Thursday 29 October 2026

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600
Phone: +61 2 6277 3526
Via email: ec.sen@aph.gov.au

To the Committee Secretary,

RE: Case Studies of tech platform over reach into public health and safety content, Australia

This document demonstrates the current problem of tech platform overcapture, misclassification and removal of health and safety content in Australia. It also demonstrates that reliance on appeals processes is not practical, fair or reasonable.

The Digital Duty of Care bill does not address, acknowledge, plan for or contain any mitigating strategy for this increasing problem. Carve outs and exemptions cannot correct the reality: tech platform terms and conditions, automated decision making and AI moderation already block millions of Australian internet users from accessing essential publicly funded government endorsed health and safety information.

Signed,

Alcohol and Other Drugs Council https://aadc.org.au/
Alcohol and Drug Foundation https://adf.org.au/
Assembly Four https://assemblyfour.com/
Australian Injecting and Illicit Drug Users League https://aivl.org.au/
Bloom-Ed https://www.bloom-ed.org/
Bluelight Communities Ltd https://bluelightcommunities.au/
Dr Kath Albury https://orcid.org/0000-0001-9043-8126
Dr Isabelle Volpe https://orcid.org/0000-0002-7141-9891
Dr Kate Seear https://orcid.org/0000-0002-0886-7069
Dr Monica Barratt https://orcid.org/0000-0002-1015-9379
Dr Zahra Stardust https://orcid.org/0000-0001-8555-4456
Eros Association Incorporated https://eros.org.au/
Harm Reduction Australia https://www.harmreductionaustralia.org.au/
Health Equity Matters https://www.healthequitymatters.org.au/
James Gauci, CEO and Founder, Cadent https://cadent.au/
National Association of People Living with HIV/AIDS https://napwha.org.au/
New South Wales Council for Civil Liberties https://www.nswccl.org.au/
Relationships Australia National Office https://www.relationships.org.au/
Scarlet Alliance, National Sex Workers Association https://scarletalliance.org.au/
Sex Workers Outreach Project, NSW https://swopnsw.org.au/
Sexual and Reproductive Health Australia https://srha.org.au/
Sexual Health Society of Queensland https://www.shsqld.com.au/
Students for Sensible Drug Policy Australia https://ssdp.org.au/
Women's Health NSW https://whnsw.asn.au/

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WOMEN'S HEALTH NSW - LinkedIn removal of health promotion content

The organisation appealed the decision in the first instance, and in the second example the platform admitted they had made an error removing the content. The timeliness of the message was already lost, and the time investment by the organisation to have the content reinstated did not result in fewer removals moving forward. The Digital Duty of Care bill, as it stands, would not prevent, and may promote, the ongoing removal of this content, without any tracking mechanism, oversight, governance or documentation to identify what LinkedIn is costing the health sector, and why the overcapture is so common.

EXAMPLE 1: ANAL CANCER

Link to original article:
https://theconversation.com/dont-let-embarrassment-stop-you-talking-about-these-anal-cancer-symptoms-could-save-your-life-249570

THE CONTENT:

"Anal cancer is an abnormal growth in the cells lining the anus, the last few centimetres of the bowel. Many people feel awkward talking about this part of their body. So, when symptoms appear – such as bleeding or itchiness – they may delay speaking to a doctor. But it's crucial to know what to look for, because if anal cancer is caught early the chances of treating it are much higher."



Don't let embarrassment stop you – talking about these anal cancer symptoms could save your life

Published: April 9, 2025 1.27pm AEST

sarkao/Shutterstock

Anal cancer doesn't get a lot of attention. This may be because it's relatively rare – anal cancer affects an estimated one to two Australians in every 100,000. As a comparison, melanomas affect around 70 in every 100,000 people.

But it's also likely due to embarrassment. Anal cancer is an abnormal growth in the cells lining the anus, the last few centimetres of the bowel. Many people feel awkward talking about this part of their body.

So, when symptoms appear – such as bleeding or itchiness – they may delay speaking to a doctor. But it's crucial to know what to look for, because if anal cancer is caught early the chances of treating it are much higher.

Do we know what causes it?

Up to nine in ten anal cancers are caused by human papillomavirus (HPV), a sexually transmitted infection.

HPV is common – more than 80% of people who have ever been sexually active will be infected at some point with a strain (there are more than 150).

Most HPV strains won't cause any problems. But

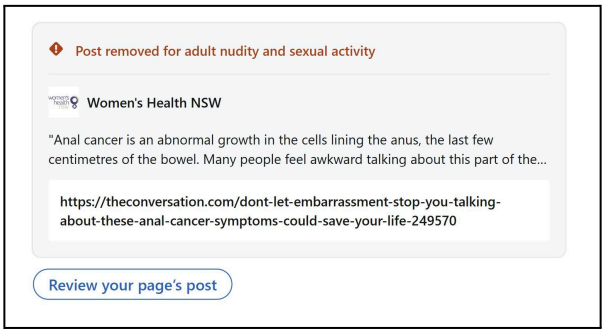
HUMAN GASTROINTESTINAL TRACT

THE REMOVAL:

"Post removed for adult nudity and sexual activity"

THE LESSON:

Spending time appealing a platform decision costs time, money and loses audiences. While it is the case that a health organisation might be able to get content back in the meantime there is a drop in visibility and for a period of time the intended audience is receiving nothing



Post removed for adult nudity and sexual activity

Women's Health NSW

"Anal cancer is an abnormal growth in the cells lining the anus, the last few centimetres of the bowel. Many people feel awkward talking about this part of the...

https://theconversation.com/dont-let-embarrassment-stop-you-talking-about-these-anal-cancer-symptoms-could-save-your-life-249570

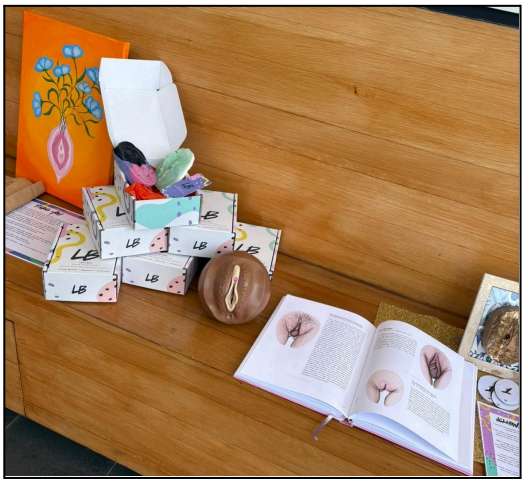
Review your page's post

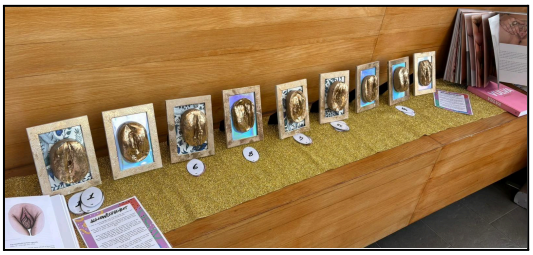
EXAMPLE 2: IMAGES OF VULVAS

In this example the platform did not inform the account holder the content had been removed. Women's Health NSW noticed the absence on the same day and reposted it. The organisation subsequently received a notice from the platform saying the first post was removed incorrectly.

THE CONTENT:

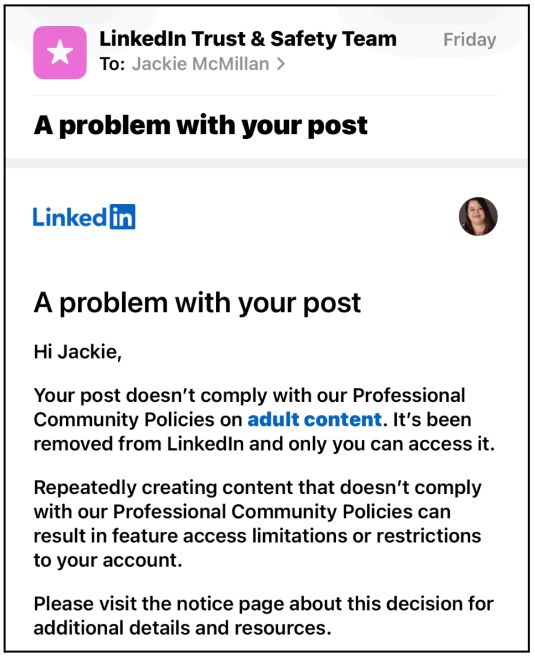
"Women's Health NSW is proud to be attending and presenting our work at the Children by Choice Reproductive Health and Abortion Conference today in Brisbane. Yesterday, Children by Choice CEO Anjulee Singh said of the Beyond Access theme: "We are beyond access. Abortion is legal and services are available. What we need now is for it to be meaningful, sustainable, and equitable. We do this by celebrating progress made, but also by taking action on the work that is yet to be done."





THE REMOVAL:

"Your post doesn't comply with our Professional Community Policies on adult content. It's been removed from LinkedIn and only you can access it. Repeatedly creating content that doesn't comply with our Professional Community Policies can result in feature access limitations or restrictions in your account."



LinkedIn Trust & Safety Team Friday
To: Jackie McMillan >

A problem with your post

LinkedIn

A problem with your post

Hi Jackie,

Your post doesn't comply with our Professional Community Policies on adult content. It's been removed from LinkedIn and only you can access it.

Repeatedly creating content that doesn't comply with our Professional Community Policies can result in feature access limitations or restrictions to your account.

Please visit the notice page about this decision for additional details and resources.

THE LESSON:

The post was flagged as "adult content" because the photos showed artistic and scientific representations of vulvas. This suggests that the Bill's intended exception for artistic or health promotion content will need platforms to be able to differentiate between art and health promotion, and material designed to arouse, which it is already struggling with.

- Content removal is inconsistent, thus cannot be planned for
- Content removal is subject to error
- Content removal occurs without notice

THE IMPACT:

- Reduces Australian's access to health promotion
- Costs the health sector time and money

NAPWHA - Meta, YouTube and TikTok removal of health promotion content

National Association of People with HIV Australia (NAPWHA) is a federal peak body for organisations that represent and serve people with HIV. It is based in Sydney but facilitates HIV peer leadership across Australia, which includes distributing rapid HIV self-testing kits, the development of HIV education campaigns and resources, and social media community engagement.

EXAMPLE: 'CAN'T PASS IT ON' ANTI-STIGMA CAMPAIGN

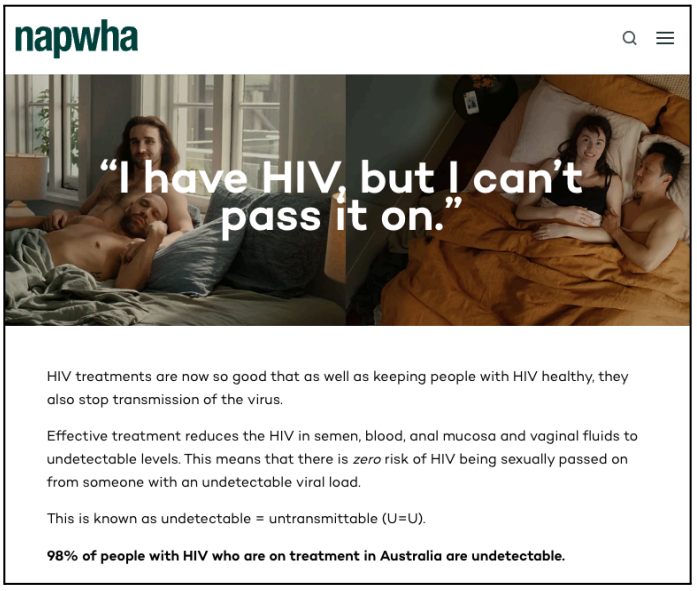
The Campaign was developed by NAPWHA in 2023 to inform people with same and other gendered partners that effectiveness of HIV treatment means the virus cannot be sexually transmitted at all.

This is life-changing news for people with HIV. **However, very few people in the general Australian population are aware of the effectiveness of current treatments**. This lack of public information sustains ongoing fear of HIV in Australia and sustains stigma which negatively impacts quality of life for people with HIV.

THE CONTENT:

'Can't Pass It On' was developed with input from communications and stigma experts, including Prof Kath Albury. NAPWHA made a substantial investment in focus testing to understand existing attitudes to HIV, and trial different strategies for changing them. The campaign aesthetics are similar to those of a high-end bedding advertising campaign — it contains no explicit, 'adult' or sexualised content.

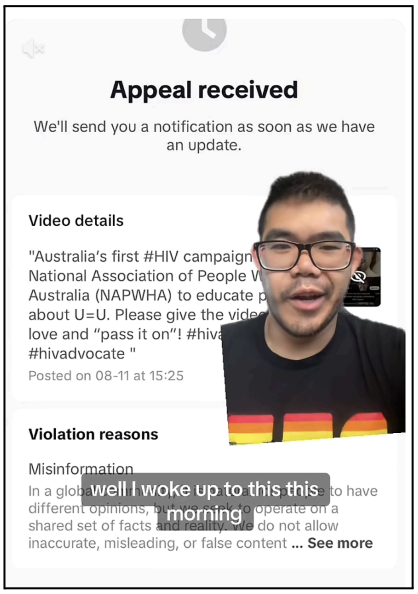
The campaign was then circulated as a boosted post on Facebook and as a promoted video on Youtube in August 2023.



THE REMOVAL:

Soon after it was launched, it was suspended on both platforms. Facebook reported: 'Your ad was rejected because it doesn't comply with our policies on Ads About Social Issues, Elections or Politics.' Abusive comments were left on the promoted video posts.

Health content creator and epidemiologist Dr. Curtis Chan (then a PhD student in the Kirby Institute's HIV Epidemiology and Prevention Program) reposted the campaign on his TikTok account. His post was subsequently removed as 'misinformation' and his appeal was not upheld.



THE LESSON:

NAPWHA believes that the promoted posts were targeted by a loosely organised campaign of spurious complaints motivated by stigma towards HIV and the communities affected by it (which include gay and bisexual men and other queer people, trans folks, sex workers and people who use drugs).

Due to current lack of transparency and appeal procedures for creators subject to misinformation or disinformation complaints, there is no way of investigating (and mitigating against) a potential weaponisation of complaints processes.

More recently, posts featuring short biographies of HIV+ women and migrants and refugees living with HIV have also been targeted by hateful comments and suspected organised campaigns of malicious flagging, resulting in takedowns.

The outcome for public health is potentially devastating: people and communities living with and affected by HIV are exposed to hate speech, and people without HIV — including young people — are missing out on essential skills and knowledge they need to protect themselves.



As this peer-reviewed article (co-authored with NAPWHA Project Officer Daniel Reeders) notes, community-led health organisations do not have the financial or human resources to navigate opaque content moderation guidance, or forensically document every comment and takedown notice.

In many cases, individuals and organisations simply withdraw from social media, which risks leaving communities at risk of HIV without accessible, peer-led public health information.



THE IMPACT:

The organisation can't even pay to promote campaign posts — they are refused or taken down;

NAPWHA is trying to build community but our staff and people in vulnerable communities are exposed to hate speech — which is (in the case of trans folk) explicitly permitted by moderation guidelines on these sites;
Platforms block NAPWHA from targeting audiences based on gender and sexuality, so we can't target our posts to reach communities most affected by HIV and our posts are promoted to off-target audiences who respond with hostility;

When NAPWHA does target the general population — e.g. with anti-stigma campaigns — posts are swamped with hostile comments and targeted campaigns of spurious complaints. NAPWHA has no effective way to appeal moderation decisions.

FOLLOW UP:

Over 18 months Professor Kath Albury and her colleagues at Swinburne University of Technology partnered with the (NAPWHA) to investigate the issue which we dubbed 'Not Safe for Health', enabled by matched seed funding from the Swinburne Social Innovation Research Institute. On 21 July 2026 the project authors launched two reports:

- A legal and policy guide that considers the responsibilities of platforms, HIV organisations and regulators to address social media risks and harms;
- A media and communications guide that provides practical tips and strategies for community led public health organisations facing the Not Safe for Health problem.



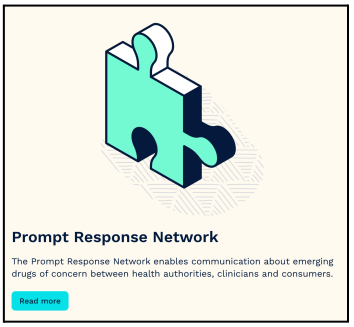


PROMPT RESPONSE NETWORK - Facebook, Instagram and TikTok removal of public health alerts

EXAMPLE: PUBLIC HEALTH WARNINGS

THE CONTENT:

Public health warnings for dangerous substances found in illicit drugs in Australia, are authored, verified, published and distributed by agencies alerted via the Australian 'Prompt Response Network.' The Prompt Response Network has been in draft form since 2018, became completely funded by the Commonwealth Department of Health, Disability and Aging in 2022 and launched globally in 2025.



THE REMOVAL:

Flagged posts by Meta in 2026 include straightforward harm reduction advice to prevent accidental overdose, such as warnings about "double-strength" MDMA circulating, and recommendations to reduce dosage if testing isn't available.

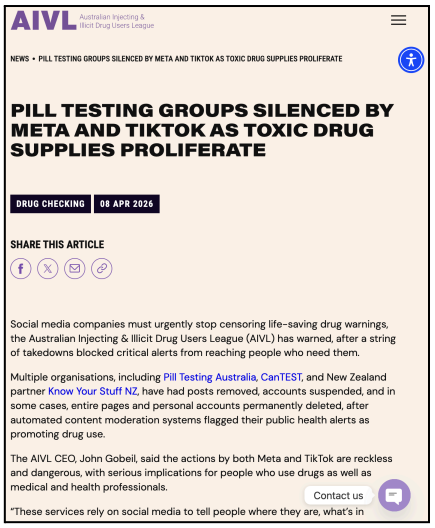
A Pill Testing Australia warning about strong MDMA and nitazenes – a synthetically produced opioid more potent than fentanyl – ahead of Canberra's Spilt Milk festival in December 2025 was removed three days prior to the event and a subsequent appeal was rejected.

Pill Testing Australia had these public-health alerts removed from both Instagram and Facebook and banned by TikTok.

CanTest had their content about dangerous drug supplies misclassified as 'promoting' drug use and were suspended from Instagram for a week.

KnowYourStuffNZ had its Facebook page repeatedly taken down and the individual responsible for online communications permanently banned from the platform.

Complete details of the removals were reported by AIVL, 8 April 2026


AIVL Australian Injecting & Illicit Drug Users League

NEWS • PILL TESTING GROUPS SILENCED BY META AND TIKTOK AS TOXIC DRUG SUPPLIES PROLIFERATE

PILL TESTING GROUPS SILENCED BY META AND TIKTOK AS TOXIC DRUG SUPPLIES PROLIFERATE

DRUG CHECKING | 08 APR 2026

SHARE THIS ARTICLE

Social media companies must urgently stop censoring life-saving drug warnings, the Australian Injecting & Illicit Drug Users League (AIVL) has warned, after a string of takedowns blocked critical alerts from reaching people who need them.

Multiple organisations, including Pill Testing Australia, CanTEST, and New Zealand partner Know Your Stuff NZ, have had posts removed, accounts suspended, and in some cases, entire pages and personal accounts permanently deleted, after automated content moderation systems flagged their public health alerts as promoting drug use.

The AIVL CEO, John Gobeil, said the actions by both Meta and TikTok are reckless and dangerous, with serious implications for people who use drugs as well as medical and health professionals.

Contact us

"These services rely on social media to tell people where they are, what's in

THE LESSON:

> *"When you get a notice that something has been taken down, or you have been banned, normally, what you will receive is a message of what community guideline you have broken, and the guideline is usually around 'promoting drug use', yet none of these posts are doing that."*
>
> MOLLY HOWES, DIRECTOR OF OPERATIONS AND COMMUNICATIONS, AIVL, SOCIAL MEDIA GIANTS ARE DELETING LIFESAVING DRUG WARNINGS

THE IMPACT:

When urgent health alert messages are blocked by platforms due to overcapture, the intended audience loses the chance to make safer and healthier decisions.

The removals undermine local state and territory policies such as drug decriminalisation in the ACT. Those policies are all about supporting people who use drugs and not punishing them with criminalisation, offering people some health support and making sure warnings about life-threatening substances are distributed. The successes of these policies are being actively impeded by Tech platform misclassification of health promotion materials.

John Gobeil of AIVL and David Caldicott of CanTEST and Pill Testing Australia, share more of their concerns about the take downs with the ABC, 7 April 2026

VIXEN - Instagram content removal and account suspension of community networking promotion

Vixen is Victoria's sex worker organisation, promoting the rights, health and well-being of all Victorian sex workers through outreach, peer support, community-development and advocacy.

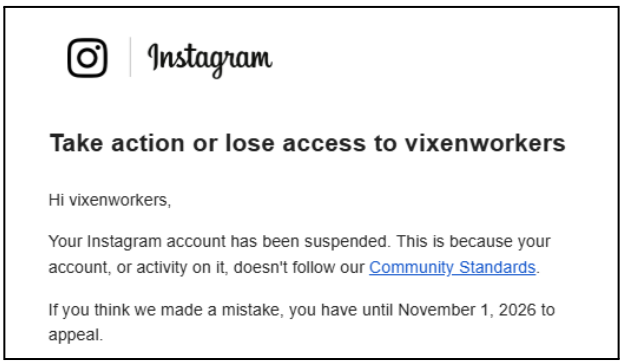
EXAMPLE: INSTAGRAM ACCOUNT

Meta/Instagram sent Vixen three emails within 24hrs informing that the account had been suspended and that they could appeal the decision. Appealing the decision led to the account being completely disabled for a period of time.

On Tuesday, 5 May 2026 at 21:39 an account suspension notice was sent.

"Your account, or activity on it, doesn't follow our Community Standards"

"If you think we made a mistake, you have until November 1, 2026"


Instagram

Take action or lose access to vixenworkers

Hi vixenworkers,

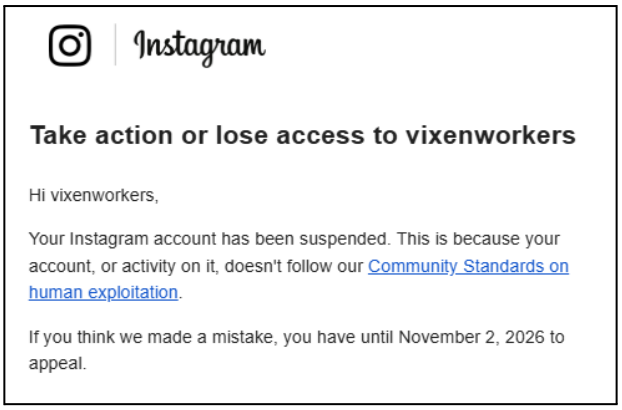
Your Instagram account has been suspended. This is because your account, or activity on it, doesn't follow our Community Standards.

If you think we made a mistake, you have until November 1, 2026 to appeal.

It was sent again on Wednesday, 6 May 2026 at 13:31 (16 hours later)

"Your account, or activity on it, doesn't follow our Community Standards on human exploitation"

"If you think we made a mistake, you have until November 2, 2026"


Instagram

Take action or lose access to vixenworkers

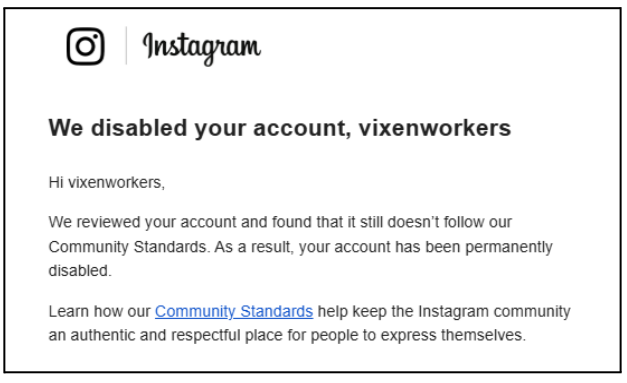
Hi vixenworkers,

Your Instagram account has been suspended. This is because your account, or activity on it, doesn't follow our Community Standards on human exploitation.

If you think we made a mistake, you have until November 2, 2026 to appeal.

20 minutes later, on Wednesday, 6 May 2026 at 13:50, the account was permanently disabled

"We reviewed your account and found that it still doesn't follow our Community Standards. As a result, your account has been permanently disabled"


Instagram

We disabled your account, vixenworkers

Hi vixenworkers,

We reviewed your account and found that it still doesn't follow our Community Standards. As a result, your account has been permanently disabled.

Learn how our Community Standards help keep the Instagram community an authentic and respectful place for people to express themselves.

THE CONTENT:

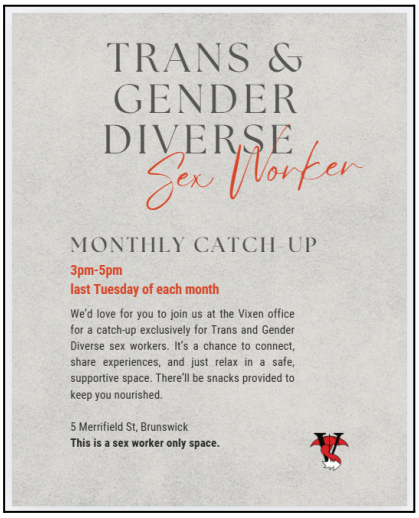
Male Sex Worker Monthly Catch-up: Informing the community about the days and times coming up for the remainder of the year. The catch-up days are focused around group sharing topics and support.

Trans & Gender Diverse Sex Worker Monthly Catch Up: *"a chance to connect, share experiences, and just relax in a safe, supportive space"*

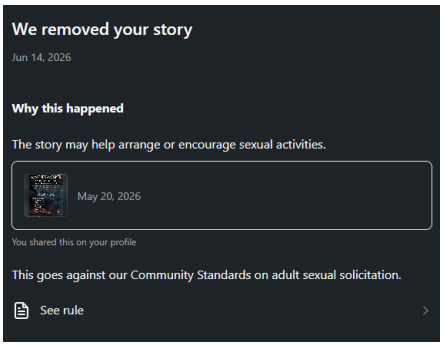
Drop-In hours update: *"The Vixen office will be closed on Thursdays for the next six weeks. We're still here though! Peer support and outreach will continue - just no drop-in on those dates"*

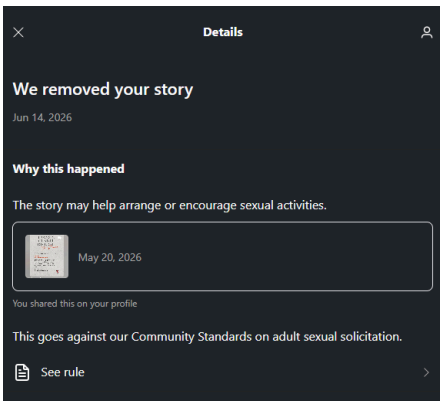
THE REMOVAL:

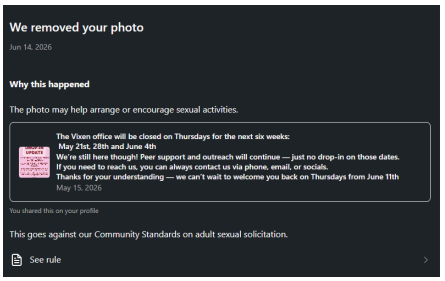
"This story may help arrange or encourage sexual activities. This goes against our Community Standard on adult sexual solicitation"











THE LESSON:

Vixen appealed, and the account was permanently disabled 20 minutes after the second notice arrived. The appeals process didn't correct the error. It sped up the penalty.

Across its notices, Meta gave three different reasons: a general breach of Community Standards, "human exploitation", and "adult sexual solicitation". None was explained in relation to the content.

Sex work is lawful in Victoria as per the *Sex Work Decriminalisation Act 2022*, and Vixen is funded by the Victorian Department Health. Peer-led sex worker organisations are a recognised part of Australia's public health response. In this example Vixen's audience, rather than content, seems to have been treated as the violation. This suggests the Bill's carve-outs may not protect community health organisations whose communities platforms already treat as inherently suspect. Meta stated in 2023 at the Attorney General's Modern Slavery Conference in Melbourne that their Terms and Conditions are framed by USA law in regards to sex workers criminality, and they do not intend to amend or take into consideration the recognition of sex work as work in Australia.

THE IMPACT:

- Victorian Department of Health-funded peer support and service information is not reaching the sex workers it was designed for
- Vixen lost its audience overnight, with no warning and no meaningful way to appeal

ALCOHOL AND DRUG FOUNDATION - Google Ads restriction of alcohol and other drug health information

The Alcohol and Drug Foundation (ADF) is a government-funded, not-for-profit health promotion organisation that provides Australians with evidence-based alcohol and other drug information and pathways to free, locally available support. ADF does not provide or promote paid addiction treatment or rehabilitation services.

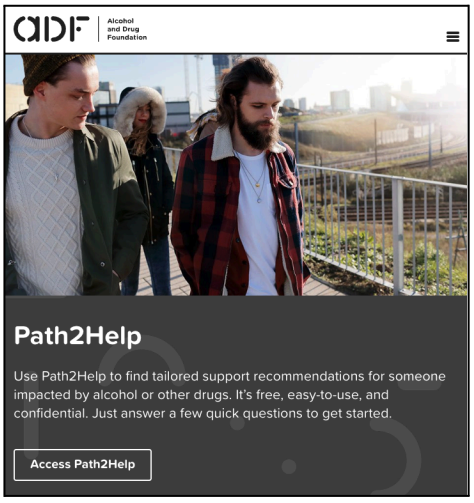
EXAMPLE: PATH2HELP CAMPAIGN

A publicly funded health-promotion service was misclassified as an addiction treatment provider, while the required verification pathway was unavailable in Australia.

THE CONTENT:

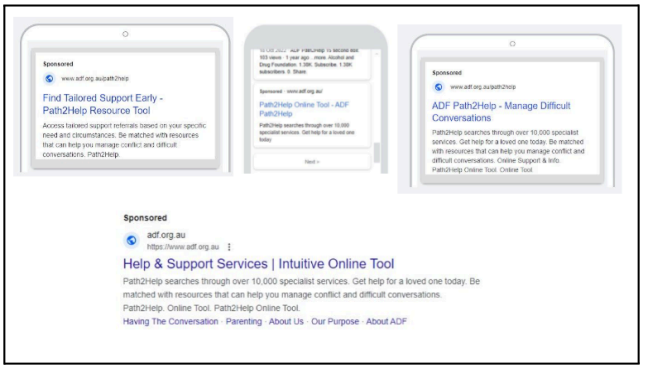
ADF's Path2Help tool helps people concerned about their own or someone else's alcohol or drug use find support options suited to their needs. It is an online information and navigation tool, not a treatment service.

In 2025, advertising promoting Path2Help began being disapproved under Google's "Addiction Services" policy, despite the campaign having run successfully in 2024.



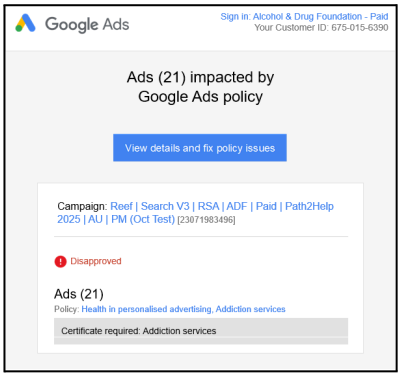
THE REMOVAL:

Google advised that ADF's website required LegitScript certification, but the certification pathway provided to ADF was available only in the United States and Canada, not Australia. ADF also received inconsistent explanations for the restrictions, including references to "drug rehab" terminology and an incorrect classification of ADF as providing drug and alcohol counselling. ADF escalated the issue and sought clear guidance, an Australian verification option and an appropriate exemption.



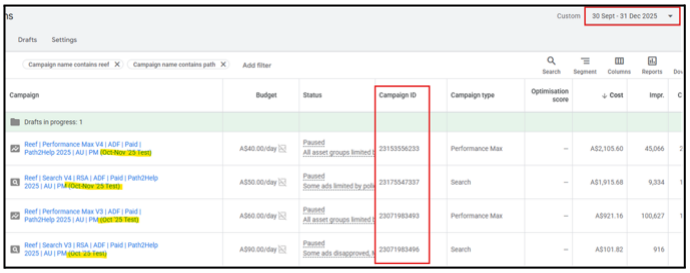
THE LESSON:

Overly broad application of global advertising policies can misclassify legitimate public health information as commercial addiction treatment. In this case, a service designed to help people navigate towards appropriate support was caught by a policy intended to regulate addiction treatment providers, with no practical Australian pathway to demonstrate compliance.



THE IMPACT:

Restricting advertising for Path2Help reduces ADF's ability to reach Australians at the point they are actively looking for alcohol and other drug information and support.



The signatories attribute excessive and unwarranted content removal to:

Stigma
The content being removed pertains to non-normative lifestyles and health concerns that, although very common, are not considered mainstream and are generally associated with shame or disgust. When discussed or given a platform, stigma evokes a false social license to shun, silence, ignore or punish groups of people based on these lifestyles and health concerns, and then market the act of silencing as socially valuable.

Economics
It is cheaper for tech platforms to overcapture than it is to take care not to censor lawful content.

Conflation of content types
Tech platform misunderstand the Class 1 and 2 Codes in Australia as conflating all female nudity, all mentions of sex, genitalia and drug use, and all references to suicide and eating disorders as not appropriate for children and therefore are a trigger for removal.

Hubris
Tech companies do not perceive their product as subject to international or domestic human rights law, with USA being the exception.

Discrimination
Tech companies do not believe sex workers, drug users, health promotion, access to reproductive or sexual health information, HIV or LGBTQAI+ information to be worthy of attention.

Anti-rights agendas
Increased censorship of reproductive and sexual health information in the USA is influencing US based companies to implement a heavy handed approach to content removal everywhere, even in other countries.

Political pressure
No politician or government agency is standing alongside the communities whose content is being overcaptured.

Ignorance
Affected communities are loud and articulate, but to date have not influenced the relevant policy makers, laws, regulation development or public narratives regarding overcapture of lawful content.

Global dominance of the major tech companies
> *"Due to the transnational nature of social media companies, they tend to have a 'universal' approach to how they apply their community guidelines,to avoid public scrutiny or business disruption, they often err on the side of caution when moderating content, removing content that could be seen as breaking their established guidelines."*
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> GOMES, A. B., SULTAN, A. PROBLEMATIZING CONTENT MODERATION BY SOCIAL MEDIA PLATFORMS AND ITS IMPACT ON DIGITAL HARM REDUCTION. HARM REDUCTION JOURNAL 21, 194 (2024). https://doi.org/10.1186/s12954-024-01104-9