



06 December 2023

Hon Tama Potaka  
Minister for Māori Development  
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Tēnā koe e te rangatira

## **Netsafe briefing to incoming Minister for Māori Development - online harm in Aotearoa**

*Nau te rourou, naku te rourou  
Ka ora ai te manuwhiri*

Congratulations Minister on your election and appointment to the Māori Development portfolio. You're likely to be scanning briefings from officials to inform your thinking on priorities. As you do, please consider our briefing on online harm in Aotearoa, alongside briefings from your departments.

It was good to reconnect with you and Scott a couple of weeks ago at the Federation of Māori Authorities summit in Tauranga and also reminisce about Weir House and Uni days.

As the pace of technological change increases, and with greater digitisation of public services, opportunities for bad actors also increase. Māori, particularly wāhine Māori, face unique challenges related to online safety, including cyberbullying, harassment, sextortion, scams, and the dissemination of harmful content. We very much look forward to working with you to ensure a safer internet for all users at the same time as exploiting the benefits of new technology.

The attached briefing to incoming ministers tells you about Netsafe, the work we do with government and community, and rising levels of online harm in Aotearoa New Zealand. In this letter we highlight some of our work and priorities in respect of Māori and a number of issues we have raised with the ministers responsible for the Internal Affairs, Education and Justice portfolios. Making progress in each of these areas will require cross-portfolio support. We hope you can support Netsafe to get the traction that is needed.

### *Netsafe is part of an eco-system that deals with online harm, cyber safety and security*

Netsafe is part of a broader eco-system that includes online safety, cyber safety and cyber security. Our focus is primarily on *online safety* - the people and behavioural side of the online world. Online safety services include incident management, counselling, education, victim remediation and helping people to navigate social media responsibly. We also partner with the community to run campaigns and programmes to support groups of New Zealanders being targeted online.

The *digital safety* part of the eco-system includes dealing with child sexual abuse material (CSAM), violent extremist content and unsolicited commercial electronic messages (spam). Digital safety is handled by the Digital Safety Team at the Department of Internal Affairs (DIA), Police, and Classification Office. Netsafe has a role referring CSAM and other objectionable content to the agencies with enforcement and other functions in this area. It also has trusted flagger relationships with the online platforms most commonly used in New Zealand, which provide rapid escalation options to get harmful content removed.

Online safety and digital safety are distinct from *cyber security*. Cyber security is a subset of national security policy. Cyber security means protecting people and their computers, networks, programs, and data from unauthorised access, disruption, exploitation or modification. Government agencies working

in this area currently include Cyber Emergency Response Team (CERT), the National Cyber Security Centre (NCSC), and the National Cyber Policy Office (NCPO). Cyber security has in the past been part of the National Security and Intelligence Portfolio and delegated to the Communications Minister.

There are of course overlaps between the three parts of the eco-system, and online safety and cyber security are linked. Safety starts outside the device and in particular it is important that youth and seniors develop skills around media and online literacy and good digital citizenship. Netsafe therefore works with the Cyber Emergency Response Team (CERT) and Network for Learning to support online security in the community and schools.

### *Building Strategic Relationships with Māori*

Netsafe continues on its journey to incorporate more Māori culture and tikanga into the way we do our work. We are looking to invest more time and resources into this work over the next 12 months. We have a 25-year history and have committed to keeping spaces and places safe and positive for the benefit of all people in Aotearoa, acknowledging Māori as Tangata Whenua.

Our contractual relationships with the Government also impart responsibilities on Netsafe to be responsive to Māori online safety needs. One of the MOJ's priority groups for Netsafe to be responsive to online safety incidents is Māori. Netsafe is seeking to align its commitment to Māori with a partnership approach supporting initiatives that give us opportunities for Māori input into our solutions, ensuring that Māori perspectives are inclusive in our decision-making and planning.

Examples of this work include: producing more translated Māori resources for the public e.g. the Harmful Digital Communications Act 2015 principles translated into Māori; working with Kantor to produce an annual population survey for Māori online safety concerns; crafting a wāhine Māori and First Nations segment of our 2023 Online Safety Conference; and presentations to the iwi Chairs Forum and the Federation of Māori Authorities. We continue to look for ways to create partnerships and improve.

### *Online harm and education*

Netsafe provides support and resources for schools, kura and parents dealing with young people and online harm. From our work we know that young people are particularly vulnerable to cyberbullying and online abuse. We are seeing a dramatic increase in sextortion, and a number of issues made worse through online platforms, such as youth suicide, body image issues, posting and boasting about criminal activities, and the spread of misinformation and disinformation.

More services are required to educate and support young people and their digital lives. We have asked the Minister of Education to help make this happen, by making changes to the curriculum for schools and kura, and through Vote Education funding for programmes and resources.

On the curriculum side, we need to update and improve the focus on online safety and social media literacy. There is very little in the existing curriculum that prepares young people to adequately engage (and stay safe) in a complex online world. We think the proposed ban on phone use during school term (in the National manifesto) could complement the suggested update to the curriculum, to educate students about social media use, technology, and screen time. This issue also has some urgency because the age of criminality under the Harmful Digital Communications Act applies from the age of 10.

On the programme and resources side, the Government needs to invest in anti-cyberbullying programmes in schools and kura, support the development of new resources for teachers (including Netsafe's micro-learning moments), and fund research to address content that sexualises children or depicts self-harm and suicide violence against children.

*The Harmful Digital Communications Act (and the Justice portfolio)*

Netsafe is the approved agency under the Harmful Digital Communications Act 2015 (HDCA). The HDCA was passed by the last National-led Government, to address online bullying, harassment, abuse and intimidation. We provide a seven-day-a week helpline, community presentations, resources for the victims of harm online, proactive advice on how to stay safe online, and an alternative dispute resolution service to resolve complaints between individuals and with the internet industry (e.g. platforms).

We have advised the Minister of Justice that the HDCA is urgently in need of an update to address new forms of online harm. The limitations of the existing legislation include its focus on individuals, not groups as targets of online harm. There have also been advances in technology being used to cause online harm. For example, the HDCA does not explicitly prohibit abuse using artificial intelligence (AI), which is becoming increasingly common. AI allows the creation of deep fake or synthetic intimate images depicting real people in situations that are not real. These can then be shared online and used for threats or blackmail.

Netsafe is of the view that updating the HDCA would be a better course compared to the proposals from the previous Government as part of its Safer Online Services, Media and Platforms change agenda. Those proposals did not seek to reform any laws where content is already objectionable and harmful or provide more support for victims. This necessitates strengthening the HDCA and existing structures dealing with illegal content and activities.

We have also briefed the Minister of Justice on:

- concerns about the contribution of social media to youth offending (an issue that has to date fallen between the cracks of agency responsibility)
- the need to educate youth about the implications of social media being an aggravating factor at sentencing
- the dramatic increase in the amount of stalking and harassment online (harassment is currently covered in a piecemeal way across different pieces of legislation)
- gaps in victim recovery programmes for people who experience online harm
- the need for better training for law enforcement personnel, to be able to deal with image based sexual abuse.

*A meeting to discuss*

Netsafe will provide you with any Māori specific online safety information you may need where you need to speak to the issues.

I can meet with you in the New Year to introduce our work and discuss online harm in Aotearoa New Zealand should you consider it appropriate. My email is [brentc@netsafe.org.nz](mailto:brentc@netsafe.org.nz) and phone number 021 925 140.

Congratulations again and I look forward to working with you and the incoming Government.

Ngā manaakitanga



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Brent Carey  
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