SUBMISSION BY

to

EDUCATION AND WORKFORCE COMMITTEE

on

INQUIRY INTO THE HARM YOUNG NEW ZEALANDERS ENCOUNTER ONLINE, AND THE ROLES THAT GOVERNMENT, BUSINESS, AND SOCIETY SHOULD PLAY IN ADDRESSING THOSE HARMS

30 July 2025

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INTRODUCTION

NZTech thanks the Education and Workforce Committee for the opportunity to contribute to its inquiry. Our brief submission does not address in detail this complex issue but instead outlines our key views. We expect individual NZTech members operating in this online space to provide the Committee with more detailed submissions.

In summary, NZTech supports the intent behind the inquiry, the determination to create safe online experiences for New Zealanders of all ages, and efforts to identify evidence of specific harms.

We acknowledge the potential and actual harms young people face through their online activities and their use of social media, but believe these harms are best tackled by modifying existing legislation – such as the Digital Harm and Exploitation Act – rather than introducing blanket bans, by age or any other criteria.

Such bans have not proven successful overseas. There are, however, good examples internationally – including the U.S. and Australia – of successful measures targeting user-generated content and sexually specific material, which would protect both adults and children using social media. Australia amended its Criminal Code Act in 2024, strengthening offences and targeting the creation and non-consensual sharing of sexually explicit material online, including material created or altered using AI technology.

The game development industry should be exempted – as has been agreed in Australia – due to lower risk and the strength of existing regulations of games.

We also draw the Committee's attention to the Aotearoa New Zealand Code of Practice for Online Safety and Harms (administered by NZTech), which aims to mitigate the risks and reduce the prevalence of harmful content facing all users of social media.

ABOUT NZTECH

NZTech is a member-funded, not-for-profit organisation representing more than 2,500 members who together employ 10 percent of the New Zealand workforce, comprising startups, local tech firms, multinationals, education providers, financial institutions, major corporations, network providers, hi-tech manufacturers, and government agencies that work closely with the tech ecosystem.

The tech sector is a significant and growing part of the New Zealand economy, employing 119,000 people and contributing around $24 billion in GDP. It is also one of the fastest-growing export sectors – New Zealand's 3rd largest – with export receipts of $11.4 billion in 2024. Software exports, for example, are growing at more than 20% p.a.

We note that "tech" includes physically manufactured products with a significant digital/knowledge-intensive component (e.g. Rakon, Tait Communications, F&P Healthcare), as well as weightless "digital" exports such as software, AI or gaming (e.g. Datacom, Xero, Orion Health, RocketWerkz).

COMMENTS

In July 2022, NZTech and Netsafe launched an initiative that commits a range of technology companies to reducing the risk of online content that may cause harm to New Zealanders. The Aotearoa New Zealand Code of Practice for Online Safety and Harms has been adopted by Meta (Facebook and Instagram), Google (YouTube), TikTok, Twitch, and X (formerly Twitter).

The Code commits signatories to a set of Guiding Principles and Commitments that aims to mitigate the risks and reduce the prevalence of harmful content in seven areas: child sexual exploitation and abuse; bullying or harassment; hate speech; incitement of violence; violent or graphic content; misinformation; and disinformation.

At the time the Code was introduced, nowhere else in the world had social media platforms committed to a voluntary Code of Practice, to independent oversight, regular reporting and an accountability mechanism to keep their commitments visible.

Signatories have pledged to reduce the prevalence of harmful content online; empower users to have more control and make informed choices; enhance transparency of policies, processes and systems; and support independent research and evaluation, collaborating with authorities as needed.

In addition to operating in line with the requirements of the Code (which is currently subject to its three-year review), NZTech members are involved in international efforts to tackle online child sexual abuse material, including membership and engagement with the WeProtect Global Alliance. They have extensive experience delivering services that prioritise customer trust and safety, and have navigated the development and introduction of content reform initiatives in other jurisdictions, including addressing issues of online harm to children.

Members' policies on online content, processes and resources are designed to maintain safe online experiences, while at the same time being proportionate and risk-based.

We would also like to take this opportunity to comment on two private members' bills recently introduced to the House that are relevant to the Committee's inquiry.

MP Catherine Wedd's Social Media Age-Restricted Users Bill is well-intentioned but as previously noted we believe blocking access to under-16s is an overly simplistic approach which doesn't address the actual issues of online harm.

MP Laura McClure's Deepfake Digital Harm and Exploitation Bill is specific to consent around sexually explicit material carrying someone's likeness being published without permission – amending the Crimes Act and Harmful Digital Communications Act definition of "intimate visual recording". This would address the dangers of "deep fake" materials without limiting all AI technologies – an approach which we support.

CONCLUSION

NZTech thanks the Education and Workforce Committee for the opportunity to make this submission. We would welcome the opportunity to facilitate the Committee's ongoing engagement with our members, so that the Committee can make use of their experience as it undertakes its review process.

Yours sincerely,

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