

LinkedIn submission in response to the Online Safety Amendment (Social Media Minimum Age) Bill 2024 [Provisions]

Introduction

LinkedIn thanks the *Senate Standing Committees on Environment and Communications* for the opportunity to provide a submission on the *Online Safety Amendment (Social Media Minimum Age) Bill 2024*. We note that the intention of the bill is to introduce an obligation on 'age-restricted social media platforms' to protect children under the age of 16 from harmful content and behaviour online.

About LinkedIn

LinkedIn is a real-identity online service connecting over 1 billion professionals across the world, and over 15 million across Australia. LinkedIn's vision is to create economic opportunity for every member of the global workforce. Its mission is to connect the world's professionals to make them more productive and successful. To that end, LinkedIn operates an online professional networking service for professionals where they can connect and interact, stay informed about the world of work, grow their professional network and brand, learn new skills, and find jobs or other career development opportunities.

As part of LinkedIn's commitment to support the development of professional skills and career advancement opportunities, its key products—such as *LinkedIn Learning* and *LinkedIn Talent Solutions*—provide members opportunities for professional growth. LinkedIn Learning has a vast library of over 23,000 on-demand courses that can help members develop new skills, further their education, and enhance their careers. Similarly, LinkedIn Learning is offered to our enterprise customers as a valuable business tool to enhance their employees' skills and overall productivity. LinkedIn Talent Solutions enables employers to find and hire talent, offering tools for recruitment and candidate engagement. Globally, over 9,000 members apply for jobs every minute and 7 people are hired every minute on LinkedIn. Together, these products contribute to providing both education and opportunities for career advancement for Australians.

LinkedIn is available to anyone aged 16 and over who creates an account and a 'member' profile (i.e. a short CV that may contain information such as a member's current and past employment activity, educational qualifications, and skills). Members are required to use their real or preferred professional names. Once a profile has been created, members have access to certain core functionalities, such as the ability to post content, interact with others' content, connect, communicate, follow, and engage with others in the LinkedIn community.

A Safe, Trusted and Professional Network

LinkedIn's core value of "members first" drives every decision, ensuring that the platform prioritises safety and security for its community. By upholding its *Professional Community Policies*, LinkedIn has invested significantly in developing robust policies, advanced detection capabilities, and effective enforcement processes. This includes preventing the creation of fake profiles and providing additional identity verification options to ensure members can confidently engage in meaningful interactions.

Trust is core to LinkedIn's product and business, serving as one of the company's key foundational operating priorities. The platform provides a space for real people to share authentic information and pursue professional growth. We believe that trust is earned through consistency over time and built on a foundation of privacy, safety, and security, designed, and by default, to create an environment where members can confidently rely on the platform to support their professional needs.

LinkedIn operates under strict standards of professionalism, which are reflected in both content policies and enforcement. On joining LinkedIn, members agree to abide by LinkedIn's *User Agreement* and its *Professional Community Policies*, which clearly detail the range of objectionable and harmful content that is not allowed on LinkedIn. Activity on the platform and any content members share can be seen by current and future employers, colleagues, potential business partners and recruitment firms, among others. Given this audience, members by and large tend to limit their activity to professional areas of interest and expect the content they see to be professional in nature. LinkedIn's services are tailored to professionals and businesses through a focus on business-to-business engagement.

LinkedIn's approach to minors

As LinkedIn's purpose is entirely professional, the platform is not popular with minors. Anyone under the age of 16 is explicitly prohibited by the LinkedIn terms of service from having an account. During the account creation process, new members who are students are required to attest that they are over 16 years old. If they say "no," then they are not allowed to proceed with signing up. If LinkedIn otherwise becomes aware that a member is under the age of 16, LinkedIn will close the member's account. Further, LinkedIn does not enable ad targeting to age groups below 18 in Australia. All members have additional controls to restrict the privacy of their information, including whether their profile is shown in Search Engines.

Additionally, LinkedIn simply does not have content interesting and appealing to minors. As noted above, it is entirely professionally focused, providing members the ability to connect and engage on topics relevant to the world of work. Unsurprisingly, therefore, LinkedIn does not direct or market any of its products or features toward minors – including the 16 and 17 year olds that are technically permitted on the platform – through content, design, marketing, or advertising.

Australia's Social Media Age Limit Legislation

LinkedIn is a professional networking platform with the primary purpose of creating economic opportunity for its members and where interactions are predominantly and intrinsically business-related. The first legislative note in Section 63C(1) provides that, "Online social interaction does not include (for example) online business interaction." The legislative note in 63C(2) provides that, "Social purposes does not include (for example) business purposes." As such, we believe that LinkedIn's platform falls outside the scope of the "Age-restricted social media platform" definition set forth in section 63C and therefore should not be subject to regulation under the proposed legislation.

Furthermore, even if LinkedIn's platform were deemed to fall within the "Age-restricted social media platform" definition set forth in section 63C, we believe LinkedIn should be granted an exemption from regulation pursuant to the exemption for beneficial experiences referenced in the Explanatory Memorandum. LinkedIn's platform is specifically designed to offer professional skill development and career advancement opportunities to its members. Young people in the earliest stages of building career foundations benefit significantly, perhaps more than others, from the professional skill development courses, learning certifications, professional networking, and job application services offered by LinkedIn's platform. Subjecting LinkedIn's platform to regulation under the proposed legislation would create unnecessary barriers and costs for LinkedIn's members in Australia to undertake age assurance and could unnecessarily restrict access to the professional skill and career development benefits offered by LinkedIn's platform.

In summary, we respectfully request that LinkedIn's platform not be subject to regulation under the proposed legislation given the business purposes of the platform and the professional skill development and career development benefits offered by the platform to young people.