

# Byron Review on Children and New Technology

## 1. Introduction

As part of the discussion on Trust in the Internet at the January meeting, the PAB was updated on the Byron review on Children and New Technology and we agreed to review the report and its implications for the .uk namespace at a future meeting. The report was published on 27 March and is available on <http://www.dfes.gov.uk/byronreview/>.

## 2. Summary of findings associated with the Internet

Tanya Byron was asked by the Prime Minister to conduct an independent review looking at the risks to children from exposure to potentially harmful or inappropriate material on the Internet and in video games. The review looks at the evidence on the risks to children's safety and well-being and assesses the effectiveness and adequacy of existing measures to help prevent children being exposed to such material. It looks at how to help parents understand and manage the risks of access to inappropriate content, and makes recommendations for improvements and additional action.

This is in the context of the Internet's major impact on society and the economy: sales over the Internet were worth £130 billion in 2006; and a general acceptance of the Internet as a tool for education, information, entertainment and communication.

The Byron review recognises that there is no obvious single point at which editorial control can be exercised in a vast many-to-many network, unlike the broadcast media where the channel exercises control: this means that it is difficult for the government or a regulator to reduce the availability of harmful or inappropriate content. And with the international mobility that the Internet provides, a clampdown in one country can simply mean that content is moved to another jurisdiction.

The report is cautious, recognising that a lot of the debate is polarised and emotive. It concentrates on how to move from a discussion about the media causing harm to **developing a focus on children and young people**, what they bring to technology and how to use an understanding of how they develop to empower them to manage risks and make the digital world safer for them.

Fundamental to the approach is to develop a **shared culture of responsibility with families, industry, government and others in the public and third sectors** all playing their part to reduce the availability of potentially harmful material, restrict access to it by children and to increase children's resilience. The report proposes addressing this through "a national strategy for child internet safety which involves better self-regulation and better provision of information and education for children and families."

When it was published, most press comment focussed on the recommendations on games (and, in particular, age ratings and game classification), but the report has a major focus on the Internet, and in particular on social networking sites. However, the report's recommendations have much wider implications in the industry. In particular, while there is a good emphasis on Internet industry self-regulation there is a clear warning that this needs to be supported by responsible behaviour.

With 99% of children active on the Internet (of which 81% have access at home), there could be comparisons to the regulatory oversight of other easily accessible mass media. Indeed, from a 2005 OFCOM survey, 32% of parents thought that the Internet was regulated: the report highlights the need for "a significant and widespread shift in attitudes, which sees adults

moving from an assumption that somebody must be doing something to regulate the internet or that they themselves are powerless, to a situation in which all adults view child online safety as a priority and recognise their role in making children safer.” (Paragraph 4.82).

The overall approach for the review is that:

- There is no ‘silver bullet’. Neither Government nor industry can make the Internet completely safe. The nature of the Internet means that there will always be risks, and children and parents need to understand how to manage the risks of the Internet.
- As such, policies that claim to make the Internet completely safe are undesirable because they discourage children and parents from taking an informed approach to managing the risks. At worst they can be dangerous – lulling parents into a false sense of security and leaving children exposed to a greater level of risk than they would otherwise be.
- Industry and Government and others must work together to ensure not only that parents and children understand the risks, but that, as far as possible, the products and systems available support users to manage the risks. (4.2)

The key recommendation in the review is to transform the Home Secretary’s Task Force on Child Protection on the Internet into the **UK Council on Child Internet Safety** reporting to the Prime Minister. This will have responsibility for child Internet safety strategy across Government – a joined up approach to the issue.

The report considers **the case for blocking content at the network level** (4.54 et seq) – it supports the Internet Watch Foundation approach for material that is clearly illegal in the UK, but comes down against more general application to other content. (In this it notes that China and Saudi Arabia use similar techniques to prevent access to content that they consider illegal). But it has a clear marker that this is not an irreversible conclusion: “I do not recommend that the UK pursue a policy of blocking non-illegal material at a network level at present. However, this may need to be reviewed if the other measures recommended in this report fail to have an impact on the number and frequency of children coming across harmful or inappropriate content online.” (4.60)

It also identifies the mobile industry as a part of the ‘internet industry’ that has signed up to an independently monitored code of practice and OFCOM is working with the industry to review the code. However, it recognises that it is difficult to establish the effectiveness of work in this area.

A lot of emphasis is placed on **best practice, education, media literacy, and teaching on-line safety**. This would be one area of focus for the proposed new UK Council on Child Internet Safety, which would also have a role in addressing harmful and inappropriate material (suicide and self-harm websites, cyber-bullying sites, sites depicting the commission of crimes such as happy-slapping videos are mentioned). It should investigate how to clarify the law and explore appropriate enforcement responses.

The review recommends that the UK Council on Child Internet Safety lead in **promoting better regulation**, with the emphasis on voluntary codes of practice wherever possible. But the report is clear that this approach has to have credibility and calls for “robust monitoring by an independent body” (3.147).

There are specific recommendations addressed at **advertising** (future-proofing advertising regulation to take account of new forms of on-line advertising that are currently not covered, and the responsibility to advertise responsibly to those under 18).

The key recommendations associated with the Internet, including the description of the role of the Council on Child Internet Safety, are annexed. However, it is perhaps worth quoting from

some clear statements in the reports conclusions as these clearly indicate **how Byron expects the Internet industry to behave** (emphasis added):

9.4 There are also steps that need to be taken in the UK and on a global platform to make the waters of new technology easier to navigate safely. This is about *providing children and their parents with the proper tools, clear standards and signposts and somewhere to go when things go wrong*. Crucially, this needs to be underpinned by action – such as that taken by CEOP and the IWF – to tackle the most serious risks on the internet.

9.5 The sphere of new media is sometimes described as being like the ‘Wild West’ – a landscape populated by cynical, selfish characters with no regard for the welfare of children. I have not found this to be the case. *Throughout the internet and video games industries, Government and regulators, the law enforcement community, the charitable and voluntary sector, and the world of education and children’s services there are countless individuals committed to supporting children and parents to deal with the risks that new technologies may present.*

9.6 However, sometimes *efforts to make the landscape safer for children are hindered, slowed or frustrated by the anxieties of different groups who do not understand each other’s perspectives or question each others motives*. In such a situation, where people feel the need to take sides and fight their corner, there can be no clear winners, only losers – most significantly, children and their parents.

9.7 I believe that alongside new technology *we need a new culture of responsibility, where all in society focus not on defending our entrenched positions, but on working together to help children keep themselves safe, to help parents to keep their children safe and to help each other support children and parents in this task.*

### 3. Specific references to work Nominet is engaged in

The report gives a clear endorsement to the work of the Internet Watch Foundation (“There has been extensive, successful and hugely important work in the area of illegal online content ... and contact ... by The Child Exploitation and Online Protection Centre (CEOP) and the Internet Watch Foundation (IWF). The Review in no way detracts from that crucial work... I believe that this work should continue to lie at the heart of the Government’s safeguarding strategy when it comes to the very serious and proven harm to children and young people online.” 1.4): **Nominet is a member of the IWF Funding Council.**

The report uses the **Nominet Best Practice Challenge** as an exemplar for identifying and rewarding outstanding industry practice. This could be a model to allow for recognising sites that are particularly child friendly, assessing performance against the safety principles. (3.145)

Recognising that much of the content and services accessed by children originates outside the UK and the European Union, the report recognises the importance of influencing the international agenda and looks towards the **international multi-stakeholder Internet Governance Forum**. As a key mechanism for developing the UK input to the IGF, the report suggests that the Council on Child Internet Safety will want to feed into the **UK Internet Governance Forum**. (3.157) It makes a clear recommendation that the Council should promote the UK internationally as world leader in keeping children safe online. (3.158)

#### 4. Possible ways forward

##### a. Engagement in industry-led initiatives

The report makes it clear that industry is expected to play a responsible role. As noted above, we are engaged with the IWF. We are also one of the prime movers in the UK-IGF initiative, run the Nominet Best Practice Challenge and are engaged in the international IGF.

We will continue to respond to this challenge and to seek to influence the national and international agenda and engage in appropriate industry initiatives. Nominet's work in preparing for the Internet Governance Forum in Rio was instrumental in ensuring a strong focus on child protection and child safety in the discussions.

##### b. The domain name as part of the solution

Action from Nominet is probably particularly important where we can provide part of the solution. We also need to consider how to respond in cases where we are seen as "part of the problem": for example, some see the ease of acquiring a domain name as allowing organisations to set up fraudulent websites too quickly (a point made in the BBC Watchdog programme); or that .uk should indicate that the site is under UK jurisdiction and subject to UK law (a point that has been made by the IMRG: the e-retail industry body).

##### c. Nominet Foundation

While the decisions on the initiatives that it will support will be independent of Nominet, the Nominet Foundation has been set up to fund research and educational initiatives in the UK Internet arena. The Rt Hon Alun Michael MP saw that this initiative "will strengthen the trust and confidence of users in the online environment and support the industry's role in addressing the needs of users, businesses and society."

##### d. Cooperation with the Council on Child Internet Safety

The Byron report makes it clear that industry is expected to play its part in addressing concerns. We will seek to work constructively with the Council on Child Internet Safety (in particular in helping it influence the international agenda through the UK-IGF). We should look to develop other initiatives with it, not least in helping use our outreach to members.

##### e. Illegal Domain Names Policy

The PAB discussed Child Pornography Allegations in .uk at its meeting in May 2005 ([http://www.nominet.org.uk/digitalAssets/3249\\_Child\\_pornography\\_response\\_May\\_05.pdf](http://www.nominet.org.uk/digitalAssets/3249_Child_pornography_response_May_05.pdf)) and recommended "that the Board make the PRSS service available to the IWF such that they can detect registrations of domain names containing potentially dubious strings relating to child pornography immediately upon their registration." It also recommended "that the Board confirm to the Executive that it should cancel domain names the maintenance on the register of which, having received legal advice, appear to Nominet would be likely to result in criminal liability (whether in terms of an illegal advertisement under the Protection of Children Act 1978 or otherwise) and prevent further registrations of the same domain name which would have the same effect." The executive has continued to discuss this issue with other European registries.

PAB members are invited to consider:

- Whether there are other areas where Nominet should take a leading role? Or a supporting role?
- How Nominet's policies might be seen as "part of the problem" and what actions we might need to take to correct that misconception?

- What Nominet might be able to do to contribute to awareness raising about the meaning of a .uk domain name?
- Whether there are particular aspects of the DNS – technologies or skills – which Nominet could highlight as helping to address concerns? (Examples might be in the use of DNSSEC, actions to address Phishing or prevent spoofing of e-mail addresses, industry standards such as response to erroneous WHOIS data.)
- Whether there are specific ways in which Nominet can provide a membership input to the Council on Child Internet Safety or where we can promote industry awareness working through the Nominet membership? (An example might be in communications to and through the membership.)

## Byron Review: Recommendations

### Improving on current arrangements

3.122: I recommend transforming the HSTF [Home Secretary's Task Force on Child Protection on the Internet] into a UK Council for Child Internet Safety, supported by a strengthened and properly resourced Government secretariat, with responsibility for leading a child internet safety strategy across Government. All Government work focused on child internet safety would take place under the auspices of this strategy.

### Framing the strategy

3.123: I recommend that within six months of its establishment, the Council publish an outline strategy for child internet safety.

3.126: I recommend that the Council investigates where the law around harmful and inappropriate material could be usefully clarified and explores appropriate, properly resourced enforcement responses.

### A UK Council for Child Internet Safety

3.128: The present structure of the HSTF seems to work well. The taskforce meets, chaired by a Minister, with a programme board to oversee the taskforce's work, sub-groups for different policy areas, chaired by an appropriate member of the taskforce, and multi-stakeholder working groups set up to develop particular pieces of guidance. I recommend that this structure be transferred to the new Council.

3.131: I recommend that the UK Council be chaired jointly by Ministers from Home Office and DCSF. In developing the Council they should put in place arrangements which reflect the crucial need for a joined-up Government approach to children and young peoples' safety online.

3.133: I recommend that the Council be supported by a dedicated secretariat staff.

3.135: I recommend that the UK Council for Child Internet Safety should be established and launched by the Prime Minister and that each year it reports its progress and agrees future direction at a Child Internet Safety Summit hosted by the Prime Minister.

3.136: I recommend that Ministers appoint an expert advisory group to assist the work of the Council.

3.137: I recommend that there be a Research Sub-Group of the Council to establish a rolling programme for research and to ensure that robust evidence informs the Council's work.

3.138: I recommend that the Council establish mechanisms to consult and listen to children, young people and parents.

3.148: I accept that there may be some areas where codes of practice are not appropriate. However, I recommend that:

- wherever possible, the Council should ask industry to develop independently monitored voluntary codes of practice;
- the implementation of these codes should be independently monitored and their effectiveness should be independently reviewed; and
- the results of the independent monitoring processes should be properly publicised in a form that the public can understand.

3.150: Voluntary codes of practice would need to specify a process for members of the public to complain where they think a signatory has breached a code. Although one would hope that where companies have implemented a code there would be little cause for consumers to complain, this is important to provide transparency and redress for consumers who feel that a signatory to the code has not dealt adequately with an issue they have raised. I recommend that members of the public should be able to complain if they think a code has been breached.

3.158: I recommend that the Council works to influence wider debates about UK internet policy and promotes the UK internationally as world leader in keeping children safe online.

## **The Internet: Specific Areas for Better Regulation**

### **Reducing availability**

4.12: I recommend that the Council works with user generated content hosts to establish an independently monitored voluntary code of practice for the moderation of user generated content.

4.13: I also recommend that the education and information strategy specifically includes raising children and parent's awareness of their role in reporting abuse to the site's host (or relevant public authority) and their means of redress if they are not satisfied.

4.19: I recommend that the Council explores the possibility of developing such arrangements to minimise the risks of liability for companies that take steps to make their products safer for children.

4.21: I recommend that sites are encouraged to sign up to specific public commitments on take down times.

### **Specific issues for vulnerable groups**

4.32: I recommend that:

- the Council's work to clarify the law around internet material and explore appropriate enforcement responses, include consideration of this type of content, and that this feeds into wider discussions about the law in this area;
- sites which exist to promote suicide in a way that contravenes UK law should be taken down once the relevant internet service providers have been notified of their existence and the fact that they are illegal has been confirmed.

4.38 I recommend that:

- the Council establish a sub-group on protecting vulnerable children and young people to ensure that the rest of the Council's work takes account of the needs of vulnerable groups;
- content hosts and search providers work with the relevant charities to make sure that advertisements with links to support services are displayed whenever users discuss or search for information about harmful behaviours;
- content hosts work with the relevant charities to improve moderation practices around discussions about harmful behaviours;
- the education and information strategy includes targeted communications to raise awareness of internet content issues amongst those who work vulnerable children and young people.

## **Harmful or inappropriate advertising content**

4.45: I recommend that the advertising industry works with media owners to raise awareness amongst advertisers of their obligations under the CAP Code to advertise responsibly to those under 18 on the internet.

4.51: I recommend that the advertising industry should continue to drive forward activity already underway to 'futureproof' the current regulatory system, especially in relation to digital advertising.

4.52: In particular I recommend that consideration is given to how promotional marketing in non-paid for online space can be brought within the regulatory framework for advertising, in line with principles on the prevention of harmful and offensive advertising to children outlined in the CAP code.

4.53: I recommend that this industry-led work should aim to be completed in parallel with the Government's assessment of the impact of the commercial world on children's wellbeing, so that by Spring 2009 Government can take stock of the evidence and progress and encourage any further action.

## **Restricting access**

4.73: I recommend that the Council ask industry to make sure that:

- all computers sold for home use in the UK have parental control software which carries the Kitemark™ and which, when the computer is first set up, automatically takes users through a set of clear prompts asking them whether and how they want to set up parental controls;
- all home internet service providers offer free parental control software which carries the Kitemark™ and advertise this prominently when users set-up their connection.

4.74: I recommend that the education and information strategy specifically includes raising parents' awareness of how to use parental controls effectively, including raising awareness of the Kitemark™ for filtering software and letting them know where they can download free software which carries the Kitemark™.

4.80: I recommend that the Council work with search providers to make it obvious to users what level of safe search is on and how to turn it on

4.81: I do recommend that the Council work with search providers to:

- give users the option of 'locking' safe search on to a particular computer; and
- develop ways for parental control software to automatically communicate with search engines so that safe search is always on when the child uses the computer.

4.83: I recommend that every search engine have a clear link to child safety information and safe search settings on the front page.

4.89: I recommend that the Council:

- keeps research and practice on age verification under continuous review, and disseminates good practice, such as placing a "cookie" onto a user's computer where they have registered with under age details to prevent them from re-registering with false age details;
- works with industry to develop ways for parental control software to automatically communicate with websites age-verifications systems to prevent children from signing up to sites with false dates of birth.

4.103: I recommend that:

- all schools and local children's services use a Becta accredited filtering service;
- Becta continues to work with schools and local authorities to improve their specification for filters and raise levels of staff understanding about how to use them effectively.

4.106: I recommend that messages to the public around e-safety:

- are targeted towards grandparents and other relatives as well as parents; and
- include the need to consider e-safety at times that children are not in the family home.

4.112: At the moment I do not see a case for specific recommendations around the regulation of mobile internet content. However, I recommend that the Council monitor the changing risks for children from mobile internet access and work with the mobile industry to address them, including exploration of the need for more granular levels of filtering.

4.113: I recommend that the mobile phone industry consider offering specific products for young children, such as phones without internet access.

### **The Internet: Better Information and Education**

5.46: I recommend that the national strategy for child internet safety, which is to be developed by the UK Council for Child Internet Safety, include an information and education strategy. This would incorporate two strands of activity:

- a properly funded public information and awareness campaign on child internet safety; and
- sustainable education and children's services initiatives to improve the skills of children and their parents around e-safety.