

# Online safety laws

The *Online Safety Act 2021* makes it easier to fight the most severe types of online abuse.



## What's it about?

The laws provide protection for those experiencing severe online abuse.

Serious online abuse can have an impact on people physically or on their mental health. It might be temporary, or it might have a permanent impact.

Harm to someone's mental health may include serious distress and negative feelings.

The laws protect from:

- sharing explicit images or videos without consent
- severely abusive content that is menacing, harassing or offensive and intended to cause serious mental or physical harm to someone who is 18 or older.
- illegal and violent content including the sexual abuse of children or encouraging terrorism.
- seriously threatening, harassing, intimidating or humiliating content that targets a child.

Serious harm doesn't cover all emotional reactions that we all feel at different times. It does not include general hurt, grief or anger.

Even if eSafety can't investigate your case and have the content removed, they can give you information and support.

## How does it work?

A person experiencing adult cyber abuse should contact the online platform or service directly first and request the content is taken down.

If the service provider doesn't remove the material, or if you experience intimate images shared without your consent, or find illegal and violent content, you can make a report directly to [eSafety.gov.au](https://www.esafety.gov.au).

eSafety works with online platforms to remove the harmful content. This can include social media companies, websites, messaging services, chatrooms and gaming platforms.

The harmful content can include posts, comments, emails, messages, memes, images and videos.

The eSafety Investigation team will determine the best course of action available. They might ask for more information to help them investigate.

If the content is not removed, eSafety can have the online service provider fined. eSafety can also have a fine issued to the person who posted or shared the severe online abuse of adults or intimate images without consent.

## Other online issues

There are certain issues that are not covered under the laws. However, if the below experiences are combined with seriously threatening, harmful or dangerous content, the laws could still apply.

Examples of what online safety laws do not cover in isolation:

- Defamatory comments
- Political satire or journalism
- Spam and scams
- Identity theft and fraud
- Hacking

**If you have been scammed online, visit [scamwatch.gov.au](https://www.scamwatch.gov.au).**

**If you have experienced online identity theft or fraud, visit [cyber.gov.au](https://www.cyber.gov.au)**

## Can I make a report on behalf of someone else?

You can also make a report on behalf of an adult if they have authorised you to do so.

### Learn more

Go to [eSafety.gov.au](https://www.esafety.gov.au) to learn more, or to report serious online abuse. There is also a range of tools and resources to support Aboriginal and Torres Strait Islander people to stay safe online.



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