

# Digital Economy Bill: Lords Second Reading

## *The Children's Society Briefing: statutory sex and relationships education*

### **Introduction**

The Children's Society welcomes the Government's aims in Part 3 of the Digital Economy Bill to protect children from access to online pornography.<sup>1</sup> However, we are concerned that the Bill does not go far enough to protect children from the risks associated with accessing online pornographic material. We urge the Government to go one step further and strengthen existing legislation on statutory sex education<sup>2</sup> so that children are educated about the damaging impact accessing explicit material online can have on their lives.

This Bill also presents an opportunity to ensure there is parity of protection for children between the offline and online worlds by introducing supplementary safeguards to keep children safe online.

The Children's Society forms part of the Children's Charities' Coalition on Internet Safety (CHIS) which brings together a number of UK charities to ensure best practice and strong policies to safeguard children when using the internet. We support the coalition's calls to strengthen measures within the Bill and enhance the powers of the proposed regulator to effectively implement age verification methods for online pornography.

### **The impact and harm caused by inappropriate online content**

Young people have told us that they feel pressured to keep up with the latest trends and cultures both online and offline, which can diminish their self-esteem and lead children to engage with adult content and websites intended for adults, such as dating sites or chat rooms.

Research with 11-16 year-olds commissioned by the NSPCC and the Office of the Children's Commissioner<sup>3</sup> found that over half had been exposed to online pornography, with 94% of this group having seen it by age 14. The report also found that pornography was also having an impact on children and young people's perception of sex and relationships with just over half of boys (53%) believing that the pornography they had seen was realistic compared to 39% of girls.

Pornography can be extremely damaging to young people, and is now very easy to access online. Any child with a basic knowledge of the internet can access pornography and this explicit adult content can result in severe and long-term harm. Access and exposure to pornography has been linked to unrealistic attitudes to sex and young people's engagement in "risky behaviours" such as unprotected sex or sexting.<sup>4</sup> In addition, research has shown that there is a link between children viewing pornography and their engaging in harmful behaviours.<sup>5</sup>

Not only do sexualised images expose children to inappropriate sexual behaviours but also they often depict an unhealthy representation of relationships. Sexualised images and messages can expose children to dangerous situations and influence them to explore unhealthy relationships. The sexualisation of children blurs the boundaries between childhood and adulthood and can lead to exploitation.

## **Why is statutory sex education about online materials necessary?**

The Children's Society are increasingly working with schools to support children affected by or engaging in peer-on-peer sexually inappropriate or harmful behaviours. This issue is particularly worrying amongst 16 and 17 year olds which our research has found are the group most at risk of being sexually exploited.<sup>6</sup> These incidents often take place via digital and social media platforms which would not be defined as commercial pornography sites that would be addressed through the Digital Economy Bill. Dealing with this issue requires action to both limit children's access to pornography, *and* to provide better sex and relationship education in schools to counteract its influence by enabling children to protect themselves.

As it stands, Part 3 of the Bill focusses on the introduction of age verification methods for commercial providers of online pornographic content. We are worried that children will still not be protected from sexualised materials that may be accessible via non-commercial websites and social networking streams. We are therefore asking the Government to amend the existing legislation to ensure the restriction on commercial pornography sites is accompanied by a duty for schools to provide appropriate education about the damaging effects of online pornography and to teach young people about healthy offline relationships in light of new online trends and behaviours.

There is a strong case that Sex and Relationship Education (SRE) should be delivered as part of high quality statutory Personal, Social and Health Education (PSHE) curriculum.<sup>7</sup> In 2013 an Ofsted report on PSHE found that 40% of schools required improvement or were inadequate in this area.<sup>8</sup> Making this subject a statutory requirement is an essential step in raising the standard of PSHE teaching across schools. This is a recommendation also made by a number of House of Commons Select Committees<sup>9</sup> including the Women's and Equalities Committee as part of their recent inquiry into sexual harassment and sexual violence in schools<sup>10</sup>.

SRE is compulsory from age 11, and the government has published supplementary guidance for schools as to how to implement this in the classroom which maintained schools must adhere to.<sup>11</sup> However the most recent guidance was issued in 2000 before the advent of smart phones and other internet enabled devices. The content is focused on teaching children about puberty, reproduction, sexuality and sexual health with no references to word such as "pornography" or "online" materials. Alongside legislative change the government therefore need to issue an up-to-date version of the Sex and Relationship Guidance to schools to include information on the risks surrounding pornography, the dangers of creating and transmitting sexual content online and on having healthy offline relationships.<sup>12</sup> The Digital Economy Bill provides a timely opportunity to ensure that SRE makes explicit reference to the impact of online pornography and online sexual content.

### **Questions to the Minister**

- Does the Minister accept that helping children make safe choices online must run alongside age verification if we are to protect children and young people from harmful content online?
- What steps is the Minister taking to address young people's access to non-commercial pornography, including that produced and circulated by young people themselves?
- Does the Minister agree that statutory guidance on Sex and Relationships Education is outdated and needs to be updated for the 'smart phone generation'?

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<sup>1</sup> <http://www.childrenssociety.org.uk/sites/default/files/age-verification-main-doc.pdf>

<sup>2</sup> The Education Act 1996, Section 403 (Sex education: manner of provision), and amendments introduced in the Education Act 2002, Section (80) (Basic curriculum for every maintained school in England).

<sup>3</sup> Middlesex University. 2016. "I wasn't sure it was normal to watch it" The impact of online pornography on the values, attitudes, beliefs and behaviours of children. The NSPCC and the Office of the Children's Commissioner. <https://www.nspcc.org.uk/services-and-resources/research-and-resources/2016/i-wasnt-sure-it-was-normal-to-watch-it/>

<sup>4</sup> Office of the Children's Commissioner. 2013. *Basically...porn is everywhere*.

[https://www.childrenscommissioner.gov.uk/sites/default/files/publications/Basically\\_porn\\_is\\_everywhere.pdf](https://www.childrenscommissioner.gov.uk/sites/default/files/publications/Basically_porn_is_everywhere.pdf)

<sup>5</sup> <http://www.childrenscommissioner.gov.uk/publications/examination-impact-online-pornography-children-and-young-people>

<sup>6</sup> The Children's Society Old Enough to Know Better? (2015)

<sup>7</sup> <https://www.pshe-association.org.uk/sites/default/files/A%20curriculum%20for%20life%20-%20the%20case%20for%20statutory%20PSHE%20September%202016%20FINAL%20FOR%20WEBSITE%20200916.pdf>

<sup>8</sup> <https://www.gov.uk/government/publications/not-yet-good-enough-personal-social-health-and-economic-education>

<sup>9</sup> <http://www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/news-parliament-2015/phse-statutory-letter-published-15-16/>

<sup>10</sup> <http://www.publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/91.pdf>

<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283599/sex\\_and\\_relationship\\_education\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283599/sex_and_relationship_education_guidance.pdf)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283599/sex\\_and\\_relationship\\_education\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283599/sex_and_relationship_education_guidance.pdf)

<sup>12</sup> This position is also supported the Women and Equalities Committee report (13, Sep 2016)

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/news-parliament-2015/sexual-harassment-and-violence-in-schools-report-published-16-17/>