



12 June 2026

CONSULTATION ON DEEPFAKE DIGITAL HARM AND EXPLOITATION BILL

Submission by the YWCA Waikato

1.0 INTRODUCTION

YWCA Waikato welcomes the opportunity to submit in support of the Deepfake Digital Harm and Exploitation Bill. This bill amends the Crimes Act 1961 and the Harmful Digital Communications Act 2015 to expand the definition of an "intimate visual recording" to explicitly include images created, synthesised, or altered to show a person's likeness produced without consent.

YWCA Waikato is a community organisation committed to advancing gender equity and supporting the leadership, safety, and wellbeing of women and girls. Through our work with young women across the Waikato region, we see firsthand how digital environments shape their opportunities, safety, and participation in society.

Our submission draws on evidence from the [Ministry for Women Long-term Insights Briefing "Free to Lead: Tackling the effects of online harm on the pipeline of future women leaders"](#) and the [Cross-sector Open Letter Calling for Digital Accountability in Aotearoa New Zealand](#), both of which highlight the growing scale of online harm and the need for stronger system-level responses.

We commend the intent of this Bill to address, via legislative means, the harm caused by the creation and distribution of non-consensual deepfake content. We consider this legislation a necessary and timely response to a rapidly evolving form of harm that sits within a wider pattern of technology-facilitated gender-based violence.

2. DEEPFAKES AS GENDER-BASED HARM

Deepfake technology enables the creation of highly realistic fabricated images, video, and audio that can misrepresent individuals without their consent. While the technology has a range of uses, its harmful applications are disproportionately directed at women and girls, particularly through the creation of sexualised or degrading content.

These forms of image-based abuse are invasive, often sexualised, and commonly used to shame, discredit, or control women. Deepfake abuse should therefore be understood as part of a broader continuum of gender-based violence that is enabled and amplified by digital technologies.

3. DISPROPORTIONATE HARM TO YOUNG WOMEN AND GIRLS

3.1 Direct Impacts on Victims

Deepfake harm has direct and often severe consequences for young women who are targeted.

For victims, non-consensual deepfake content can be profoundly distressing and violating. The creation of fabricated intimate or sexualised images can cause significant emotional and psychological harm, including anxiety, shame, loss of trust, and a diminished sense of personal safety.



Because deepfakes are highly realistic and difficult to disprove, victims may experience ongoing fear about how widely the content has been shared and whether others believe it to be real.

The impacts are not confined to the digital environment. Victims may face reputational damage in their schools, workplaces, and communities, with flow-on effects for education, employment, and relationships. The permanence and replicability of digital content can mean that harm is not a one-off event, but something that can reappear and be reshared over time, prolonging distress.

Young women may also alter their behaviour in response to victimisation, including withdrawing from online spaces, reducing their visibility, or avoiding participation in social, educational, or leadership opportunities. In some cases, the burden of responding to or managing harm falls entirely on the individual, requiring significant emotional labour and resilience.

These direct impacts highlight that deepfake abuse is not harmless or trivial. It is a serious form of violation that can have lasting consequences for young women's wellbeing, safety, and life opportunities.

3.2 Normalisation of Harm and Disengagement

YWCA Waikato is particularly concerned about the broader impact of deepfakes on young women and girls. Online harm shapes not only the experiences of those directly targeted, but also the expectations and behaviours of those who witness it.

Young women report withdrawing from online spaces, limiting their participation, or disengaging entirely due to safety concerns. When they see other women targeted—particularly through degrading or sexualised content—this can normalise abuse and create a chilling effect on participation.

Given that digital platforms are now essential for education, employment, and social connection, this withdrawal has serious implications for young women's wellbeing and opportunities.

3.3 Impact on Leadership and Participation

Online harm is also affecting the pipeline of future women leaders. Exposure to abuse discourages girls and young women from aspiring to leadership roles or participating in public life.

Deepfakes intensify this effect by introducing forms of harm that are highly convincing, difficult to refute, and capable of spreading rapidly. The risk of reputational damage through fabricated content creates additional barriers to participation and contributes to the underrepresentation of women in leadership and decision-making.

4. SYSTEMIC NATURE OF DIGITAL HARM

Deepfake harm must be understood within the broader context of digital platform design and operation.

Digital platforms now function as essential infrastructure for communication and participation, yet they are not subject to equivalent obligations for safety and accountability. The current system is characterised by opaque algorithms, limited transparency, and incentives that prioritise engagement over safety.



These system dynamics allow harmful content, including deepfakes, to spread rapidly and at scale. Individuals—particularly women and girls—are left to bear the consequences of harms they did not create and have limited ability to control.

5. SUPPORT FOR THE BILL

YWCA Waikato strongly supports the Deepfake Digital Harm and Exploitation Bill.

We consider that the Bill addresses a clear gap in existing legislation and provides an important mechanism to recognise and respond to non-consensual deepfake content. It signals that such conduct is serious and unacceptable, and strengthens accountability for those who create and distribute harmful material.

This legislation is an important step forward in protecting individuals, particularly women and girls, from emerging forms of digital harm.

6. THE NEED FOR BROADER REFORM: SAFETY BY DESIGN

While we support this Bill, we emphasise that content-based criminalisation alone is insufficient.

6.1 Limitations of Current Approaches

Current approaches to online harm are largely reactive, focusing on incidents after harm has occurred and placing significant responsibility on victims to report and respond.

This approach does not address the underlying system features that enable harm, including amplification mechanisms, anonymity, and ineffective complaint processes.

6.2 Embedding Safety by Design

YWCA Waikato strongly advocates for a shift toward a Safety by Design approach. This approach requires platforms to proactively identify and mitigate risks, embed user protections into their systems, and ensure accessible and effective reporting and response processes.

Rather than placing the burden on individuals, Safety by Design shifts responsibility to those who design and operate digital platforms.

6.3 System-Level Reform and Accountability

There is growing recognition across sectors that stronger regulatory frameworks are needed to ensure accountability. This includes the introduction of duties of care, transparency requirements, and independent oversight of digital platforms.

Deepfakes are a symptom of wider systemic issues. Without addressing platform accountability and design, new forms of harm will continue to emerge.

7. EQUITY CONSIDERATIONS

Online harm does not affect all groups equally. Certain communities, including young people, Māori, Pacific, disabled, and LGBTQIA+ individuals, experience higher levels of harm and often face additional barriers in accessing support.



It is essential that responses to deepfake harm take an equity-focused approach, ensuring that those most affected are supported and that their experiences inform policy and system design.

YWCA Waikato emphasises the importance of centring the voices and experiences of young women and girls in this work.

8. RECOMMENDATION

YWCA Waikato recommends that the Select Committee:

1. Support the passage of the Deepfake Digital Harm and Exploitation Bill as a necessary step in addressing emerging forms of image-based abuse.
2. Recognise deepfake harm as part of technology-facilitated gender-based violence, particularly in its disproportionate impact on women and girls.
3. Progress broader regulatory reform to introduce Safety by Design obligations, requiring platforms to proactively identify and mitigate risks, including risks related to deepfake misuse.
4. Establish stronger accountability mechanisms for digital platforms, including transparency requirements and independent regulatory oversight.
5. Ensure responses to deepfake harm are accessible and effective for young people, including clear reporting pathways and timely removal processes.
6. Apply an equity lens to implementation, ensuring that the needs of young women and marginalised communities are addressed.

9. CONCLUSION

YWCA Waikato strongly supports the Deepfake Digital Harm and Exploitation Bill as an important and necessary intervention. It represents a critical step in addressing a rapidly evolving form of harm that disproportionately impacts women and girls.

However, this Bill must be understood as part of a broader reform agenda. Preventing harm requires not only prohibiting specific behaviours but also addressing the systems that enable and amplify those harms. This includes embedding Safety by Design principles, strengthening platform accountability, and ensuring that digital environments are safe and inclusive for all users.

Without such systemic change, technologies such as deepfakes will continue to reinforce gender-based harm and undermine the participation and leadership of the next generation of women.

YWCA Waikato therefore urges that the Bill be passed and that further reforms be progressed to ensure that digital spaces in Aotearoa New Zealand support, rather than hinder, the safety, dignity, and leadership of young women and girls.

Thank you for the opportunity to make this submission.

Should there be any questions, please contact

Riikka Anderson (she/her)

General Manager

YWCA Waikato

riikka@ywcawaikato.org.nz