Your response

Please refer to the sub-questions or prompts in the annex to our call for evidence.

Question	Your response
Question 1: Please provide a description introducing your organisation, service or interest in Online Safety.	Barnardo's in 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 2020-21 Barnardo's supported 382,872 children, young people, parents and carers through 791 services and partnerships throughout the UK. In addition, we 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 provide any evidence relating to the presence or quantity of illegal content on user-to-user and search services? **IMPORTANT: Under this question, we are not seeking links to or copies/screenshots of content that is illegal to hold, such as child sexual abuse. Deliberately viewing such images may be a criminal offence and will be reported to the police.**	Illegal pornographic content is prevalent across user-to-user and search services, alongside legal but harmful content which poses a risk to children's mental health and safety. Extreme pornography which depicts illegal acts such as child sexual abuse and rape is covered in existing legislation, however it is proving to be ineffective in enforcing the removal of this content from pornography sites. Provisions must be in place within the Online Safety Bill to allow Ofcom to act more quickly on enforcing the removal of this content from pornography sites. Separate from illegal content, pornography sites also contain content which is not currently

covered in legislation, but is extreme and harmful, especially to children. This includes content that would not be permitted by the British Board of Film Classification (BBFC) offline when they classify R18 pornographic DVDs and blu-rays. This includes depictions of sexual violence that fall short of the very specific legal definition of extreme pornography; material that promote an interest in abusive relationships such as incest; and acts likely to cause serious physical harm such as breath restriction or strangulation.

In YouGov polling commissioned by Barnardo's in March 2022, almost 70 per cent (69%) of UK adults agree that this extreme pornography which would be illegal offline should also be illegal online.[1]

We know that children are accessing illegal and extremely harmful content online, which is drastically affecting their mental health, attitudes towards sex and relationships, and safety.

In 2015/16 pornography was accessed 14 million times every month by children in the UK. Due to the increase in time spent online during and post-pandemic, this number is likely to be higher and at a minimum, children could access pornography over 50 million times over the next three years.

Many children first experience pornographic content accidentally, through:
- Google 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, sport streaming or gaming websites,

[1] Barnardo's, 2022. 'Almost 70% of UK adults support tighter controls on online pornography content', https://www.barnardos.org.uk/news/almost-70-uk-adults-support-tighter-controls-online-pornography-content

which host content that is often shared illegally

- Being shown videos on a friend's phone. This often happens as children start secondary school, aged 11 or 12 years old.[2]

Barnardo's frontline services have reported that children they support are watching pornography depicting illegal acts, violence, and child sexual abuse. We have seen first-hand how watching this content harms children's mental health, and can normalise aggressive, coercive and harmful sexual activity. Data from a recent Barnardo's survey of frontline practitioners conducted in July 2022 found that across our broad range of services[3]:

- Almost 1 in 3 (31%) of practitioners think that the type or nature of pornographic material accessed by young people is getting more severe.
- 41% of practitioners think that the way young people are accessing and consuming pornographic material is changing.
  - Of this group, 84% believing that pornographic material is becoming easier to access or there is greater access.
- When asked if regulating online pornographic material in the same way as offline material would make a difference, 32% of practitioners said it would make some positive difference to children and young people, with 47% of practitioners saying it would make a big positive difference.

Barnardo's frontline workers also say that some children are copying acts that they have seen in pornographic videos, despite feeling uncomfortable or scared. Some children see these acts as a normal and expected part of a relationship, rather than identifying it as abuse.

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[2] 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

[3] Barnardo's, 2021. 'Barnardo's survey reveals the harm done to children by harmful pornography', https://www.barnardos.org.uk/news/barnardos-survey-reveals-harm-done-children-harmful-pornography-culture-sec-must

| | Not only is illegal and harmful pornographic content harming children's mental health and own perceptions about sex and relationships, but it is putting their safety at risk.

Police and practitioners are becoming concerned about the increasing number of young men who have developed an interest in child sexual abuse material via mainstream online porn, particularly abuse-themed pornography.[4] There is concern that mainstream pornographic content is becoming a 'gateway' into seeking out content of real children being abused, increasing the demand for this content. |
|---|---|
| **Question 3: How do you currently assess the risk of harm to individuals in the UK from illegal content presented by your service?** | |
| **Question 4: What are your governance, accountability and decision-making structures for user and platform safety?** | |
| **Question 5: What can providers of online services do to enhance the clarity and accessibility of terms of service and public policy statements?** | |
| **Question 6: How do your terms of service or public policy statements treat illegal content? How are these terms of service maintained and how much resource is dedicated to this?** | |
| **Question 7: What can providers of online services do to enhance the transparency, accessibility, ease of use and users' awareness of their reporting and complaints mechanisms?** | |

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[4] The Guardian, 2020. 'How extreme porn has become a gateway drug into child abuse', https://www.theguardian.com/global-development/2020/dec/15/how-extreme-porn-has-become-a-gateway-drug-into-child-abuse?fbclid=IwAR0JjqKlZxs6xyyV8ZzYyPmoYKZTpjlF8d_cdDGdHww1IaVqxWTLmZTu5wU%3E

Question 8: If your service has *reporting or flagging* mechanisms in place for illegal content, or users who post illegal content, how are these processes designed and maintained?	
Question 9: If your service has a *complaints* mechanism in place, how are these processes designed and maintained?	
Question 10: What action does your service take in response to *reports* or *complaints*?	
Question 11: Could improvements be made to content moderation to deliver greater protection for users, without unduly restricting user activity? If so, what?	We are pleased that, following representations from Barnardo's and other organisations, Part 5 of the Online Safety Bill now includes the duty to ensure the use of age verification to prevent children from stumbling upon violent and extreme pornography. However, although necessary, age verification is not sufficient to tackle the harms and abuse that pervade commercial pornography sites. The moderation of content on pornography sites – particularly illegal content and content that is legal but harmful – is necessary. Research from leading academics has found that many commercial pornography sites have 'depictions of practices that meet criminal standards of sexual violence, including rape, incest and [image-based sexual abuse, known as] so-called 'revenge porn', (and) are labelled in ways that not only minimise or remove their criminality, but often mock or belittle the possibility of harm'.[5] Alongside illegal content, harmful but legal content is still prevalent online – despite it being illegal to possess in the UK. Content that the BBFC refuses to classify for DVD/ Blu-ray such as depictions of sexual violence that fall short of the legal definition of extreme pornography, material that promotes an interest in sexually abusive activity, and acts

[5] Vera-Gray et al., 'Sexual violence as a sexual script in mainstream online pornography'. The British Journal of Criminology, Volume 61, Issue 5, September 2021, Pages 1243-1260. https://academic.oup.com/bjc/article/61/5/1243/6208896

likely to cause serious harm. This should not be accepted online.

Children are watching such legal but harmful pornography, and it is damaging their mental health and attitudes towards consent and healthy relationships. A recently opened Barnardo's Harmful Sexual Behaviour Service has seen over half of their referrals so far cite the viewing of pornography as a factor in children's behaviour.

In addition to harming children's mental health, there is a worrying link between mainstream pornographic content and child sexual abuse material, and there is concern that mainstream pornography is becoming a 'gateway' to seeking out child sexual abuse material.[6]

Online pornography platforms host videos depicting sexual activity with children and pseudo-child sexual abuse material, including petite, young-looking performers made to look underage (such as through stuffed toys, lollipops and school uniforms). Although this is not strictly illegal, according to CEASE (Centre to End all Sexual Exploitation), this is nonetheless extremely harmful: "as well as normalising children as objects of sexual desire, it also drives the demand for 'real' child sexual abuse material."[7]

In order to protect children, it is essential that pornographic content is moderated online, and that the Online Safety Bill empowers Ofcom to remove harmful content from pornography sites.

Question 12: What automated moderation systems do you have in place around illegal content?

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[6] The Guardian, 2020. 'How extreme porn has become a gateway drug into child abuse', https://www.theguardian.com/global-development/2020/dec/15/how-extreme-porn-has-become-a-gateway-drug-into-child-abuse?fbclid=IwAR0JjqKlZxs6xyyV8ZzYyPmoYKZTpjlF8d_cdDGdHww1IaVqxWTLmZTu5wU%3E

[7] CEASE, 2021. 'Expose Big Porn: Uncovering the online commercial pornography industry and the urgent need for regulation', https://cease.org.uk/wp-content/uploads/2021/07/210607_CEASE_Expose_Big_Porn_Report.pdf

Question 13: How do you use human moderators to identify and assess illegal content?	
Question 14: How are sanctions or restrictions around access (including to both the service and to particular content) applied by providers of online services?	
Question 15: In what instances is illegal content removed from your service?	
Question 16: Do you use other tools to reduce the visibility and impact of illegal content?	
Question 17: What other sanctions or disincentives do you employ against users who post illegal content?	
Question 18: Are there any functionalities or design features which evidence suggests can effectively prevent harm, and could or should be deployed more widely by industry?	
Question 19: To what extent does your service encompass functionalities or features designed to mitigate the risk or impact of harm from illegal content?	
Question 20: How do you support the safety and wellbeing of your users as regards illegal content?	
Question 21: How do you mitigate any risks posed by the design of algorithms that support the function of your service (e.g. search engines, or social and content recommender systems), with reference to illegal content specifically?	

Question 22: What age assurance and age verification technologies are available to platforms, and what is the impact and cost of using them?	
Question 23: Can you identify factors which might indicate that a service is likely to attract child users?	
Question 24: Does your service use any age assurance or age verification tools or related technologies to verify or estimate the age of users?	
Question 25: If it is not possible for children to access your service, or a part of it, how do you ensure this?	
Question 26: What information do you have about the age of your users?	
Question 27: For purposes of transparency, what type of information is useful/not useful? Why?	
Question 28: Other than those in this document, are you aware of other measures available for mitigating risk and harm from illegal content?	

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