**Concept note for a General Comment on Children’s Rights in Relation to the Digital Environment**

***Submission from Christian Action Research and Education***

1. **About Christian Action Research and Education**
	1. Christian Action Research and Education (CARE) is a well-established mainstream Christian charity in the UK providing resources and helping to bring Christian insight and experience to matters of public policy and practical caring initiatives across the country. CARE is a company limited by guarantee registered in England and Wales Company No: 3481417, Charity No: 1066963, Scottish Charity No: SC038911
2. **About this submission**
	1. This submission will address the need to protect the well-being of children and young people in their use of the digital environment in terms of the content they can access; and for parents to have the tools they need to protect their children as they see fit.
	2. We give permission for this submission to be published on the Committee on the Rights of the Child website.
3. **The need for protection of children in the digital environment from violence, sexual exploitation and other harms**
	1. The internet offers children and young people fantastic opportunities for learning and connection. It also offers disturbing content, which can undermine their well-being.
	2. The following articles from the Convention on the Rights of the Child are of relevance:
		1. Article 3(2). States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
		2. Article 5. States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.
		3. Article 17(e). Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being [related to mass media], bearing in mind the provisions of articles 13 and 18.
		4. Article 18(1). States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
		5. Article 18(2). For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
		6. Article 34. States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse.
	3. CARE’s focus is on safe access for children and young people. We are especially concerned about protecting children from accessing (whether deliberately or unintentionally) inappropriate, sexualised/pornographic material and the impact this has on them. CARE believes that regulation of the internet is justified to promote well-being and human dignity; and reduce the potential for it to cause harm.
4. **Evidence of Harm to Wellbeing**
	1. Studies examining children’s access to pornography have shown the affect pornography use can have on young people’s **social development and wellbeing** in the development of their attitudes towards sex, relationships and themselves. In the UK, there is evidence that there has been easy access to hard core pornographic material[[1]](#footnote-2) that can be violent and degrading to women.[[2]](#footnote-3) Early exposure to pornographic material can be extremely harmful to children. *The Economist* reported that given the view that sexual tastes are formed around puberty “*ill-timed exposure to unpleasant or bizarre material could cause a lifelong problem.”*[[3]](#footnote-4) Research evidence suggests that viewing pornography can lead to:
	2. ***Damaging impact on young people’s views of sex and relationships***
		1. A 2013 Rapid Evidence Assessment concluded that *“access and exposure to pornography affect children and young people’s sexual beliefs… Maladaptive attitudes about relationships; more sexually permissive attitudes; greater acceptance of casual sex; beliefs that women are sex objects; more frequent thoughts about sex… Pornography has been linked to sexually coercive behaviour among young people and, for young women, viewing pornography is linked with higher rates of sexual harassment and forced sex.”*[[4]](#footnote-5)
		2. In a small 2014 study, 70% of participants in 2014 said that *“pornography can have a damaging impact on young people’s views of sex or relationships”* and 72% of participants believed that “*pornography leads to unrealistic attitudes to sex.”*[[5]](#footnote-6)
		3. A 2015 literature review reported both boys and girls indicated that they had encountered “shock,” “surprise,” “guilt,” “shame” and “unwanted thoughts” in relation to their pornography experience. [[6]](#footnote-7) The review noted research indicating exposure to pornography can lead to more permissive sexual attitudes; acceptance of casual sex and heavily influence the way that young people – both young men and women – believe they should either look or act during ‘real world’ sex, alluding to boys feeling ‘performance anxiety’ from pornography and other media.[[7]](#footnote-8)
		4. A 2016 study found that 53% of boys believed that pornography was realistic as opposed to 39% of girls[[8]](#footnote-9) and a significant minority of all young people wanted to copy what they saw, which increased with age - 21% of 11 -12 year olds; 39% of 13-14 year olds and 42% of 15-16 year olds.[[9]](#footnote-10) The study found that children in the sample reported feeling curious (41%); shocked (27%); confused (24%) when they first watched pornography. However, what is most noteworthy about the findings is that these negative emotions “*subsided through* *repeated viewing of online pornography.”*[[10]](#footnote-11)
		5. In 2016, the UK Government said, “*Clearly, these [pornographic] images risk harming [young people’s] ability to develop healthy personal relationships based on respect and consent”.*[[11]](#footnote-12) The 2016 Ending Violence against Women and Girls Strategy says, “*Research also demonstrates that viewing pornography at a young age can cause distress and have a harmful effect on sexual development, beliefs and relationships*.”[[12]](#footnote-13)
		6. In 2016, a UK Parliamentary Committee reported that *“Widespread access to pornography appears to be having a negative impact on children and young people’s perceptions of sex, relationships and consent. There is evidence of a correlation between children’s regular viewing of pornography and harmful behaviours. The type of pornography many children are exposed to is often more extreme than adults realise.”*[[13]](#footnote-14)
	3. ***Pressure for young girls/women to act or look a certain way***
		1. The 2014 study reported 77% of young girls stated that *“pornography has led to pressure on girls or young women to**look a certain way”;* 75% of young girls felt they had *“to act a certain way.”*[[14]](#footnote-15)
		2. The 2015 literature review noted that some, but not all young people believed that pornography creates double standards in relation to boys’ and girls’ behaviour and that much of the research also revealed the pressures that girls face to have the ideal body type and operate “*in an environment where hyper-sexual femininity is normative*”.[[15]](#footnote-16)
	4. ***Risky Behaviours***
		1. The 2013 Rapid Evidence Assessment concluded that *“access and exposure to pornography are linked to children and young people’s engagement in “risky behaviours”,* which are likely to include having sex at an earlier age; having unprotected sex or using drugs and alcohol whilst having sex.[[16]](#footnote-17) [[17]](#footnote-18)
		2. Two reports published in 2016 reported that children were aware of the pressures on girls to send nude or revealing pictures of themselves through social media. [[18]](#footnote-19) [[19]](#footnote-20)
	5. ***Sexual Harassment and Assault Behaviours***
		1. A 2012 report for the NSPCC argues that, because of the influence of pornography and sexting, children and young people have become normalised to acts of sexual aggression and sexual exploitation with such behaviour having become intricately embedded in their peer culture.[[20]](#footnote-21) [[21]](#footnote-22)
		2. The 2013 Rapid Evidence Assessment concluded that *“Pornography has been linked to sexually coercive behaviour among young people and, for young women, viewing pornography is linked with higher rates of sexual harassment and forced sex.”*[[22]](#footnote-23)
		3. In 2016, a UK Parliamentary Committee reported that *“significant qualitative evidence suggests that increasing access to pornography and technological advances, including online platforms, can facilitate harassment and violence”.*[[23]](#footnote-24)
		4. A recent newspaper article reported an increase in “peer on peer” sexual assaults within schools, including among children under the age of 10 has also been recorded by police with children’s charities pointing to pornography as a contributory factor.[[24]](#footnote-25)
	6. In summary, “*children viewing highly sexualised pornographic material are at risk of negatively affecting their psychological development and mental health by potentially skewing their views of normality and acceptable behaviour at a critical time of development in their life”*[[25]](#footnote-26)and “*it cannot be right that so many children may be stumbling across and learning about sex from degrading and violent depictions of it”.*[[26]](#footnote-27)
5. **Recommendations to protect the well-being of children**
	1. Children and young people need to be supported as they grow up as digital natives.
	2. Children need the same protection online as they would receive offline. This includes the need for verification processes on the internet that determine whether a person is under or over the age of 18 years since *“Electronic age verification plays an important part in assisting parents and caregivers by enabling businesses to enact the same protection standards online that have been recognised and enforced in our bricks and mortar world.”*[[27]](#footnote-28)This needs to apply in respect of access to age-restricted goods and services as well as access to pornography.
	3. The UK will introduce an age-verification process for people wishing to access certain types of pornography on the internet from 15 July 2019.[[28]](#footnote-29) However, the scope of which websites/apps need to conform to the new regime has recently been criticised as too narrow as it does not apply to social media organisations. [[29]](#footnote-30) [[30]](#footnote-31)**Any recommendations from the Committee should apply to all providers of content.**
	4. **The onus must be on media companies to consider the safety aspects of products and services that they design.** The UK is currently consulting on introducing “a duty of care” for social media organisations to ensure their actions take into consideration those under 18,[[31]](#footnote-32) “*based on the principle that children must, as far as practicably possible, be protected from harm when accessing and using social media sites*.” [[32]](#footnote-33)
6. **The Role of Parents**
	1. Parents have the primary responsibility to raise their children as good and safe digital citizens.
	2. A report published at the beginning of 2015 on children under 8 and their use of digital technology, cited “*evidence of gaps in parental knowledge relating to online risks*” and recommended: “*Development and promotion of parental and carer education materials [..to] encompass safety settings, passwords, privacy protection and content filters, and they should assist with the mediation of unsupervised internet access by young children” as well as “Development and promotion of communication strategies outlining how parents can talk to young children about managing online risk*”. [[33]](#footnote-34)
	3. Parents must be provided with both the information and the tools they need to help them do this. State Parties should ensure that parents of children under the age of eighteen are informed about the risks associated with the internet and given information to keep their children safe. **The General Comment should make this clear and encourage States Parties to give due attention to resourcing, educating and equipping parents to keep their children safe online.**
	4. **Resourcing parents should include parents being offered access to technology solutions**, such as family friendly filtering on mobile phones and through their internet service providers, to restrict access to material they consider detrimental to their child’s well-being. “*Those responsible for providing filtering and blocking services need to be transparent about which sites they block and why, and be open to complaints from websites to review their decisions within an agreed timeframe. Filter systems should be designed to an agreed minimum standard*.”[[34]](#footnote-35)

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May 2019

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1. In March 2014, the UK regulator for on-demand TV at the time, reported that the vast majority of pornography sites visited were not UK-based and that 23 of the top 25 adult websites provided “instant, free and unrestricted access to hard core pornographic videos”, accessible to under-18s. *For Adults Only? Underage access to online porn*, The Authority for Television on Demand, March 2014, pages 4 & 19 (no longer online) [↑](#footnote-ref-2)
2. The Deputy Children's Commissioner for England said *"Explicit sex and violent still and moving images depicting rape, bestiality, the use of pain and humiliation are potentially just a few clicks away.”* Basically…porn is everywhere – A Rapid Evidence Assessment of the effects that access and exposure to pornography have on children and young people, Horvath, Miranda and Alys, Llian and Massey, Kristina and Pina, Afroditi and Scally, Maria and Adler, Joanna R. (2013), page 4, Produced for the Children’s Commissioner for England, <https://kar.kent.ac.uk/44763/> [↑](#footnote-ref-3)
3. ‘A User’s Manual’, *The Economist,* 26 September 2015, <http://www.economist.com/news/international/21666113-hardcore-abundant-and-free-what-online-pornography-doing-sexual-tastesand> [↑](#footnote-ref-4)
4. Basically…porn is everywhere, *Op Cit*, pages 7 and 8 [↑](#footnote-ref-5)
5. Young People, Sex and Relationships: The New Norms,’ *Institute for Public Policy Research*, August 2014, page 4. Study involved 500 18 year olds,

<http://www.ippr.org/files/publications/pdf/young-people-sex-relationships_Aug2014.pdf?noredirect=1> [↑](#footnote-ref-6)
6. Sexual rights and sexual risks among youth online, A review of existing knowledge regarding children and young people’s developing sexuality in relation to new media environments, Sonia Livingstone and Jessica Mason, Sept 2015, page 35

<https://www.cois.org/uploaded/Documentation/For_Consultants_and_Supporting_Organisations/Affiliated_Consultants/Spotlight/Susie_March_-_Review_on_Sexual_rights_and_sexual_risks_among_online_youth.PDF> [↑](#footnote-ref-7)
7. *Ibid*, pages 10, 23, 36 and 37 [↑](#footnote-ref-8)
8. Martellozzo, E., Monaghan, A., Adler, J.R., Davidson, J., Leyva, R. and Horvath, M.A.H. (2016) I wasn’t sure it was normal to watch it. London: NSPCC, (2016, updated May 2017), page 9. Study covers 1,001 children between the ages of 11 and 16 year old. Commissioned by the Children’s Commissioner for England and the NSPCC, https://learning.nspcc.org.uk/research-resources/2016/i-wasn-t-sure-it-was-normal-to-watch-it/ [↑](#footnote-ref-9)
9. *Ibid*, pages 10 and 41 [↑](#footnote-ref-10)
10. *Ibid*, pages 9 and 34 [↑](#footnote-ref-11)
11. Child Safety Online: Age-Verification for Pornography, February 2016, page 4

 <https://www.gov.uk/government/consultations/child-safety-online-age-verification-for-pornography> [↑](#footnote-ref-12)
12. Ending Violence against Women and Girls Strategy 2016 – 2020 page 16, March 2016 <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF> [↑](#footnote-ref-13)
13. House of Commons Women and Equalities Committee, *Sexual Harassment and Sexual Violence in Schools,*  September 2016, paragraph 204 <https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/91.pdf> [↑](#footnote-ref-14)
14. Young People, Sex and Relationships: The New Norms,’ *Op Cit*, page 4 [↑](#footnote-ref-15)
15. Sexual rights and sexual risks among youth online, *Op Cit*, pages 23 and 24 [↑](#footnote-ref-16)
16. Basically…porn is everywhere, *Op Cit,* pages 7 and 35, Note that that definitions of risky behaviour vary across cultures. [↑](#footnote-ref-17)
17. Similar concerns have been found in research studies cited in Sexual rights and sexual risks among youth online, *Op Cit*, pages 37 and 38 [↑](#footnote-ref-18)
18. Ofcom: Children’s Media Lives – Year 2 findings, 27 January 2016, page 9 - Study of 18 children aged 8-15

<http://stakeholders.ofcom.org.uk/binaries/research/media-literacy/childrens-media-lives-year-2/children_media_lives_year2.pdf> [↑](#footnote-ref-19)
19. A minority of young people had generated naked or semi-naked images of themselves; some of them had shared the images further, “I wasn’t sure if it was normal to watch it…”, *Op Cit,* page 10, 11 and section 5.3, pages 47-52 [↑](#footnote-ref-20)
20. Ringrose J, Gill R, Livingstone S and Harvey L (2012) A qualitative study of children, young people and ‘sexting’: a report prepared for the NSPCC, London: National Society for the Prevention of Cruelty to Children. http://eprints.lse.ac.uk/44216/ [↑](#footnote-ref-21)
21. See also UKCCIS Evidence Group (2017). Children’s online activities, risks and safety. Section 6, pages 35-41 <https://www.gov.uk/government/publications/childrens-online-activities-risks-and-safety-a-literature-review-by-the-ukccis-evidence-group> [↑](#footnote-ref-22)
22. Basically…porn is everywhere, *Op Cit*, pages 7 and 8 [↑](#footnote-ref-23)
23. House of Commons, *Sexual Harassment and Sexual Violence in School*, *Op Cit,* para 46, [↑](#footnote-ref-24)
24. Shocking rise of sexual abuse by primary school kids attacking their peers, The Sun, 27 January 2019 <https://www.thesun.co.uk/fabulous/8266620/rise-of-pre-teen-sexual-predators-in-uk-schools/> [↑](#footnote-ref-25)
25. Submission from Australian Medical Association, February 2016, Inquiry into the Harm Being Done to Australian Children Through Access to Pornography on the Internet, Parliament of Australia, Submission 11

<http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Online_access_to_porn/Submissions> [↑](#footnote-ref-26)
26. “I wasn’t sure if it was normal to watch it…”, *Op Cit,* page 2 [↑](#footnote-ref-27)
27. Doing the Right Thing: How Electronic Age Verification Protects Kids Online, An IDology Whitepaper, 2006, page 4. Available from <http://ww2.idology.com/lp/age_verification_whitepaper.html> [↑](#footnote-ref-28)
28. <https://www.ageverificationregulator.com/> [↑](#footnote-ref-29)
29. House of Commons, Women and Equalities Select Committee, *Sexual harassment of women and girls in public places,* October 2018, para 101, <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/701/701.pdf> [↑](#footnote-ref-30)
30. House of Commons, Science and Technology Select Committee, *Impact of social media and screen-use on young people’s health*, January 2019, para 235, <https://publications.parliament.uk/pa/cm201719/cmselect/cmsctech/822/822.pdf> [↑](#footnote-ref-31)
31. <https://www.gov.uk/government/consultations/online-harms-white-paper> [↑](#footnote-ref-32)
32. House of Commons, Science and Technology Select Committee, January 2019, *Op Cit,* para 132 [↑](#footnote-ref-33)
33. Livingstone et al (2014) Young children (0-8) and digital technology: a qualitative exploratory study - national report - UK. Joint Research Centre, European Commission, Luxembourg. - information taken from Executive Summary, pages 3-4

 <http://eprints.lse.ac.uk/60799/1/__lse.ac.uk_storage_LIBRARY_Secondary_libfile_shared_repository_Content_Livingstone%2C%20S_Young%20children%200-8_Livingstone_Young%20children%200-8_2015.pdf> [↑](#footnote-ref-34)
34. House of Lords Communication Committee Report, *Growing Up with the Internet*, March 2017, para 216,page 53 and para 259, page 60 <https://www.publications.parliament.uk/pa/ld201617/ldselect/ldcomuni/130/130.pdf> [↑](#footnote-ref-35)