



Introduction

Netsafe is New Zealand's independent, non-profit online safety charity. Taking a technology-positive approach to the challenges digital technology presents, we work to help people in New Zealand take advantage of the opportunities available through technology by providing practical tools, support and advice for managing online challenges. We are an independent non-profit organisation adjacent to government and law enforcement with an unrelenting focus on online safety. Netsafe keep people of all ages safe online by providing free support, advice and education seven days a week. We are driven by our vision and gear everything we do to achieving our purpose.

In the last financial year from 2021 -22 Netsafe received 3403 reports regarding harmful communication. This means that each report breached the [Harmful Digital Communications Act 2015](#).

- 1167 (34%) were a breach of Communication Principle 5 - A digital Communication should not be used to harass someone.
- 334 (10%) of these were a breach of Communication Principle 1 - A digital communication should not be used to share sensitive personal facts. (most of these will refer to Image Based Sexual Abuse (IBSA) reports).
- Between 1st January 2022 - 31 December 22 we received 1558 reports which breached Communication Principle 5 - harassment. 71% of these were women.

We know that for many of these cases both harassment and image based sexual abuse, these will largely be aimed at women. In addition, many of these cases the women will have experienced family violence. In short, our data tells us that patterns of harm experienced by women online mirrors their experiences offline.

Based on our insights and experience as a key player in the online safety sector, we consider there are gaps in the following:

Support during the process

Many of the people that make these reports often belonging to minority groups and/or experiencing some level of systemic disadvantage) and need extra support to (i) seek help from Netsafe in the first instance, and (ii) particularly to follow the legal process at the District Court to seek [court orders](#). Victims do not require a lawyer, nor does the process cost, however, the application does seek significant information which can be intrusive and for many victims this is not possible without adequate support. Victims can feel re-victimised through this process.

We also consider many victims need other extra emotional support during the process and after - particularly after experiencing IBSA.

Protection orders – often people come to us with content which would be a violation of the Protection Order they have in place. Often we find that the Police will say it is not a violation because they cannot prove who is behind the accounts which are perpetrating the harassment (they are often anonymous).

Our answers to your questions:

How urgent is it to address a specific gap – it would be imperative to address these gaps as soon as possible as a matter of urgency. At the moment many people affected will not be accessing the civil process under the Harmful Digital Communications Act. There are accumulative impacts on our communities across Aotearoa/New Zealand that organisations such as Netsafe are only just identifying. It is our submission that there needs more robust central government attention to this growing social issue.

How much impact would come from addressing a specific gap – it means removing some barriers so that our most vulnerable communities including women, people with disabilities, the Rainbow community, and Māori, Pasifika and ethnic/migrant communities are empowered to seek help with these online concerns, and this also sets them up to have their concerns more effectively resolved.