time to remove harmful content when directed by eSafety (24 hours instead of 48 hours). The laws apply to harmful content that is sent or shared on a wide range of services and platforms, including:

- social media services
- messaging services
- email services
- chat apps
- interactive online games
- forums
- websites.

A world-first Adult Cyber Abuse Scheme

A key new power under the Online Safety Act is the ability to take formal action against serious adult cyber abuse. [Adult cyber abuse](#) is when content sent to someone or shared about them is menacing, harassing or offensive and also intended to seriously harm their physical or mental health. If the online service or platform used to send or share the harmful content does not help, eSafety can investigate and have the content removed.

The [Adult Cyber Abuse Scheme](#) does not specifically refer to gendered harms, but our investigators will consider whether a person has been targeted for abuse because of factors such as their gender, sexual orientation, race, religion, cultural background, disability or mental health condition.

⁵eSafety Commissioner 2021. ['Can I just share my story?' Experiences of technology-facilitated abuse among Aboriginal and Torres Strait Islander women from regional and remote areas](#) eSafety Commissioner 2019. [Online safety for Aboriginal and Torres Strait Islander women living in urban areas](#)

A stronger Cyberbullying Scheme for children and young people

eSafety can now direct that seriously harmful content is removed from all online and electronic services and platforms that are popular with under 18s, not just from social media sites. To meet our threshold for investigation, the cyberbullying content must be seriously threatening, seriously intimidating, seriously harassing and/or seriously humiliating. If the online service or platform used to send or share the harmful content does not help, eSafety can have it removed.

An updated Image-Based Abuse Scheme

If someone shares, or threatens to share, an intimate image or video without the consent of the person shown, it is called 'image-based abuse'. eSafety can now direct online services to remove this content within 24 hours. This faster removal helps stop the spread of the content and limit the harm done to the person targeted. The intimate content can show:

- a person's genital area or anal area (whether bare or covered by underwear)
- a person's breasts (if the person identifies as female, transgender or intersex)
- private activity (for example a person undressing, using the toilet, showering, bathing or engaged in sexual activity)
- a person without attire of religious or cultural significance that they would normally wear in public (such as a niqab or turban).

Image-based abuse should be reported to eSafety immediately.



A modernised removal scheme for illegal and restricted online content

The Online Content Scheme gives eSafety new powers to regulate the worst types of harmful online material no matter where they are hosted. [Illegal and restricted content](#) shows or encourages violent crimes including child sexual abuse, terrorist acts, murder, attempted murder, rape, torture, violent kidnapping and suicide. Illegal and restricted online content should be reported to eSafety immediately, so we can have it removed.

Increased expectations, accountability and transparency for industry

The new laws set out Basic Online Safety Expectations for social media services, messaging services, gaming services and other apps and sites accessible from Australia, with a focus on making sure they take reasonable steps to keep Australians safe.

eSafety has the power to require online services and platforms to report on how they are meeting any or all of the expectations. The expectations are backed by new civil penalties for those that do not meet their reporting obligations. eSafety can name online service providers that do not meet the Basic Online Safety Expectations, and publish statements of compliance for those that meet or exceed expectations.

The Online Safety Act also requires industry to develop mandatory codes or standards for detecting and removing illegal and restricted content, including child sexual abuse material.

Other support from eSafety

The eSafety Women program delivers direct and indirect support to women most at risk of online abuse.

- We provide [evidence-based resources](#) and [professional development](#) to upskill frontline workers who support people experiencing tech abuse. This program includes regular webinars and face-to-face workshops.
- We provide [specialised advice](#) for women who are experiencing online abuse as part of domestic and family violence.

- We work with Aboriginal and Torres Strait Islander women to develop and co-design resources tailored to their specific needs.
- We work with women with intellectual and cognitive disability and support workers to develop and co-design [resources tailored to their specific needs](#).
- We provide training and resources for women who experience gender-based online abuse as part of their working life. These services are part of our [Women in the Spotlight](#) (WITS) program.

While the eSafety Women resources are primarily framed for women – as they are disproportionately targeted with online abuse – they are inclusive and relevant to everyone, no matter how people self-identify.

In addition, eSafety delivers primary prevention programs that support [parents](#) and [educators](#) to teach children about cyberbullying, respectful online relationships, online consent, building good online habits and having open communication about online safety. This is part of a broader effort to prevent online harm, promote the positive potential of technology and contribute to efforts to achieve gender equality.

eSafety is also committed to improving the experiences women have online by championing [Safety by Design](#). Safety by Design is an eSafety initiative that encourages technology companies to anticipate, detect and eliminate online risks. This is one of the most effective ways to make our digital environments safer and more inclusive, which is especially important for people at greater risk of harm.

Where can I find more information?

[Read about](#) eSafety's regulatory philosophy and priorities, and check our regulatory guidance.