

Childnet International's response to the ICT industry's 'Principles for the safer use of connected devices and on-line services by children'

Introduction:

Childnet International is a UK-based charity working domestically and internationally to help make the internet a great and safe place for children and young people, alongside enabling them to use interactive technologies safely and responsibly.

Childnet focuses on education, awareness and policy and has developed a number of award-winning educational resources, including the award winning Know IT All range of resources and advice on cyberbullying, designed to help young people and parents assess and manage the risks that they may encounter online. As well as promoting the opportunities that the internet and new technologies offer, Childnet is active in carrying out research and engaging in key policy fora alongside the internet industry and government, including being an original member of the UK Council for Child Internet Safety (UKCCIS).

Since January 2011 Childnet has been one of the partners in the UK's new Safer Internet Centre and forms the Awareness Centre within this, focusing on raising awareness amongst parents, carers, teachers, children and young people in staying safe online, achieving this in a number of ways, including through working with stakeholders, developing resources and organising Safer Internet Day in the UK.

Response:

Childnet welcomes this good practice initiative and commends the ICT industry for coming together to agree key Principles that will strengthen child online safety. We support the development of industry-wide Principles so that all Sponsors can demonstrate to users that they recognise their responsibilities in protecting young people online and that they are accountable. We agree that focusing on "desired outcomes rather than on prescriptive technical implementations" is the correct approach to take for these Principles as it will work to support the application of the principles across a range of services, fulfilling the industry's commitment to internet safety. We view these Principles as a fantastic opportunity for industry to communicate and demonstrate what actions it is taking to help protect children using new technologies.

Childnet are pleased to have the opportunity to provide our initial comments, which we have presented as proposed additions supported by rationale, rather than detailed amendments to the existing text at this stage. Many of the suggestions have been taken from previously agreed industry good practice documents including the Safer Social Networking Principles for the EU and the Good practice guidance for the providers of social networking and other user-interactive services, as well as drawing on recommendations made in the 'Safer Children in a Digital World' Byron Review. We would be delighted to have the opportunity to provide further detailed comments at later drafts.

We particularly support the industry's aim to "give parents, carers and educators' greater confidence that Sponsors follow good practice in child protection, and that Sponsors will help equip them with the knowledge they need to advise their children appropriately." However, as the principles currently stand, we do not feel that this aim will be achieved. We would encourage industry to be more ambitious to gain the trust and confidence of users. This Code provides an incredible opportunity for industry to show what they are doing and what they are committed to doing, and Childnet strongly recommends that there is a firm commitment from the Sponsors that they will follow good practice in child protection; if the Principles are

considered “aspirational” there is a risk that it devalues the efforts of building trust and accountability, and the opportunity may be lost.

To enable Sponsors to meet the aim of these Principles, to protect young people online and give users and their parents and carers increased trust and confidence in the services provided, we believe there are necessary changes to be made and we suggest four key areas for improvement.

1. The need for independent review

Self-review is a valuable way that industry can show young people and their parents and carers how they are making the internet a better place for young people. However, self-review is not sufficient to meet the stated objective of this Code, which is to “give parents, carers and educators’ greater confidence that Sponsors follow good practice in child protection”. To ensure users are confident that Sponsors are fulfilling their responsibilities there must be an independent assessment of how well Sponsors are upholding these Principles¹.

This independent review should be available in the public domain and be presented in an easy-to-read format. This will allow parents to assess services, be more aware of the tools available and what service providers are doing, and make decisions to either direct their child towards services that are better equipped for promoting child internet safety, or they will be able to understand the safety gaps in particular services so that they can support their child to better protect themselves when using them. We believe this will raise industry standards and encourage service providers to invest in supporting young users by upholding these Principles.

We still encourage Sponsors to collectively publish a regular progress report to demonstrate how they are applying the Principles, particularly given the pace that the internet is developing. Principle 7 states that Sponsor companies will assess which Principles are relevant to the services or products they provide and that they will assess how best they can achieve the objectives. We feel that the progress report would be an excellent place for service providers to clarify which Principles they are upholding and to share how they are achieving the objectives.

We recommend amending Section 7 “Implementation and Reporting” to include the following point:

- **Sponsors will be assessed by an independent, to determine and demonstrate how well they are upholding these Principles. This information should be publically available and presented in an accessible manner**

2. Empowering users by being transparent about the reporting process and take down times

We know from our experience that users are not confident about the reporting process. Even though we are not a reporting line or helpline, we are often contacted via phone, email and Facebook by distressed users who have submitted a report and because of a lack of follow-up want to know why nothing has happened. We talk to parents about the importance of making reports to service providers in our education visits to schools, and flag this up as a key means of dealing with problems, but we very often get negative feedback from the audience who say that there is no point in reporting to service providers as nothing happens. As most large web v2.0 services largely rely on user reports as the main method of

¹ Supported by the Byron review (2008), which recommended an independently monitored voluntary code of practice (4.12).

moderation it is vital that this system is as effective and transparent as possible and users feel confident in making reports.

For example, a distressed parent contacted us on 1 June 2011: *“Please help me, I have reported to ... that a person has stolen some of my pictures of my children off my .. wall and has now placed them on her wall along with my address and cell phone number. This is a HUGE safety concern and I can't get any response from ... at all about this issue, can you help me get these posts removed?”*

The charity Beatbullying have also shared with us incidences where users have shared concerns on about reports on which no action have been taken

We know from our experience that users anxiety is heightened when **they receive no information about how their report will be processed and the timeframe in which this might occur**. There needs to be greater clarity about the reporting process. Industry have in the past shown a reluctance to give a firm time commitment or send a personalised response, citing various operational reasons. However, we firmly believe that this information needs to be communicated to the user. Provision of an estimated time frame would help to frame user expectations. They should also be given information about steps the company will take, what the user can do and the response the user should expect from the Sponsor. This would help to reduce anxiety and would empower young people and the adults who support, increasing their confidence in the process and providing much needed clarity.

The call for transparency and clarity about the reporting process and take down times has also been called for by other partners working in this area: *Byron 2008: “I recommend that sites are encouraged to sign up to specific public commitments on take down times”*

Byron 2010: “I recommend that the code of practice for companies and providers must include standards for how quickly they aim to review and where appropriate remove content which violates their terms of use”

CHIS Digital Manifesto and ENACSO ‘The Right Click’ report: “They (Social networking sites) should also ensure that they review all content reported to them within a clearly specified time period”

This could be a fantastic opportunity for service providers to demonstrate the effectiveness of their reporting mechanisms.

In the Evaluation of the Implementation of the Safer Social Networking Principles of the EU, it was found that service providers had an excellent track record of removing material in a prompt manner. We believe that by making a statement in the acknowledgement of receipt of a report that ‘We will do our best to deal with this in x day/s’, it will make the process of reporting more accessible and transparent to the user, and still allow for special cases to take longer (as we understand that some reports can be complex, and may involve legal consultation for example). So rather than specifying a set time frame in this Principles document, we recommend that Sponsors commit to informing users of an estimated/likely time in which the service provider will review the content. Each Sponsor could decide what is reasonable for their service, but it is important to give the user this clarity.

Some service providers already do this. This example is taken from Orange:

“We take all violation reports very seriously and will do our best to review it within one working day. If we consider that there has been a breach of the rules then the post(s) will be removed and further action may be taken, including the poster being barred. Please be aware we will only contact you if we need further details.”

It is not enough to “have in place a transparent procedure, backed by appropriate systems and resources in place, to handle reports in a timely manner.” What users need in addition is

an estimated reviewing time and more information about the process. That some content doesn't meet the criteria for take-down is not in itself a problem (as the person can report again or take alternative action), but the lack of clarity about the reporting process is – the fact that the user making a report does not know that after a specified time period it is likely that a decision has been made that the content was determined not to require take-down. This can be achieved with information on the site and a short message at the point when the person makes a report. We feel that this simple amendment would reduce the anxiety experienced by young people and the adults who care for them and it would increase confidence in the industry.

We also believe that to have an effective reporting process, Sponsors need to ensure that online moderators who review user reports are properly trained to take difficult decisions about how to handle content or behaviour (as recommended in Byron's 2008 review). This would ensure that right decisions are made to protect young people. We also believe that Sponsors should commit to passing on illegal content or conduct to relevant law enforcement agencies.

We recommend amending Section 3 “Dealing with abuse/misuse” to include the following points:

Sponsor companies should:

- **Be clear about the reporting process by providing users with the following information, prior to reporting and after:**
 - **Users should be made aware what types of abuse can be reported and the criteria that must be met for the content to be removed**
 - **Users should be provided with the information they need to make an effective report**
 - **Users should be provided with an estimated time frame in which their report will be reviewed**
 - **Users should be told whether they should expect a response from the service provider**
 - **Users should be told of the possible actions that the service provider might take if there has been a breach of rules**
 - **Users should be told what steps they can take to help themselves and their options for further action if not satisfied with the resolution.**
- **Ensure that moderators who review user reports are properly trained to take difficult decision about how to handle content or behaviour on the site.**
- **Service providers should share reports of illegal content or conduct with the relevant law enforcement bodies and/or hotlines. These arrangements will depend on local jurisdiction and applicable law.**

3. The need for safety advice to be clear, prominent and accessible

We recommend that all safety advice and reporting mechanisms are clear, prominent and accessible to users and those supporting younger users.

We see clear advantages in using 'timely moments' to highlight safety message; for example at the point of registration or purchase, safety information should be clearly presented and settings should be explained in age appropriate language. Providers should look to use timely safety messages to inform and educate their users, so young people understand the full implications of actions they take online.

This overarching principle applies to all of the Principles set out so far.

We recommend including another Principle:

8. Ensuring information is clear, prominent and accessible

Sponsor companies should:

- **Help young people and their parents, carers and teachers successfully access safety features and advice, by ensuring that all information is clear, prominent and accessible.**
- **Present safety information at the point of registration and at timely moments during use of the service to inform and educate their users.**

4. The principles for the safer use of connected devices and on-line services by children should be accessible to users

Our recommendation to ensure that information is clear, prominent and accessible also applies to this Statement of Principles itself. Although this Statement is not specifically targeted to young people and parents, these Principles aim to give young people, their parents, carers and teachers greater confidence in the industry's commitments to internet safety. Therefore, this document needs to be accessible to users and should enable them to understand what to expect from service providers. This current drafting does not achieve this yet, and we would recommend, once the principles are agreed in principle, care is taken to make them as clear to all as possible to facilitate a strong user understanding of the industry's commitments.

An example of where this has been done successfully is the Childnet Young People and Social Networking Sites guide which sets out the UK Good practice guidance for the providers of social networking and other user interactive service guidance for parents and carers to help them to be aware of what kinds of protection can be expected and help them to identify a suitable service for their children to use.²

5. The need for default settings which protect young people by design

We welcome the Sponsors' aim to provide appropriate tools to allow parents to customise their children's access to content and services. However, we believe that default settings for young people should provide the highest level of protection. For some providers, this may mean that the safest default settings have to be set for all users. If users wish to change these features, they then can choose to do so, but it means they will be opting in, and thus be making an informed choice. For some services which require age registration, enhanced safety features should be provided for users under the age of 18. This may include: more robust privacy settings, filtering of inappropriate content, clear safety messages during use.

There is a danger that default settings could lull parents and young people into a false sense of security, so service providers need to be transparent with parents and young people about the potential risks that could still be posed by the service.

² http://www.childnet.com/downloads/Blog_safety.pdf

If young people and parents find the default settings too restrictive they need to be guided through changing these settings, pointing out how they can tailor the settings to their needs rather than just switching safety features off entirely. As highlighted in the Byron Review, parental controls which can be set appropriately for each member of the family may be more effective. This allows parents to make an assessment of their child's developmental stage and put in place parental controls as they see fit. We recommend having settings which are flexible and offer differing levels of parental control. This needs to be combined with clear guidance so that parents are empowered to use this technology and protect their children.

We would also recommend to add to the Principles, a commitment for Sponsors to block access to known illegal content, by use of a list (such as the list provided by the Internet Watch Foundation).

We recommend amending Section 2 “Parental controls” to include the following points:

Sponsor companies should:

- **Ensure that any product or service that is aimed at or likely to attract under-18s has default settings which provide the highest level of protection.**
- **Produce easy-to-read guidance for setting up and customising parental controls, with the advantages and disadvantages of different safety settings.**

6. Help young people to protect their privacy during using the service

We support the Sponsors' commitments to protect the privacy of young people by offering a range of privacy settings, informing users when their location is being shared and raising awareness among 3rd parties of industry good practice. We feel this commitment would be much stronger if Sponsors also committed to making users aware when their personal information is being shared and at that point giving users advice about the possible risks of sharing information and what options they have to choose not to share their personal information with others.

We recommend amending Section 5 “Privacy and control” to include the following points:

Sponsor companies should:

- **Ensure that users – at the point at which their personal information is being shared with other users, applications or service providers – have clear guidance about how their personal information will be used and what options they have to choose not to share their personal information with others. [Personal information includes tracking online location]. Users should also be given advice about the potential risks of sharing personal identifying information and thus potential contact with unknown people, as well as the commercial [aspects] of sharing information.**
- **There should be clear links to the company's privacy policy, which should be presented in an easy-to-understand format.**

Conclusion:

We believe that the '**Principles for the safer use of connected devices and on-line services by children**' are an important step in promoting and ensuring that children and young people are able to enjoy the internet safely and responsibly, and have been pleased to contribute to this initial draft and will continue to engage with this process.

In addition to the six points outlined above, we are pleased to see the outcomes for users at the beginning of the document, and believe that this should be the rationale guiding the development of the principles.

To support the changes proposed in this document we would suggest the addition of the bold text below to the stated outcomes for users.

- Enhance the development of enabling services and devices for users in order to allow them to set preferential options such as to enable safer use by children and young people – **offering a range of settings options and the information needed to choose and implement these. Default options will provide under-18s with the greatest level of security.**
- Expand users awareness of practices to keep themselves safer online and of their obligations to behave responsibly towards other users
- Provide easily accessible clear and transparent information to help users understand the conditions of use for the service they are using, including what is permitted in terms of acceptable behaviour and user-generated content
- Promote users awareness of how – and to whom – to report abuse and concerns, including –where available – specialised external agencies. **Empower users by providing greater clarity about the reporting process and expected timeframes.**
- **Build user confidence in the industry by providing a firm commitment to these Principles and demonstrating how they are upheld through independent review.**