



# Ofcom's Response to the Byron Review

**Statement**

Publication date: March 27 2008

## 2 Executive summary

**The internet is much used and valued by children, young people and parents, and the importance of the internet to the child increases with age.**

Overall, 99% of children aged 8-17 say that they use the internet, and 80% of households with children aged 5-17 have internet access at home (compared to 57% of households without children)<sup>1</sup>.

While TV remains the dominant medium for children aged 5-15, the use and importance of the internet to the child increases with age, both in terms of hours of use and in its status as the medium the child would miss the most.

Average hours of use of the internet have increased greatly over the past two years (from 7.1 hours/week in 2005 to 13.8 hours/week in 2007 for 12-15 year-olds).

The uses made of the internet by children vary considerably by age: younger children tend to use it more to play games, older children as an educational tool as well as for searching, email, watching or downloading video clips, and using social networking sites.

**A mixed picture emerges regarding the degree and effectiveness of parental oversight of internet use at home.**

For a start, one of the challenges faced by parents is that almost half (47%), believe their child is more skilled at using the internet than they are. This is especially true of the parents of older children (61% of parents of 12-17 year olds).

There are also differences in what parents and young people say about the presence of 'internet rules' at home: the research indicates that parents tend to claim greater presence and use of these rules compared to children, especially in the case of children under 15.

Just over half of parents said that they had content filtering software installed; a further 9% said that they had not heard of filtering (until now) but would be interested in using it in the future. Around one in five was familiar with content filtering software, but did not use it, with the reason most frequently given being because they trusted their children. This suggests that parents think that this type of software is used to prevent children from accessing certain types of content rather than as a tool which could be used to help provide protection from such material. Other reasons mentioned were that their children were too young to surf the web/use the internet, or because they did not think they needed it.

While parents generally seem to have a good understanding of the uses their child makes of the internet at home, there are some notable exceptions: they seem to be underestimating, in particular: game playing, watching video clips, using social networking sites and contributing comments to someone else's web page. This is

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<sup>1</sup> See Annex 5 for the full research report and a methodological overview.

borne out, for example, by the finding that around one in five parents do not know if their child has a social networking site profile.

One possible reason for this is unsupervised use; overall, 16% of children have a computer with internet access in their bedroom (this rises from 1% of 5-7 year olds, to 12% of 8-11 year olds and 24% of 12-17 year olds); parents also tend to underestimate their child's access to the internet at a friend's house.

Finally, while the majority of parents believe that they have done what needs to be done to help their child stay safe when online, there is a sizeable group of parents (over one in four) who say that they do not have any rules in place.

This points to, on the one hand, a group of parents who may not be doing enough to ensure that their children are safe online, and, on the other hand, to another group who have rules in place, but where there are potential shortfalls in the effectiveness of these rules.

**While almost one in seven 8-17 year-olds say they have come across potentially harmful or inappropriate material in the past six months, almost one in ten parents<sup>2</sup> do not know if their children have or not. The likelihood of coming across such material increases with the age of the child, as does the likelihood of the parent not knowing if the child has done so.**

While the majority of children and parents agree that the child would tell the parent if they came across something that worried them, this does not always seem to be the case: overall, 16% of 8-17 year-olds say they have come across harmful or inappropriate material<sup>3</sup> in the past six months, while 12% of parents with children in this age group say that their child has; almost one in ten parents (8%) do not know if their child has come across harmful or inappropriate content in the past six months.

Responses from parents and children indicate that most of this material was seen at home, but children also say that they have seen it at school or at friends'/relatives' houses. Parents seem to be less aware of out-of-home exposure to potentially harmful or inappropriate content. This clearly has implications for the impact of their rules on the child's levels of potential exposure and risk.

Sexual content is by far the most frequently mentioned type of potentially harmful or inappropriate content, followed by violence and pop-up adverts with harmful or inappropriate content.

Most children say that they leave the site when they come across such material, with only a small percentage saying that they tell a parent (possibly because they are not sufficiently concerned or worried about it).

**The majority of parents (57%) do not know where to go to get information about how to help protect their children online.**

Between 5% and 8% mentioned other websites, schools, family/friends/colleagues, or the library; 3% or fewer mentioned *Get Safe Online*, *ThinkYouKnow*, the Internet

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<sup>2</sup> Parents of children aged 8-17

<sup>3</sup> We asked first of all if they had come across harmful or inappropriate material in the past 6 months and, if they had, we asked the open-ended question 'What type of content was it?'. Thus these findings relate to self-reported harmful or inappropriate material.

Watch Foundation, the Citizens' Advice Bureau or CEOP (Child Exploitation and Online Protection).

**A substantial minority of parents – almost four in ten – would not know who to complain to if they came across something potentially harmful or inappropriate.**

Around a third would complain to the police, 14% to their ISP and 11% to the websites themselves. Most children say they would complain to their parents (though whether they would or not is questionable, given the findings reported above).

**Although parents and children do have concerns about the internet, for both, the benefits outweigh the risks.**

In research conducted for this submission, the vast majority of parents agreed that online children discover interesting, useful things that they did not know before, and both parents and children overwhelmingly agreed that the internet helps children with school/college work.

Almost two-thirds of the parents and children interviewed in this research agreed that children who do not have/use the internet are at a disadvantage.

The majority of parents agreed that they trusted their child to use the internet safely, and that it was safe for them to go online; in general, the children interviewed were more confident of their ability to manage online risk than their parents were.

While the majority of parents clearly have concerns about the internet (66% of all parents have concerns), the reverse is true of children (30% of 8-17 year olds have concerns). Parents have concerns about risks on the internet (especially regarding sexual content, paedophiles masquerading as children, child abuse imagery and bad language).

While parents overwhelmingly believe that internet users must be protected from seeing inappropriate or offensive content, slightly more than half agree that internet sites must be free to be expressive and creative.

Finally, a majority of parents think that the benefits of the internet outweigh the risks, and that real-life concerns like bullying and violence are more worrying. Children in particular agree with the latter statement.

**Does exposure to potentially harmful or inappropriate material lead to actual harm?** We commissioned Sonia Livingstone and Andrea Millwood Hargrave to update their 2005 literature review: *Harm and Offence in the Media*<sup>4</sup>. In brief, the literature review identifies evidence suggesting some risk of harm. However, the evidence base is patchy and undeveloped and, for both practical and ethical reasons, some key questions remain difficult to research; the evidence that does exist points to the increased potential for harm online. Therefore research can only guide policy by supporting a judgement based on the balance of probabilities rather than on irrefutable proof.

**The research findings reported above, and the overall conclusions from the literature review, suggest a lack of evidence for actual harm, but evidence for**

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<sup>4</sup> See Annex 6 for the full report: Harm and Offence in Media Content: Updating the 2005 Review; Millwood Hargrave, A., Livingstone, S., with Brake, D.

**the risk of harm. We can conclude from this that there is a case for considering what could be done to help children and parents manage the potential or actual online risks.**

For the internet, there is no single institution which can do what the broadcast TV channel does (i.e. assume responsibility for content standards). Instead, we believe that responsibility is shared, or distributed, across the system: players across the internet value chain all have a role to play in mitigating the risk of harm.

Below we outline our thoughts on proportionate ways in which the potential risks can be managed. In developing these recommendations we considered the extent to which action was needed at all (the 'do nothing' option); and the extent to which direct statutory intervention might be the appropriate way of addressing parental concerns and the potential for harm, supported by our research. We conclude that current legal constraints and the problems of jurisdictional reach make statutory regulation impractical and, even if it were adopted as an approach, it may be of limited effectiveness. This is, in large part, because the internet is an open, global platform, and statutory regulation can only have national reach – unless the regulation also involves curtailing this openness and global reach, which distinguish the internet from traditional platforms and in many respects are the basis of its impact and value.

**Instead, a new approach to content regulation is needed, one which is built on a model of responsibility distributed across the value chain, relying much more on personal responsibility and on industry self-regulation than on traditional, formal intervention.**

In order to help people take more personal responsibility when they go online, we need to help them become more media literate. Media literacy is the ability to access, understand and create communications in a variety of contexts. Some call this 'literacy for the twenty-first century'. Put another way, if literacy is not only about reading and writing, but also about comprehension and critical thinking, then media literacy is about engaging these capabilities when using and consuming media. Without media literacy, people's ability to participate effectively in society, the marketplace and in the workforce may be greatly diminished. The remit of the Byron Review focuses principally on issues related to access – how to find the content and services wanted and how to avoid the content which may be potentially harmful or offensive – and indeed this is the focus of our response. However, Ofcom also recognises the importance of 'understanding' and 'creating' in the broader media literacy landscape, and these latter aspects are a part of our overall media literacy work programme.

We believe that both of these elements – greater media literacy on the part of parents, young people and children, coupled with targeted industry support – are critical and necessary in order to deliver a safer online environment for children. We look at each element in turn below.

### **Personal responsibility - media literacy: parents, children and young people**

The evidence clearly points to a need to help parents, children and young people manage the potential or actual risks of going online by improving their media literacy skills. We suggest a focus on the following media literacy outcomes to help parents, children and young people manage the potential or actual risks of going online:

#### **Outcomes**

- Increased awareness and understanding among parents of their critical role in ensuring the safety of their children when they are online, through the effective application of carefully targeted and age-appropriate rules.  
For example:
  - Increased parental awareness of where to go to get information on protecting their child online as well as tips to ensure that the child has understood and accepted the importance of any rules that the parent puts in place (e.g. an internet green cross code).
  - Increased parental understanding of how they can apply their real-world parenting skills to the online world (i.e. it's not necessarily just about technical literacy).
  - Increased parental awareness of what children are doing online more generally and the key areas/things that they need to look out for.
  - Increased awareness of the age-appropriateness of certain activities online, e.g. using a social networking site (SNS).
  - Increased parental and children's awareness of the risks of children's content access and other online activity (e.g. privacy in relation to the personal information that children share about themselves online) as well as child contact.
  - Increased awareness of where to find high-quality content online, for younger children in particular.
- Increased take-up of content management tools such as filtering software, by making parents aware both of its existence, its benefits and its limitations.
  - Increased use of other forms of filtering, such as those provided by search engines.
  - Increased awareness and understanding of the tools provided by parents' Internet Service Providers (ISPs) and awareness of those ISPs which are more 'family-friendly'; for example, as demonstrated by the presence of a family-friendly 'trustmark'.<sup>5</sup>
- Increased awareness and understanding of the meanings of the content labels used by industry, as well as the implications of these in relation to children's use of content.
- Increased awareness of where to complain about potentially harmful or inappropriate content online – e.g. the IWF for illegal material, the site host for inappropriate material, their filtering product provider where they identify over- or under-blocking.
- Increased awareness among parents and children of the role that they can play, both in labelling the content they put online and in 'community policing'.

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<sup>5</sup> See below, 'The promotion of industry self-regulation' and Chapter 6 for more on this.

- Alignment of the advice and information that is being given to parents, teachers and children.
  - Integrated awareness-raising and educational initiatives, targeted at parents, teachers and children, at a local and national level, for maximum effect.
  - Linked to this, the broader inclusion of e-safety, along with the other critical components of media literacy, across the national curriculum from a younger age.

### **Delivering these outcomes**

A very broad range of good initiatives are currently under way in this area – from those associated with formal government agencies such as Becta or the Child Exploitation and Online Protection centre (CEOP), to those offered by charitable organisations, industry bodies and individual industry players, including organisations such as Childnet International, Media Smart, the BFI, the Media Literacy Task Force, the BBC and Channel 4<sup>6</sup>. However, to deliver the outcomes offered for consideration above, we propose that thought is also given to the following:

- The development of a framing strategy for the delivery of the above outcomes across the various government departments, industry bodies and individual industry players, charitable organisations, and regulators, with a single point of oversight and coordination.
  - Development of short-, medium- and long-term targets and the identification of the communications plan, educational initiatives and funding necessary to deliver these on a sustainable basis.
    - Consider the appropriate balance between a high level public information/awareness campaign and on-the-ground activities.
    - Prioritise the more vulnerable children.
  - Creation of communications and materials that are target-group specific, i.e. tailored to the different types of parents, children and teachers, so that they are appropriate to the level of the recipients' skills and understanding.
- The development and promotion of an easy-to-use and interactive online 'one-stop-shop' for information on how to protect children online, to help parents, children and teachers.

We have outlined our thoughts on the desired ends and described some of the possible means, but there is still the question for the Review team to consider about what is the institutional mix to make this happen (i.e. what is the role for Government, Ofcom, the BBC, schools, CEOP, industry etc.), as well as the appropriate funding model.

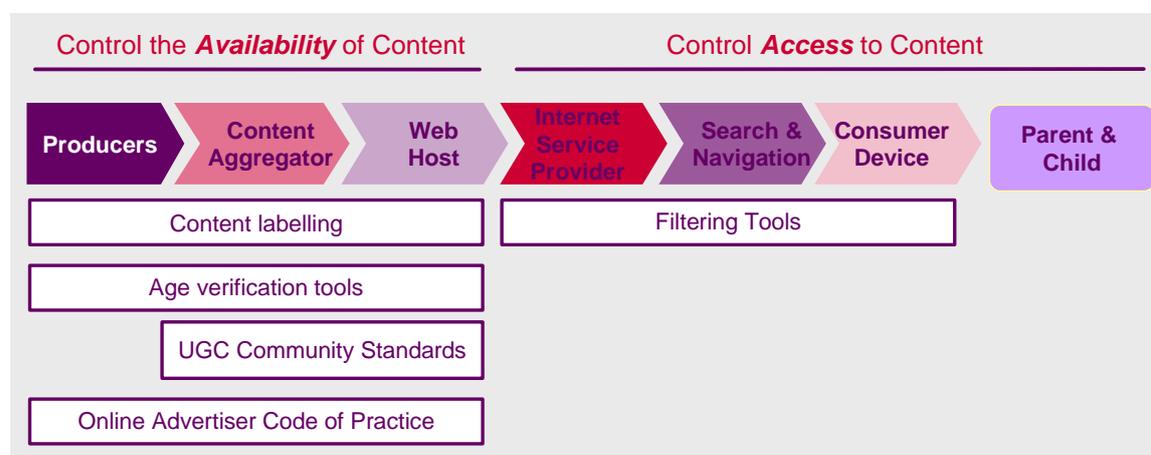
### **The promotion of industry self-regulation**

Ofcom's suggestions to the Byron Review on Media Literacy are of crucial importance. In addition, there are five areas where we believe there may be an opportunity for further industry-led initiatives to support parents and children in their management of potentially harmful content. Ofcom suggests to the Review team that they give consideration to these areas for potential action. **Our suggestions**

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<sup>6</sup> See Annex 2 for more details

involve, for the most part, a refocusing or widening of activity that is already under way in the marketplace: we are not proposing new regulatory interventions; rather, we are taking those that the market and/or Ofcom has already recognised and promoting the best of them.



Ofcom’s analysis employs a value-chain model of the internet content market<sup>7</sup>: we consider what different contributions industry players at each stage of the value chain can make. In the self-regulatory context we have described, these industry contributions are typically aimed at empowering or enabling parents and children to manage their content experience, and in particular to avoid potentially harmful content.

The five areas which we suggest the Byron Team considers are, in broad order of importance: filtering, content labelling, User Generated Content (UGC) community standards, online advertiser codes of practice, and age verification. For the most part, these are areas in which there is already significant voluntary industry activity under way.

The use of **filtering tools** is an essential element in the management of content risks; they have already been adopted by over half the UK’s parents. In relation to filtering, we consider there are four further ideas worth exploring:

1. We recommend that the Byron team considers exploring with ISPs and the Internet Service Providers Association,(ISPA) their trade association, the development of a code of practice for family-friendly internet access, with relevant characteristics including the provisions of tools, information and support – for example in relation to parental controls for content filtering, and internet security (firewalls, spam-blocking tools). This code might also create a ‘trustmark’ or brand for family-friendly services, like those developed in France and Australia by ISPs and service providers. Information and awareness initiatives could improve parental awareness of the potential benefits of such services and of the trustmark. This could help to create incentives for interested ISPs to focus greater attention on creating differentiated family-friendly access propositions.
2. In the UK, Ofcom has been working with the Home Office and industry to develop a BSI standard for filtering products, which will allow qualifying products to carry a Kitemark. Alongside other media literacy initiatives, we recommend that the

<sup>7</sup> Annex 1 includes a description of the value chain activities; Annex 2 describes the current activity in content protection at each stage of the value chain

Byron team considers promoting awareness of Kitemarked filtering products' benefits, and encouraging their wider adoption.

3. As well as promoting the use of filtering products, we recommend that the Byron team considers ways of encouraging parents to be active users of such products, reporting instances of under- and over-blocking to their software providers. Over time, this information will help the development of products which better reflect the specific concerns and content standards of UK parents.
4. We recommend that the Byron Review considers encouraging the mobile network operators to extend their commitment to network filtering, and allowing parents to specify a child-friendly filtering option analogous to that possible within most PC filtering tools (e.g. an age 12+ filter in addition to the 18+ one that is currently in place).

**Content information** is also an essential element in the management of content risks; we recommend the Byron Review team considers promoting and supporting the efforts described below to improve the quality of content information in relation to commercially produced audiovisual media:

5. The Broadband Stakeholder Group, supported by Ofcom and key industry players, is developing common principles for the ways in which viewers should be informed about potentially harmful or offensive commercially produced audiovisual content. These common principles, once agreed by industry, will form the basis of good practice in enabling viewers to protect themselves and their children from exposure to such content.
6. Looking forward, the new Audiovisual Media Services Directive requires the UK to create a new regulatory framework for on-demand television service providers, including those operating on the internet. The UK is in the early stages of developing this model; however, effective and consistently applied content information is likely to be a significant element of the framework, along with other measures to control children's access to harmful content familiar from broadcast markets, such as PIN controls.

**User-generated content (UGC) community standards** are the frameworks and processes through which UGC hosts, like YouTube or MySpace, define the types of content they will host and determine how they will deal with complaints. As outlined above, we believe that individuals should be encouraged to participate in the 'community policing' of the sites they use, where such tools exist. While the tools for community content management are often sophisticated, their operation is often opaque to the audience, and their effectiveness has been questioned.

7. We recommend the Byron Review team consider working with industry to create a voluntary scheme or code under which UGC providers make transparent the operation of their content review processes – for example, reporting on the turnaround times for these processes, on the timetable (if any) for communicating with complainants, and ideally, with independent verification of performance. This type of scheme could mirror the commitment made by Facebook to the New York Attorney General concerning its complaints-handling process, under which Facebook sets targets and makes reporting commitments in relation to complaints about sexually explicit content.

We recommend the Byron Review team considers exploring with the **online advertising industry** ways to reduce further the extent to which mainstream UK online advertising is placed around harmful content. Initiatives might include:

8. Encouraging greater take-up of the IASH<sup>8</sup> Code (or a similar framework) so that it covers a much greater proportion of UK online advertising sales; and

9. Information/educational initiatives directed at improving awareness among advertisers and agencies of the means through which online advertising can be made more secure.

Finally, although **age verification** has the potential to be valuable in managing risks to children, practical hurdles, including implementation and cost, will tend to limit its impact. Nonetheless, Ofcom recommend that the Byron Review team considers whether there might be any opportunity to encourage the use of age verification to restrict access to harmful content.

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<sup>8</sup>IASH = Independent Advertising Sales House

## Conclusion

It is our view that, taken together, the combination of enhanced media literacy skills on the part of parents, children and young people, and targeted industry, NGO, regulatory and government initiatives, will help deliver an environment in which:

- parents are more confident of their ability to support their children online; and
- children themselves are confident in their online e-safety and also know what to do when they come across material that is potentially harmful or offensive.

We would encourage the Byron Review team to consider what success would look like. This could frame an independent further review within two years of implementation of the recommendations, asking:

- Whether there is any further evidence regarding harm and the level of risk which should be taken into consideration;
- Whether satisfactory progress has been made in relation to the concerns raised and if not, whether alternative measures need to be pursued.