Select Committee on Social Media and Online Safety
Parliament House
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Submission to the Inquiry into Social Media and Online Safety

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Introduction

Harmony Alliance: Migrant and Refugee Women for Change is one of the six National Women's Alliances supported by the Australian Government to promote the views of all Australian women and to ensure their voices are heard in decision-making processes. Harmony Alliance's purpose is to provide a national inclusive and informed voice on the multiplicity of issues impacting on experiences and outcomes of migrant and refugee women, and to enable opportunities for women from migrant and refugee backgrounds to directly engage in driving positive change.

We adopt an intersectional, feminist, and human rights-based approach in promoting the voice and participation of women from migrant and refugee backgrounds in Australian society. We acknowledge the diversity of experiences of women from migrant and refugee backgrounds and recognise the inherent value of each person, of all backgrounds, genders, ages, abilities, social standings, sexual orientations, or religions. We promote the principles of dignity, equity, autonomy, non-discrimination, and mutual respect.

The Harmony Alliance membership comprises over 140 organisations and individuals representing and/or working for the advancement and inclusion of migrant and refugee women. In using the terms "women from migrant and refugee backgrounds" or "migrant and refugee women" we are referring to women who have themselves migrated temporarily or permanently to Australia, both through humanitarian and non-humanitarian pathways; and non-first-generation migrant women who frame their identity to a significant extent within this migration story.

Harmony Alliance welcomes the opportunity to make a submission to the inquiry into social media and online safety. The inquiry is timely, coming as it does at a time when governments, civil society and individuals around the world are becoming increasingly aware of the negative impacts social media can have on individuals and society and the growing recognition that action is required to mitigate these harms.

Background

A predominantly digital world has long been imagined as the inevitable *future* of humankind. It is now *present*—its arrival rushed in by the current COVID-19 pandemic. Most aspects of our lives—social, professional and personal—are now lived through digital means. Social media and other online platforms play an invaluable role in the lives of many migrant and refugee women, providing them with the tools to stay connected with loved ones overseas. As a traditionally marginalised group, social media has also provided opportunities that may not otherwise have been available for women from migrant and refugee backgrounds to participate in public debate. Further, as has been evident throughout the current pandemic,

social media can be an effective way to reach into migrant and refugee communities and provide important information.

While there are benefits, there are also significant risks. Migrant and refugee women face unique challenges and risks of harm from social media use, in addition to the more general risks that all users of social media face. Indeed, Harmony Alliance's consultations with its members at the end of 2020 revealed that concerns about cybersecurity and the safe use of online platforms are key concerns among migrant and refugee women, particularly in the context of increasing reliance on these platforms throughout the current pandemic.[1]

The importance of applying an intersectional lens to understanding impacts of social media

In 2020, Harmony Alliance released its Position Statement on Intersectionality.[2] Intersectionality theory recognises that an intersection of multiple forms of systemic discrimination produces greater disadvantage for groups of people who are not dominant and do not have the same access to power and privilege as the dominant groups. Even when the systems are not actively discriminatory, structural barriers, such as language, poverty, and migration status can render certain groups of people more disadvantaged than others. Women from migrant and refugee backgrounds in Australia are impacted by multiple forms of systemic and structural disadvantage and inequality.

In the context of this inquiry into social media and online safety, it is important to consider the diversity of women from migrant and refugee backgrounds, and the ways in which different aspects of a person's identity can affect their experience. Women from migrant and refugee backgrounds are not a homogenous group and their online experiences differ depending on a range of aspects including gender, ethnicity and cultural background, language, socio-economic status, education and professional qualifications, disability, sexual orientation, religion, age, geographic location or visa status.

Migrant and refugee women's experiences of social media

The use of social media platforms to abuse others is a key concern of migrant and refugee women. Social media has provided a new—and highly public—forum for racism, racist bullying and discrimination to occur. As victims of online abuse, migrant and refugee women may be on the receiving end of a range of behaviours including:

- insulting, humiliating, demeaning or offensive comments – both directed towards them as individuals and to their communities;
- derogatory language;
- threats of sexual and physical violence;
- threats against children;
- death threats;
- online stalking;
- distributing personal contact details online (doxing); and

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[1] Harmony Alliance, *National Consultation Report*, *Migrant and refugee women in the COVID-19 pandemic: Impact, resilience, and the way forward*, (February 2021) http://harmonyalliance.org.au/wp-content/uploads/2021/02/HA-Membership-Forum-Report.pdf
[2] Harmony Alliance, *Position Statement on Intersectionality*, (2020) http://harmonyalliance.org.au/wpcontent/uploads/2020/08/Intersectionality-Position-Statement-Final.pdf.

- image-based abuse (for example, the non-consensual sharing of intimate or false photos online).[3]

The scale of online abuse is demonstrated in a study undertaken by the eSafety Commissioner, which estimates that around one in seven (14 per cent) of adults aged between 18 and 65 were the target of online hate speech between August 2018 and August 2019, with the majority of this occurring on Facebook and Instagram.[4] 32 per cent of those identified their race, ethnicity and nationality as the reason for being targeted, 20 per cent their religion and 20 per cent their gender.[5] 58 per cent of those who had experienced online hate speech identified a negative impact from their experience, including mental or emotional stress, relationship problems and damage to their reputation.[6]

It is important to recognise that migrant and refugee women may face multiple forms of discrimination online due to their gender, culture, religion, ethnicity, language, appearance, sexual orientation and disability, as well as other aspects of their identity. Further, their experiences of social media differ depending on existing socio-economic inequities, unevenness of technological infrastructure across geographical locations, disparities in digital literacy and skills across different age groups, and gendered allocation of resources and responsibilities within households.[7]

A rise in racist attitudes towards Asian-Australians and other ethnic and religious communities has been one of the most disquieting societal impacts of the COVID-19 pandemic.[8] This increase in experiences of racism has translated online, with Harmony Alliance's members reporting that young migrant and refugee women in particular have experienced an increase in online abuse and discrimination during the COVID-19 pandemic.[9] Women who speak a language other than English at home are also more likely to be victims of image-based abuse than native English speakers.[10]

The disproportionate impacts of cyberbullying on migrant and refugee communities starts early, with young people from a migrant background more likely to be bullied online than people from non-migrant background. More than half of young people from migrant and refugee backgrounds have encountered online hate, including racist and harmful comments about cultural or religious groups.[11]

The impact of online abuse can be profound, particularly as individuals can hide behind anonymous social media accounts, engage in repeated and sustained behaviour and reach a wider audience with their abuse. Online abuse can often result in a "pile on", with a large group

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[3] eSafety Commissioner, *Adult cyber abuse* https://www.esafety.gov.au/key-issues/adult-cyber-abuse
[4] eSafety Research, *Online hate speech – Findings from Australia, New Zealand and Europe* https://www.esafety.gov.au/sites/default/files/2020-01/Hate%20speech-Report.pdf
[5] Ibid.
[6] Ibid.
[7] Harmony Alliance, *National Consultation Report*, *Migrant and refugee women in the COVID-19 pandemic: Impact, resilience, and the way forward*, (February 2021) http://harmonyalliance.org.au/wp-content/uploads/2021/02/HA-Membership-Forum-Report.pdf
[8] Chin Tan, 'Where's all the data on COVID-19 racism?', (9 May 2020), Australian Human Rights Commission https://humanrights.gov.au/about/news/opinions/wheres-all-data-covid-19-racism
[9] Harmony Alliance, *National Consultation Report*, *Migrant and refugee women in the COVID-19 pandemic: Impact, resilience, and the way forward*, (February 2021) http://harmonyalliance.org.au/wp-content/uploads/2021/02/HA-Membership-Forum-Report.pdf
[10] eSafety Commissioner, *Protecting voices at risk online* (August 2020) https://www.esafety.gov.au/sites/default/files/2020-08/Protecting%20voices%20at%20risk%20online_0.pdf
[11] Ibid.

of people combining to attack an individual. It is difficult for anyone to disconnect from social media in this digital era; for migrant and refugee women, it is more difficult given the importance of maintaining connections to family and friends overseas.

Hate speech in languages other than English

Migrant and refugee women can be victims of online abuse occurring in languages other than English. Reporting such abuse to online platforms and obtaining its removal is made more difficult by failures by big tech companies to adequately police hate speech occurring in non-English languages. For example, recent revelations about Facebook's practices reveal that Facebook is aware that it has weaker moderation in non-English-speaking countries.[12]

Reporting online abuse

Recent amendments to expand the powers of the eSafety Commissioner to require the removal of adult cyber abuse materials are welcome. However, there are two particular limitations with the eSafety Commissioner's powers as they relate to migrant and refugee women:

- The eSafety Commissioner's power to order the removal of cyber abuse material only relates to online abuse that targets *a specific person*—that is, it does not extend to online abuse targeting a *group or community of people*, such as a particular migrant or refugee community.[13] Online hate speech directed towards communities or about the characteristics of members of those communities can be just as harmful to migrant and refugee women as racist abuse directed specifically to them as an individual.

- The harm experienced by an individual subject to adult cyber abuse must be "serious harm", meaning "serious physical harm or serious harm to a person's mental health, whether temporary or permanent".[14] An ordinary reaction of distress, grief, fear or anger is not sufficient. This high threshold has been set to protect freedom of speech,[15] but means that much of the material targeting migrant and refugee women will not be subject to the eSafety Commissioner's powers, despite the significant and ongoing harmful impact it has. The high threshold also makes it less likely that women will report abuse in the first place.

A practical limitation of the eSafety Commissioner's powers relates to migrant and refugee women's awareness of them. Migrant and refugee women may have lower levels of digital literacy and less familiarity with Australian systems,[16] meaning they are less likely to be aware

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[12] Justin Scheck, Newley Purnell and Jeff Horwitz, 'Facebook employees flag drug cartels and human traffickers. The company's response is weak, documents show' (16 September 2021), *The Wall Street Journal* https://www.wsj.com/articles/facebook-drug-cartels-human-traffickers-response-is-weak-documents-11631812953?mod=article_inline; Cat Zakrzewski, Gerrit de Vynck, Niha Masih and Shibani Mahtani, 'How Facebook neglected the rest of the world, fuelling hate speech and violence in India', (24 October 2021), *The Washington Post* https://www.washingtonpost.com/technology/2021/10/24/india-facebook-misinformation-hate-speech/

[13] eSafety Commissioner, *Adult Cyber Abuse Scheme Regulatory Guidance,* (December 2021) https://www.esafety.gov.au/sites/default/files/2021-12/ACA%20Scheme%20Regulatory%20Guidance%20%20FINAL.pdf

[14] Ibid.

[15] Ibid.

[16] eSafety Research, *eSafety for Women from Culturally and Linguistically Diverse Backgrounds Summary Report*, (February 2019) https://www.esafety.gov.au/sites/default/files/2019-07/summary-

of their rights to report online abuse. Further, before making a complaint to the eSafety Commissioner, a person must first make a complaint to the relevant online service provider (such as Facebook or Instagram) and provide evidence of this to the eSafety Commissioner.[17] This requirement poses an additional hurdle to reporting.

Online platforms and domestic and family violence

Technology-facilitated abuse has become a key part of domestic and family violence. A 2015 survey of domestic and family violence frontline workers found that 98 per cent of clients had experienced abuse through technology.[18] Features of technology-facilitated abuse may include perpetrators controlling access to social media accounts, monitoring use of social media, and using social media and other online platforms to abuse, stalk and harass.[19] For women from migrant and refugee backgrounds, features of technology-facilitated abuse may also include using social media to contact family overseas and isolate women from their family and friends and using it to spread rumours.[20] A study undertaken by WESNET in 2020 found that 43 per cent of women from non-English speaking backgrounds had experienced technology-facilitated abuse—an increase of 76.2 per cent since 2015.[21]

Low levels of digital literacy, language barriers and other systematic challenges experienced by migrant and refugee women may mean they are less likely to recognise technology-facilitated abuse as domestic and family violence, less likely to report it and less likely to be aware of available support services and legal rights.

Key considerations

- It is important to adopt an intersectional approach to understanding harms caused by social media and other online platforms. Migrant and refugee women face unique and additional risks when using social media as compared to the general population.

- The harms caused by online hate speech directed to communities must be recognised and the eSafety Commissioner's powers expanded to require the removal of this content.

- There is a need for tailored and culturally responsive digital literacy programs for migrant and refugee women of all age groups that are accessible in community languages.

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report-for-women-from-cald-backgrounds.pdf; Harmony Alliance, *National Consultation Report*, *Migrant and refugee women in the COVID-19 pandemic: Impact, resilience, and the way forward*, (February 2021) http://harmonyalliance.org.au/wp-content/uploads/2021/02/HA-Membership-Forum-Report.pdf

[17] eSafety Commissioner, *Adult Cyber Abuse Scheme Regulatory Guidance,* (December 2021) https://www.esafety.gov.au/sites/default/files/2021-12/ACA%20Scheme%20Regulatory%20Guidance%20%20FINAL.pdf

[18] eSafety Commissioner, *Protecting voices at risk online* (August 2020) https://www.esafety.gov.au/sites/default/files/2020-08/Protecting%20voices%20at%20risk%20online_0.pdf

[19] eSafety Commissioner, *What is technology-facilitated abuse?* https://www.esafety.gov.au/key-issues/domestic-family-violence/technology-facilitated-abuse

[20] WESNET, *Second national survey on technology abuse and domestic violence in Australia,* (2020) https://wesnet.org.au/wp-content/uploads/sites/3/2020/11/Wesnet-2020-2nd-National-Survey-Report-72pp-A4-FINAL.pdf

[21] Ibid.

- Rigorous internet and digital safety protocols are critical to preventing online control and abuse, with particular attention to culturally specific and gendered forms of digital abuse.