



CONSULTATION ON THE

# SOCIAL MEDIA REFORM

OUR CONCERNS  
& RECOMMENDATIONS



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The OASI Foundation welcomes the opportunity to contribute to the national consultation on strengthening social media regulation in Malta.

As an addiction prevention and rehabilitation organisation, we increasingly encounter the negative impact of problematic digital and social media use among young people and their families. Our frontline experience shows that the persuasive, reward-driven design of many platforms can contribute to compulsive behaviours, emotional distress, and increased vulnerability, particularly when exposure begins at a young age and without adequate safeguards.

While social media offers important benefits, minors are developmentally less equipped to navigate these environments safely. From a prevention and public health perspective, stronger protective frameworks are therefore necessary.

Our recommendations are grounded in clinical experience, youth engagement, and established research on behavioural risk and brain development. We believe that effective reform must reflect shared responsibility between platform providers, the Government, and parents, with primary duty of care resting on those who design and operate these digital environments.

The following submissions outline the OASI Foundation's proposed measures to strengthen Malta's protective framework.

# INTRODUCTION

# OUR CONCERNS

## 1. Appropriate Minimum Age for Social Media Access

The current minimum age threshold of 13 years is **not appropriate nor sufficient** considering contemporary evidence on child development and online risk exposure.

In Malta:

- Any person under 18 is legally considered a minor.
- Article 37 of Chapter 9 of the Criminal Code considers children of 16 years are not criminally liable of acts or omissions of, without the intent of harm. Hence, where we have a normalisation process taking place on social media where boundaries are being ignored, to mention the least, minors are not responsible and knowledgeable enough to make informed, mature, and healthy decisions.
- Maltese law already places heightened protection obligations on the Government and guardians regarding minors.

Furthermore, neuroscience and developmental psychology consistently show that the human brain, particularly the prefrontal cortex responsible for impulse control, risk assessment, and long-term decision-making, continues developing until approximately the age of 24–25.

The concept of the **“emerging adult”** (ages 18–25) further demonstrates that even young adults are still maturing in their judgment and emotional regulation. It is therefore unreasonable to expect a 13–16-year-old to safely navigate highly persuasive, algorithm-driven digital environments.

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### 2. **Strengthening Regulation on Access to and Use of Social Media**

Identity verification technologies are already widely used across various digital sectors, including financial services, online banking, and regulated gaming platforms. These systems commonly rely on multi-layered verification processes such as:

- Government-issued identity document checks
- Biometric facial recognition
- Verified mobile number authentication
- Two-factor authentication systems

Given that such safeguards are already technically feasible and operational at scale, it is reasonable and proportionate to require similar robust verification mechanisms for social media platforms, particularly where minors are concerned.

Social media platforms can no longer be treated as neutral communication tools; they are powerful behavioural environments that significantly influence minors' psychological development, social norms, and risk exposure.

### 3. **Parental Control is not bulletproof**

The primary aim of parental control is to protect children and young people from potential harms associated with the internet and digital devices, while helping them develop healthy, balanced digital habits. These tools serve as "digital guardrails" designed to manage, rather than simply restrict, a child's online experience. However, through discussions during school interventions, it came to our attention that children are finding ways how to surpass such parental control and thus, becoming ineffective in practice.

Parents and guardians need to be responsible to frequently check that such frameworks are still intact and functional and that they are not being 'hacked'/surpassed by the minor.

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### **4. Addressing the Impacts on Mental Health**

The association between excessive social media use and increased levels of anxiety, depression, sleep disruption, and body image concerns among young people is now well documented. Many adolescents are increasingly exposed to highly curated and idealised portrayals of lifestyles, bodies, and relationships.

This environment can foster persistent social comparison, unrealistic expectations, and pressure to perform online, often leading young users to prioritise the projection of a “perfect” digital life over authentic lived experience. Over time, this dynamic may contribute to diminished self-esteem, emotional distress, and unhealthy patterns of validation-seeking behaviour.

Given these risks, targeted preventive measures, platform design safeguards, and ongoing digital wellbeing education are essential to mitigate the negative mental health impacts on minors.

### **5. Prioritizing Safety from Fake Profiles and Online Abuse**

Apart from the family, as a community, society, and as a governmental body, we should also aim to safeguard our children. Whether creating safety features in playgrounds, closing the road leading to the school entrance, and so should it be prioritizing safety on the internet. Fake profiles do exist and our children are being exposed to such dangerous interactions.

During our school interventions, we often face discussion where students share about their interactions with strangers in chatrooms and raises a concern for their safety. Introducing social media at a later stage could help prevent such dangerous situations. However, considering how vast the internet can be, one needs to take this into consideration to safeguard anyone that is being exposed to abuse in any way, shape or form. Reporting must become faster, simpler, and more trusted.

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Existing platform tools (e.g., teen modes, restricted modes, family pairing) are positive but **insufficient as standalone safeguards**. These tools should be viewed as **transitional protections**, not substitutes for regulatory standards.

Verification systems should be strengthened to reduce fake and anonymous harmful accounts and policy must balance the:

- protection of minors
- prevention of harassment and grooming
- preservation of legitimate anonymity (e.g., whistleblowing, vulnerable users)
- prevention of using anonymous accounts to post and comment on certain platforms such as Facebook, where one can post/comment behind an anonymous account without any accountability for such interaction that can be negative.

### 6. Social Media Influencers

According to the Cambridge Dictionary, an influencer is an active social media user who has the capacity to shape opinions, promote particular lifestyles, or encourage the purchase of products. While the OASI Foundation acknowledges that many influencers use their platforms responsibly, including promoting wellbeing and mental health awareness, the persuasive power they hold over young audiences requires proportionate safeguards.

#### *Disclaimer*

*The OASI Foundation maintains its position that independent access to social media should be restricted to individuals aged 18 and over. However, the recommendations outlined in this document are intended to apply broadly and strengthen protections for users of all ages.*

*While particular emphasis is placed on safeguarding minors, many of the proposed measures — including enhanced accountability, design safeguards, and wellbeing protections — are relevant and beneficial across the entire user population.*

# OUR RECOMMENDATIONS

1. The minimum age for independent social media access should be **raised to 18 years**, when the law considers the person is not a minor anymore.
2. For users under 18 years of age, access (if permitted) should only be allowed under **verified parental consent and supervision frameworks**. Importantly, parental monitoring is only effective when parents/guardians themselves are properly equipped.
3. Platforms should be required to implement **graduated access models** based on age. For example, certain features should be accessible only at specific ages.
4. Mandatory national awareness and training programmes should accompany any parental control framework to ensure parents understand platform risks, monitoring tools, digital behavioural harms, reporting procedures if they do not meet the standards and potential addictive behaviours.
5. **Mandatory Age Verifications Systems** - Self-declaration of age has proven ineffective and is widely circumvented. Platforms should be legally required to implement **robust, privacy-compliant age assurance systems**, which may include:
  - Secure ID verification with face recognition alongside proof of official identity documentation (such as ID card or Passport; a similar process for financial and booking accounts).
  - Verified parental identity linkage, if age limits will remain at 13 years.
  - Periodic re-verification mechanisms.
6. **Platform Design Obligations** should be required to provide default screen-time dashboards, issue evidence-based wellbeing nudges, disable harmful engagement loops for minors and limit night-time push notifications for under 18s.

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7. **Continuous National Digital Education** considering that the current legal age of social media use is under 18 years on most platforms such as mandatory digital wellbeing education in school curriculum alongside parent/guardian education programmes, youth-targeted awareness campaigns and training for educators and youth workers. One can also consider education and training to social media influencers on how to use their platform for the benefit of the viewer rather than focusing solely on consumerism.
8. **Early Intervention Partnerships** where local authorities should formally collaborate with entities, such as OASI Foundation, to provide community workshops on the addictive signs of early use of social media.
9. **Sanctions for Underage Accounts** - Responsibility must be **shared but clearly tiered**:
  - **Primary Responsibility - Platform Providers must bear the primary legal duty of care** to prevent underage access. Where failures occur, sanctions should include: significant administrative fines, mandatory compliance audits, temporary feature restrictions and repeat-offender penalties.
  - **Secondary Responsibility - Local authorities** must enforce compliance, maintain regulatory oversight and fund national awareness programmes.
  - **Tertiary Responsibility - Parents/Guardians** should be supported, not judged, through training, guidance and accessible monitoring tools.
10. Beyond age gates, platforms must implement **proactive safety-by-design obligations**, including:
  - algorithmic risk assessments for minors
  - content moderation in youth spaces
  - default private accounts for under 18s
  - restrictions on targeted advertising to minors
  - limits on addictive design features (infinite scroll, autoplay, streak mechanics).

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11. Social media platforms and legal authorities should implement **periodic tiered identity verification and accountability frameworks**, particularly for accounts that either (a) interact directly with minors or (b) reach substantial under 18 audiences. Influencers with a significant minor following should be subject to enhanced oversight to ensure that content, endorsements, and behavioural messaging are age-appropriate and do not promote harmful, addictive, or developmentally unsuitable material. Such measures would not unduly restrict legitimate content creation but would introduce a necessary duty of care in environments where commercial influence and youth vulnerability increasingly intersect.
12. User warnings alone are insufficient and one should consider **stronger measures** such as;
  - Default daily time caps for minors
  - Mandatory break prompts after prolonged scrolling
  - Night-time access limitations for under 18s
  - Friction design to interrupt infinite scrolling
13. Infinite **scroll and algorithmic content loops should be time-barred for minor accounts**, as these are deliberately engineered to maximise compulsive use.
14. Digital literacy must become **lifelong and intergenerational**. Recommended National Approach should include;
  - School curriculum integration
  - Parent and grandparent training programmes
  - Educator professional development
  - Community outreach through NGOs
  - Public awareness campaigns
15. Special emphasis should be placed on **rebuilding healthy offline social communication**, which acts as a protective factor against problematic online engagement.

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16. **Reporting online abuse must become faster, simpler, safer and more trusted.** Key Improvements;

- One-click in-app reporting for minors
- child-friendly reporting interfaces and educating how to make use of such features
- guaranteed rapid response timelines
- mandatory escalation protocols
- stronger cooperation between platforms and Maltese authorities

AI tools can significantly improve:

- grooming detection
- image matching
- behavioural risk flagging
- detecting/flagging/blocking inappropriate comments/interactions example hateful comments/post/videos that go beyond freedom of speech

However, **human oversight must remain mandatory.**

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## **Final Position: Duty of Care Framework**

Social media platforms should be regulated similarly to other industries that expose minors to risk.

Just as alcohol vendors are legally responsible for preventing sales to minors, platform providers must carry a clear statutory duty of care for the digital environments they design and monetise.

While education remains important, protection must come first. Minors cannot be expected to self-regulate within highly persuasive, profit-driven digital ecosystems.

# CONCLUSION

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