

## Call for evidence response form

Please complete this form in full and return to [os-cfe@ofcom.org.uk](mailto:os-cfe@ofcom.org.uk)

### Title

Second phase of online safety regulation: Protection of children

### Full name

✂

### Contact phone number

✂

### Representing (select as appropriate)

Organisation

### Organisation name

Barnardo's

### Email address

✂

## Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

**Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? (select as appropriate)**

Nothing

**Your response: Please indicate how much of your response you want to keep confidential (select as appropriate)**

None

**For confidential responses, can Ofcom publish a reference to the contents of your response? (select as appropriate)**

[Please select]

## Your response

**Question 1: To assist us in categorising responses, please provide a description of your organisation, service or interest in protection of children online.**

*Is this a confidential response? (select as appropriate)*

No

Barnardo's is the UK's largest national children's charity. Our ambition is to achieve better outcomes for more children by building stronger families, safer childhoods and positive futures. In 2021-2022, Barnardo's supported 357,276 children, young people, parents, and carers through 794 services and partnerships throughout the UK.

In addition, Barnardo's host the [Centre of Expertise on Child Sexual Abuse](#) which reaches 1000s of professionals through its training and research and the [National FGM Centre](#), a partnership between Barnardo's and the Local Government Association, which works with professionals and in communities to educate and prevent FGM.

Through our direct support to children and young people in our services across the UK, we know that children are accessing harmful pornographic content and are facing online grooming, coercion, and threats on a daily basis.

**Question 2: Can you identify factors which might indicate that a service is likely to attract child users?**

*Is this a confidential response? (select as appropriate)*

[Please select]

The default position should be that children will be attracted to many services across the internet. Children are naturally curious and will seek out material which spans their interests. Ofcom's own research has found that in 2021 nearly all children went online in 2021 (99%).<sup>1</sup>

Clearly services which are targeted towards children, for example gaming platforms, are more likely to attract child users, but sites which host adult content for example pornography, are also accessed by millions of children per month.<sup>2</sup> Research by the Children's Commissioner for England found that some young people had experienced

<sup>1</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0024/234609/childrens-media-use-and-attitudes-report-2022.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0024/234609/childrens-media-use-and-attitudes-report-2022.pdf)

<sup>2</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/747187/Impact\\_Assessment\\_Age\\_Verification\\_FINAL\\_20181009.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747187/Impact_Assessment_Age_Verification_FINAL_20181009.pdf)

**Question 2: Can you identify factors which might indicate that a service is likely to attract child users?**

seeing sexualised cartoons, depicting popular children's characters and which appear in pop-up ads, actively grooming young children to access adult pornography.<sup>3</sup>

**Question 3: What information do services have about the age of users on different platforms (including children)?**

*Is this a confidential response? (select as appropriate)*

No

Children of all ages are at risk of accessing harmful content on different platforms, and often other factors can have a bigger impact on children's vulnerability to seeing harmful content.

For example, the Internet Matters 2023 report found that children who are more active online (posting rather than passively scrolling) experienced more of both the positive and negative effects of digital tech than those who were less active.<sup>4</sup> They were more likely to see violent content, be contacted by someone they didn't know, see false information or receive abusive messages.

The same report found that children in families experiencing financial difficulties, those with disabilities, mental health issues or special educational needs experience more negative effects on their wellbeing than those without these challenges.<sup>5</sup> They experienced an increase in incidence of harmful experiences online, with more of an impact on them than other groups.

Research by Barnardo's found that other groups of children are more susceptible to online harms. These include: children in care, care leavers and young carers; those experiencing poverty; and children with additional needs.<sup>6</sup> Barnardo's practitioners found that these groups of children were more susceptible either because of their increased use

<sup>3</sup> <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

<sup>4</sup> <https://www.internetmatters.org/wp-content/uploads/2023/02/Internet-Matters-Childrens-Wellbeing-in-a-Digital-World-Index-report-2023-2.pdf>

<sup>5</sup> <https://www.internetmatters.org/wp-content/uploads/2023/02/Internet-Matters-Childrens-Wellbeing-in-a-Digital-World-Index-report-2023-2.pdf>

<sup>6</sup>

[https://www.barnardos.org.uk/sites/default/files/uploads/B51140%2020886\\_Social%20media\\_Report\\_Final\\_Lo%20Res.pdf](https://www.barnardos.org.uk/sites/default/files/uploads/B51140%2020886_Social%20media_Report_Final_Lo%20Res.pdf)

**Question 3: What information do services have about the age of users on different platforms (including children)?**

in comparison to other children, or because of their decreased ability to approach and interact with social media in a self-protective manner.

**Question 4: How can services ensure that children cannot access a service, or a part of it?**

*Is this a confidential response? (select as appropriate)*

No

We are pleased that the Online Safety Bill as it currently stands includes a duty to ensure that children are not normally able to encounter pornographic content, however we are calling for this to be strengthened.

Barnardo's, along with a coalition of other organisations, is calling for all pornography sites with UK users that host content to implement independent, standardised age verification with minimum standards in a manner that is approved by Ofcom, so that regulated services are satisfied beyond reasonable doubt that a user is 18 years old or older.

Age verification technologies are improving every day. They can operate at scale and in a way which respects the privacy of the user, only requiring minimal information for a matter of seconds before removing a users' data. Independent, third-party age verification providers are tightly regulated by organisations such as the Information Commissioner's Office to ensure that they comply with GSPR and other relevant international standards.

Age verification for pornographic content should go beyond just ensuring age verification for commercial pornography sites, but also include user-to-user sites that allow pornographic content. Social media sites Twitter and Reddit allow pornographic content under their terms of service, despite 13 being the minimum age necessary to open an account on these sites.

According to research by the Children's Commissioner for England, children were more likely to access pornography on Twitter than directly via 'traditional' pornography sites. Ultimately, pornography is pornography, no matter where it's found, and has a fundamental impact on children.

Robust age verification should be implemented to prevent children from accessing pornographic content on social media sites. To be clear, this does not mean age-gating the whole of Twitter or Reddit and blocking them from the site in its totality. Age verification should be implemented to prevent children from accessing the pornographic

#### Question 4: How can services ensure that children cannot access a service, or a part of it?

content itself – Twitter already can identify which content is pornographic, preventing non-signed in users from seeing this content.

Preferably, social media companies could restrict the uploading of pornographic content on their platforms altogether by prohibiting it in their terms of service, which they will need to enforce in the Online Safety Bill. Social media sites such as Instagram, Facebook and TikTok already ban pornographic content.

Further, pornography sites should be unable to hide behind commercial proportionately arguments to prevent them from putting in place age verification measures to protect children. The Times recently reported that an adult company has admitted to Ofcom that they will reject age verification because it would impact its profitability.<sup>7</sup> Pornography sites are commercially incentivised to resist or ignore age verification since their business model depends on maximising the number of visitors on the site.

There is a precedent of pornography companies trying to avoid age verification legislation, particularly when it has been unclear or left room for misinterpretation. Pornhub has previously poured its energies into creating its own VPNs to allow savvy underage users to bypass any controls put in by the Internet Service Providers.<sup>8</sup> In France, the publishers of Pornhub, YouPorn and RedTube recently sought to challenge French law in two of its highest courts regarding age control of internet users using freedom of expression as an argument.<sup>9</sup> They lost, but French legislation does not specify what form of age verification should be used. If the Online Safety Bill remains unclear on this, it is very likely that the same pornography companies will keep challenging the courts in the UK to stop age verification from becoming a reality.

Measures should be applied in proportion to the risk and harm to children posed by a site, not in proportion to a sites' financial capacity, or the impact on its revenues. Estimates place the industry's value at approximately \$97 billion, which is even bigger than Hollywood.<sup>10</sup> If sites cannot afford to implement protection for children from exposure to adult content, they should not be permitted to publish that material at all.

We are also concerned that the Online Safety Bill contains a loophole that pornography sites will be able to use to get around age verification by arguing that the UK is not its target market. In clauses 3(5) and 67(4) of the Bill, it mandates that to fall under the Bill's provisions services must either have "a significant number of UK users" or the UK users form "one of the target markets for the service (or the only target market)". Pornography sites may argue that they do not meet this requirement, allowing them to get around age verification measures.

<sup>7</sup> <https://www.thetimes.co.uk/article/tory-rebellion-over-online-safety-bills-rules-to-block-children-seeing-porn-jxnk2nb7d>

<sup>8</sup> <https://www.telegraph.co.uk/news/2019/04/18/porn-sites-offer-loopholes-get-around-web-ban-bbfc-admits-powerless/>

<sup>9</sup> <https://www.numerama.com/tech/1230502-les-sites-porno-sont-impuissants-en-justice-pour-empêcher-le-contrôle-de-l'âge-en-france.html>

<sup>10</sup> [https://cease.org.uk/wp-content/uploads/2021/07/210607\\_CEASE\\_Expose\\_Big\\_Porn\\_Report.pdf](https://cease.org.uk/wp-content/uploads/2021/07/210607_CEASE_Expose_Big_Porn_Report.pdf)

**Question 4: How can services ensure that children cannot access a service, or a part of it?**

Finally, it is essential that Ofcom implement age verification for pornography sites as swiftly as possible. Age verification was supposed to be implemented under the Digital Economy Act, however since the decision not to implement Part 3 was taken, children have had unfettered access to pornographic content. Barnardo's have estimated that, since this decision was taken in October 2019, it is likely that children have accessed pornographic content at least 54 million times.

Age verification is already delayed, and children cannot afford to wait several more years as Ofcom's roadmap for the Online Safety Bill suggests.<sup>11</sup> We propose that Ofcom must prepare and issue a code of practice for all pornographic content within four months of Royal Assent and that age verification should be implemented within six months. The technology already exists, and most online providers should be ready to implement age verification within six months.

**Question 5: What age assurance and age verification or related technologies are currently available to platforms to protect children from harmful content, and what is the impact and cost of using them?**

*Is this a confidential response? (select as appropriate)*

No

Age verification to prevent children from accessing pornographic content must be effective, ensuring beyond reasonable doubt that a user is aged 18 or older, and must be independently verified in a manner approved by Ofcom.

Age verification technologies are improving every day. They can operate at scale and in a way which respects the privacy of the user, only requiring minimal information for a matter of seconds before removing a users' data. Independent, third-party age verification providers are tightly regulated by organisations such as the Information Commissioner's Office to ensure that they comply with GSPR and other relevant international standards.

It cannot be left up to pornography companies to design and implement their own forms of age verification – they are commercially incentivised to maximise the number of users accessing to their sites, including children. Research by the Children's Commissioner for England found that some young people had experienced seeing sexualised cartoons, depicting popular children's characters and which appear in pop-up ads, actively grooming young children to access adult pornography.<sup>12</sup>

<sup>11</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0016/240442/online-safety-roadmap.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0016/240442/online-safety-roadmap.pdf)

<sup>12</sup> <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

**Question 6: Can you provide any evidence relating to the presence of content that is harmful to children on user-to-user and search services?**

*Is this a confidential response? (select as appropriate)*

No

Pornography

Pornographic content is present across the internet, and is not limited to dedicated commercial pornography sites. Since the decision not to enact Part 3 of the Digital Economy Act in October 2019, Barnardo's have calculated that it is likely that children have accessed pornographic content more than 54 million times at a minimum.

Research by the British Board of Film Classification (BBFC) has found that children are coming across pornography online from as young as 7.<sup>13</sup> Recent research by the Children's Commissioner for England found that 79% of children had encountered violent pornography before the age of 18, with the average age that children first see pornography as being 13 years old.<sup>14</sup>

Children often come across pornographic content for the first time accidentally, unwittingly searching terms like 'sex' or 'porn' without knowing what they mean.<sup>15</sup>

Some social media sites, including Twitter and Reddit, allow for pornographic content on their platforms, despite the minimum sign-up age being just 13 years old. The Children Commissioner's research found that Twitter is the platform where the highest percentage of children had seen pornography, at 41%.<sup>16</sup>

Even social media sites which ban pornographic content from their platforms including Instagram, Snapchat, TikTok and Facebook, do contain pornographic content which is accessed by children – the same research by the Children's Commissioner found that 33% of children who had seen pornographic content had seen it on Instagram, and 32% on Snapchat.<sup>17</sup> Further, 30% had seen pornographic content on search engines.<sup>18</sup>

Children have also reported seeing sexualised cartoons appearing in pop-up ads on gaming and streaming sites – depicting popular children's characters, used to actively

<sup>13</sup> <https://www.bbfc.co.uk/about-us/news/children-see-pornography-as-young-as-seven-new-report-finds>

<sup>14</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

<sup>15</sup> The Guardian (2020), [Porn survey reveals extent of UK teenagers' viewing habits](#)

<sup>16</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

<sup>17</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

<sup>18</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

**Question 6: Can you provide any evidence relating to the presence of content that is harmful to children on user-to-user and search services?**

groom children towards pornography.<sup>19</sup> According to research by the BBFC, almost half of the top 100 pornography sites visited carry content which features characters from children's cartoons or characters that children would recognise – including characters from Frozen, Scooby Doo and The Incredibles.<sup>20</sup>

Child Criminal Exploitation

Child Criminal Exploitation (CCE) is when another person or persons manipulate, deceive, coerce or control the person to undertake activity which constitutes a criminal offence where the person is under the age of 18. CCE can take many forms, including 'county lines' (where young people are coerced to carry drugs and weapons from one area to another to service complex drug supply chains), stealing cars or alcohol to order, cannabis cultivation, and forced begging as examples.

Children can be groomed and coerced and threatened into CCE online. Online platforms can be used to contact, groom and keep children trapped in a cycle of exploitation. This includes perpetrators advertising their associated lifestyles to their social media networks, for example posting pictures of luxury items and cash in trap-houses, a technique used to recruit and control victims. Barnardo's services support children whose exploitation started with initial contact via online platforms such as sharing posts aimed to lure children into trap-houses with money, trainers and weapons.

Research in 2019 showed that one in four (24%) of young people reported that they see illicit drugs advertised for sale on social media.<sup>21</sup> Further, in 2020, research by the Youth Endowment Fund found that 20% of young people had seen online content promoting gang membership in the previous 12 months, and 24% reported seeing content featuring carrying, using or promoting weapons.<sup>22</sup>

Perpetrators also use social media sites for 'remote mothering' – the ability to monitor where someone is, what they are doing, and who they are with at all times, via location tags, GPS tracking, pictures and video calling. The APPG for CCE and Knife Crime, which Barnardo's are co-secretariats of, heard that perpetrators use features such as SnapMaps on Snapchat to track children.<sup>23</sup>

Perpetrators also use technology for online collateral – the use of incriminating images, videos, screenshots and voice notes to ensure compliance, for example as a threat of 'revenge porn'. This is especially used to control girls, and 'subordinates' – often younger children.

<sup>19</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

<sup>20</sup> BBFC, 2022, 'Non-Photographic Images of Child Sexual Abuse: BBFC Content Investigation

<sup>21</sup> <https://volteface.me/dm-details-selling-drugs-age-social-media/>

<sup>22</sup> <https://youthendowmentfund.org.uk/wp-content/uploads/2022/10/YEF-Children-violence-and-vulnerability-2022.pdf>

<sup>23</sup> <http://www.preventknifecrime.co.uk/wp-content/uploads/2022/11/Child-Criminal-Exploitation-Knife-Crime-APPG-The-Online-Safety-Bill-and-CCE-Briefing.pdf>



**Question 6: Can you provide any evidence relating to the presence of content that is harmful to children on user-to-user and search services?**

Content that harms children's mental health

Content that is harmful to children's mental health can be found across the internet, particularly on social media sites.

In a survey of children and young people that Barnardo's conducted in 2022, only 33% of respondents completely agreed that they feel safe when they're online, with 67% of respondents saying that they had seen things online that made them feel worried or scared.<sup>24</sup>

Our insight suggests that children and young people with additional life challenges (such as young carers and care leavers) are more susceptible to the negative impacts of social media as they are more likely to experience isolation from friends and family, or struggle to develop and maintain these relationships offline due to the possible transient or unsettled nature of their life.<sup>25</sup>

App Stores

App Stores, including the Apple App Store and Google Play Store, do not currently prevent children from downloading apps that are inappropriate for them, despite holding data on a user's age through their phone account.

Further, whilst App Stores do have this data, they do not then pass on the data on a users' age to the app, meaning that many children download and have access to apps that are age-inappropriate.

Even where apps do age-verify their users, such as dating app Tinder, to ensure that they are an adult, some children do slip through the net.

Having a system which has two age-gates to prevent children from accessing content and platforms that are inappropriate for them would help to protect children from this content.

Barnardo's is supportive of amendments aimed at strengthening the Online Safety Bill to extend child protection duties to App Stores.

**Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?**

*Is this a confidential response? (select as appropriate)*

No

<sup>24</sup> <https://cms.barnardos.org.uk/sites/default/files/2023-03/Barnardos-Your-Voice-Matters-2022-20.3.23.pdf>

<sup>25</sup>

[https://www.barnardos.org.uk/sites/default/files/uploads/B51140%2020886\\_Social%20media\\_Report\\_Final\\_Lo%20Res.pdf](https://www.barnardos.org.uk/sites/default/files/uploads/B51140%2020886_Social%20media_Report_Final_Lo%20Res.pdf)

### Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?

Whilst the online world, including social media, can offer a space for children and young people to express themselves and make connections, it also has the potential to act as a source of harm for children and young people, impacting their mental health.

#### Accessing pornographic content

Viewing pornography can damage children's mental health, distort their understanding of healthy sex and relationships, and normalise abusive sexual behaviour.

Online pornographic content is often violent, abusive and degrading – not the 'stereotypical' pornography from the 70s and 80s. Often, this content shows violence against women. The Government's Equalities Office, found that there was 'substantial evidence of an association' between the use of pornography and harmful attitudes and behaviours towards women and girls.<sup>26</sup>

This has a twofold impact on children; firstly, it normalises sexual violence towards women and girls. According to research by the NSPCC and the Children Commissioner for England, 44% of boys aged 11-to-16 who regularly viewed pornographic content reported that it gave them ideas about the type of sex that they wanted to try. Secondly, it normalises violent sex for girls, so they see it as a normal and expected part of a relationship, rather than identifying it as abuse.<sup>27</sup>

#### **Barnardo's Case Study**

A 13-year-old boy who had never been in trouble before exposed himself to a much older woman and made sexually suggestive comments to her. He was subsequently arrested, convicted of a sexual offence and excluded from school.

He disclosed that he had been viewing content which portrayed men exposing themselves in public to women.

Barnardo's services say that children are copying and participating in acts they have seen in pornographic videos, despite feeling uncomfortable and scared.

In a 2021 Barnardo's survey of frontline practitioners, more than a quarter of our workers had supported vulnerable children who had accessed pornography, with nearly a third saying that it had led to children developing unrealistic expectations of sex and relationships. More than a quarter of frontline workers said that the children they had supported had displayed inappropriate sexualised behaviour.<sup>28</sup>

#### Pornographic content which is prohibited offline, but prevalent online

<sup>26</sup> <https://www.iicsa.org.uk/key-documents/28604/view/INQ006736.pdf>

<sup>27</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/06/MDX-NSPCC-OCC-Online-Pornography-Report.pdf>

<sup>28</sup> Barnardo's survey of frontline workers (2021)

**Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?**

Pornographic content which is illegal offline, for DVD, Blu-Ray or for Video on Demand, is prevalent online. This includes pornographic content which depicts sexual activity with actors or characters who look like children: petite, young-looking performers made to look underage through props such as stuffed toys, lollipops and school uniforms, and sexual activity between family members, particularly step-families. This content is extremely harmful, sexualising children and driving the demand for 'real' child sexual abuse material.

In 2019, 39 billion searches were made on Pornhub, with one of the most frequent search terms being 'teen'.<sup>29</sup> In 2021, 'step mom' was the 7th most searched term on Pornhub worldwide.<sup>30</sup> Although commercial pornography sites such as Pornhub have banned certain search tags and depictions such as 'children', 'underage' and 'child young', CEASE have found that content which clearly suggest underage sexual activity remains prevalent. Pornhub search tags including 'babysitter', 'classroom teacher', 'young', 'virgin', 'little', 'tiny', 'exxxtrasmall' and 'barely legal' are still permitted.<sup>31</sup> Examples of titles of hosted videos include 'F\*\*\*ing my cute stepdaughter while she studies for a test' and 'Cute schoolgirl gets f\*\*\*ed by her English teacher'.<sup>32</sup>

Such depictions of sexual activity with the title 'teen' are often particularly violent. According to a study which analysed the content of the three most accessed pornographic websites in the UK (Pornhub, Xhamster and Xvideos), the three most common words in videos which contained coercion and exploitation were 'schoolgirl', 'girl', and 'teen'.<sup>33</sup> Although 'teen' could legitimately refer to those over 18, much of the content did have a focus on sex with underage girls, with titles including terms such as 'pigtails', 'homework' and 'braces'.<sup>34</sup> Further, the most frequent form of sexual violence found in pornographic content was sexual activity between family members.<sup>35</sup>

Content which sexualises children can act as a gateway to illegal child sexual abuse material, and the potential abuse of children online and offline. Pornography stimulates the same parts of the brain as drugs and gambling, and viewing increasingly extreme pornographic content that is available on mainstream sites may see a user spiralling in order to fulfil themselves, ultimately viewing illegal child sexual abuse material.<sup>36</sup>

Chief Constable Simon Bailey told the Independent Inquiry into Child Sexual Abuse that we are "creating a group of men who will look at pornography and the pornography gets

<sup>29</sup> [https://www.police-foundation.org.uk/2017/wp-content/uploads/2022/07/turning\\_the\\_tide\\_FINAL-.pdf](https://www.police-foundation.org.uk/2017/wp-content/uploads/2022/07/turning_the_tide_FINAL-.pdf)

<sup>30</sup> <https://www.pornhub.com/insights/yir-2021>

<sup>31</sup> [https://cease.org.uk/wp-content/uploads/2021/07/210607\\_CEASE\\_Expose\\_Big\\_Porn\\_Report.pdf](https://cease.org.uk/wp-content/uploads/2021/07/210607_CEASE_Expose_Big_Porn_Report.pdf)

<sup>32</sup> [https://cease.org.uk/wp-content/uploads/2021/07/210607\\_CEASE\\_Expose\\_Big\\_Porn\\_Report.pdf](https://cease.org.uk/wp-content/uploads/2021/07/210607_CEASE_Expose_Big_Porn_Report.pdf)

<sup>33</sup> <https://academic.oup.com/bjc/article/61/5/1243/6208896>

<sup>34</sup> <https://academic.oup.com/bjc/article/61/5/1243/6208896>

<sup>35</sup> <https://academic.oup.com/bjc/article/61/5/1243/6208896>

<sup>36</sup> [https://www.theguardian.com/global-development/2020/dec/15/how-extreme-porn-has-become-a-gateway-drug-into-child-abuse?fbclid=IwAR0JqKIZxs6xyyV8ZzYyPmoYKZTpjIF8d\\_cdDGdHww1IaVqxWTLmZTu5wU%3e](https://www.theguardian.com/global-development/2020/dec/15/how-extreme-porn-has-become-a-gateway-drug-into-child-abuse?fbclid=IwAR0JqKIZxs6xyyV8ZzYyPmoYKZTpjIF8d_cdDGdHww1IaVqxWTLmZTu5wU%3e)

**Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?**

harder and harder and harder, to the point where they are simply getting no sexual stimulation from it at all, so the next click is child abuse imagery. This is a real problem.”<sup>37</sup>

The Lucy Faithfull Foundation, an organisation that supports adult offenders who have viewed child sexual abuse material with their recovery, have warned that they are seeing the link between easy access to hardcore, extreme pornography on mainstream sites, and an interest in child sexual abuse material.<sup>38</sup>

**Case Study from Lucy Faithfull Foundation<sup>39</sup>**

Peter, 40, is an academic and now lives alone. He has no children, nor does he have direct contact with any. He was arrested for engaging in sexual communication with a child online, including sending explicit images of himself and requesting self-generated sexual images from a child. Following his arrest, the police provided him with Lucy Faithfull Foundation’s Stop It Now! helpline details and he has had regular contact with the helpline over several months.

During his calls, Peter spoke about his poor mental health over a number of years, including anxiety, depression and self-harm. He explained that he had begun viewing legal adult pornography online about 10 years ago, and that this behaviour had escalated quickly to sexual chat with adults and then sexual communication with children of varying ages, mostly pubescent girls.

Peter disclosed that he had been engaging in such conversations with children for the last five years and that the severity and frequency of his online behaviour had escalated during lockdown.

As well as the impact on adults, pornographic content that depicts sexual activity with ‘child-like’ performers or between step-family members can impact children. As long as harmful, abusive content remains online, children will be able to access it. Children like Elizabeth<sup>40</sup>, a 15-year-old girl supported by Barnardo’s who has been sexually abused by a much older relative for a number of years. Elizabeth turned to pornography to try and understand her own sexual abuse, however the content she found on pornography sites depicted older relatives having sex with young girls and the girls enjoying it. It wasn’t until she disclosed her abuse that she realised that it was not normal.

<sup>37</sup> <https://www.iicsa.org.uk/reports-recommendations/publications/inquiry/final-report>

<sup>38</sup> <https://www.theguardian.com/global-development/2020/dec/15/how-extreme-porn-has-become-a-gateway-drug-into-child-abuse>

<sup>39</sup>

[https://www.lucyfaithfull.org.uk/files/LFF\\_Annual\\_Report\\_2020\\_2021.pdf?utm\\_source=lucyfaithfull.org.uk&utm\\_medium=referral&utm\\_campaign=Annual-report-20-21](https://www.lucyfaithfull.org.uk/files/LFF_Annual_Report_2020_2021.pdf?utm_source=lucyfaithfull.org.uk&utm_medium=referral&utm_campaign=Annual-report-20-21)

<sup>40</sup> Please note all names have been changed.

### Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?

This parity between offline and online standards should be addressed by preventing content from being uploaded online if it would fail to attain an R18 certification and contains prohibited content.

YouGov polling for Barnardo's found that almost 70 per cent of UK adults agree that pornography which would be illegal on DVD should also be illegal online.<sup>41</sup>

#### Child Criminal Exploitation

Child criminal exploitation is abusive, and children who are targeted can also be groomed, physically abused, sexually abused, sexually exploited or trafficked.

It is difficult to get an accurate picture of the scale of CCE that is taking place in the UK, however there are indications that it is a growing problem. In 2019, the then-Children's Commissioner for England estimates that there were 27,000 children at high risk of exploitation by organised crime gangs.<sup>42</sup> This is likely to be a conservative estimate, mainly due to the hidden nature of the crime, and also because many children who have been criminally exploited only come to the attention of authorities once they have been arrested.

As a result, the scale of young people groomed online into criminal exploitation is not known, however we do know it's a growing issue. The COVID-19 pandemic and lockdown measures have driven an increase in online exploitation, as children spent more time online and perpetrators' traditional methods of recruitment were disrupted. Evidence suggests that, post-lockdown, rates of online forms of exploitation have been sustained. We are concerned that the cost-of-living crisis will heighten the risk of child criminal exploitation.

#### Mental Health

1 in 6 children in the UK has a probable diagnosable mental health disorder, rising to 1 in 4 young people aged 17-19.<sup>43</sup> The number of children and young people struggling with their mental health and wellbeing has been increasing for several years, and has been exacerbated by the COVID-19 pandemic, and currently the cost-of-living crisis.

Spending time online can be positive for children and young people, but also exposes them to experiences that can be damaging to their mental health and wellbeing.

Images posted online can have a negative impact on children and young people's perception of themselves. Young women in particular are affected by the pressure to conform with the images of bodies they see on social media, however body dissatisfaction and eating disorders are rapidly rising in boys and men too.<sup>44</sup> Children and young people are less likely to critically analyse images or consider that they may be altered. They are

<sup>41</sup> <https://www.barnardos.org.uk/news/almost-70-uk-adults-support-tighter-controls-online-pornography-content>

<sup>42</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/02/CCO-Gangs.pdf>

<sup>43</sup> NHS Digital, 2022

<sup>44</sup> <https://committees.parliament.uk/publications/5357/documents/53751/default/>

### Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?

also more likely to negatively compare themselves with unrealistic images seen online, resulting in unhappiness with their own appearance. This is significantly associated with poor mental health amongst children and young people.

Mental Health Foundation research has found that 40% of children and young people have seen images online that made them worry about their body image.<sup>45</sup> In a Barnardo's survey of children and young people in 2022, 87% of respondents thought that the internet and social media creates at least some pressure for children and young people to look at certain way, with 35% saying it creates a lot of pressure.<sup>46</sup> 68% of respondents reported having been made to feel badly about how they look because of things they'd seen online.<sup>47</sup>

The use of filters and editing images can affect children and young people's body image – an inquiry by the Women and Equalities Committee found that one of the most persistent causes for body dissatisfaction was widespread use of image editing and digitally altered images, and increased social media use.<sup>48</sup>

Image editing and the use of filters can have a two-fold effect on children and young people's wellbeing; as many people share filtered and edited images on social media, unrealistic body standards become more normalised, leading to children and young people comparing themselves to these images.

As children and young people themselves turn to filters and image editing, it can encourage negative feelings towards their body as their 'real life' self cannot match their online photos. According to research released by Meta, using Instagram made body image issues worse for 1 in 3 teenage girls who already faced body image issues from the UK and US.<sup>49</sup>

The relationship between social media, self-harm and suicide is complex, as it can offer a source of support for children and young people at risk of self-harm, or who have self-harmed in the past. However, social media can also expose children and young people to online harms that increase the risk of self-harm including cyberbullying and abuse.

Self-harm amongst children and young people is increasing. The Health Behaviour in School Aged Children Survey (HBSC) has recorded an increase from 22% to 25% among 15-year-olds (2014 to 2019).<sup>50</sup> Further, the University of Manchester reported a 68% increase in self-harm for 13–16-year-old girls between 2011 and 2014.<sup>51</sup>

<sup>45</sup> <https://www.mentalhealth.org.uk/about-us/news/millions-teenagers-worry-about-body-image-and-identify-social-media-key-cause-new-survey-mental>

<sup>46</sup> <https://cms.barnardos.org.uk/sites/default/files/2023-03/Barnardos-Your-Voice-Matters-2022-20.3.23.pdf>

<sup>47</sup> <https://cms.barnardos.org.uk/sites/default/files/2023-03/Barnardos-Your-Voice-Matters-2022-20.3.23.pdf>

<sup>48</sup> <https://committees.parliament.uk/publications/5357/documents/53751/default/>

<sup>49</sup> <https://about.fb.com/news/2021/09/research-teen-well-being-and-instagram/>

<sup>50</sup> <https://hbscengland.org/wp-content/uploads/2020/01/HBSC-England-National-Report-2020.pdf#page=16>

<sup>51</sup> <https://www.manchester.ac.uk/discover/news/steep-rise-in-self-harm-among-teenage-girls/#:~:text=University%20of%20Manchester%20researchers%20have,much%20higher%20rates%20than%20boys.>

**Question 7: Can you provide any evidence relating to the impact on children from accessing content that is harmful to them?**

Social media can facilitate and amplify messages that may lead to self-harm and suicidal thoughts and intentions. 26% of children and young people presenting at hospital with self-harm or suicide attempt injuries had accessed related content online.<sup>52</sup> The number of children aged 9 to 12 who were admitted to hospital for intentionally hurting themselves had risen from 221 in 2013–14 to 508 in 2019–20.<sup>53</sup>

**Question 8: How do services currently assess the risk of harm to children in the UK from content that is harmful to them?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 9: What are the exacerbating risk factors services do or should consider which may have an impact on the risk of harm to children in the UK?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

<sup>52</sup> <https://committees.parliament.uk/publications/8206/documents/84092/default/#page=13>

<sup>53</sup> <https://www.theguardian.com/society/2021/feb/16/self-harm-among-young-children-in-uk-doubles-in-six-years>

**Question 10: What are the governance, accountability and decision-making structures for child user and platform safety?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 11: What can providers of online services do to enhance the clarity and accessibility of terms of service and public policy statements for children (including children of different ages)?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 12: How do terms of service or public policy statements treat 'primary priority' and 'priority' harmful content?<sup>54</sup>**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

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<sup>54</sup> See A1.2 to A1.3 of the call for evidence for more information on the indicative list of harms to children.



**Question 13: What can providers of online services do to enhance children's accessibility and awareness of reporting and complaints mechanisms?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 14: Can you provide any evidence or information about the best practices for accurate reporting and/or complaints mechanisms in place for legal content that is harmful to children, or users who post this content, and how these processes are designed and maintained?**

*Is this a confidential response? (select as appropriate)*

No

Barnardo's is supporting calls for the introduction of an Advocacy Body for Children, being led by the NSPCC. Currently, the Online Safety Bill has gaps which could mean that children's voices could be lost or drowned out by large tech companies. There are no provisions to ensure that they have a consistent voice or direct representation in the new regime.

There is a risk that Ofcom may not have the breadth and depth of real time insight to identify and respond to emerging harms.

A user advocacy body for children would be able to promote and protect the interests of children and young people, ensuring their experiences are understood by the regulator by giving children a strong voice in the regulatory process.

Further, it would be able to embed an effective 'early warning function' into the regulatory regime through combining insight and working with children to identify and assess new risks to children in the rapidly changing online world, providing vital support and appropriate challenge to Ofcom.

And finally, a user advocacy body for children would counterbalance the influence of regulated companies by presenting alternative sets of comprehensive data which could be used by the regulator to make evidence-based decisions.

**Question 15: What actions do or should services take in response to reports or complaints about online content harmful to children (including complaints from children)?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 16: What functionalities or features currently exist that are designed to prevent or mitigate the risk or impact of content that is harmful to children? A1.21 in the call for evidence provides some examples of functionalities.**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 17: To what extent does or can a service adopt functionalities or features, designed to mitigate the risk or impact of content that is harmful to children on that service?**

*Is this a confidential response? (select as appropriate)*

No

**Question 17: To what extent does or can a service adopt functionalities or features, designed to mitigate the risk or impact of content that is harmful to children on that service?**

Age verification can be an effective tool to prevent children from accessing content that is inappropriate for them, including pornographic content. It is essential that to properly protect children from pornographic content, age verification must be effective, ensuring beyond reasonable doubt that a user is aged 18 or older, and must be independently verified in a manner approved by Ofcom.

Age verification technologies are improving every day. They can operate at scale and in a way which respects the privacy of the user, only requiring minimal information for a matter of seconds before removing a users' data. Independent, third-party age verification providers are tightly regulated by organisations such as the Information Commissioner's Office to ensure that they comply with GSPR and other relevant international standards.

It cannot be left up to pornography companies to design and implement their own forms of age verification – they are commercially incentivised to maximise the number of users accessing to their sites, including children. Research by the Children's Commissioner for England found that some young people had experienced seeing sexualised cartoons, depicting popular children's characters and which appear in pop-up ads, actively grooming young children to access adult pornography.<sup>55</sup>

**Question 18: How can services support the safety and wellbeing of UK child users as regards to content that is harmful to them?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

<sup>55</sup> <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

**Question 19: With reference to content that is harmful to children, how can a service mitigate any risks to children posed by the design of algorithms that support the function of the service (e.g. search engines, or social and content recommender systems)?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 20: Could improvements be made to content moderation to deliver greater protection for children, without unduly restricting user activity? If so, what?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 21: What automated, or partially automated, moderation systems are currently available (or in development) for content that is harmful to children?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 22: How are human moderators used to identify and assess content that is harmful to children?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 23: What training and support is or should be provided to moderators?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 24: How do human moderators and automated systems work together, and what is their relative scale? How should services guard against automation bias?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 25: In what instances is content that is harmful to children, that is in contravention of terms and conditions, removed from a service or the part of a service that children can access?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 26: What other mitigations do services currently have to protect children from harmful content?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 27: Where children attempt to circumvent mitigations in place on a service, what further systems and processes can a service put in place to protect children?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*

**Question 28: Other than those covered above in this document (the call for evidence), are you aware of other measures available for mitigating the risk, and impact of, harm from content that is harmful to children?**

*Is this a confidential response? (select as appropriate)*

*[Please select]*