

eSafety's Implementation of the Social Media Age Restrictions:

Statement of Commitment
to Children's Rights

September 2025

Background

The Australian Parliament enacted the [Online Safety Amendment \(Social Media Minimum Age\) Act 2024](#) (the SMMA Act) in December 2024. The SMMA Act creates an obligation for age-restricted social media platforms to take reasonable steps to prevent Australian children under 16 from having accounts on their platforms. The obligation takes effect on 10 December 2025.

The SMMA Act was passed in the context of [growing evidence](#) of an association between social media use and harms to children's health and wellbeing, particularly due to features designed to induce users to spend increasing amounts of time on platforms which can increase the risk of exposure to harmful online material.

The Government [assessed](#) that the SMMA Act is, on balance, compatible with the human rights enshrined in the international instruments to which Australia is a signatory. In particular, the Government found the SMMA Act "supports the best interests of the child", and the limitations it places on freedom of expression are "reasonable, necessary and proportionate" to protect children from harm and uphold their right to health.

In July 2025, the Minister for Communications made legislative [rules](#) excluding certain services from being an age-restricted social media platform, so children under 16 can continue to hold accounts on and access the benefits of these services. These include services with a primary purpose of messaging, playing online games, and supporting the education or health of users.

There are two regulators responsible for enforcing the SMMA Act. One is Australia's online safety regulator, the eSafety Commissioner ([eSafety](#)). eSafety's role is to create guidelines to support platforms to take reasonable steps to comply with the obligation, and enforce their compliance – in addition to carrying out our broader online safety functions. The other is the Office of the Australian Information Commissioner ([OAIC](#)). The OAIC's role is to monitor and enforce compliance with the privacy provisions set out in SMMA Act, as well as those set out under the Privacy Act.

What we have heard

Between June and August, eSafety held extensive [consultations](#) to inform the development of the reasonable steps guidelines and our broader approach to working with communities that may be impacted by the new age restrictions. We engaged with over 345 people representing over 160 organisations. This includes speaking directly to a diverse group of [children and young people aged 13 to 23](#), as well as [children's rights experts](#). We also spoke to groups representing perspectives from parents and carers, Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people with disability, people who identify as LGBTIQ+, and people from regional and remote areas.

Participants had mixed views about the social media age restrictions. There was support from many groups, including children and young people, who spoke about the harms they and their peers have experienced online as well as the impact on mental health. There was also concern about potential adverse impacts, including potential loss of social connection, creative expression and access to support – particularly for certain cohorts.

There was a call for eSafety to take a children's rights approach to implementation, informed by the [United Nations Convention on the Rights of the Child](#) and [General Comment No. 25 on children's rights in relation to the digital environment](#). This is consistent with section 24 of the Online Safety Act 2021, which requires the eSafety Commissioner to have regard to the Convention on the Rights of the Child in the performance of her functions relating to children. It also builds upon eSafety's existing work, including our 2019 [Youth Vision Statement on Safety by Design](#), our 2021 [Youth Aspirational Statement](#), our 2023 [Age Verification Roadmap and Background Report](#), our 2024 [Joint Statement with the European Union Child Rights Intergroup on Online Safety and Promoting Children's Rights in the Digital Environment](#), and the Global Online Safety Regulators Network [Position Statement on Human Rights and Online Safety Regulation](#).

This document outlines eSafety's commitment to, and actions to support, children's rights, in line with, and while performing, functions under the Online Safety Act 2021.

eSafety's commitment

eSafety will continue to uphold and advance the rights of children in the following ways.

Commitment	Relevant rights and principles
<p>eSafety will continue to recognise and ground the lived experiences and perspectives of children and young people in the decisions that affect them.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Consulting with children and young people to actively listen to their views and give due weight to them in the development of our policies, programs and resources. • Taking a strengths-based and intersectional approach, which recognises the diversity of identity, circumstances and lived experience among children and young people as a strength to be harnessed. • Developing age-appropriate and child-centred digital literacy and online safety resources informed by children's rights principles. • Engaging with our Youth Council to inform our resources and outputs. 	<ul style="list-style-type: none"> • Non-discrimination (Article 2) • Best interests of the child (Article 3) • Respect for the evolving capacities of the child (Articles 5, 14) • Right to participation and respect for the views of the child (Articles 12, 23, 31)
<p>eSafety will ensure the guidelines we produce for platforms about the reasonable steps they can take to prevent age-restricted users from having accounts reflect the views of children and young people, and incorporate the best interests of the child.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Guiding platforms to take a privacy-preserving and data minimising approach. • Encouraging transparent and age-appropriate communication regarding how and why decisions about accounts are made and where they can get support, and giving children and young people choice and control over what happens to their information. • Encouraging the use of accessible, inclusive and fair age assurance methods, and avenues for review. 	<ul style="list-style-type: none"> • Non-discrimination (Article 2) • Best interests of the child (Article 3) • Right to freedom of expression, participation and respect for the views of the child (Articles 12, 13, 23, 31) • Right to privacy (Article 16) • Right to protection from harm (Article 19) • Right to health (Article 24) • Children's rights and the business sector (Part V(I) of General Comment 25)
<p>eSafety will provide information about the implementation of the SMMA Act in formats that are relevant and accessible to children and young people, and tailored to meet their needs.</p> <p>This includes ensuring information is age-appropriate, culturally specific and available in a range of languages.</p>	<ul style="list-style-type: none"> • Right to information (Articles 13, 17, 23, 28) • Dissemination of information, awareness-raising and training (Part V(G) of General Comment 25)

eSafety will continue to produce and promote access to developmentally appropriate, [best-practice online safety education](#), and support others to provide education to children and young people.

This includes:

- Developing targeted, co-designed education materials for priority audiences, including [parents and carers](#).
- Establishing best-practice standards through the [Best Practice Framework for Online Safety Education](#) and [Toolkit for Schools](#).
- Promoting the adoption of these standards through the [Trusted eSafety Program](#), eSafety [grants](#) programs, and other stakeholder relationships.

- Best interests of the child (Article 3)
- Respect for the evolving capacities of the child and respect for the rights of parents to provide appropriate guidance (Articles 5, 14)
- Right to information (Articles 13, 17, 23, 28)
- Right to protection from harm (Article 19)
- Right to education (Articles 23, 28, 29)
- Right to health (Article 24)
- Dissemination of information, awareness-raising and training (Part V(G) of General Comment 25)
- Cooperation with civil society (Part V(H) of General Comment 25)

eSafety will continue to coordinate the activities of Commonwealth agencies in relation to online safety, and promote coordination among State and Territory government and non-government organisations who support the online safety and digital rights of children and young people.

This includes:

- Sharing insights with government and non-government education sectors through the [National Online Safety Education Council](#), and through [teacher training](#) and webinars.
- Working with organisations that support children and young people, parents and carers, and educators and other [frontline workers](#).

- Best interests of the child (Article 3)
- Right to education (Articles 23, 28, 29)
- Coordination by states parties to realise children's rights (Part 5(C) of General Comment 25)
- Cooperation with civil society (Part V(H) of General Comment 25)

eSafety will continue working with other independent regulators, including through the [Global Online Safety Regulators Network](#), to champion a [coordinated, coherent](#) and [human rights-based](#) approach to online safety regulation and harm prevention.

eSafety will also work closely with the OAIC, as the regulator responsible for monitoring and enforcing compliance with the privacy provisions set out in the SMMA Act, as well as those set out in the Privacy Act.

- Best interests of the child (Article 3)
- Right to privacy (Article 16)
- Right to protection from harm (Article 19)
- International and regional cooperation to realise children's rights (Part XIII of General Comment 25)

eSafety will continue to implement complementary regulatory schemes to make sure children under 16 can participate, connect and express themselves safely on online services which are not age-restricted, and to make age-restricted social media platforms safer for young people aged 16+.

This includes:

- Promoting transparency, accountability and improved safety practices by requiring services to report on how they are meeting the [Basic Online Safety Expectations](#).
- Monitoring and enforcing compliance with [Industry Codes and Standards](#), which require services to address class 1 material such as child sexual abuse and pro-terror content and class 2 material such as pornography and content that promotes suicide and disordered eating.
- Investigating matters that target Australian children and young people of all ages, and providing information and support to them and their trusted adults when they make reports to eSafety under our [cyberbullying](#), [image-based abuse](#) and other complaints schemes.

- Best interests of the child (Article 3)
- Right to freedom of expression, participation and respect for the views of the child (Articles 12, 13, 23, 31)
- Right to protection from harm (Article 19)
- Right to health (Article 24)
- Access to justice and remedies (Part V(K) of General Comment 25)
- Children's rights and the business sector (Part V(I) of General Comment 25)

eSafety will rigorously evaluate our implementation of the SMMA Act.

This includes:

- Assessing whether platforms are effectively preventing account-holding and exposure to harmful content and design features.
- Monitoring changes in the experiences and wellbeing of children and young people, including at-risk groups.
- Contributing to the evidence base on the relationship between social media use and the wellbeing of children and young people.
- Identifying what aspects of implementation are working well, as well as emerging risks and unintended consequences.
- Actively involving children and young people in this research—not only as participants, but also as co-researchers—ensuring their perspectives, experiences, and insights shape the evaluation approach.
- Feeding these findings into the Government's independent evaluation of the SMMA Act which will be initiated by the Minister within two years of the age restrictions taking effect.
- Sharing the evaluation findings with children and young people in a timely, engaging, and age-appropriate manner.

- Best interests of the child (Article 3)
- Right to freedom of expression, participation and respect for the views of the child (Articles 12, 13, 23, 31)
- Right to protection from harm (Article 19)
- Right to health (Article 24)
- Data collection and research (Part V(E) of General Comment 25)
- Comprehensive policy and strategy (Part V(B) of General Comment 25)

eSafety will continue to promote [Safety by Design](#), and provide our input, insights and expertise into ongoing online safety law reform discussions, including the proposal for a new duty of care for online services, which will be predicated on core safety by design principles.

- Non-discrimination (Article 2)
- Best interests of the child (Article 3)
- Respect for the evolving capacities of the child (Articles 5, 14)
- Right to freedom of expression, participation and respect for the views of the child (Articles 12, 13, 23, 31)
- Right to protection from harm (Article 19)
- Right to health (Article 24)
- Comprehensive policy and strategy (Part V(B) of General Comment 25)
- Children's rights and the business sector (Part V(I) of General Comment 25)

