

## Online Safety Bill: House of Commons Consideration of Lords Amendments Tuesday 12<sup>th</sup> September 2023

September 2023

### Summary

- We ask that you support Government amendments to the Online Safety Bill which place a duty on pornography sites and social media sites to ensure that children are prevented from encountering pornographic content through the use of highly effective age verification or age estimation (or both) no later than 18 months following Royal Assent.
- Many children stumble across and access pornographic content, which can damage their mental health, and distort their understanding of healthy relationships, consent and sex. It can normalise abusive sexual behaviour.<sup>1</sup>
- Children access pornographic content on average at 13 years old. 10% of 9-year-olds are viewing pornography.<sup>2</sup> Children are mainly accessing pornography via social media sites such as X (formerly Twitter), as well as dedicated pornography sites.<sup>3</sup>
- In these final stages of the Online Safety Bill, we are asking you to ensure the Government holds Ofcom to account by introducing the age verification measures in the Bill as soon as possible and uses the powers it has been given to ensure the pornography industry complies with the new regulations.

### 1. Online Safety Bill amendments

- We are pleased that, following representations from Barnardo's, CEASE, CARE and other organisations, the Online Safety Bill does now include a robust age verification duty.
- The Online Safety Bill now:
  - Places a duty on pornography sites and crucially social media sites to ensure that children are not normally able to encounter pornographic content through the use of highly effective age verification or age estimation (or both).
  - Sets out the principles of age verification and age estimation for Ofcom
  - Sets out a duty on Ofcom to publish guidance on age verification and age estimation for pornography within 18 months.

<sup>1</sup> Children's Commissioner, 2023. 'A lot of it is actually just abuse' Young people and pornography.

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

<sup>2</sup> Children's Commissioner, 2023. 'A lot of it is actually just abuse' Young people and pornography.

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<sup>3</sup> Children's Commissioner, 2023. 'A lot of it is actually just abuse' Young people and pornography.

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- Places a duty on pornography sites to make and keep a written record, a summary of which is made publicly available, of the types of age verification or age estimation used on their sites and how they are used.
- The Government have also committed to conducting a [Review into Pornography](#), aimed at ensuring that the regulation of online pornography in the UK is fit for purpose in tackling exploitation and abuse. The Review will also examine the different regulatory regimes, including the differences between online and offline regulation of pornographic content.

## 2. Age verification technologies

- Age verification technologies are already widely used in everyday life – from online gambling sites to purchasing alcohol online.
- Age verification providers operate at scale and respect the privacy of the user. They operate using a 'double-blind' model – meaning that the age verification provider never reveals the users' data (other than that they are over 18 years old) to the site, and the age verification provider never sees what sites the user is accessing.<sup>4</sup>
- Age verification providers are tightly regulated by organisations such as the Information Commissioner's Office to ensure that they comply with GDPR and other relevant international standards.
- We urge MPs to support the Government amendments to the Bill on age verification for pornographic content, to ensure that children are protected from this harmful content.

## 3. Impact of pornography on children

- In 2015/16, pornography was accessed 1.4 million times by UK children every month.<sup>5</sup> With children and young people's screentime increasing during and after the COVID-19 pandemic, it is likely that this figure is now higher.<sup>6</sup> According to research by Ofcom, almost all homes with children had access to the internet in 2022 (97%), and almost three quarters of parents (73%) were concerned about their child seeing 'adult' or sexual content online.<sup>7</sup>
- Recent research by the Children's Commissioner for England found that 10% of nine-year-olds had seen pornographic content, and that half of children had seen pornographic content by the age of 13.<sup>8</sup> This content is often particularly violent – almost 4 in 5 (79%) children had encountered violent pornography before the age of 18.
- Many children's first experience of viewing pornographic content is accidental, through:

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<sup>4</sup> The Age Verification Providers Association, 2022. 'Age Verification, privacy and data...', <https://avpassociation.com/news-release/age-verification-privacy-and-data/>

<sup>5</sup> DCMS, 2015. Digital Economy Act Consultation.

<sup>6</sup> Trott M et al., 2022. 'Changes and correlates of screen time in adults and children during the COVID-19 pandemic: A systematic review and meta-analysis', The Lancet, [https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370\(22\)00182-1/fulltext](https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370(22)00182-1/fulltext)

<sup>7</sup> Ofcom, 2023. Children and Parents: Media Use and Attitudes. [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0027/255852/childrens-media-use-and-attitudes-report-2023.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0027/255852/childrens-media-use-and-attitudes-report-2023.pdf)

<sup>8</sup> Children's Commissioner, 2023. 'A lot of it is actually just abuse' Young people and pornography. <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

- Internet searches where many described unwittingly searching terms such as 'sex' or 'porn' without understanding what these words meant
- Receiving links to videos on pornographic sites from friends without knowing what the content would include
- Adverts or pop-ups on film streaming, sports streaming, or gaming websites, where host content is often shared illegally
- Being shown videos on a friends' phone. This often happens as children start secondary school, aged 11 or 12 years old.<sup>9</sup>
- Children under 10 are increasingly visiting commercial porn mega-sites like Pornhub, and this group accounts for one in every ten visitors and 22% of underage visitors to the site.<sup>10</sup> Research by the Children's Commissioner also found that X (formerly Twitter) was the platform where young people were most likely to have seen pornographic content, at 41%.<sup>11</sup>

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

Michael\*, 15, first started looking at pornography during lockdown. Michael's mum is an essential worker and was working long hours every day, and Michael was left alone. Before the pandemic, Michael was a very active teenager who loved being outdoors and going to the gym. Without normal routine to occupy him and being away from trusted adults at school, he spent more and more time online as many children did.

One day he went for a bike ride and exposed himself to a much older woman and made sexually suggestive comments to her. This led to his arrest and conviction for a sexual offence. Michael was then referred to a Barnardo's service.

Michael disclosed that he had been watching an increasing amount of pornography online and was specifically viewing content which portrayed men exposing themselves in public to women. Michael was not identified as a vulnerable child and had not been in trouble before. Michael's actions were directly linked to the harmful pornographic content he had repeatedly been watching. He was embarrassed and ashamed about his actions.

After his conviction, his school refused to let him return and his education and potential future employment has drastically suffered. Barnardo's supported Michael to re-enter education and continued to work with him to improve his life chances.

*\*Please note name has been changed*

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

<sup>9</sup> The Guardian, 2020. 'Porn survey reveals extent of UK teenagers' viewing habits', <https://www.theguardian.com/culture/2020/jan/31/porn-survey-uk-teenagers-viewing-habits-bbfc>

<sup>10</sup> Net Nanny, 2017. 'The Detrimental Effects of Pornography on Small Children', <https://www.netnanny.com/blog/the-detrimental-effects-of-pornography-on-small-children/>

<sup>11</sup> Children's Commissioner, 2023. 'A lot of it is actually just abuse' Young people and pornography. <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/02/cc-a-lot-of-it-is-actually-just-abuse-young-people-and-pornography-updated.pdf>

- Barnardo's frontline workers say that children are participating in acts they have seen in pornographic videos, despite feeling uncomfortable and scared. Children and young people are seeing these acts are an expected part of a relationship and believe that if they feel otherwise there must be something wrong with them, rather than identifying abuse.
- A survey by the NSPCC and the Children's Commissioner for England found that 44% of boys aged between 11 and 16 who regularly viewed pornographic content reported that it gave them ideas about the type of sex that they wanted to try.<sup>12</sup>
- Research shows that 88% of scenes in online pornography show physical aggression, and 94% of this is directed at women. This reinforces gender stereotypes and leads to higher rates of gender-related violence amongst young people.<sup>13</sup>
- Ofsted's June 2021 rapid review of sexual abuse and harassment in schools reported that, "leaders we spoke to also highlighted the problems that easy access to pornography had created and how pornography had set unhealthy expectations of sexual relationships and shaped children and young people's perceptions of women and girls".<sup>14</sup>
- Barnardo's frontline services say children they support are watching pornography depicting illegal acts, violence and child abuse. We see first-hand that watching this content harms children's mental health and can normalise aggressive, coercive and harmful sexual activity.

### **Suggested questions**

1. What reassurances can the Government provide that they will ensure that Ofcom requires age verification for pornographic content as soon as possible and that they are diligent in enforcing the requirements?
2. When will the Government's Review into Pornography commence, and what will the remits of the Review be, in particular will it cover regulation of pornographic content which currently would not be certified by the British Board of Film Classification?
3. How will the Government's Review into Pornography engage with child protection organisations who have been pushing for this Review?
4. Will the Review's scope include a public health remit to understand the impact that pornography has on sex addiction, and in particular, how it might provide a gateway for adults who spiral into to accessing illegal Child Sexual Abuse Material (CSAM)?

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<sup>12</sup> NSPCC, Children's Commissioner and Middlesex University London, 2017. "'I wasn't sure it was normal to watch it": A quantitative and qualitative examination of the impact of online pornography on the values, attitudes, beliefs and behaviours of children and young people.' <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/06/MDX-NSPCC-OCC-Online-Pornography-Report.pdf>

<sup>13</sup> Bridges AJ et al., 2010. 'Aggression and sexual behaviour in best-selling pornography videos: a content analysis update', Violence Against Women, <https://pubmed.ncbi.nlm.nih.gov/20980228/>

<sup>14</sup> Ofsted, 2021. Review of sexual abuse in schools and colleges <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges>