

Women and Equalities Committee

Oral evidence: Pornography and its impact on violence against women and girls, HC 87

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Watch the meeting

Members present: Caroline Nokes (Chair); Caroline Dinenage; Jackie Doyle-Price; Kim Johnson; Anum Qaisar; Bell Ribeiro-Addy.

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Witnesses

[I](#): Gabriela De Oliveira, Head of Policy Research Campaigns, Glitch; Hannah Ruschen, Senior Policy and Public Affairs Officer, National Society for Prevention of Cruelty to Child (NSPCC); Professor Clare McGlynn, Professor of Law, Durham University; Vanessa Morse, Chief Executive Officer, CEASE.

Written evidence from witnesses:



Examination of witnesses

Witnesses: Gabriela De Oliveira, Hannah Ruschen, Professor McGlynn and Vanessa Morse.

Q1 **Chair:** Welcome to this afternoon's meeting of the Women and Equalities Committee and our evidence session into pornography and its impact on violence against women and girls. I thank all of our witnesses for coming along to give evidence this afternoon: Gabriela de Oliveira, Head of Policy Research Campaigns at Glitch, Hannah Ruschen, the Senior Policy and Public Affairs Officer at the NSPCC, Professor Clare McGlynn, Professor of Law at Durham University and Vanessa Morse, Chief Executive Officer at CEASE.

We have seen some really stark evidence about the increase and prevalence of the use of pornography. I will come to every member of the panel in turn, but can I start with Professor McGlynn please, and just ask how much is that increase and what is the driver behind it?

Professor McGlynn: There is such prevalence of pornography online now due to the ease of access through smartphones that we would not have imagined 10, 20, 30 years ago. It is obviously far easier to access, which means it is then far easier to produce as well, so there has just been an exponential growth in the amount of pornography available online and the ease with which individuals are accessing it. You talked as well about the why, but the others will fill in the detail.

Gabriela De Oliveira: Thank you for the invitation today. Just to explain a little bit of background of what Glitch does, we are a UK charity, and we work to tackle and end online abuse and build better digital citizenship, active bystander behaviours and tech accountability. Our focus is on online abuse rather than pornography specifically. Today I hope to help orientate the Committee in terms of the Online Safety Bill, an opportunity to strengthen it in relation to VAWG, so I will let the others comment on prevalence.

Vanessa Morse: I am Vanessa, from CEASE, and we work to expose the cultural and commercial driving forces behind all forms of sexual exploitation. A big focus of ours currently is pornography and the Online Safety Bill. Watching pornography has become normalised and ubiquitous, and it was the rise of the internet that changed the print predecessor from the margins to the mainstream. It was tech-savvy platforms that used all of those data tactics that we are familiar with now, like SEO, algorithms, data surveillance et cetera, to drive a massive boom in engagement over the past two decades. They created tube-style sites like YouTube for pornography that made porn free, easily accessible and anonymous.

In looking at prevalence, it is really important to understand the business model of the pornography industry. Online porn is prevalent because greater content means greater profits. The porn industry is not about pornography, it is about money. Profit is driven by a high volume of



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content being uploaded at speed. These porn sites, many of which are huge platforms, make money from premium subscriptions and from advertising revenues, so the frictionless upload process is very important to the porn platforms, which is why there has been virtually no verification, and moderation of content has been lax.

Let me give a couple of facts around this big porn industry to give you a sense of the size and scale. It has an estimated revenue of £100 billion per year, which is even more than Hollywood. Porn sites received more website traffic in 2020 than Instagram, Twitter, Netflix, Zoom, Pinterest and LinkedIn combined. However, unlike big tech companies like Facebook, Apple and Google, which have come under increasing media and government scrutiny in recent years, big porn has largely escaped under the radar. To give a few stats in terms of UK adults specifically who are using pornography, according to Ofcom, half of all adults watched porn during lockdown, which is around 33 million people. A 2019 BBC study said that 77% of men acknowledged that they had viewed X-rated content in the last month, and—this is a particularly hard-hitting stat—Pornhub’s own 2021 Year in Review report showed that after the US, there were more visitors to Pornhub from the UK than from any other country in the world.

Q2 Chair: If access is free, is much of the revenue driven by advertising—so by pushing it through SEOs means more hits, means more people to look at your advertisers’ notional content?

Vanessa Morse: Exactly. The more content there is, the more engagement there is. This means you will be higher up the Google rankings, which in turn means more people will see your content, which means greater advertising revenue and, of course, more opportunity to get more subscriptions. That is where a culture has arisen where there are virtually no verification processes in what content can be uploaded online because content is king in this.

Q3 Caroline Dinenage: The stat that you just gave about the UK being the second highest traffic to the site, is that because Pornhub is geared toward English-speaking audiences, or is it because we have more people who are regular viewers of porn? Is it that people in other countries are just watching an alternative provider, or is it that we have a disproportionately high number of people accessing pornographic channels?

Vanessa Morse: Pornhub is the self-proclaimed most popular porn site in the world, so it is heavily watched by many countries around the world and all of those insights are available on its website. I believe it is the sheer number of unique visitors that come from the UK that has driven that particular statistic.

Hannah Ruschen: Thank you for having me today. When we talk about children and pornography, we know that children are accessing pornography from a very young age, which can be unintentional viewing,



where a young person might stumble across that content on an online platform, but it can also be intentional viewing of pornography. We know that evidence suggests nearly half of all 11 to 16-year-olds have viewed pornography. We know that when they first accessed it, boys were approximately twice as likely compared to girls to have actively searched for that pornography, but overall, 60% of 11 to 13-year-olds have seen pornography in a way that was mostly unintentional.

Thinking about why children are accessing pornography, if they do choose to access it intentionally there are a variety of reasons. Curiosity—they are seeking out pornography as a form of sex education to learn more about sex and relationships, or they may have been sent that material by others. A study by Girlguiding showed that 20% of girls and young women had been sent unwanted pornographic content.

When we think about children accessing this content online, we really need to think about the impact that that will have on young people. We know that it can have a really traumatic effect on young people the first time they view pornography, and, as they continue to view further pornographic materials, they can become desensitised to that content. They can start off feeling shocked, ashamed, perhaps concerned about what they might be seeing online, and then, with more viewing, they slowly become desensitised and express that they are less concerned about what they might be viewing online.

Q4 Chair: Would you agree with what Professor McGlynn said right at the beginning, that the evidence shows that much of the access is via smartphone?

Hannah Ruschen: Yes, in fact may I just add one comment on that point? Initial exposure to pornography is often through mobile phones, but those who regularly consume pornography do seek it out through dedicated free porn sites on desktop as well as mobile.

Q5 Chair: Thank you for that, I will go back to Hannah for this question. At what age are people first accessing porn, and why?

Hannah Ruschen: We know from our contacts through Childline that, on average, children are calling regarding pornography around the 12 to 15 age bracket, but we do receive calls from around age 11. There can be a variety and difference in the age that a person might be accessing pornography.

In terms of why they may be accessing it, if they are intentionally choosing, it could be out of curiosity or as a form of sex education. We know from the Ofsted review that was published after the Everyone's Invited campaign that many young people seek pornography as a way to learn about sex and relationships and feel that they have learned more about that from pornography than they do from their education or schooling. As I said, they can come across that material if it is being



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shown or sent to them by others, whether consensually or non-consensually.

Q6 **Chair:** Can I ask a question, and I would appreciate any member of the panel indicating if they wish to answer it, about the normalisation of porn? We have heard how prevalent and easy it is to access—how has that contributed to a changing attitude towards porn where, to be blunt, it feels like everybody is looking at it. Does anyone want to try and answer that? Has nobody got any views on the normalisation of porn? Clare?

Professor McGlynn: It is particularly the prevalence of harmful, violent pornography online which normalises and minimises sexual violence. There is some evidence to suggest that those who frequently view pornography are less likely to intervene in situations where there is harassment or violence taking place, which then translates into everyday life, whether it be individuals in the workplace, individuals on a jury, et cetera—they have been normalised into cultures of sexual violence. In that sense, it is thinking about pornography being the cultural wallpaper in all of our lives, but the kind of wallpaper we would really rather take down and change because it is so predominantly abusive and violent material.

Gabriela De Oliveira: On that point I would like to add that it is quite important to note the particular link between pornography and increasingly normalised attitudes of violence against black women and girls in particular.

In this country there is a long history of racism against black women involving narratives of black women being hypersexual or more aggressive, and black girls being subject to adultification as children. This is a particularly dangerous theme that we see normalised through a lot of pornography. It is not that pornography has created it—it is something that exists in our world known as misogynoir, a phrase coined by Moya Bailey—but rather that pornography reflects that and actually can end up normalising and further entrenching those attitudes, as Hannah mentioned.

There are various examples of that, and Clare has done some work on this in terms of titles within pornography content. Where black performers are involved, it is more likely to be a physically aggressive content. There is some work done by Professor Safiya Umoja Noble around algorithms on Google, and how search terms around black women, or black girls in particular, are more likely to bring up sexually explicit images, rather than search terms for white girls, which is an important nuance to bring out.

Vanessa Morse: Part of the reason why porn has become normalised is because of the way that these porn websites are designed—it is basically addiction by design. Not that I recommend this, but if you do go to a porn site and scroll, you will find it is infinite scroll—you never get to the



bottom of the page. There are many boxes; it is a wall-to-wall style pornography where one act just flows seamlessly into another. The point that I am making is that, particularly with young people, we cannot underestimate the kind of neurological impact of pornography.

Young people's brains are wired to novelty, and their brains get a massive dopamine hit when they watch pornography. This overstimulates the reward centres of the brain, which then means that they cannot be satiated—they do not register satisfaction—so they have to keep coming back for more. When looking at why has porn become so popular, we must not neglect to look at the very intentionality in creating the sites, they have been designed to get people to come back more and more often and to stay on the site for longer.

Hannah Ruschen: We should not underestimate the impact that unrestricted access to porn, as identified by Vanessa, has normalised that idea of user-generated sexual content online. Following on logically from that, this has resulted in the normalisation of requesting and setting of self-generated imagery among peers, as has been highlighted by the Ofsted review and Everyone's Invited. From that, we also know that this has clearly impacted the nature of child sexual abuse online. The IWF—the Internet Watch Foundation—has shown almost half of all child sexual abuse content online is self-generated material, and that really has a gendered impact here, because we know that the majority of self-generated sexual abuse content is of 11 to 13-year-old girls.

When we think about the links between exposure and early access to pornography and its impact on children's online behaviour, we clearly see the link to the creation and sending of user-generated material, the normalisation of that, and the way that this might be linked to child sexual abuse material online.

Q7 Chair: Clare, you used a phrase about cultural wallpaper. What has changed in the content over time? We heard something particularly disturbing earlier about the conflict in Ukraine and how many of the major porn sites were using that to drive content and, presumably, views, but how has porn itself changed?

Professor McGlynn: The content of the largest commercial mainstream sites varies according to public holidays, other festivals and public debates, of which Ukraine is one. How has it changed? As Vanessa has intimated, in terms of the need to satisfy users and to keep users on, it gets more and more extreme and violent. The porn that is on the mainstream websites is not the porn that was available 20, 30 years ago. In the study that myself, Fiona Vera-Gray and colleagues did at Durham, we looked at the landing pages of the largest three porn websites in the UK and we found that one in eight of the titles on those pages described sexually violent material. I cannot tell you what that was 10, 15 years ago, but 10, 15 years ago when things were on cassettes, on DVDs, they were in regulated sex shops. The situation was just very different.



It is also the easy availability of extreme pornography like rape pornography, which is literally one click away on Google, free and easily accessible—reams of that material, all the links to all the websites. It is the same with incest material, which is again one click away through Google. The commercial mainstream porn sites have considerable amounts of unlawful material, but it is the free and easy access through Google that also has to be recognised and registered in this debate.

Q8 Chair: Can I ask what evidence there is that access to the free, accessible and—I hesitate to use the phrase—run-of-the-mill porn available on the main porn sites actually drives people to more extreme, more violent pornography?

Vanessa Morse: We know from a growing body of evidence, particularly reports from clinical practitioners who are working with sex offenders—for example the Lucy Faithfull Foundation—who have catalogued how hardcore pornography depictions of rape or depictions of activity with a child are a gateway to people moving on to seek out the real thing. In fact, convicted sex offenders have reported that they were surprised at how easy that journey was for them. There is a large body of clinical evidence that this is happening, and it is being seen by police and psychologists.

Chair: Thank you, did anybody else want to come in there?

Professor McGlynn: Just to follow up, it is not just about if someone starts off with milder pornography and then ends up in the more extreme material, because, like I said, on some of the mainstream websites the mainstream material is just there. The point about the study we did about the landing pages, is that we had the computer going fresh each time to the website, so it was not registering what you had already searched for before. This is what the porn companies themselves were choosing to show to the first-time user. That is what was so significant about it, and that includes the whole panoply of ordinary abusive rough sex, if you like, the incest material, and then to the rape porn. That is all available on that front page of those mainstream sites. It is not that you end up down a rabbit hole after a while, although that does happen, but it is just all there and really straightforward. It is not in the dark recesses of the internet. That is the point about Google as well: you do not have to search on the dark web to find rape porn, it is right there, and there are huge amounts of it.

Chair: I am conscious I have used up quite a lot of time, so Vanessa, can I go to you for a quick answer?

Vanessa Morse: Absolutely. On that point about the development of contemporary pornography and the worsening of that violent content, building on what Clare said already and which is particularly applicable for this Committee, the theme that unites much of this extreme content is some form of sexual aggression that is perpetrated by men against women and girls. Many of the popular themes in pornography centre on



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men's abuse of power as they take advantage of relative vulnerability of the other—predominantly women—by virtue of sex, age, race and socioeconomic status.

I do not want to be gratuitous, but I think it is really important to understand some of the typical practices, which include double penetration, where two men simultaneously penetrate a woman; money shots, where a man ejaculates on a woman's face; gang bangs and sexual torture. These are the kinds of pieces of content that Clare is referring to, so it is important to understand what we are talking about.

Hannah Ruschen: When we think about the way that contemporary pornography has changed over time, it is important to highlight the change from focusing on not just commercial pornography but also the user generated content.

When it comes to children, we have seen children move from passive consumers of this content to both consumers and producers of some of that content. For example, we have calls on Childline where we know that children are producing OnlyFans material. We had one girl call who was aged 16 to 18, who said, "I've been on OnlyFans since I was 13. I don't want to talk about the types of pictures I post on there, and I know it's not appropriate for children my age to be doing this, but it's an easy way to make money. Some of the girls have thousands of followers on Instagram and they must be raking it in, I want to be just like them." It is really important here that we recognise the fact that there is a blurring there between the normalisation and production of that content, and the way that we are seeing the lines being blurred between that influencer culture, the passive consumption of that material and the user generated content that we might be seeing.

Q9 **Caroline Dinéage:** Welcome all of you, can I talk to you about the Online Safety Bill? You will be aware that it has come through various iterations and has most recently been published in its final form, and basically started its progress through Parliament. It has very bold ambitions to try to make the UK the safest place in the world to be online. I am really keen from the outset to get an idea from you of the extent you think the Bill, in its most recent form, will tackle the two issues we are talking about today in a) reducing the concerns around pornography, and b) how that then relates to violence against women and girls. Vanessa, can I start with you?

Vanessa Morse: Yes of course, we welcome the fact that the Bill includes extreme pornography as a priority offence, along with image-based sexual abuse and cyberflashing. The inclusion of age verification in Part 5 will mean that the majority of children are not stumbling onto porn sites, which will help greatly in breaking the cycle early, meaning that fewer young people will develop long-term viewing habits of pornography and all of the associated harms that go with that. I realise we have not discussed all those implications yet, but perhaps we will come back to that later.



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This removes young people from the direct harm from pornography and the influencers, which we will speak about. However, the Bill currently does not address pornography's wider social harms. Unfortunately, the Bill's understanding of harm to adults is defined in a very narrow way, focused on immediate risk of harm to the individual user rather than the harms in production and the more generalised indirect, though no less serious, harms to society and, in particular, to women and children. In short, the Online Safety Bill must do a lot more to protect women and girls on both sides of the camera from the harms of online pornography.

Q10 Caroline Dinenge: Thank you very much. Clare, you talked about the search engines as well, so I would be interested to your opinion.

Professor McGlynn: The Online Safety Bill as a whole provides a real opportunity, both in terms of reducing violence against women and girls, and particularly around pornography. I do not yet think the Bill is living up to that potential. The Bill needs to go further to specifically address violence against women and girls, for example with a mandatory code of practice.

In relation to pornography, most of the public debate and discussion has been around children's access to pornography, and it is very important to stop them stumbling upon pornography. But it is also really important to understand that especially older children will evade that. In a recent study of 1,000 UK young people, 50% of them had already used a VPN to avoid national boundaries, and another 25% knew about it; 75% of 15 and 16-year-olds know how to evade age verification requirements. That is why I also think we have to focus on the content more, which has not been discussed as much.

In relation to how the Bill tackles the content, there is the extreme pornography provision, which is a priority offence as Vanessa mentioned, but you will know yourselves that even that provision is limited. For example, it does not cover all types of bestiality—there will be exceptions there—but it does not include incest material as that is not deemed extreme pornography, so incest material is not a priority offence under the Online Safety Bill.

In relation to the search engines, because the requirements on search engines are different from user to user and they are lesser in many ways, what we will end up with at the moment with Google is an obligation to try and minimise the extreme porn or rape porn. What it will then come down to is how rigorous is Ofcom going to be in terms of asking how are you going to reduce the risk of people coming across rape pornography for example, because it is a priority offence? At the moment it seems to me that they are not doing anything to reduce that. Is the regulator going to be satisfied with parental controls or SafeSearch, for example? For me, that would not be enough, because that is then again putting the onus on the individuals to put on SafeSearch and to have parental controls, which we know everyone will evade.



Under the terms of the current Bill, the regulator is going to need to demand that those search companies do more than what that minimum would be to reduce the likelihood of coming across something like rape porn, or they need to do more to, if you like, curate the content—other organisations such as Glitch and so forth know far more about that than I do—so that content does not come up so obviously, which happens in relation to some other topics, but they are not doing in relation to the rape pornography, which I am just using as the clearest example.

- Q11 **Caroline Dinéage:** I am just going to go completely off-piste here and ask you a supplementary before I go back and ask the other two the substantive question. With that in mind then, we always talk about the Online Safety Bill effectively implementing the concept of what is illegal offline should be illegal online: rape is illegal in the real world, incest is illegal in the real world, and yet you can simulate rape and you can simulate incest online and that is not illegal. Do you think it should be?

Professor McGlynn: There is a real case for amending the extreme porn laws to include the incest material that is a criminal offence as well, because then you would have the obligations that would follow through to the user-to-user services and Google to do something about that incest material. That is the value of reforming the extreme porn law to include something like incest material. There are very few prosecutions under that legislation, but here, it is about the influence it would have in the Bill.

- Q12 **Caroline Dinéage:** It would need to be something that was done separately to the Online Safety Bill, but then that would mean that the online service providers would have to pay heed to it when the Bill is implemented. Did you want to come back?

Vanessa Morse: On the same point, if I may. In the offline world, the British Board of Film Classification has a framework for classifying pornography that relates to DVDs, what is sold in sex shops and sex cinemas, but refuses to classify certain kinds of harmful, though legal, pornographic content—for example, videos depicting children, rape or the infliction of pain.

While I completely agree with Clare around the definition of extreme pornography not being clear, specific or wide enough, a solution that we would be keen to see is for the BBFC standard for offline material to be upheld for online pornography. There is already a precedent which has just been introduced to Ofcom's video-sharing platform regulation, although that only stretches as far as UK-based sites, which does not cover much of the porn industry and I believe is currently voluntary. But that would be a vehicle that we would want to see, and I can speak more about this later, coming in as part of a unified framework for regulating that legal but harmful content.

Caroline Dinéage: That is really helpful, thank you. Gabriela, did you have any thoughts on that?



Gabriela De Oliveira: To add to what has been said about the Online Safety Bill and to explain from our perspective, the Bill takes two merged approaches in a way, and is very much set out to take what we call a systems approach in terms of using risk mitigation and transparency to reduce the prevalence of harmful content on platforms. It is merged with what we call a content takedown approach, where now priority offences have been listed and linked through to criminal law.

That brings its own problems due to not being able to list everything, so inherently having gaps, and not being future-proof in the same way that we would need to be able to respond to tech. DCMS colleagues have shared that the idea of the Bill is to be able to update that priority offence list easily, but as we can see, given the rate that tech develops versus law—actually in practice how that will be future-proof is left to question. However, we are very supportive of the systems approach, and particularly that focus on risk assessment, and supporting tech companies to reduce the level of harmful content on their platforms.

In terms of the link to violence against women and girls as the link to pornography has been covered, women and girls and violence against women and girls is not mentioned once in the Bill, even though there is a huge amount of evidence to show the disproportionate impact of online abuse on women and girls in particular. We would really like to see violence against women and girls in the Bill, with a code of practice, for Ofcom to support tech companies to do that, in partnership with VAWG specialist organisations. We feel that actually bringing in that lens of understanding violence against women and girls as a serious part of online abuse will then support work both in pornography and across other offences as well.

Q13 **Caroline Dinenage:** Again, going completely wild and asking you a supplementary before I go to Hannah, in the original draft Bill the only harms that were named on the face of the Bill were child sexual exploitation and terrorism offences. The latest version of the Bill has more actual harms named on the face of the Bill; we were originally going to scoop it all up in secondary legislation and name the priority ones. From what you are saying, does that mean you concur more with the original draft form? In order to future-proof the Bill, would you rather have had less on the face of the Bill and more in the secondary legislation?

Gabriela De Oliveira: Not quite that, but rather with VAWG sometimes it is quite difficult to divide between criminal and non-criminal content because there is such an interplay between both. Actually having violence against women and girls, and women and girls as a priority group alongside children and alongside terrorism, would be a much more future-proof way of taking that gendered lens to the Bill.

Q14 **Caroline Dinenage:** You would want more on the face of the Bill?



Gabriela De Oliveira: Yes, Violence against women and girls as a group named on the face of the bill, absolutely. The issue with the secondary legislation around legal but harmful content is that we have not seen it, we do not know when we are going to see it and we are not clear that it is going to have the same level of public scrutiny as the primary legislation has had. It is sometimes a bit difficult to understand what will be included and how well it will be included. Bringing violence against women and girls into that core primary legislation will allow these other offences to have a gendered lens and understand the disproportionate impact on women.

Q15 **Caroline Dinenge:** You would want it named as a priority harm?

Gabriela De Oliveira: Yes—relevant offence is the language—alongside terrorism and child sexual exploitation.

Q16 **Caroline Dinenge:** Then that does make future-proofing the Bill a little bit more tricky because it is a bigger thing to amend it.

Gabriela De Oliveira: The future-proofing point that I am mentioning is to do with the priority offences that are listed in criminal law. I am talking about bringing violence against women and girls in as a relevant offence—thinking about it slightly differently—I would advocate for doing that not attached just to criminal law, because for VAWG it does not quite work in the way that we would want it to.

Caroline Dinenge: Okay, thank you.

Professor McGlynn: Can I follow on from that, because of what you are mentioning about the previous draft when effectively, as you say, it was terrorism and child sexual abuse material that were the priorities. As Gabriela said, the ideal would have expanded that to a definition of violence against women and girls, say from the Istanbul Convention, and that would have then future-proofed it because you would not have been relying on what is now the schedule 7 priority list. But now that we have moved towards those schedules of criminal offences lists, we have shifted from where you could have just had a general definition of violence against women and girls. Going back to that and having that general definition would be ideal. As we know, policing is now having to prioritise terrorism, child sexual offences and violence against women and girls. It would have been a similar sort of approach into the Bill that those three are the priority, but of course, we are now talking about—

Caroline Dinenge: We are off in a different direction now.

Professor McGlynn: Yes.

Caroline Dinenge: Okay, thank you very much, that is helpful. Finally, Hannah.

Hannah Ruschen: I would agree with everything that others on the panel have said, and it is really great to see that we have that Part 5



provision for commercial pornography. But I think that there is an issue of scope here as well, and we are concerned about some of the structure here in the way that the legislation is currently drafted. This results in what we are calling an “OnlyFans loophole” where OnlyFans would not come under part 5 as it does not count as commercial pornography, but the content that is produced and shared on a site like OnlyFans, or other sites as well, would instead fall under part 3 of that Bill. What that means is that they would be subject to the children's access assessment, so it is possible that a site like OnlyFans could claim they do not have a significant number of child users, and therefore that could either stop them being in the scope of the legislation or delay them being regulated and stopping children from accessing their content.

We might end up in this perverse situation where OnlyFans is now regulated by Ofcom’s VSP regime but, seeing as the Online Safety Bill will supersede that, we may end up in a situation where OnlyFans and other similar sites might fall out of scope of regulation—which is a massive gap here and a really perverse outcome from the way that the Bill has been drafted.

In terms of that children's access assessment, OnlyFans could easily claim that they do not have a significant number of child users, which would then be beneficial for them because that would delay the regulation for them. That is something that should really be addressed with this Bill moving forward.

Q17 **Caroline Dinénage:** That is helpful. There was always this dilemma between social media companies and websites not being able to say, “Well, our priorities are not geared towards children, and therefore we do not count.” We do agree that bit has been tackled, but you are saying that they can still say, “We do not get that volume of kids to our site”?

Hannah Ruschen: Yes, and that could easily be resolved by removing or amending that children's access assessment, so we do not end up with a child use test where, if you can prove or cannot prove that children are accessing your site, you would then fall out of the scope of that part 3 requirement.

Caroline Dinénage: Helpful, thank you. Chair.

Chair: Bell, did you want to come in?

Q18 **Bell Ribeiro-Addy:** Yes. I had a constituent contact me about a pornographic magazine, which was being sold in a local shop, and it was called *Teen Tarts*. Obviously, I can guess that the sale of pornographic images of a child would be illegal, but what has probably happened is you have a younger-looking woman dress up and simulate that for someone's sexual pleasure. We have touched on incest, general violence against women, rape and bestiality even, but I was wondering how many other examples there are of things which are quite murky under the law, where people are pretending to do things that would be illegal, which might



encourage that behaviour more widely?

Vanessa Morse: Pornography websites are full of that sort of legal but harmful content. A few years ago, the teen porn category was responsible for one third of all global pornography revenues. The reality is so much pornography actually contains extremity as the extreme pornography definition goes—acts which are likely to result in serious injury, which include non-consensual penetration. Porn sites are full of that material, in part because the porn industry itself has fought regulation in the past that would have prohibited the depictions of children, for example.

In fact, what we need to see is this legal but harmful material coming under clear regulation, and we are very keen to see a unified regulatory framework come through the Online Safety Bill which recognises the harm to adults. At the moment that harm is not recognised in the Bill, and there is such a driving force behind this fake incest and fake rape material that it is prevalent in many places. It is some of the most popular categories and we really are seeing a link between that and those harmful behaviours coming out into society as well.

Hannah Ruschen: A really important point that we could bring in here is around some scoping that the NSPCC has done on VR headsets. We have found that there are a variety of games in Oculus, but across VR headset games that you can access, where you can befriend a schoolgirl or become a tutor for a schoolgirl. Even though it might say that the characters are over 18, it is very clear from the images what the intent there is, and there are many examples of so-called cheat codes in the comments that users can unlock to then sleep with that character. Another example was that much to the dismay of other users, you could not have a cheat code to unlock the next level within this VR headset.

When you think about engaging with that pornographic material, when it is in a VR headset and you are thinking about the way that technology is constantly changing, this is now becoming immersive and experiential in nature. When you think about that and what that means for things like the metaverse and the way that harms are perpetuated and experienced, thinking about some of those examples with the VR headsets, there are similar risks from the offline world here, but it is much higher stakes. The murkiness in that one example that I highlighted shows that pornography is moving from something that you do not just view to something that you experience, and what that might mean for what happens in the real world or becomes normalised is very concerning, and really speaks to your point there.

Q19 **Kim Johnson:** Good afternoon panel. You have already touched on the harmful effects of pornography and violence towards women and girls, but I want to know why the consumption of pornography will lead to harmful attitudes and behaviours towards women and girls by some men and boys but not others. May we start with Vanessa, if that is okay?



Vanessa Morse: I would push back slightly and say, while absolutely we would agree that not every man or boy who goes on to a pornography website will go on to commit a crime against a woman, we do know that there is a serious correlation between pornography and criminal activity such as murder, domestic violence and child sexual abuse material. It will be the relative minority, although it is a growing minority. But I really do think that pornography is having a widespread societal effect on how boys and men view sex and view the opposite sex because of the harms of pornography. We know that around 44% of boys aged between 11 and 16 who watch pornography regularly said it gave them ideas of the type of sex that they want to try with others.

As Clare has explained and her work demonstrates so powerfully, so much of that material is violent content. Pornography is really built on sex inequality; I cannot stress that enough in this context. While not every man or woman who watches pornography goes on to commit a crime, even those who do not watch pornography are under the influence of pornography because it is the cultural wallpaper. We now live in a pornified society, in which the corrosive effects of porn are shaping men's minds around sexual scripts toward more violent sexual aggression, and often shaping women and girls' attitudes towards sex into believing that they need to deliver that because that is what men want or because that is what good sex is, or because if they do not, they will be labelled a prude.

These are the kind of powerful, conflicting currents that are at work because of pornography, and that is why we must address the illegal content on porn sites, but also that legal but extremely harmful content, which, at the moment, is not getting dealt with in the Bill which is a huge oversight. We really do want to see all pornography labelled as category 1 in the Online Safety Bill, and that BBFC standard coming into that regulatory framework specifically for pornography because pornography is uniquely high risk, and that will address these legal but harmful influences on our society.

Q20 **Kim Johnson:** Thanks, Vanessa. I am sure people that are watching this Select Committee at home will be surprised in terms of the level of consumption in this country—as you pointed out, the second highest globally—and the types of content that are available and how readily available it is online. I do not know whether any other panelists might want to respond to that question that Vanessa has just answered. Gabriela?

Gabriela De Oliveira: Glitch does a lot of work on media literacy, and we think it is an absolutely crucial way of making the internet a safer place. We cannot just depend on legislation to do that for us, every single person, every user, company and workplace has a role to play here. That is particularly important when talking about pornography, as with other pieces of content, for users to understand what is and is not real and how to interact with that content in a safe way.



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Sometimes when we talk about online abuse at Glitch, we find that there is a lack of understanding, that there is no distinction between our online and offline selves, and that actually online harm causes real-life harm. That is particularly pronounced when we talk about consent, and when we see the prevalence of image-based sexual abuse and non-consensual image sharing, we see how that crosses over into consent around sexual images.

There is also a real opportunity here with the Bill to bolster the media literacy requirements and requirements for pornography platforms as well as other tech platforms, to work with VAWG specialist organisations, to understand how to increase media literacy both amongst users and those who might have been survivors or victims of the non-consensual image sharing I just mentioned, which often turns up on pornography platforms as well, as we have seen.

There are organisations like Revenge Porn Helpline and NotYourPorn, who do a lot of work with pornography sites trying to bring that content down, but actually, there is a lot of opportunity to work earlier with those platforms to think about how we reduce risk, as the legislation tries to do.

I would also point the Committee to some interesting research done at the University of Liverpool by Dr Craig Haslop and Dr Fiona O'Rourke, who look at how lad culture develops within online spaces and in particular how that relates to misogyny, sexism and the lack of reviews around sex and consent. Their key recommendation is also around education, and they talk about doing intervention work with young men and boys focusing on helping them critically understand harmful gender norms. Speaking of Vanessa's point in terms of societal harms in both online and offline spaces, actually a really important way of dealing with this. I would point you to that research as well if you are interested in attitudes.

Kim Johnson: That would be really useful, thanks, Gabriela. You make an important point about education because it has been raised in this Committee before, and the fact that so many teachers are expected to cover this who do not have the relevant skills and experience to be able to push it and support children in the skills to do that. Hannah, you wanted to raise something.

Hannah Ruschen: Yes, as others have highlighted here, we know that girls are facing an epidemic of sexual violence in schools and in their daily lives. You may have seen on the BBC this morning that there is evidence from the NSPCC Helpline that peer-on-peer sexual harassment has increased by 29% over the last year, and there are contacts to our helpline regarding that.

We know that there is an emerging body of evidence that early pornography exposure can lead to harmful sexual behaviour in children, and we know that it is not uncommon for a child to talk about wanting to try out what they might have seen in pornography. A greater proportion



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of boys want to emulate some of that than girls, which I think really reflects the gendered nature of what they are being exposed to online. The NSPCC has found that there is an emerging link between pornography viewing and both offline and online technology-assisted harmful sexual behaviour.

Just to come to your point on RSHE, when it comes to preventing and taking an approach to violence against women and girls across the board, the best preventative mechanism is through RSHE education. We know that with the rollout of mandatory RSHE, a lack of funding, resources and support in this means that teachers feel ill-equipped and ill-prepared to deliver those lessons to students in school. What we really need to see is teachers being given the opportunity and the support to teach children about the difference between healthy sexual relationships and harmful sexual relationships. What does consent mean both offline and online? That is a really fantastic way that we can use that to make sure that children are equipped to go about the rest of their lives understanding those key issues that we then see played out across society in a variety of different ways.

Q21 Kim Johnson: A really important point, thank you, Hannah. My next question is to Clare. In your written evidence submitted to the Online Safety Bill, you highlighted that material depicting rape, incest and upskirting are actively pushed to the forefront of porn sites, which has already been mentioned. But you also alluded to the fact about the word “black” being used and the racialisation of attitudes towards black women. I know Gabriela touched on that earlier on, so I just wanted to know whether you could say a little about that and its potential impact?

Professor McGlynn: That was a study that my colleagues and I did with Fiona Vera-Gray—the largest study so far of online content—where we focused on the titles. The two points you just brought up there, one in eight of those titles was sexually violent material including rape. The incest material was the most common among different categories of sexually violent material.

In relation to black and minoritised women, what we found was there was an association between the physically aggressive and forced sexual activity and use of the word “black” as a descriptor suggesting that there was a link there. One of the other findings from that study was that the word “teen” itself was the most common word through the entire corpus—more common than any body part, for example; it was “teen” that was the most common. Again, there was a stronger association between “teen” and the physically aggressive and violent pornography as well, which raises worrying concerns.

That was about what those companies themselves were choosing to display on that front page. That gives an idea of why the Online Safety Bill has such potential, because if we regulate what those companies actually show and choose to show, we can reduce some of that unlawful and sexually violent material on the websites.



Kim Johnson: Thanks, Clare. Again, I am sure people watching this would be surprised that violence against women and girls is not included in the Online Safety Bill, and I imagine that needs to be looked at.

Q22 **Jackie Doyle-Price:** Coming back to this issue of consent—if I could perhaps start with you, Hannah—one of the concerns that I have felt for a long time is that the ready availability of porn and the early exposure to it is leading to a very sexualised environment for girls in school. Increasingly too many girls are having sexual experiences which are coercive and not consensual. Could you perhaps expand a little more on what you just said in answer to Kim Johnson about how this early exposure and prevalence of pornography is affecting the views of boys and men towards consent?

Hannah Ruschen: Yes definitely. To make reference to some of the information that we have from both Childline and the helpline, when it comes to children who call, I can cite some quotes from boys who may have called Childline and expressed their concern. I really cannot stress enough that one of the main themes that they highlight when they do call is that they are worried, ashamed and concerned about what viewing this content makes them feel. In particular, when it comes to women and girls, we had one caller telling us that, “I think watching porn has influenced my perception of girls. It's affecting how I see all women as a sexual object. I want to stop watching it, but I can't.” The impact of the trauma of viewing that pornographic content has on children and the way that it can make them feel, really cannot be overstated.

The number of calls that we are getting to Childline is just a drop in the ocean because we know that not every child will contact Childline. But just to give some more information about how this impacts children and in particular boys, we hear comments like, “I really want to watch it, but I feel bad after”, “I feel like I'm a monster,” “I can't get the images out of my head,” “I'm scared that when I'm an adult I will forever think of the things that I allowed myself to watch,” and, “Seeing these images has affected my whole life.”

When you think about what this really tells us about society and the sexual expectations that children are living with, and how that plays out when they come to school, we know from the Ofsted review that that often results in requests for the sending and sharing of sexual images. When it comes to those self-generated or user-generated images, we know that images of girls often hold more cultural capital for boys—it can be a case of the more images you have, the cooler you may seem—and that girls feel under an incredible amount of pressure to share and send, and then it becomes so normalised that they feel that they have that massive pressure on them to share those images and behave in that way.

It really shows the impact that we are all discussing here today on the panel, the way that we are seeing that as a microcosm in schools and the lack of separation between offline and online, and the way that this explosion of pornography can really impact children's understanding of



consent, and of what harm against women and girls means is going to cause a massive problem unless we can find a way to tackle this, both through the Online Safety Bill and through a variety of other ways across society, for example through RSHE, domestic abuse, et cetera.

Q23 Kim Johnson: We have often looked at crimes and abuse through the perspective of the extent to which it is nature or nurture, and there is enough data to suggest that abusers breed abusers. But essentially, what you have just articulated in terms of the feedback you are getting from your hotline is that this cultural wallpaper is nurturing boys into seeing things this way. We are tackling it from the perspective of violence against women and girls, but should we actually have a much stronger narrative about the harm being done to boys in terms of breeding a culture of abusers? Discuss. Who wants to go first?

Professor McGlynn: Maybe if I could come in because I think what you and Hannah are emphasising there is that whilst restricting access and exposure early is really important, it is the content that is there that we are concerned about. In other words, we would not be so concerned about children's access and early access were it not for the nature of the pornography that is easily and freely available. That is why coming back to the issue of content and changing and regulating that content, which the Bill could do more of, is so critical.

I also just wanted to emphasise that when Hannah talks about the prevalence of image sharing and coercive image sharing, and when the boys are, as you say, trading images amongst themselves, that example of boys trading and sharing non-consensual images amongst themselves is not currently criminalised, because the basic criminal law is not sufficiently up to date and comprehensive to cover online abuse. For example, it is only a criminal offence if you share an image with intent to cause distress, and the culture of young boys in school is to just share the images amongst themselves as groups to gain status. It is not about causing distress to a victim, so it is excluded from the current criminal law, which also means it is not a priority offence in the Bill.

Q24 Jackie Doyle-Price: Would it be excluded if the subject is below the age of consent?

Professor McGlynn: If you are taking and sharing sexual images of under 18s you are then engaging with child sexual abuse laws as well—yes, you are right—but in terms of laws around sharing intimate images, it does not. By the time you get to 18, there are groups of men trading and sharing images like that a lot.

Q25 Kim Johnson: Like community stickers?

Professor McGlynn: Yes, it is, which is not covered in the current Bill and therefore, although non-consensual sharing of intimate images is listed as a priority offence, it is a very limited law. It does not cover, for example, distribution of deep fake porn, which is not a priority offence either, because the criminal law is so failing. That is the challenge—



whereas now the draft Bill tends to rely on these lists of content about the criminal law—because the criminal law around violence against women and online abuse itself is failing. There are considerable gaps.

Kim Johnson: Gabriela, do you want to come in?

Gabriela De Oliveira: I would just echo Clare's points around the content and understanding pornography platforms as tech platforms. We need to think about all of the elements that contribute to harm—the content itself, the algorithms that push it, the way that the platforms are designed, which Vanessa has described. That is something we talk about a lot in terms of our media literacy of understanding that online space is designed and can be different. I know that a not for profit, NotYourPorn, advocates for pornography platforms that are transparent, regulated, co-operative and that put the safety of women and girls at the heart of the business model. Then you are seeing a much more kind of values-driven and safety-from-the-outset model of these platforms running, and you can think about all of that infrastructure, and how we can better support users to interact with those platforms safely.

Q26 **Kim Johnson:** Vanessa, I think it was you who used the term “addiction by design”?

Vanessa Morse: Yes.

Kim Johnson: Just listening to what all of you have been saying about the failure to properly deal with bias against women and girls in law, the way we approach our law is that here is an offence, this is the punishment, job done. It is a tick box: you either broke a law or not, and so on. But what we are talking about now is actually different cultural behaviours being driven by essentially the information society we now live in. I would just like some feedback from you about do we really need to have a much more revolutionary approach to how we tackle this whole issue in terms of properly addressing what is becoming an epidemic of really quite unpleasant behaviour?

Vanessa Morse: I could not agree more. This has become an epidemic—that is the right word for it—and I really do agree with your point that the harm to boys and young men must be addressed because reports show that actually boys often feel really confused about what women want because they are under the influence of this industry.

Ultimately, nobody wants to be taken for a fool, whether they are an adult or a child, and this powerful industry has had free rein to shape the sexual scripts of particularly the next generation of young men. One point just to come back to, I agree with everything Hannah was saying just a moment ago. There is a point around imitation that is just worth highlighting—that boys and young men see something and feel that they need to imitate it, or that that is what they should do. We had a powerful case study from Bernardo's just on this point, of a 15-year-old boy who had not been in trouble before. He was a bright, outgoing boy who



started watching porn during the lockdown and was particularly interested in pornography that showed men exposing themselves to women in public. Because he was spending a long amount of time on his own online, he decided one day to go out on his bike, and he did that to a woman and made sexually suggestive comments, and was subsequently arrested and charged. He is now on the sex offenders list. The school would not have him back, and his whole future has just rocked because he was just doing something that he saw online. He had free access to it, and that content was sexual harassment.

That content should not be up there, and there is a massive opportunity in the Online Safety Bill to address this because pornography is having a hugely negative impact on boys and men, girls and women. I really do think that we need to have the courage and conviction in this Online Safety Bill to make some radical changes, that there is a growing body of evidence—actually 40 years' worth of peer-reviewed research—that shows that these harms are proven.

Q27 Jackie Doyle-Price: He has been groomed by what he has been seeing?

Vanessa Morse: It's grooming, exactly.

Q28 Jackie Doyle-Price: We have all mentioned RSHE in this space, and I have always been a big believer in that is how we give girls the tools to empower themselves, to be properly guarding that they must have consent. But increasingly what you have said to me and the extent to which boys are being exposed to this, and then it is driving their behaviour, I almost think that RSHE needs to be something much more radical. We also actually need to be sure of the content of it, because there is every opportunity for bad actors to start pedalling materials into schools and so on that are not necessarily helpful in this space. Would anyone like to make an observation?

Professor McGlynn: One of the largest porn companies does produce its own sex education materials and videos, so yes.

Jackie Doyle-Price: You make my point beautifully, thank you.

Professor McGlynn: You are absolutely right that where there has been porn covered in RSHE, as Hannah mentioned, teachers need extra support in that. But I also think that often that content has focused on consent, and so long as you are consenting it is fine, which actually is not really porn critical teaching content. Gabriela has referred to this around the media literacy; we need to understand what the forces are of pornography on the user and set it within that context and highlight the mountain of evidence that shows the harms of accessing this material. Porn watching does not happen in a vacuum; it mostly takes place in private, but it is having a widespread public effect.

Gabriela De Oliveira: Just to speak to your point about who is producing those materials and what do they look like, we have been calling for a while for 10% of the digital services tax to be ringfenced



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under the Online Safety Bill for platforms, including pornography platforms, to work with VAWG specialist organisations, to understand what that content needs to look like. How do we tackle VAWG, how do we improve education resources, and how do we work with platforms and not against them to produce the right kind of content on their platform safely and freely?

Jackie Doyle-Price: I do not know.

Hannah Ruschen: Just to quickly come back to your point about consent in RSHE teaching, there is a difference between consent online and what consent might look like in the offline world, in that when you share an image, you might consent to sharing that with one person. But we need to make sure that children are aware that you may lose control of that image, that might be shared with a variety of groups and could end up in any number of places, as Clare pointed out. That is something that we really need to highlight, and teachers need to be supported in that.

But we also need more research and some greater understanding about child-centred solutions to understanding what works when we teach children about consent and when we teach them about healthy sexual relationships, so that we can make sure that we are teaching children to understand this in a way that is relevant to the world that they live in. Then, when they grow up and move on through school into the workplace, they will have an understanding of what sex looks like and what consent looks like and be equipped for it.

Q29 **Anum Qaisar:** Professor McGlynn, sites like OnlyFans had a sharp increase of women signing up during the pandemic. There might be a number of different reasons for that, but a spokesperson for the Revenge Porn Helpline stated that “We had so many setting up accounts to try and pay bills while making their way through furlough.” Aside from the Online Safety Bill, what else do you think could be done to regulate these types of sites?

Professor McGlynn: Hannah has already mentioned some of the gaps around OnlyFans in terms of its regulation. I could point to another issue, which is a problem with some of the content creators on OnlyFans. I have already mentioned, some of the gaps in the criminal law about distribution of sexual images. If someone copies the material that a content creator on OnlyFans shares to their list of subscribers and shares that material without their consent, that is not covered in the current laws on non-consensual distribution. Therefore, those content creators are at risk of having their material further shared, and are often then blackmailed as a result of that. That is an example of one aspect of how those who have gone online are potentially at risk.

We could reform that law to better protect those content creators. For example, online, for me, the key with a service like OnlyFans is about ensuring the limit of the access to it—it is supposed to be under 18s—



once it is on there, and ensuring that it is consensual material. Another change that could be made is to make sure that there is a verification of consent and age when users are uploading or sharing material for OnlyFans, but that could apply to the whole range of user-to-user sites. Once there is consensual material on there, shared, it is then the remit of the criminal law—if there is criminal material—to get it taken down. But otherwise, if it is consensual material amongst a group of subscribers who are all over age, that would be sufficient regulation, for me.

Anum Qaisar: Would anyone else like to chip in? Vanessa.

Vanessa Morse: OnlyFans is a worrying case, partly because all the content is behind a paywall. As Clare has mentioned, and we have seen in news reports over the past year or so, the age verification methods that OnlyFans has put in place has been easily work-aroundable—sorry, that is not a word—and there are no age and consent checks in place for video uploads.

We have been collaborating with investigators in the States who have been investigating OnlyFans for the last year or so. These are specialists who identify potential victims of trafficking and has been a painstaking process for them because all the content is behind a paywall. In other cases, for example, on backpage.com, which was closed down because it was known to be a place where particularly women and girls were being trafficked on to those sites, they were able to identify clues and codes that would signal traffickers. That information is not available to them because it is behind a paywall. In fact, OnlyFans has now been associated with scores of missing children who have been identified as victims of trafficking via OnlyFans child sexual abuse material. Again, it really does show the need for such reforms in this area. Sites like OnlyFans must be required to be reporting transparently, as well as implementing much more robust processes.

Anum Qaisar: Hannah, are you wanting to come in?

Hannah Ruschen: Yes, I have made a lot of points about OnlyFans and, as I said, it is fantastic that we have part 5 of the Online Safety Bill, which will look at preventing access to commercial pornography through age verification. But I also think that another issue we need to consider is around age assurance.

There is a lot that we do not know around age assurance and what that will mean for sites like Twitter, and how children might stumble across pornographic content on those sites that will be regulated under part 3 of the Bill. When we are thinking about that, we need clarification on whether a site should be expected to stop 100% of children from viewing or stumbling across content, or is that 95%? What kind of age assurance measures should be put in place? There are many types, but Ofcom does not have provisions to set those standards in the Bill. The accuracy of that age assurance technology will depend on the type of technology that they choose to use. We think that there needs to be standards for some



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of those age assurance technologies, as has been highlighted by Beeban Kidron's Age Assurance (Minimum Standards) Bill in the Lords.

Q30 Anum Qaisar: It was really interesting because in each of your answers you spoke about age verification and children. You mentioned that it is not just governmental responsibility, but teachers also have to take responsibility. What else would you expect, what else should be done to tackle this? Hannah, can I come to you first?

Hannah Ruschen: Are you talking about the Bill, or more generally?

Anum Qaisar: Just generally.

Hannah Ruschen: We have all spoken about the Online Safety Bill and made reference to RSHE education, but I think what this really comes down to is a need to consider linking up and joint working across a variety of these different initiatives. When it comes to RSHE, we need a greater understanding of what happens in the online world and how we can teach children about that—things like linking up the VAWG strategy with the Online Safety Bill and making sure that these are not just documents that name check each other, but that they work in tandem, together. As all of us on this panel have highlighted, the harm that we are seeing online is often then perpetrated offline as well and vice versa. Making sure that we have those links will be really important in making sure we can tackle this universally.

Anum Qaisar: Thank you. Vanessa, would you like to add anything?

Vanessa Morse: Perhaps just offer another thought, which is that today it is OnlyFans, tomorrow it will be something else, and while we are in a culture in which the objectification of women and girls is completely normal, to view women and girls as sex objects, that is basically fertile soil for these technologies to spring up, because there is a demand for material that degrades and dehumanises women and girls. I agree with the kind of frameworks and mechanisms that Hannah just mentioned. The Online Safety Bill is hugely important and there is a great opportunity to tackle the issues. They will ultimately need to be tackled from the top down—we know from the way that the pornography industry works that a piecemeal approach will give a competitive advantage to another site, which will take the audiences and flourish through that means.

But there is a wider point here—that we must tackle attitudes around objectification and hyper-sexualisation of women—because while that is the norm, there will be a demand for all kinds of material, whether it is on OnlyFans or a new defined technology or whatever the next piece of software is that we have not imagined yet.

Q31 Anum Qaisar: Professor McGlynn, how are other countries responding to pornography platforms, and is there anything we should be learning from them in terms of regulating the porn industry?



Professor McGlynn: Everyone is obviously grappling with all of these issues. In terms of pornography, an interesting example is the Canadian Parliament. The owner of Pornhub, Mindgeek, is based in Canada, and in some of their parliamentary discussions they have had those officials in before them in a committee like this, holding them to account—a really interesting example of how they have not been going under the radar, but they have been making sure that they are challenging those companies about their practices regarding the amount of illegal and unlawful content. They are considering the measures that we have described about things like verification of age and consent for user uploads onto platforms.

In the wider sphere, there are other countries taking action. For example, Australia has an eSafety Commissioner who has far wider powers in terms of supporting victims and ensuring swift takedown of material. From a perspective of women experiencing online abuse, the work of their ombudsperson is really supportive and really valuable, something that we could think about expanding, for example, the role of something like the Revenge Porn Helpline to be able to give more support to victims of online abuse.

The third thing that I would highlight is what it means when you say, “What else can be done?” I am a criminal lawyer, and the criminal law provides a foundation when we are talking about violence against women and girls. I have already alluded to some of the gaps and inconsistencies in the current law. There is a review of that law going on at the moment, but it has been going on for three years already. This suggests to me that we are just not yet prioritising changing that foundational criminal law that would then feed into something like the Online Safety Bill. There is a criminal law of cyberflashing included in the Bill, but interestingly, although we have all been talking about the importance of consent here, that cyberflashing provision is not based on consent. For me, the cyberflashing offence should be if you send a penis image to someone without consent; that is the offence, but its outlook is much more limited.

In all those different spheres, there are things we could be learning from other countries that do have more comprehensive, straightforward laws around online abuse and the criminal law.

Q32 **Caroline Dinénage:** Can I just ask a really quick supplementary on what you just said? On that basis, would you then support the concept of online platforms having to contribute financially to Ofcom, and that eventually it will be self-sustaining? Would you think that it would be a good idea for some of that funding to be used to set up a pot as almost a kind of polluter pays fund to support victims of this?

Professor McGlynn: Absolutely, and Gabriela from Glitch has worked much more closely on the detail of that. The only thing I would add before handing over is that we know for example, when we introduced the law in 2015 about non-consensual distribution of intimate images, of course, many more started coming forward and needing that support.



The same applies in this context with an Online Safety Bill. We are all becoming aware that maybe more could be done to stop some of these forms of online abuse. We definitely need those support mechanisms there. Particularly, and this is why the Online Safety Bill is so important, because what many victims want first and foremost is the material taken down instantly. But, Gabriela, you have the detail on the support.

Gabriela De Oliveira: I completely agree with that when we talk about ringfencing that funding to work with VAWG specialist organisations, we are talking about supporting tech companies to have more well-informed and trauma-informed policies and risk assessments. But also, there are a lot of VAWG specialist organisations that are already doing the work of supporting victims, which do not have the funding that they need for the demand—organisations like Revenge Porn Helpline, et cetera, and Refuge is doing amazing work in the tech abuse area—there is already an existing really strong sector to work with there. If that funding could be ringfenced to work with those organisations, particularly those led by minoritised black women who are more at risk of this kind of abuse, then I really feel like that would be a strong way of working forward.

Just to go back to the previous question on any other mechanisms that are open and available to us to use alongside the Online Safety Bill, we have mentioned the VAWG strategy, and Clare mentioned that VAWG is a strategic policing priority alongside child sexual exploitation and terrorism. That VAWG strategy has a really consistent and well-developed gender lens that was developed in collaboration with VAWG organisations already, and so can be worked on to bring more safety online as well. The Home Office's Enough campaign that was launched this year does not currently include any online element. This campaign is about enough is enough on violence against women and girls, and bringing in an online element to that would really help support some of this work in a different area.

Q33 **Chair:** We already have a Victim's Commissioner and a Children's Commissioner. Do you see a role for them being beefed up, or should there be a separate eCommissioner? This is to Clare, who mentioned this earlier.

Professor McGlynn: I do not know; I would probably have to think a bit more carefully about each of those different roles.

Q34 **Chair:** On the thing you said about content being taken down quickly, certainly when you talk to victims that is their number one concern. How long does it take for content to be removed?

Professor McGlynn: In that context, it is about strengthening the existing expertise in the Revenge Porn Helpline, who do brilliant work to get material removed, but they do not have enough resources. The difference also with the eSafety Commissioner in Australia is that they can mandate the companies to get the material taken down. They have



that additional regulatory role that can then be actioned and make sure the material is taken down.

But also, some of the organisations in other countries like that as well can also provide the support, counselling, initial legal advice, et cetera, so that the victim gets that full support—in a sense somewhat like the independent sexual violence adviser supporting someone through the criminal justice system—it is making sure we have that sort of thing as well, for forms of online abuse.

Q35 **Chair:** A beefed-up statutory footing for the Revenge Porn Helpline, giving them a figurehead who instructs?

Professor McGlynn: Yes.

Chair: Gosh, there are lots of hands gone up. Vanessa.

Vanessa Morse: The porn industry has not had a strong incentive to take this illegal material down because it has been so profitable for it. It is vital that platforms are required to proactively block the upload. We do not want that material up there to begin with, do we? Once it is out there it is very difficult to get it back. It does not matter even if it is two minutes later, the material is downloaded and uploaded so many times. We need the OSB to ensure that porn platforms have to risk assess for illegal content including, as Clare mentioned, age and consent checks—i.e. the platforms require uploaders to prove that they have age of consent for those who are featured in the uploads—because that will be a way of cutting off that material at source.

Just coming back to the point about what is going on in other countries, there are Bills going out. In the States, there is a Protect Act seeking to require platforms to have age and consent of those depicted in pornography, and they have to take it down in very quick time or fines are implemented. There is also another interesting model through the Earn It Act in the United States, which is that many platforms have been shielded from liability because of pieces of legislation like the Communications Decency Act, which says that platforms are not liable for their content so that, effectively, they have immunity. This new Bill, called the Earn It Act, which has a lot of bipartisan support in the States, says that any sites that are knowingly facilitating CSAM content will lose their immunity—that they have to prove that they have sufficient mechanisms in place to block it in the first place.

There is a concerning trend in the porn industry of neglect, a casual attitude towards regulation—we should not be naive about that. These sites have a history of hiding behind legislation which prevents them from that. To give some of the cases that are going on, there are currently five large lawsuits against Pornhub in the United States. Two of those are class actions—there are about 200 survivors who have come forward because, through the Trafficking Hub Campaign of 2020, it became clear that Pornhub was, in fact, a trafficking hub, hosting all sorts of trafficking



material and actual crimes. Putting these sites under scrutiny is really important, because all of this has remained in the shadows for a very long time.

Hannah Ruschen: Building on points made by Clare and Gabriela, rather than an eCommissioner, at the NSPCC we are calling for a user advocate body, which could be funded by the industry levy, so Exchequer neutral. We see this as a systemic approach to protecting users, with children being the most vulnerable users that we are seeing online, making sure that there is a body there that can understand and voice and raise their concerns that children are experiencing online.

We know that they use advocate models in every other regulated sector, from water to postal services, and this is something that would be really beneficial to the Online Safety Bill and also to Ofcom, in making sure that they can understand emerging harms. It would act as an early warning function. We have all mentioned future-proofing, making sure that that legislation and Ofcom as the regulator can understand from the very beginning new and emerging harms that are impacting children and young people online, and making sure that they have a body there to voice their concerns when they themselves cannot. You can easily see how something like that could be used as a hub and spoke model for different vulnerable user groups and be able to protect the interests of vulnerable users that way.

To come back to the point around other countries and what they are doing in this space, we know that in France they voted in January this year to implement new age verification laws for pornography, and I read last night that the French regulator decided in March to file a suit to block sites like Pornhub because they recognised that a tick-box function for age verification was not enough. Here in the UK, we were some of the first off the mark when thinking about age verification in 2017, with the Digital Economy Act, but it is now 2022 and we do not have anything in place, and others are overtaking us.

There is no reason why part 5 of the Online Safety Bill could not be enacted in advance. We have systems in place and understanding about how that could work, and when you think about that wider global picture, we are seeing others taking actions that we had planned to take originally but have not gone through with, so it is important that with this Bill we make sure that we can really bring that through as quickly as possible.

Q36 Bell Ribeiro-Addy: We have already touched on rapid technologies and how they might promote harmful attitudes towards women, so I want to touch on something that you just said Vanessa, about the need for an incentive, and potentially fines. Actually, Hannah has just talked about France successfully starting an investigation and blocking Pornhub. Are there any other examples of such sites being held to account successfully through the law, and any that you can think of that might be useful for our legislation also?



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Vanessa Morse: It is really only in the last year or so that these lawsuits have started to come out against the pornography industry, and, as Clare mentioned, in Canada there is a lot more scrutiny now on Mindgeek. What we can also learn from the situation in France is that even though the law that would have supported age verification was changed in 2020, the regulator did not do anything for the first year, and the regulator role was reworked. Some of the sites actually refused to play ball; they just said, "No, we're not going to do that," and I believe that in fact one of the largest websites actually domain-hopped in order to avoid having to fulfil the requirements. This shows us that we need an industry-wide standard that creates a level playing field for these sites. I know the work that the Children's Commissioner has done with the adult industry in the last year identified that they said, "Look, if we can do it, we all need to do it so that nobody gets a competitive advantage."

Just going back to something else, at the end of 2020 Visa and MasterCard withdrew payment services from Pornhub in response to an exposé written by the *New York Times* about trafficking, rape and child sexual abuse material on Pornhub. It was only then, when it hit them in the pocket, that they withdrew 10 million unverified videos because they basically said, "We do not know, we can't be sure that this is consenting adults," and they took off their download button. This signals an industry that will respond, but it will respond directly proportionate to the amount of pressure that it is put under.

Hannah Ruschen: Just to come back to that point about sites not complying with regulation, which is really important when it comes to the Online Safety Bill. I believe we would all be in agreement that we need to see a cultural change from the evidence that we have given today. We need to see that cultural change from a board level up when it comes to these companies because we know that otherwise they will avoid and delay complying with this upcoming regulation. There are enforcement measures currently in place and fines in the Online Safety Bill, but we are very concerned that these are only in place for failure to comply with information disclosures with Ofcom.

What we want to see at the NSPCC is making sure that Ofcom have enforcement powers when it comes to a failure to implement the duty of care across the board. We want named senior manager liability linked directly to that duty of care so that we are seeing that cultural change from the top level down. As Vanessa said, we are making sure that these companies cannot avoid complying with regulation, and that we are really seeing a change made here in the way that we think about and implement design features that protect children and vulnerable users across the board.

Professor McGlynn: I just wanted to supplement that, about the need to actually make sure we have a proactive regulator who holds these companies to account, going beyond the public statements. For example, we know that Pornhub has its own app that has a VPN to avoid age



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verification. At the same time that it will publicly say, as it has done, "Yes, of course we support age verification," it has its own app to use to get to get around that.

Over the last few years this has been debated. Pornhub is one of those companies developing the age verification technology that can be used, which is, of course, putting the fox in charge of the henhouse in that sense. It has been very much about making sure that we are regulating them. But at the same time, I just wanted to repeat that whilst we are focusing on the porn companies, it is still the one click search on Google that brings up the most extreme and awful content there. Exactly what they are going to have to do about that under the Bill at the moment could be quite minimal, so it is all still going to be there, easily accessed through Google, even if we do manage to get effective age verification in some of the porn sites.

Even on that point in the Bill, the age assurance, age verification provisions around porn providers—those who are just providing their own porn—are slightly different to the user porn on something like Pornhub. At the moment there are potentially two different standards around what those age verification and age assurance measures will actually even look like technically, according to the Bill at the moment.

Q37 Bell Ribeiro-Addy: Thank you very much and finally, for Clare and Gabriela, are there any other mechanisms that you think legislators could consider to tackle issues around continually developing harmful technologies as fast as they are developing?

Gabriela De Oliveira: We have already mentioned some of the mechanisms around VAWG in general around media literacy, and that broader approach to linking up some of the existing infrastructures. We do have concerns about whether or not the Bill is future-proof, and talked a little bit about some of the technologies such as the metaverse and how immersive they are. We have seen already examples of violence against women and girls, such as sexual assault in those environments, and women who have experienced that saying, "It felt like real life," and, "I had that fight or flight," and, "I just froze." That is a difficult issue, and I am not sure I can point to where the answer is. Some of the approaches that we are advocating for around understanding violence against women and girls as a broad, both criminal and non-criminal theme in the online space, and as technology develops very fast in comparison to law, that actually that will allow us more than anything to take an approach to understand that within societal context of what violence against women and girls really looks like.

Professor McGlynn: The metaverse is a key example of how we do not yet know exactly how we will all be living our lives and how the regulation is going to apply to it which is why, to reiterate the point, something like a code of practice is mandatory in the Bill. Otherwise, as we have already seen and as Gabriela and Hannah mentioned regarding children, the metaverse is developing without that safety by design around violence



against women and girls being in there. The bubbles were only introduced once there had been those examples of violence against women and girls—even introducing the bubbles is still putting the onus back on me in the metaverse to put this bubble around me to prevent the violence against women and girls—instead of designing, from the very outset, a space in an immersive technology that was not going to encourage or facilitate the abuse.

My point is that unless we make it mandatory that they have to think about these issues around violence against women and girls, it is quite likely to be way down the list. A code of practice has to become mandatory, that is our best hope to then future-proof against things like the metaverse.

Q38 Chair: Can I just pose a final question about the statutory definition of extreme pornography? Should that be extended to include violence against women and girls?

Professor McGlynn: It depends on what you mean by violence against women and girls in general. The thing about the extreme pornography offences is that it is an individual possession offence—if anyone is online and searching and those images are there, chances are it has downloaded to your computer in the cache—you have committed an offence.

In that sense, although it is not prosecuted it is, in principle, a strong offence. I would be limiting it to what we call extreme pornography, it includes rape and penetration—I would extend it to some of the forms of incest—but would not extend the extreme pornography offence to all violence against women and girls. There are other things we could do instead.

Chair: Did anybody else have any comments? Vanessa.

Vanessa Morse: I agree with Clare that the extreme pornography definition is limited and narrow and unclear. It contains this thing around disgust and obscenity which is a bit nebulous in the 21st century.

I would support what Clare just said and we would also like to see in the Online Safety Bill a legal definition of pornography so that we have the extreme illegal, but actually that pornography should be featuring consenting adults, and setting out a really clear framework. A definition of legal pornography could also be helpful. There is also a real need to not neglect that legal but harmful content that I have already spoken about, which is where the BBFC online, offline standard is vitally important.

Gabriela De Oliveira: There are other opportunities within the Bill to protect women, particularly women from marginalised or minoritised communities, that are more at risk before you get to that particular offence particularly in the definition of harm, in the definition of affected



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persons and in the risk assessments themselves. Currently, the wording talks about whether a user might be affected because of a specific characteristic or certain characteristic or as membership of a certain group but that is not defined within the Bill and is not currently attached to protected characteristics in any way.

We are calling for those definitions of harm to also include protected characteristics and multiples of them—in the example of black women, both the sex and race needs to be included—but allowing that to be properly defined means that women can be taken into account from the offset, rather than certain groups in vague language, which could refer to any kind of broad group that a tech company might identify as using their platform. We would prefer to have protected characteristics included so that we know who are most disproportionately at risk of harm or abuse without having to identify them or profile them on platforms, because there are also concerns around surveillance and how that might encourage platforms to identify users from protected characteristic groups.

Chair: Do any of the Committee have any additional questions? No. I thank all of our witnesses for coming to give evidence this afternoon. If there is anything that you feel you have not been asked that you wish to follow up in writing, please do, but it has been incredibly helpful to us this afternoon.