

DYNAMIC COALITION CHILD ONLINE SAFETY

Position paper

– 29 September 2016 –

Organizations working with and for children and young people, government and industry representatives have joined together in the Dynamic Coalition on Child Online Safety to establish a dialogue and address fundamental and practical issues impacting on child safety in the online environment.

BACKGROUND INFORMATION

On any reckoning, the arrival of the Internet has been of huge benefit to children and young people the world over. However, it is also beyond doubt that the Internet has also thrown up a number of major challenges. Among many alarming threats there is, for example, a growing body of evidence that the easy accessibility of large volumes of hard-core pornography over the Internet is having harmful effects on children and young people.

It is important to differentiate between age groups with regard to the effects hard-core pornography might have on the mental development and healthy growing-up of children and adolescents. However, according to a major meta-analysis of the research literature¹ hard-core pornography has been linked to unrealistic ideas about sex, more casual attitudes about sex, beliefs that women are sex objects and confusion about sexual relationships.

Children and young people also learn from and may change their behavior due to accessing hard-core pornography. 70% of 18 year olds surveyed felt that pornography can have a damaging impact on young people's view of sex and relationships². Young people who view hard-core pornography are more likely to have had sex with multiple partners and to have used alcohol and drugs during sex. Data analyzed in the UK indicated that access by children and adolescents to pornographic content online is high. In May 2015, 1.4 million unique visitors

¹<http://www.childrenscommissioner.gov.uk/sites/default/files/publications/Basically_porn_is_everywhere_cyp_version.pdf>

²<<http://www.ippr.org/read/young-people-sex-and-relationships-the-new-norms#> and Harm being done to Australian children through access to pornography on the Internet>; The Alannah and Madeline Foundation, March 2016, accessed 21 June 2016, <<https://www.dropbox.com/s/jbl33js3yw5kbg6/AMF%20pornography%20submission%5B1%5D.pdf?dl=0>>.

under 18 years old accessed online sites classified as containing pornographic content from computers (the data excluded access via mobile phones and tablets). Approximately half (732,000) were users aged 6-14, which represents 13% of all children online in this age group³.

MAIN POINTS OF DISCUSSIONS

To combat this problem the Dynamic Coalition on Child Online Safety supports moves by the UK Government to establish a system which will ensure that persons under the age of 18 cannot access pornography web sites. In July, 2016, following an extensive public consultation the UK Government published the Digital Economy Bill which is now making its way through the legislative processes. Part 3 of the Bill makes age verification mandatory for all commercial publishers of pornography who publish into the UK over the internet. The Bill establishes a regulator charged with approving age verification solutions which can be used in order to secure compliance. The regulator will also have the power to levy fines on non-compliant publishers and to inform advertising agencies, payments service providers and the providers of other ancillary services (including ISPs) of the identity of non-compliant sites. It is anticipated that these businesses will withdraw their services from the non-compliant publishers and this will be sufficient to ensure most publishers fall into line either by introducing age verification or ceasing to publish into the UK. A debate is taking place as to whether or not the regulator should be given a power to mandate the withdrawal of services which, in the case of ISPs, would entail blocking.

Several technology players in the UK and elsewhere are working on age verification solutions which in many respects could be privacy enhancing in the sense that they would allow end users to produce a “digital token” (essentially an encrypted file) to prove only one thing – that they are already aged 18 or more - i.e. they would not have to provide any other information about themselves or provide credit card details. In Germany it is prohibited by law to provide access to content that is assumed to have a negative impact on children’s development to children and youths under the age of eighteen. An age differentiation of 6, 12, 16 and 18 years is in place. Several age verification systems are certified by the respective regulating authority and they work properly to address the problem.

³<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/541366/AV_ConsultationDC_MS_20160216_Final_4_.pdf>

More generally, at a European level, Article 35 of the EU's new General Data Protection Regulation (EU-GDPR) adopted 27 April 2016⁴ stipulates that

*"1. Where a type of processing, in particular using new technologies, and taking into account the nature, scope, context and purposes of the processing, is **likely to result in a high risk** to the rights and freedoms of natural persons, the controller shall, prior to the processing, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data"⁵.*

In principle it appears that this Article will require every company that provides any kind of commercial service online to consider how allowing someone to use or access that service might affect their rights and freedoms e.g. to be protected from harmful content or inappropriate environments. The implications of this provision are quite radical and could prove to be of great benefit to children and young people across a wide range of headings including in respect of accessing pornography sites.

Members of this Dynamic Coalition praise the collaborative efforts across sectors where governments, child rights organizations and the technology sector come together to try and find solutions. Wherever those initiatives are considered to have had a positive impact and could be deemed a good practice, we encourage them to be duplicated in other countries and regions.

END

⁴ It will enter into application 25 May 2018.

⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC>