

## Submission to Inquiry into Social Media and Online Safety

Dear House Select Committee on Social Media and Online Safety,

I thank you for the opportunity to submit to the Inquiry into Social Media and Online Safety.

My name is Emily van der Nagel and I am a Lecturer in Social Media at Monash University. One of my major areas of research is into the value of social media anonymity and pseudonymity<sup>1</sup>: I was recently described by the ABC as one of Australia's "pre-eminent experts"<sup>2</sup> on the topic. My PhD thesis, 'Social Media Pseudonymity: Affordances, Practices, Disruptions' found that people who are pseudonymous on social media are rarely doing so to cause harm to others. Instead, pseudonymity is a way to compartmentalise audiences and connect to conversations that matter.

I have published on the importance of social media pseudonymity in peer-reviewed journals including *Media International Australia*, *M/C Journal: A Journal of Media and Culture*, *Internet Histories*, *Porn Studies*, and *Social Media + Society*. My book, co-authored with Professor Katrin Tiidenberg, *Sex and Social Media*, argued for safer, fairer, more sex-positive social media platforms. I have given expert commentary about social media pseudonymity to news organisations including ABC, *The Guardian*, *Sydney Morning Herald*, *The Conversation*, *Vice*, and *Wired*.

In 2020 I contributed to a research paper by the Queensland Department of the Premier and Cabinet's Anti-Cyberbullying Taskforce titled 'Social Media and Identity Verification'<sup>3</sup>, which reviewed academic literature on the topic and suggested the Australian Government should approach any move towards identity verification on social media with respect for the autonomy and freedom of Australians firmly in mind. I was also an invited expert on a roundtable co-hosted by Twitter and Digital Rights Watch in November 2021: 'Online Anonymity and Pseudonymity: Why it Matters'<sup>4</sup>. The roundtable brought together a panel of experts who argued that pseudonymity is a crucial digital right.

This expertise and experiences should contextualise and substantiate the expertise underpinning my submission. Although I write this submission in my capacity as a social media scholar, my views do not necessarily represent those of Monash University.

My submission speaks to the following Terms of Reference:

**(b) evidence of: (iii) existing identity verification and age assurance policies and practices and the extent to which they are being enforced**

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<sup>1</sup> 'Anonymous' means 'no name' and 'pseudonymous' means 'false name'. Although someone using a name or username on social media that doesn't match their formal identity documents is most often called 'anonymous', in this submission I use the term 'pseudonymous', as it's much more likely that the person is using a pseudonym on social media than no name or username at all.

<sup>2</sup> <https://www.abc.net.au/news/science/2021-11-30/online-bullying-trolling-identity-verification-legislation/100658084>

<sup>3</sup> <https://www.premiers.qld.gov.au/publications/categories/reports/assets/recommendation-21-literature-review-paper.docx>

<sup>4</sup> [https://www.youtube.com/watch?v=c\\_g\\_hXCW1oY](https://www.youtube.com/watch?v=c_g_hXCW1oY)

**(c) the effectiveness, take-up and impact of industry measures, including safety features, controls, protections and settings, to keep Australians, particularly children, safe online**

**(g) actions being pursued by the Government to keep Australians safe online**

I make three main responses in this submission that address these Terms of Reference. I address the Terms of Reference individually.

**Term of Reference: (b) evidence of: (iii) existing identity verification and age assurance policies and practices and the extent to which they are being enforced**

**My response: Identity verification on social media must remain an opt-in process**

Verifying an individual's identity on social media usually involves submitting photographs of their government-issued identification documents to the platform, such as a driver's licence or passport. This process confirms the personal details of the social media account (such as a name, age, or location) match those of the individual's identification documents. Importantly, identity verification is not a requirement of any of the most used platforms in Australia<sup>5</sup>. In fact, verification is usually only available to those who meet certain criteria: those who are "notable" or prominently recognised<sup>6</sup>, public figures<sup>7</sup>, or, on YouTube, having over 100,000 subscribers to a personal channel<sup>8</sup>. Once a user's verification application is approved, their profile is updated to include a badge or check mark.

These platform conditions mean verification is intended to indicate authenticity and trustworthiness. Australians understand verification as a way to confer a particular kind of social status to high profile people on social media, not as a condition of use. To demand every Australian provide identity documents to commercial platforms burdens citizens with revealing sensitive identity information to platforms, or the data brokerage organisations they employ. This is a privacy risk, as it provides platforms with swathes of personal information about Australians that may be used by any number of actors or organisations to further profile, target, and track them – either immediately, or in the future.

Mandatory verification does not adhere to the Office of the Australian Information Commissioner's acknowledgement that privacy is a fundamental human right<sup>9</sup>. It does not conform to Australian Privacy Principle 2: "Individuals must have the option of not identifying themselves, or of using a pseudonym, when dealing with an APP entity in relation to a particular matter"<sup>10</sup>. As large social media platforms are considered APP entities, mandatory verification means Australians would be asked to provide more personal information than is necessary to access and use social media.

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<sup>5</sup> According to a report by We Are Social, the top 10 social media platforms in Australia in 2021 were YouTube, Facebook, Facebook Messenger, Instagram, WhatsApp, Twitter, Snapchat, LinkedIn, Pinterest, and TikTok: <https://wearesocial.com/au/blog/2021/02/digital-2021-australia-we-spend-10-percent-more-time-online/>

<sup>6</sup> <https://help.twitter.com/en/managing-your-account/about-twitter-verified-accounts>

<sup>7</sup> <https://www.facebook.com/help/1288173394636262>

<sup>8</sup> <https://support.google.com/youtube/answer/3046484?hl=en>

<sup>9</sup> <https://www.oaic.gov.au/privacy/your-privacy-rights>

<sup>10</sup> <https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>

**Term of Reference: (c) the effectiveness, take-up and impact of industry measures, including safety features, controls, protections and settings, to keep Australians, particularly children, safe online**

**My response: 2) Pseudonymity is a safety feature of social media platforms**

As safety is at the core of this Inquiry, I want to stress to the Committee that pseudonymity is practiced by many Australians as a way to keep safe on social media. Many Australians use social media for connections and conversations about things that matter to them, and to access information about the world they live in. Some Australians use these platforms to harass and abuse others, although there is not enough conclusive evidence that this harassment is more likely to come from pseudonymous accounts. However, there is significant evidence to show that those causing harm to others on social media often do so under their legal name.

There are many reasons why someone may use a pseudonym on social media. These include:

- People from marginalised groups, including LGBTIQ+ Australians, disabled Australians, and those from ethnic minorities, building accepting communities
- People seeking health information for stigmatised conditions
- Victim-survivors of domestic abuse avoiding their abuser
- Victim-survivors revealing abuse, especially from powerful people
- Whistleblowers revealing information about institutional corruption
- Sex workers building professional networks that provide social support and help with finding and screening potential clients
- People wishing to create private spaces on social media that allow them to access a more intimate context in which to communicate than a public, named account

From my research, I have found that people using pseudonyms are more likely to be *avoiding* harm than *causing* it.

**Term of Reference: (g) actions being pursued by the Government to keep Australians safe online**

**My response: The Government must understand that Australians are safest when they are able to make use of pseudonymity on social media.**

From my decade of research on the topic of social media anonymity and pseudonymity, I have drawn the conclusion that banning social media pseudonymity does not make platforms kinder or safer. Real name policies and mandatory verification are not solutions to social media harassment and abuse.

One action being considered by the Government to keep Australians safe online is instigating real name policies on social media platforms: for example, by having Australians provide 100 points of

identification before creating or maintaining a social media account<sup>11</sup>. This measure addresses Recommendation 30 in the Parliament Inquiry into Family, Domestic and Sexual Violence report, which regards technologically-facilitated abuse. If the government acknowledges, as this report says, “appropriate technology use is a shared community responsibility”<sup>12</sup>, then there are two other recommendations in the report which would have an impact only on the perpetrators of abusers, instead of impacting marginalised groups: increasing criminal and civil penalties for technology-facilitated abuse, and strengthening processes whereby victim-survivors can request abusive material be removed from platforms.

Another action from the Government is drafting The Social Media (Anti-Trolling) Bill 2021<sup>13</sup>. This Bill aims to protect victims of social media defamation by providing a clearer pathway to defamation proceedings against individuals who anonymously post defamatory material about them. The Bill actually is more likely to protect *platforms*, as it absolves platforms from being considered publishers of social media posts when they comply with identity disclosure orders. This will mean platforms have a stronger case for requesting or requiring social media identity verification, as they have a vested interest in avoiding punishment in defamation cases.

In summary, the Government has a responsibility to ensure any actions it pursues to keep Australians safe on social media do not impede upon the privacy of Australians and their right to safety through pseudonymity. I urge the Committee to recognise that pseudonymity is not simply a proxy for causing harm – it is socially and politically valuable. Social media pseudonymity is worth protecting.

Thank you again for the opportunity to submit to this Inquiry.

Kind regards,



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<sup>11</sup> <https://www.perthnow.com.au/technology/internet/federal-government-considers-id-checks-to-ban-anonymous-social-media-accounts-including-facebook-and-tinder-ng-b881837587z>

<sup>12</sup>

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/House/Social\\_Policy\\_and\\_Legal\\_Affairs/Familyviolence/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Familyviolence/Report)

<sup>13</sup> <https://www.ag.gov.au/legal-system/social-media-anti-trolling-bill>