

Digital, Culture, Media and Sport Committee

Oral evidence: Influencer culture, HC 258

Tuesday 2 November 2021

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Members present: Julian Knight (Chair); Kevin Brennan; Steve Brine; Alex Davies-Jones; Clive Efford; Julie Elliott; Damian Green; Simon Jupp; Jane Stevenson; Giles Watling.

Questions 193 - 298

Witnesses

I: Dr Catalina Goanta, Assistant Professor in Private Law at Maastricht University; Ed Magee, Chair, National Network for Children in Employment and Entertainment; and Sergei Urban, founder, TheDadLab.

II: Dr Ysabel Gerrard, Lecturer in Digital Media and Society, University of Sheffield; Professor Sonia Livingstone, Department of Media and Communications, London School of Economics; and Helen Wills, founder, Actually Mummy.

Examination of witnesses

Witnesses: Dr Catalina Goanta, Ed Magee, and Sergei Urban.

[This evidence was taken by video conference]

Q193 **Chair:** This is the Digital, Culture, Media and Sport Select Committee and our inquiry into online influencers. I will ask first whether any member would like to make a declaration of interest. No, okay. I probably should declare I am the head of the APPG for new and advanced technologies.

We are joined in our first panel by Ed Magee, Chair of the National Network for Children in Employment and Entertainment, Sergei Urban, founder of TheDadLab, a family influencer, and Dr Catalina Goanta, Assistant Professor in Private Law at Maastricht University, who is joining us online and will give us an international perspective. Catalina, Sergei and Ed, thank you very much indeed for joining us.

Sergei, you are a brave man, coming to see us. We tried to get 10 other family influencers to come and join us for this particular session and we got turned down. I have to say that they were coming to join alongside you. You were always our first choice. Why do you think it is that many of the family influencers are so reluctant to talk openly about their industry?

Sergei Urban: I guess it is a bit controversial. I decided to come because I think it is an important thing to do, but generally I am going to be quite open about everything I do online. I have boundaries that I don't cross. While I am here I will not be able to talk to you about all the other parenting, kids influencers. I will be able to talk only about myself and I am quite open about what I do and maybe some people are not.

Q194 **Chair:** You will have a perspective about the industry, because you will know all of the others. You will probably be much more across it than we are, because it is your marketplace. What do you think it is particularly with DadLab and what you do that is potentially different, or similar, to what other influencers are doing? What do you see in this space that perhaps sometimes makes you think, "That may not be quite what we need"?

Sergei Urban: It is difficult again. You have to understand what an influencer is. Basically taking your more or less daily photos or videos, but instead of just putting them on a computer or in an album you are sharing them online. It is a question for every parent to decide what to upload or what not. If you are a daily vlogger you need to upload daily content and you just share whatever is happening in your life, good and bad.

I have a different niche. I am not a vlogger. I share some of the stuff that is happening in my life, like some highlights, but my main content is about sharing some cool educational activities that I try to show to parents, to inspire parents to do with their kids. I do not create content for kids, I create content for parents, and that is why it is a bit different.



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In the eyes of YouTube for example, sometimes they see that the content is for kids, because it is a kids' activity. I do not agree with that but unfortunately I cannot convince them.

Q195 **Chair:** It is a sort of modern-day Dr Spock, the person who did the books on parenting in the 1960s and 1970s. You are obviously too young to remember that.

Why is it that you decided to involve your family in this? It is probably more effective in talking about parenting, but you could quite easily not involve your family and just talk about parenting and give examples.

Sergei Urban: My personal experience was about six years ago I started doing this and initially the idea was to share cool kids' activities that I was already doing with my kids, cool educational toys, that I want to show to parents how there are interesting toys that kids can play with and learn at the same time. That was the initial idea. It was not about me at all. It was about ideas and for a while I was just basically taking photos and filming my kids doing the activity, because it is kids' activity. It is not Dad doing the activity; it is kids doing the activity. After a while it was not about my kids or about me but it was about the activity. After a while I realised that my kids were becoming stars because they are in those videos and people do not really know me. At some point I decided to show more of myself and started sharing, because new platforms started offering some new possibilities to upload a different type of content, so now I am sharing a bit more of myself.

Again, every parent decides what they are okay with sharing and what they are not. Some of the influencers share things that I would not share about my family because I have strict filters. First of all, there is my wife. I ask her permission because she has an outside view on what is happening. Sometimes when you are working on something you can forget where you are and where the line is, so it is quite difficult.

Generally, if my child in 20 years looks back at this post, would he be okay with that? That is the main filter that I use. If I think that he is going to be okay with that I just share the content and that is fine.

Q196 **Chair:** To clarify, would you say that you set out to be a family influencer as such, or were you just trying to share something you knew and then this almost happened by osmosis?

Sergei Urban: Yes, I started six years ago as a hobby, trying to help families out there. Then it has evolved over six years and I jumped to different platforms. I started on Instagram. Once Instagram introduced opportunity to film videos I thought, "Okay, why don't I try to do that?" so the platforms made me into a content creator. To be a content creator you need some experience and if you do not have experience you are just filming some rubbish content, but the more you film the better you get. I was filming on my iPhone and I am now filming on my 4K camera. It is a long journey but I improved and was growing with the platform, with my followers, I was improving everywhere.



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There was no one particular moment where I said, "Now I am an influencer". In fact, I am closer to that person than I was in the very beginning and sometimes people think, "This guy has a million followers on Instagram. He is a celebrity, he is out of this world" but the fact is I am still the same guy filming more or less—

Chair: It has not changed you?

Sergei Urban: Exactly.

Q197 **Chair:** What you describe is progression, a progressive career, starting off from very much a hobby and now presumably lucrative, but you are making money as a result, and you have quite a high profile. What do you think of those who literally go, "I have just had a child. I am now going to use this experience to be a family influencer"? Do you think there are dangers there? Do you think there are morality issues?

Sergei Urban: Again, back to the point that basically all the vloggers and influencers, if you are not an influencer you go to take a picture of your child in a theme park, you are sharing that, but the question is, who do you show it to? Do you show it to family or do you show it for potentially millions of followers? It is quite difficult to make those one million followers, so you have to be known for something to get the audience. I gained this audience through my content. I know that you were discussing trolling, but I do not get that because all the people who found me found me through all the kids' activities, all the inspirational science experiments and they are into that. They are not into trolling because how would they find me?

Q198 **Chair:** Mr Magee, the Children and Young Persons Act 1933 set out working times for children. That was a very different world. Is that relevant to now? Can it still apply to the world of online influencers?

Ed Magee: At the moment the legislation does not apply to online self-generated content. It was never part of the legislation that was re-enacted in 2014 when we updated our legislation. One of our big issues is that there are certain rules and regulations, times, breaks that children can work if they are in the entertainment industry that do not apply to self-generated content.

It gives us a real concern particularly over the last few years as we have seen this increase dramatically, because we have no oversight of those children. We do not know what they are doing, we do not know how often they are performing and we do not know the impact it has on them as a child. We are not aware of the safeguarding requirements in the same way that we would be for a child entertainment licence. The legislation is a little bit grey on when it moves from being just a general bit of self-generated content to when it becomes a social enterprise and when it becomes their job. We want more clarity on where that fits so that local authority child employment officers can have more oversight of self-generated content.



Q199 **Chair:** The difference, of course, with that is the fact that someone posts a video of a child on YouTube doing something and then you get a knock on the door from the local authority saying, "You have been making this child work". Is there an issue where basically the problem is that there is the potential that some children are working 24/7?

Ed Magee: I think there is the potential that that could happen. It probably is very rare, but without any degree of oversight and without any registration of parents who want to move beyond just the general putting up something on Facebook and putting up something on YouTube. When it becomes that commercial element that is where we feel it should be more in tune with the child employment regulations.

Q200 **Chair:** Sergei, when do you decide when a child comes offstage and then goes onstage? With offstage, there is no possibility of them ending up on a YouTube channel and onstage is basically where they are acting or taking part in something at that point. How do you define that and do you have any rules or parameters of the time that they spend as a result of that?

Sergei Urban: When I want to film the video, depending on the type of video that I do, I make sure that they are fed. It is usually in the morning when they are in the best mood, they are rested and so that is when I am getting the best performance. It is hard to rely on a child because sometimes they do not want to do stuff, and it is fine. I am lucky to have this niche, which is quite entertaining for kids because it is about kids' activity and all the activity I come up with is quite entertaining for a child, so again learn and play. They play but they learn at the same time.

Over time I found the best possible way to create content—I moved to a new way, which is that the first half of the video I show how to set up the activity, which is basically me during my working day filming whatever I have to set up.

Chair: Showing behind the scenes and set design?

Sergei Urban: Yes, just my hands doing the stuff and whatever it is that I need. Then I bring in the child and basically maybe just five minutes for them to play or how long they want to play and just film the process and incorporate it into the video. That is the whole process, the set-up and my time and then I show the child having free time.

Q201 **Chair:** How long do you do that for in a day? Just ballpark, let's say over a week, how many hours would your child spend in front of a camera or taking part in the whole process of generating content? That is probably a better way of looking at it.

Sergei Urban: It is obviously different for all influencers and even for me. Probably for the last month it was maybe an hour. I do not make a lot of content with them. I do a lot of content when I am preparing the stuff. Sometimes when we go to a theme park I would not call it working, but basically it was more me working and they are just looking around



and doing the stuff and I am just filming, so I am reducing my experience, rather than enjoying the experience with them. I am just looking through my phone and trying to film everything, but I do not make them do stuff. It is just that I work rather than them.

As I said, I am trying to generate a lot of content without using kids, and maybe that is why it is different. All influencers are different, especially if you are a daily vlogger where you have to daily film whatever is happening in your family. There is a thing like creating content, even educational content in my case, and you must make sure that the content is good enough for social media. That is an important bit, because if you want to share some good, educational thought and you share it and it is not in an engaging format people are not going to be able to see it. The way the platform or the algorithm works is that it shows engaging content.

Q202 Chair: Are you saying there is a real drive to make it entertaining, which is understandable?

Sergei Urban: Yes, exactly.

Q203 Chair: You are saying, if I heard you right, that your child works for one hour a week on average. Is that right?

Sergei Urban: It depends. As I said, for the last month it was probably about one hour but it could be different. In some weeks it could be more, but what you see on social media is different to what is happening. Sometimes our followers reach out to me to say, "Your kids are doing so many activities every day. Do they have time to rest?" and that is how it is appearing. Sometimes I share videos—

Q204 Chair: It is not just about the moment you are filming them. It is about the drive to the theme park. As a kid I loved to go to theme parks, as an adult I quite like the idea. The hour is just the moment on stage, the way I described it, but that idea generation, the interaction, I can imagine could be quite exhausting for a child.

From your perspective on what you have heard from Sergei, do you think that is atypical and do we really understand what work is in this context?

Ed Magee: Most people on self-generated content are probably spending very small amounts of time. However, there are some children who have a very big media following and it is effectively their full-time job. They could be working several hours, particularly if they are doing gaming video channels and some of the more commercial ones where they are reviewing products and are actively encouraged by organisations to give their reviews.

Q205 Chair: To boil it right down, would some of the activity you describe be illegal in other forms? Let's say a paper round—I do sound every day of my 49 years but I did a paper round as a kid—you did it for a very limited time and what you did was very specific. Some of these kids at very



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young ages are working longer hours than they should. Is that fair, Ed?

Ed Magee: For some children that is certainly the case.

Q206 **Chair:** Is it child exploitation, not in Sergei's case but in others?

Ed Magee: There is certainly a time where there may be pressure put on children to take part in that activity, particularly when a financial element goes along with it. That is the bit that we are concerned about, because that would be regulated as part of child employment if they were in a theatre or on TV or whatever where it is not for self-generated content.

Q207 **Chair:** Catalina, I will bring you in. I am so sorry to have left you there. Obviously there are quite a few points you want to make. I have a particular question for you, but please make your points now and I will move on to my question.

Dr Goanta: Thank you. I have a point that goes very well with what both of the other speakers have mentioned. I am particularly glad that Sergei has been sharing with us his experience from six years ago. I think it is very important to realise that the social media landscape from the perspective of business models and competition is changing so fast in the past decade. We see scientifically and we can look at different patterns—and I hope Sergei agrees with me—that, for instance, if you start off as an influencer today it would not be the same experience as perhaps you had six years ago. Why is that? The space is professionalising. What we have seen from perhaps 10 or six years ago is the rise of very famous mega-influencers—for instance in the Netherlands we have NikkieTutorials—and this has really shaped the fact that this space can become monetised. However, nowadays all social media platforms have monetisation policies, and that means that this industry is becoming increasingly professional because it is increasingly about work.

On Social Blade, a social media analytics company that gives rankings of different YouTube channels or Instagram profiles, you can see that of the 10 most viewed YouTube channels right now in the world five have content for children. We might all remember Ryan's toy reviews, Ryan's World, the child influencer that made a lot of waves internationally. He has been a celebrity and he ranks I think 10th with 30 million followers, and there are two other children's channels that have risen to a lot more influence. This is just to show you how the business models and also the commercial landscape is changing tremendously.

If I may add on the business models, because I think that this can clarify how exactly the commercial intent can be expressed, we can identify three business models for influencer marketing, and there have been quite a lot of legal uncertainty issues relating to some of them. We can identify endorsement, so that is a transaction through which a brand is going to pay money to an influencer to promote a specific product. It can be toys in the case of child influencers, it can be food, or it can be just merchandise or clothing, anything.



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Then we have barter. Even under English law barter is a contract where we have an exchange of goods, but here we have an exchange of a service for goods or an exchange of a service for a service. I think in the past two years it has been very unclear around the world in a lot of jurisdictions that barter would also give rise to a lot of financial benefit, so there would be a value that would enter the patrimony of the influencer. In the past this type of influencer marketing was predominantly not disclosed.

Lastly, we have affiliate marketing, and that entails the linking of an influencer with a specific company that offers goods or services and then creates a commission-based revenue model for the influencer.

I think, on the basis of what Sergei mentioned, the diversity of this landscape of influencers is also a matter of how exactly they are getting these business models in their content production.

Q208 Chair: One of the things that I pulled from what you just said there is the fact that six years is an eternity in the world of influencers and online, and yet the legislative update to the 1933 Act was in 2014. Frankly, what can we learn internationally from a legislation point of view? Secondly, we literally have no protections in place here in this country for kids who are in this environment, do we?

Dr Goanta: These are fantastic questions. I would like to refer to two examples, one from the Netherlands and one from France. From the Netherlands in recent months the Ministry of Social Affairs mentioned that they would like to open a hotline to allow the public to report activities of children on social media. Right now, as Mr Magee mentioned, one of the biggest hurdles of even identifying how to solve this problem is to first understand what the prevalence of this problem is.

There have been studies in the Netherlands. Last year I think that there was an estimated number of 300 child influencers, some of whom have become very famous. For instance, there is an influencer in the Netherlands who is four years old. Her mother runs an Instagram account and her endorsement and barter deals mostly come from clothing companies, so it is a fashion four-year-old influencer. There it is also very difficult to calculate how long it has taken to create a photo that is, as Sergei mentioned, content that you would like to put on your profile that identifies with your brand and that is worthy of social media. These are measurement difficulties that authorities have. This hotline is a step in the direction of trying to understand the problem.

In France there have been much more hands-on alternatives to how to tackle the regulatory problem of the grey area of regulation. Two years ago Bruno Studer, a member of parliament, proposed an amendment to the labour code that deals with child labour that passed in 2020 and came into force in February this year. This amendment creates provisions that expressly mention that for videos or any kind of presence of children on online social media platforms this can constitute work and it needs to



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be subject to the type of administrative registration that Mr Magee was talking about earlier. You need to have a permit just like in entertainment if you want to conduct these types of activities in France.

To give you a couple of examples of why this French law could be a very interesting direction for legislation, first it covers direct and indirect revenues. The barter example would very much fall under what is considered to be revenue for the purpose of having this commercial transaction that would need to be part of the discussion of what exactly is labour. There are also some provisions that deal with platforms and platforms are supposed to promote the reporting of content that might be problematic for child labour but also for child development. This brings us back to one of the questions you mentioned of how exactly we deal with morality in this space. That is a very tough discussion to be had.

Recently, a US influencer who is 20 years old, has been a child influencer and by growing up in this industry that monetises every single minute of her presence online she has sold photos of her new-born child. Imagine a post on Instagram, you tell the world, "Look, I had a child and if you want to see more photos of my child you can purchase them from the link in my bio". This is basically what is happening with monetisation.

Q209 Chair: There were gasps from the Committee there about the idea of someone selling pictures of their new-born baby, but the point you make there is the fact that this person was 20 and has been an influencer throughout their life, seemingly. I can only presume from the outside that that individual is deeply damaged and therefore they are selling pictures of their own new-born baby online. This is just horrendous, but how on earth do you legislate for the sort of damage that has been done in society over such a period of time, Catalina?

Dr Goanta: There are certain areas where legislation can be very reasonable and not controversial from a public policy perspective. There has been a recent report from the European consumer organisation that deals with the advertising of unhealthy foods towards children. I believe that also regulatory developments in the UK go in the same direction, that perhaps products that are supposedly unhealthy for children there should be banned so that children are not exposed to advertising of unhealthy foods. Some family channels even have mukbang videos, so videos in which the entire family eats fast food products in large quantities, and this is the content. It is a Korean concept, basically it is broadcasting of someone eating. Sometimes these videos can be supported, sponsored, by the fast-food companies and that could be straight out prohibited.

When it comes to the morality of the issue of oversexualising children, that is a problem. In the wider context of content moderation and discussions with social media platforms, if we are supposed to simply have the same content—so we have children on the normal Instagram and the normal YouTube and then we try to set rules that are more stringent for children—this will immediately lead into a tension with



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freedom of expression and perhaps the inaccurate detection of this type of content.

It might be interesting to consider, but very evidence-based whether it would be worth it, to have a space that is specifically destined for children, like Instagram Kids, but then make sure that much harsher rules on content moderation apply.

Q210 **Chair:** Ed, you just put your hand up.

Ed Magee: I fully support what Catalina has said and in some context for British children, *Metro* had an article in April where the highest earning child in Britain was earning £313,000 a month, so almost £4 million per year. The youngest child on this list was six years old and was earning over £204,000 a month, so almost £3 million per year. That becomes different to just putting something up on social media. That is now a social enterprise and a job for that child, and that child needs to be protected with some form of legislation. We would certainly support something very similar to what has happened in France, whereby at least local authorities have an understanding of what is happening for those children. The issue for us is also where does that money go to? Is it being kept for that child, as it would be in France?

Chair: There are no rules on that either, so £204,000 per week or whatever it was.

Ed Magee: If it is in a child entertainment licence, the local authority can make a condition that an amount of money should be put in a bank account, not obviously for self-generated content. Going on from what Catalina said, the advertising that goes on, how it is disclosed on screen is very rare. In some cases they will comply with the Advertising Standards Authority's guidance, and make sure it is very explicit, that this is an advertisement and there has been some form of commercial contract or agreement, but in many cases there is not.

Q211 **Alex Davies-Jones:** Thank you to the witnesses for coming today. It has been quite shocking and it is incredibly interesting finding out all about this.

When I have been talking to some of the schoolchildren when we do school visits and ask them, "What are you interested in as a future career? Have you had any ideas?" overwhelmingly now they say they want to be an influencer. This is the thing that comes up time and time again. I am concerned about the safety implications, which we have already touched on here. A number of the girls I spoke to in Pontypridd High school, for example, have said that they are on Instagram. You are talking 12 or 13-year-olds here and then they get approached by companies like OnlyFans trying to entice them into coming on, or doing quite explicit content, which is completely inappropriate and illegal.

Sergei, what additional precautions, if any, do you as a parent with children on social media do to ensure their safety, both online and



offline?

Sergei Urban: We do not share where we are. Usually when we go somewhere, depending on location, I usually post that I was there after the fact, so we are not sharing the school uniform or address. If I say we are somewhere I just give a general location. That is more or less it. I know some influencers hide their children's faces. I do not do that, but again I come back to the fact that I have quite a niche with all the parents who are just looking for educational activity. Maybe there are some random people watching the content, but generally the audience is behaving well.

Q212 **Alex Davies-Jones:** How do you manage that relationship? Have you ever had cause to contact the social media companies to report anything inappropriate from the fans, or the trolls, if you have had any?

Sergei Urban: Yes, I have contact with most of the social media platforms. I have established my connections over the six years. The only issue that I am dealing with daily is when somebody takes my video and uses it on their channel. The biggest problem was when somebody filmed a video of reviewing a book, so it is my child opening the book, say a pop-up book, just going through the pages and me filming the thing. The biggest problem was a company would take that video and put it as an advert on social media platforms promoting a book, which is a completely different book. That damages me because people think that they are watching my content and that they are buying the book from me, because they see my child, my logo there, and then they do not receive the book at all or they receive something different. That is the biggest challenge that I face.

Daily I look through all the other pages that take my video content generally and post on their profiles, their pages.

Q213 **Alex Davies-Jones:** What has been the response from the social media companies when you have reported this? Have they acted swiftly? Have they been inclined to take action?

Sergei Urban: That particular problem was with Facebook. As I said, I have direct contacts there now, but the problem is it is a huge company. I talk to them quite often, I am testing quite a few of their products, but sometimes I do not like Facebook because it is so big and sometimes you expect things to work but they do not, because there are so many bits and pieces that must work together. That is the reason when they want to implement something it takes a lot of time to implement it.

Currently as far as I know there is no way to block my video from being used on advertisements with any other pages. There is some kind of limit to what page can do a promotion, so it has to be for so many followers, so you have to be established for so many days. Some people registered a page, bought some followers and then did their thing. After I reported them nothing happened with the page, or maybe Facebook blocks them from promoting something but they just get another page and do the



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same thing. It is more or less like one of the social media platform scams that they do, just using my content and trying to sell it.

Q214 Alex Davies-Jones: You have built this big following now over the last six years as we have heard, you and your family. You must be getting recognised when you are out and about. How do you deal with that attention and how do you shield your children from that unwanted attention? When children come up to you as fans do you treat them differently compared to when adults approach you? How do you deal with that in the real world?

Sergei Urban: Numbers are important, so on Instagram I have 1 million followers. On Facebook it is 3.7 million and on YouTube 3.6 million, I guess, so numbers are big, but it is an international audience so it does not mean that they are all from London. Sometimes I get recognised and this is one of the things that I wanted to talk to you about—we have to make a big distinction on two things. First, it is kids' content and content featuring kids. That is an important thing that we must understand. Another thing is that a parent influencer with kids or a kids' influencer are two different things. In my case I do not do kids' content. I do content with kids, with my kids, but the content is for parents, which is kids' content. We are talking about the top 10 pages and it is kids' content made with kids that I do not do.

It has been a trend for a while. Maybe three years ago if somebody asked an expert what kind of content is easy to do to get lots of followers it would be kids' content. Now it is less attractive because of the monetisation on YouTube, because of COPPA, but again it is easy. It does not have to be high quality, you just film something with the kids entertaining, singing a song, just colours and maybe on editing you can just add some of the flashing stars and stuff and it is quite easy to get the following for the kids. I think that hours of kids watching YouTube is just crazy. It stops all the adults watching the content.

Q215 Steve Brine: Thanks very much. Mr Magee and maybe Dr Goanta, when we hear about families posting films of them eating maybe fast food, for instance, but not just that as an example, in your opinion where does the sickness lie, the viewer, or the viewed?

Ed Magee: Did you say sickness?

Steve Brine: Yes.

Ed Magee: The issue is probably about the relationship between the company that has asked them to do that particular bit of advertising, and I think we must be clear and say it is advertising. It is not a family making this up as their own idea. It is a \$13 billion industry in 2021. This is not going to go away. There are more links being used within social influencers to direct people to websites and to other organisations. It is how we monitor that and figure out what that relationship is.

Q216 Steve Brine: It is not the case of somebody going to watch a YouTube



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channel that has the family eating a fast-food meal; it is embedded within advertisements around other content?

Ed Magee: I think there is a combination of both. There will be companies who specifically find child influencers or family influencers to market their particular product. That will either be embedded within the video that they are producing or they will do it as part of the advertising before, during and after that particular video.

Q217 **Steve Brine:** Do you think it is a sickness?

Ed Magee: I think it is a concern. I think that people need to be clear about what they are doing and be explicit about whether they are doing it for some form of commercial enterprise.

Q218 **Steve Brine:** We are a Select Committee that informs the legislature and executive, so can the Government legislate against an idea?

Ed Magee: I think Government can legislate to ensure that children are protected and that there are safeguards that are similar to either what has happened in France or similar to what the child entertainment licences require, particularly when it becomes a certain level.

Q219 **Steve Brine:** Dr Goanta, you raised the issue of the family eating there. Is it a sickness? Is that a fair word?

Dr Goanta: I would say harm is a better word. The question is: what are the harms here to children? On the one hand we have a family who thinks it is a good idea—unlike Sergei and his very responsible approach to content—to simply feed children loads of fast food for views. Why is that? The system, for instance on YouTube, is going to make it very possible that the more views you get the more you can monetise that content.

I heard Sergei mention COPPA, so in the United States the FTC settlement with Google. However, a lot of child channels on YouTube are still monetised, so you watch a video and then the advertisement revenue is still going to be very high. Of course, there are also the sponsorship deals, because the advertisement revenue could be considered a different type of monetisation, outside of the influencer marketing with the \$13 billion market that Mr Magee was referring to.

On the one hand we have this harm that might affect the child in the video, but on the other hand these types of videos even for adult influencers have raised the question. There is a YouTuber called Nikocado Avocado. If you are Nikocado Avocado and you do mukbangs and the people who watch you are teenagers, you are influencing them to think that perhaps, as we heard before, if you aspire to become an influencer maybe your way into the influencer world is going to be a mukbang channel. The influencing here, the relationship of influence, is something we need to look into for protecting vulnerable audiences.

Q220 **Steve Brine:** Mr Urban, finally, is this your job?



Sergei Urban: Yes, it is full time.

Steve Brine: You do not do any other paid employment?

Sergei Urban: TheDadLab is my job, and the social media takes most of the time of what I do. I do other things that come out of that as well. For example, I wrote a book, *TheDadLab* book with 50 activities you can do with your kids, and social media gave me an opportunity to make that happen. I never thought I would ever write a book in my life, and it took a while with various agents to convince me to do the book, but I am happy that I did. The popularity opens new doors and new opportunities and some of them take time.

Q221 **Steve Brine:** There is a lot of screen involved in life, isn't there?

Sergei Urban: Yes, like working from home, not knowing the boundaries, sometimes sleeping and thinking about work, all that sort of stuff, yes.

Steve Brine: There used to be a programme in British television that some of my colleagues were on called "Why Don't You?" and they used to say at the start, "Why don't you switch off the TV, go outside and do something less boring instead?" Maybe we should just leave it there.

Q222 **Giles Watling:** Sergei, I am convinced you are a great dad and you look after your kids. I must declare one interest because many years ago, back in the early 1960s, I appeared on a television programme that went around the world and it was a regular thing. I do not recall my parents asking my consent, I am sure they did and said, "Would you be okay with this? Would you be cool with this?" I am sure that you ask consent of your children, but I do not recall that and it went ahead and I was fortunate enough to be before the internet age. Maybe the images that were taken will crop up occasionally on the internet, but things I said and things I did do not come back to haunt me.

First, did you ask consent and how did your kids give consent to appear on your website?

Sergei Urban: As I said, it was over six years, so they know what is happening. I explained, so they are young, seven and nine, and they are not on social media platforms. They have a general understanding of what it is, but they have not used it. I said we would film the video and millions of people potentially are going to see that, so they know that. They know that when I take out the camera or when I set up the activity and they are quite eager to do the activity. They are there for the play and learn rather than to be filmed, but they do not mind being filmed. Sometimes they are happy to share with their friends that they are famous, in a way, so it is one of the perks and again having some of the invitations to exclusive events, is something that they love to have.

Generally on consent, the only problem I have with consent is when I need to film something and they are not in the mood, but the good thing



is I have two kids. If one does not want to do it, I have another one who is happy to do the thing. That is simple.

Q223 Giles Watling: You have an understudy? I understand that. Are you prepared for a time when one of your children may withdraw that consent, and what preparations have you made for that?

Sergei Urban: When they say they do not want to do anything? The thing is I am lucky enough over the six years to build my brand. For me, it was important to know if it is a parent influencer or a kid influencer. The difference is if it is a parent, so a parent sharing about parenthood generally, and sometimes because the child is part of parenthood showing pictures of a child, that is a parent. A kid influencer is a kid doing all the kid stuff, potentially unboxing, all the kids-related stuff. Sometimes maybe parents appear there but it is all about the kid.

In my case it started as just an account with sharing ideas. At some point to protect my videos I would implement a logo, TheDadLab logo, across all of the videos and I realised that over time I built not just an audience but I built a brand. So what happens now? Kids do not have to be in my videos for me to produce the video. Even if they say no to TheDadLab I am happy to continue filming videos myself, as long as TheDadLab people know that it is me, it is us, and they know the quality is going to be good. It is cool activities they can try at home.

Q224 Giles Watling: I am sure you handle that well, but we are looking at potential legislation and as part of this Committee's work it is looking at online harms. I am sure you are well aware that there are such things as trolls and there are all sorts of things that happen, not just meeting people in public who recognise your face. Have you prepared your children for what might happen down the road? For instance, things they may do or say now on social media might come back to bite them when they are 30 or 40 years old. Are they prepared for that? Do they know about that? How did you do that?

Sergei Urban: I do that for them, so I am a censor. I make sure everything is good. I post myself, so I know that if something is wrong or if some more information is shared than I want to, I do not upload the content.

Q225 Giles Watling: Did you have any guidelines? Did anybody help you or have you just found your way through this?

Sergei Urban: Over time I just found my way through it. I remember one particular day when we went to the park with the kids on scooters just like that, quite suddenly. The problem was we left our helmets at home and I was still sharing the video that we went to the park and somebody sent me a message saying, "As an influencer you cannot show your child not wearing a helmet while scooting". It came back to me that, yes, now I am an influencer, I influence some people and there are some restrictions that I must think about. As a parent it would be okay for me to go once to the park—



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Q226 **Giles Watling:** I am sure you are very responsible but you had no particular guidelines. Dr Catalina, do you want to come in here?

Dr Goanta: Yes, just a very quick remark about the fact that the legislative reform in France has a very specific article that mentions that for the deletion of videos minors do not need to have parental consent. The law includes a provision that says that platforms should facilitate the possibility that minors could, without the consent of their guardians, be able to delete the videos exactly like in the situation that you were asking about. I think this raises a lot of very interesting questions about the role of legal capacity, because so far legal capacity has been a legal institution that has been there to protect minors. However, we can see that in some situations it can also perhaps trap them. This particular provision is a way to exemplify how this trap can be somewhat lessened.

Q227 **Giles Watling:** Ed, what do you think we should do with regulation in this area?

Ed Magee: I think we should have some guidance that says when this gets to a certain level it needs to be approved, in the same way that we do for a child entertainment licence either by online provision or obtaining a permit for a certain period of time. At least then there would be some oversight. We could then at least encourage parents to sign up to some key conditions, so around hours, breaks, oversight, suitability of what they are doing.

It would be helpful if there was a mechanism whereby we could just know what these children were doing and how often they were doing it. For entertainment purposes the NNCEE has just launched its "report a concern" button on our website. If anyone in the entertainment industry or an employer has an issue about a child, or a child has an issue about an employer or a production, they can report that to us and we will pass it on to the local authority. That does not apply for self-generated content, so it would be good to have it more consistent with what entertainment is, because for many of these children it is a job and it is entertainment.

Q228 **Giles Watling:** That is worth noting. Without naming names, do you have any examples for us of unregulated exposure of vulnerable individuals?

Ed Magee: There are children who may be on for several hours a day and there are children who are certainly possibly working beyond what you would consider acceptable for a child performer or somebody who was working. There are certainly children whose lives may be broadcast 24 hours a day, seven days a week. That becomes a concern because you do not know who else is watching and who is possibly contacting them. For the platforms, the responsibility around that child's protection rests very firmly with the parent, because they are signing up, but there are an awful lot of children on these platforms below the consent age to



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be on the platform. They are there because their parents have put them there.

I think as Sergei said, going back to is it a child influencer or is it a parent influencer, but the relationship is often very blurred and very unclear at times.

Q229 Giles Watling: Finally, and going back to the 1933 Children and Young Persons Act, which I worked under all those years ago, my time in front of the camera or in the film studio or theatre was restricted, but it was quite clear. Would it be fair to say that now, touching on what the Chair said earlier, we have a grey area; we do not know when they are performing and when they are not, and neither does the child. Is that a fair statement?

Ed Magee: I think that is a fair summary of what is happening in that they can do it wherever and whenever, with no oversight from anyone.

Q230 Jane Stevenson: I find this fascinating, and I thank the panel for their evidence. Ed, you mentioned that you would like it when the monetisation becomes a certain level. My concern is the potential as parents see the very lucrative world of becoming a successful influencer. Is that where the gaps are going to appear with people like Sergei, who are very visible? It is much easier to spot if a child is doing an extraordinary amount of work, but if we connect legislation to where it becomes profitable are we excluding children whose parents see that opportunity and who may be not insisting but encouraging them to do vast amounts of work in the hope that they will strike it rich and become more well-known?

Ed Magee: Yes, there is a possibility that could happen. I think the likelihood is that if the parent is thinking of this as a commercial enterprise, perhaps that is the time that it needs to be registered, rather than just doing a couple of performances or a couple of videos in the back garden. I think it would have to be very explicit as to where that threshold changed and there will have to be a threshold at some point. I do not think you could regulate for everything going on to social media. I read recently 300 hours a minute goes on to YouTube. There just would not be the capacity anywhere in the world to monitor that effectively, but there would be when it becomes commercial, when there is a clear understanding between a production company or an advertising company or a social influencer agency that is recruiting people to do work. That is probably the time when it needs to be licensed and proved.

Q231 Kevin Brennan: Thanks to our witnesses for appearing. Mr Urban, we are pleased that you have appeared before us today because, as the Chair said, it was quite difficult to procure witnesses who are involved as influencers with their children. I have looked at some of your content and it is very educational and it is very interesting and I am sure if my daughter was not now grown up I would be using your content to entertain and educate her at home. In that sense that is all fine. It is a



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business, as you have explained. You have written a book and you produce this content and sometimes your children are involved in that business—I think their names are Max and Alex. How do you regard them in the business? What part are they in your business?

Sergei Urban: At the very beginning they were the stars, so as I mentioned before I was filming activities, but I did not realise that those are the places that people look at and they became the stars at some point. Now I am just moving around, making sure it is more about activity and showing myself a bit more. Again, it is still not just about activities. It is still about my parenthood journey as well. At the end of the day if you do very technical videos, people do not feel the connection so they have to see the face and the emotions of the people behind it, so there is still a need for that.

Q232 **Kevin Brennan:** Will you have to hire in children in due course when your kids become too old and employ them to keep the business going?

Sergei Urban: A lot of people ask me what I am going to do when my kids become too old. I am going to cross that bridge when I get there, but so far they are still quite young and they are quite enjoying doing all the science experiments. All my followers are teachers, parents, grandparents and they have kids at different ages. That means that sometimes I share an activity that could be for a toddler, even though my youngest one is seven, because I know that my followers will enjoy that video because they can apply it to their kids, who could be younger. If my kids are 20 at some point I can still share activities with any age group, because it is not about kids, it is about the activity.

Q233 **Kevin Brennan:** They will be 20 at some stage, I can assure you. The point I am making is that in a sense you have a business that is an education/edutainment business, whatever phrase you want to use for it. For that business to work well, I know you do a lot of demonstrations with your hands and you film just your hands doing things, but then at some point you need the children to help demonstrate the activities. At this stage you can use your own children, because that is how it has organically developed, but you will need to employ some children if that business is to carry on in this form in due course. In a sense, your children are like employees. What they are doing constitutes labour in that they are carrying out a human activity that generates an income, and that is, by an economic definition, labour. I understand it is a family business; it is a little bit like having your children working in the family shop, except it is being broadcast to the world online. How do you think we as a Committee should regard how public policy should react to this explosion of children in child labour emerging in this new form of technology?

Sergei Urban: It is not just that industry. You have to think about all the industries. I think that a parent is responsible for the child. Even if we have kids modelling, the parent is responsible for managing the whole thing and making sure they get the best contract and stuff. The same



thing happens here, maybe with fewer people in the middle, but it is just me as a parent thinking what will be best for the child. I am sure there are potentially some parents doing harm to their kids while filming this stuff, but I am sure the same thing happens when other parents are making their kids do something else, nothing to do with an influencer video or anything else. There are also parents who will make kids do wrong things. I am not sure if this is any different.

Q234 **Kevin Brennan:** Why do you think there is a conspiracy of silence from parents who use their children in these sorts of influencer videos when it comes to our inquiry?

Sergei Urban: I have no idea. We need to ask them.

Q235 **Kevin Brennan:** Do you agree there appears to be a conspiracy of silence in the sense that you are the only one that we could persuade to appear in public before us and tell us about what you do?

Sergei Urban: I have never experienced coming and talking to MPs, and I was nervous myself. I remember in the last panel you asked some difficult questions, and some people were not happy that they came. Maybe that is why; some people decided it is better to wait.

Q236 **Kevin Brennan:** I will have to try not to ask difficult questions in future, obviously. Thank you, Mr Urban. I really do appreciate you appearing before us today. Dr Goanta, do you want to say something?

Dr Goanta: To add to that, it is quite reasonable to argue that family influencers, and also child influencers, come with a fair share of controversy. We have seen time and time again focusing on what in social media parlance is called clout chasing, making content that has the possibility of polarising individuals and polarising audiences on whether it is moral or immoral. What kind of clothing should a teenager wear? Is it too much if you take photos of a teenager in a bikini and very erotic postures? Is that something that should or should not be on social media? Not only a lot of family channels, but also a lot of families that have been the managers of child or teen influencers, have exposed their children to this, and there has been quite a lot of controversy in media. I assume that this controversy has also created some degree of pushback when it comes to new regulation or even more visibility to this type of activity, not to mention the privacy concerns which, of course, are quintessential as well.

Q237 **Kevin Brennan:** Thank you. Mr Magee, do you think there is any ethical difference between self-generated content involving children and industry-generated or production company-generated content involving children? Is there an ethical difference between those two things?

Ed Magee: It is the same companies, and often in the same cases, that are encouraging parents to generate this income.

Q238 **Kevin Brennan:** On that point I should say, to be fair to everybody, that



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the agents did not want to appear either, and I think some of the production companies were also unwilling to appear before the Committee. If you were members of the Committee, what would you feel about the fact that they were reluctant to explain themselves in public?

Ed Magee: As Sergei said, I think they were probably a little unsure what they would be asked and how they would be held accountable. As an industry, in the main, particularly from my experience of when we do productions and we work with productions in film, TV and theatre, they are very careful and very concerned about safeguarding requirements. The difficulty for them when it becomes self-generated, or commissioned self-generated content, is the guidance is very unclear as to what you should be doing and what legislation you should be working under, or even if there is any legislation that covers it. At the moment there is not. I think people are slowly feeling their way through to figure out what they need to do. But they do need to be more accountable.

Q239 **Kevin Brennan:** Does the current legislation on children and education, which we know has a long history, as we have discussed, as it was updated in 2014, work effectively?

Ed Magee: It does not cover self-generated content.

Kevin Brennan: I know that. But does it work in the bits it does cover?

Ed Magee: Yes. We would certainly have more oversight in risk assessments and safeguarding procedures.

Q240 **Kevin Brennan:** Is it practical, feasible and affordable to extend the same sorts of principles into self-generated content?

Ed Magee: There would be a capacity issue for many local authorities if they had to monitor that as well. In some boroughs they might have a full-time member of staff.

Q241 **Kevin Brennan:** Are they able to monitor what they already have in front of them?

Ed Magee: In most cases they are, but obviously we could do with more capacity to enable us to do more inspections and visits. With self-generated content we do not do any visits to understand what is going on.

Q242 **Kevin Brennan:** You suggested there should perhaps be a threshold for when any new legislation would kick in. Roughly where would that threshold be?

Ed Magee: I think if families are earning more than £500, for example, or a certain amount of time is being spent doing that activity. You could either look at the child employment legislation, which is an hour before and an hour after school, or you could look at the entertainment regulations, which are a little bit more flexible on earliest and latest start. It is probably better to go to the entertainment regulations, because that



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gives more scope for early starts, later finishes, but also breaks and oversight at the same time.

Q243 **Kevin Brennan:** You mentioned the phrase “social enterprise” once or twice. I want to pull you up a little on that. We are talking about businesses for the most part here. Social enterprises have a much wider social mission than just making money online, don’t they?

Ed Magee: Some of these companies see it as a social enterprise. It is a business and a commercial activity.

Kevin Brennan: That is not a social enterprise. Anyway, they might see it as that, but it does not make it that, does it?

Q244 **Chair:** Mr Magee, following up on Kevin’s questions, I want to press you a little further about agents. As Kevin stated, we approached a lot of the agents in the sector, including one company called Super Awesome, that, in a not so awesome response, said it would not appear. What is your thinking? What do these agents have to hide? You said that on film and TV they are relatively mindful of law. Do these people really need a law to be written to tell them it is repugnant for a social influencer to sell pictures of their new-born child online?

Ed Magee: I think the agents are probably unsure where they fit within the scope of the legislation. The agents I know who work with children in entertainment, film and TV are very careful about the roles they put children up for.

Q245 **Chair:** Is there a crossover between the two? Do they employ the same processes?

Ed Magee: My understanding is there is not. The agents that I work with are not working with social influencers. There are specific advertising agencies who are dealing with just social influencers. I do not think there is that crossover.

Q246 **Chair:** Sorry to cut across you, but I am really interested in this point. What you have said is that there is a very different demarcation between advertising in this space from child acting. In effect, all we are looking at is the agents who work for child actors, they are related to that, whereas these are basically just advertisers who want to flog stuff and that is it. They are effectively with the sponsor rather than on behalf of the individual child actor.

Ed Magee: In Influencer Marketing Hub’s annual report on the state of the influencing market in 2021 it said that there were 240 new social influencer agencies set up in 2019 specifically to find social influencers who would then do that marketing. That is completely different to the agents we work with in the entertainment industry.

Q247 **Chair:** With 240, it is a brand-new industry. Do they have to do things like criminal records checks and that sort of thing? When you work with children in normal life you need to have substantial legal checks and



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background checks.

Ed Magee: They do not, because they do not have unsupervised activity with the children. It is the parent filming this. There is no camera crew going in that would be checked. There is no production company.

Q248 **Chair:** Forgive me, Mr Magee, I know you are not responsible for this, but I am astounded that they do not do so. They may not have unsupervised activity, but they have an interaction with the parent and the child in a format that is basically monetary to sell advertising. Who is to say that such an interaction could not go into something really nefarious and even more damaging as a result. There is no oversight here whatsoever.

Ed Magee: No, there is not, because it is not within any current legislation. That social influencer agency that is recruiting a particular child or the parent has a relationship with the person that they have asked to do that particular campaign, but they will not be with the child at the same time they are filming it, unlike a film crew doing an advert. They would be with the child.

Q249 **Chair:** They may not be with the child, but there is still deep interaction there, regardless of whether it is physical or not.

Dr Goanta: The same type of legal uncertainty that Mr Magee has been referring to exists also if we have to consider the different supply chains in advertising from the perspective of the Unfair Trading Regulations 2008. The question that arises here is: who exactly has the obligation to demand disclosures or to do disclosures? Most of the time we see only the influencer on social media, so if a child receives a toy, or is paid to promote a toy, we assume that, as an advertiser, the child or the adult influencer has this obligation. But the child influencer might have a manager, as we have discussed. That manager could have different types of functions. If they are going to give very specific directions about how the work is supposed to be done, maybe they are even an employer from the perspective of labour law.

We see this, for instance, with the so-called social media houses. You might have read in the news the term TikTok houses. Mostly teenagers come together and some combination of freelancers, who are going to be headed by one person who will direct them in their creative activities. We have a manager and a PR agency that represents a branch. We can already identify four different stakeholders and we have no idea how the responsibility is divided contractually in the supply chain. That is also where, from a regulatory perspective, more light can be shed so that perhaps all these stakeholders can have a share of responsibility. This could bring us closer to what Mr Magee mentioned on how in the entertainment world companies seem to be made more responsible by the fact that there are going to be regulatory checks on them.

Q250 **Simon Jupp:** I want to touch briefly on the CAP code, the UK Code of Non-broadcast Advertising and Direct Promotional Marketing, which is



quite a mouthful, and I think I have taken up more of the question time just saying it. At the moment the CAP around children and advertising is very stringent, but it is not as stringent in the online environment, as we have discussed during the session. Should it be, how could that be implemented, and what problems could you foresee as a result of that?

Ed Magee: At the moment most of the advertising guidance does not mention the fact that children might need entertainment licences. If you look at the LSA's guidance for social influencers, it has no mention of the fact they might be using children. It would be helpful if that could at least be put into the guidance as well. I think it is something that needs to be brought together so that where there are children being used in self-generated content that comes under some form of regulation.

Sergei Urban: Sorry, that question was too political for me. I did not understand a word.

Q251 **Simon Jupp:** I apologise for being too political, but I am elected as a politician. It is something I occasionally fall into the trap of being. Basically, if this policy, which is looking at how, for example, children are used in advertising, was put into what you do—and having seen your videos, they are very entertaining and very well produced, may I say—what would that mean for you? What would that do for you? Are there any hoops you think you would have to travel through to continue your work, and would that be a help or a hindrance for the type of content that you produce?

Sergei Urban: Usually when I film video for a brand—and I am lucky enough to work with the biggest brands out there—they have a long list of restrictions. They know their industry, they know the niche where they work and they know influencer marketing, so they already give me lots of guidance and the dos and do nots. Most of the time that is enough. The problem we face is when small brands come to small influencers. They have no idea what the industry is all about. I guess we need some kind of guidance, at least some minimal ones, but I cannot comment on something that I have not read. It could be something that is not very useful.

Q252 **Simon Jupp:** I absolutely understand. It is really interesting though, because you have talked about how different brands provide you with the information they want you to feed into the content that you want to produce and they want you to produce, based on what their brand wants, but also the rules and regulations. Does it vary wildly between different brands as to what they provide you with in guidance? In your journey so far have you seen that some brands are really strict on this and others less so? Have you ever decided as a result of that not to do further work with a certain brand because you were not happy with the level of guidance, or lack of, that it brought forward?

Sergei Urban: Yes, all the guidance is different. Guidance has not caused me to turn down a brand, but at the first stage when I decide



whether to work with a brand or not, it is whether I turn down the brand or not. Again, I create this special line somewhere, thinking that I am not going to cross it with some of the brands, so I do not promote all the brands.

Q253 Simon Jupp: That is interesting. Thank you very much. Dr Catalina, is that something you want to look at further? Is there anything we have talked about, or the other participants have raised, that you would like to respond to?

Dr Goanta: One point I want to make is about professionalisation. That is exactly what Sergei was mentioning. We have smaller brands and smaller influencers who come together in contractual relations. I have often seen in my qualitative research on social media discussions about whether exchanges of offer and acceptance messages on a DM on Instagram have a binding effect. Many individuals do not think they do, whereas that can be a valid contract. This is an example of how different levels of digital literacy, and also perhaps legal literacy, are important in determining how these different obligations will fall over the different participants in the supply chain. The more established the brand or the influencer, the more likely it is that they know about their CAP obligations. The smaller they are, the more likely it is that they do not.

Q254 Simon Jupp: It was really interesting hearing what Sergei had to say about the concepts that brands put forward, the ideas and the red lines they themselves put forward to make sure it adheres to their brand consciousness but also their ideals. Do you think that should be better regulated? Do you think there should be a firmer view on what that should look like so that it is not up to the brand, it is in law?

Dr Goanta: Yes. I completely agree with that. I see that self-regulation in certain industries works, and I am very curious what Ed thinks about this. The toy companies, for instance, know they are treading lightly on the turf of perhaps unfair commercial practices, because there are vulnerable groups, and you want to have honest advertising with respect to vulnerable groups like children. This has also been, from a media perspective, a very well-regulated type of activity. There will be a lot of brands who know that they should also put on their own filters for respecting the audiences and respecting relationships with audiences.

The problem is with brands that do not know that this should be the case. Here, even if regulation leads to a stronger type of obligation, the question is also how we inform these companies about these obligations. A very practical solution is simply the creation of a website on the government page that creates a database of information for influencers on the person requirements, the tax requirements, the disclosure requirements that need to be dealt with, whether you are a child influencer and you need parental consent or not.

Q255 Simon Jupp: That is really interesting, thank you. Ed, is there anything you want to add to that?



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Ed Magee: It might be possible for self-regulation to work. The issue may be where brands are not based in the United Kingdom, or in England, because we are only talking about English law at the moment. We would need Scotland, Wales and Northern Ireland to enact similar guidance in case a company was based there but using a child influencer in England. If a brand is based abroad, the relationship will be much more tenuous for whether they would agree to sign up to any self-regulation.

Q256 **Clive Efford:** Sergei, you said in answer my colleague's question earlier that your main concern about your content was other people using it for products that you do not necessarily endorse. Our experience has been that people who put themselves into the public eye like you do receive a great deal of trolling and online abuse. How do you deal with that? Do you get a significant amount of it?

Sergei Urban: I do not get a significant amount. I sometimes get random messages when people get personal and comment on how I look. It does not happen often, so I do not have to deal with that. I just distance myself. Sometimes people online think that their opinion matters, and if you have one million followers with one million opinions, you just have to concentrate on the positive. If you are creating content for one million people and one is not happy but all the others are happy, just concentrate on the ones that are happy.

Q257 **Clive Efford:** I assume that would receive a particular criticism from certain people. I only say that because the experience we have is that there are people out there who are highly critical of people who are in social media and in particular for being a parent who puts your children out there. You say you do not get a significant amount of abuse for that?

Sergei Urban: Across lots of different platforms, nothing.

Q258 **Clive Efford:** You have never had to approach the authorities or one of the platforms to deal with that as a problem?

Sergei Urban: Again, there is a difference between kids' content and the content created for parents and adults. Mine is a very specific niche of education. That is why people who follow me are parents or grandparents or teachers. They are responsible people. They do not come to me for parenting advice, they come to me for activities. They want to know what I am going to do with my kids tonight. They check it out, and just go for it.

Q259 **Clive Efford:** Thank you for that. Mr Magee, I will ask you about the resources you have available to you. You have been about 25 years at Camden?

Ed Magee: I have, yes.

Clive Efford: You have been involved in licensing young people in performance professions over that time. You have seen an enormous



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amount of change. One of the changes, I assume, is that this has now moved into the domestic setting, which must make it more difficult to regulate. You touched on that earlier. Can I ask you about the resources for dealing with this? You are a specific licensing officer in Camden. I do not recall meeting one in my local authority of Greenwich, although one may exist.

Ed Magee: There is one.

Clive Efford: What is the situation regarding resources for this? According to the National Audit Office, local authorities have faced nearly 50% of cuts since 2010. How do we maintain the area of enforcement and monitoring that we need in this area?

Ed Magee: Certainly there is a capacity issue within local authorities, and child employment and child entertainment licences are a statutory requirement for local authorities to issue. Therefore, there has to be somebody with that role within each borough. It will depend on the number of licences that you might get.

Q260 **Clive Efford:** I will interject there. Sorry to interrupt you, but is that a specific officer solely dedicated to that or with a number of other responsibilities?

Ed Magee: They may have other responsibilities, certainly. This is about one-fifth of my day job. I have a child employment officer who does it five days a week, but I also have the oversight of policy and strategy for the borough. In some boroughs it might be a part-time member of staff; they may be term time only; there may be more than one person in a particular team in some boroughs. It will depend on how many licences they get ongoing. There may be a requirement for local authorities to increase some of that capacity to able to monitor. I think there is certainly an issue about the capacity for us to do that monitoring. One of the things that happened over Covid was there was more home filming for productions, so children were filming within their own home, very similar to self-generated content, but sometimes we had the director in the garden telling the child what they were expected to do. That comes under a risk assessment, it is monitored, and there are policies and practices in place for that and not for the self-generated content.

Q261 **Clive Efford:** When it is trading standards, the host authority of the company that someone is complaining against is generally the one that deals with it, not the one where the person who is complaining lives. How do we decide who is the licensing officer in these circumstances when the child may live in one location and filming may take place in another? I know we are dealing with situations in the home, but the issue is how we determine who has ultimate responsibility for child protection in this case.

Ed Magee: It would be a combination of where the production is taking place, where the child is from, and where any of the perpetrators also come from. The local authorities would have to make a decision as to which one takes the lead on any investigation.



Q262 **Clive Efford:** Is there a danger that local authorities are not geared up for this? We have a lot of historic buildings in Greenwich, so we have a lot of filming activity taking place in our area. Other areas may not. Is that a problem, potentially, or do you think local authorities are largely on top of this?

Ed Magee: With inspections, we are able to respond to many of them. We are obviously not able to do every single production that takes place. In my borough I think we have roughly about 300 productions a day. That is film, TV, advertising, modelling, and so on. We do a proportion of them. We make a risk assessment as to whether or not we feel it is appropriate to visit. Where there are large numbers of children or where concerns have been raised, we prioritise those over a production that has been going for several years.

Q263 **Clive Efford:** Is there a growing anxiety in your profession of these home films and your ability to monitor what is taking place there?

Ed Magee: Certainly we are concerned about the impact it may be having on children now but also in the future. We want to make sure that those children are protected in the same way they would be if it was the entertainment industry.

Chair: That concludes our first session of today's hearing. Thank you very much, Mr Urban, Mr Magee and Dr Goanta. Your evidence has been interesting today. Thank you for that.

Examination of witnesses

Witnesses: Dr Ysabel Gerrard, Professor Sonia Livingstone and Helen Wills.

Q264 **Chair:** This is the Digital, Culture, Media and Sport Select Committee and our hearing into social media influencers. This is our second panel today. We are joined by Professor Sonia Livingstone, professor in the Department of Media and Communications at London School of Economics, Dr Ysabel Gerrard, lecturer in digital media and society at the University of Sheffield, and Helen Wills, founder of Actually Mummy. Helen, Ysabel and Sonia, thank you very much for joining us today. Your presence is much appreciated in this inquiry. Our first question is going to come from Damian Green.

Damian Green: You have all been in the room listening to the previous evidence. Can I play devil's advocate for a bit? Cultural history tells us that every time some new technology comes along, particularly that which will engage children, it will be terrible: comic books, the cinema, television, rock and roll, easily available recorded music. All these things were going to upturn the social order and, on the whole, we got through them all and most children do not grow up feral. Are we overstating the worries that we are all having about influencers, particularly with children?



Professor Livingstone: It is a great question. I came here today wondering exactly what kinds of harm and concern the Committee primarily has in its sights. Every media change brings about all kinds of subtle and not so subtle shifts in society, so which ones you are mainly concerned about I think would help to focus that question.

What we might say is that as every new technology arrives it begins relatively unregulated and the public does not really understand it. Yes, we get used to it and, yes, the children more or less carry on growing up in a civilised manner, but we have a lot of social problems. They seem associated with the rise and the changes in technologies. With every one of those technologies we have gradually introduced regulation and educational or awareness-raising programmes so that people understand the parameters and how to respond to those changes.

Q265 **Damian Green:** Dr Gerrard, do you share the scepticism or is society right to be worried?

Dr Gerrard: I very much share Sonia's view and I think it is a great question. To add to that, I have two thoughts; they are kind of conflicting. The first one is that we often do not take the pleasures seriously enough when it comes to social media. We are often very quick to worry and panic when there is a new technology, a new problem, a new issue. We are often quick to worry about risk, harm and panic, "What about the children?", that kind of discourse. I think that that is often unfounded. We need to be saying, "Why do you use it? What do you enjoy? What do you get out of it?" If you start with that question when you are engaging directly with children, you get very different answers and very different knowledge of their experiences.

I think that there is something different about social media in contrast to the mass media technologies that you were speaking about previously. There is something different and that is why we are here today: the influencer, the rise of the person who can sit with a camera in their bedroom and become famous. There is something different and it is right that we are here and it is right that we are having these conversations, but I do not think it is all bad.

Q266 **Damian Green:** Helen, you presumably do not think it is all bad because you do it. Indeed, you must think it is all good.

Helen Wills: No, not at all. I totally agree. I think that there is a lot of panic over something that really does not need to be panicked about. Equally, there is misuse, ignorance and misunderstanding, and there is media hype that frightens people, which then becomes believed. When you are talking about children, they believe everything they see, so it is all down to individual parents to help children and educate them to understand that what they are seeing is just some person's version of their own reality and not necessarily the truth.



One of the biggest problems is that most parents are completely fresh, they are watching their children grow up with something that they never had, so they do not have experience of it. There is a lot of fearmongering but there is also a lot to be wary of. I do not think that parents really understand which bits to be wary of and which not to.

Q267 Damian Green: Obviously, it is in the home and it is ubiquitous, in fact, that you have this content everywhere, as a child, wherever you go. That is one obvious difference from previous mass media. Are there any other specific differences? To take that very good point, parents will be frightened of it because they are ignorant of it and they are not experiencing it every day. I am thinking of children just as consumers rather than the discussion we have been having about children as the actors in it in the wider sense. What are the specific differences for children as consumers over any previous type of media we could be frightened of?

Professor Livingstone: I suggest two to start thinking about. One is that we have always regulated previous mass media to say this is an advertisement and this is content that is not paid for. That distinction has been breaking down for some time but is completely confused with influencers. For parents, but also for children, trying to understand whether this is a persuasive message or whether it is designed to inform or entertain me has become incredibly hard.

Linked to that lack of demarcation of what is persuasion and what is advertising is something very different about the nature of the influencer role because the influencer is—I do not know if they are always—committed to their message but research says that they are perceived by children as committed to their message, as authentic, as saying that they believe in a product or a lifestyle because that is who they genuinely are, irrespective of any commercial relationship. There is something about that authenticity that seems different. We could tell our children before, “This is a performance. This is fake. This is staged for television or for film and then the person walks away and it is not real”. Now it is real. The influencer is being real and that is very compelling to a child.

Damian Green: Do you agree with that?

Dr Gerrard: Yes, and to add to that, I work directly with parents. I interview them as part of my research and one of the things that they say to me a lot, and the teachers say it as well, is the speed of development of social media platforms. I go in and they want to talk to me about Instagram and TikTok because they are the big names that they see in the news. Then I sit there and I say, “Your kid is on YOLO, your kid is on Whisper, your kid is on Yik Yak, your kid is on Discord”. They say, “What? What’s that?” I am not a parent but I have a lot of empathy with parents, having to learn not just what the platforms are in a descriptive sense but wanting to use them and experience them and see what it is that their children are doing. For me, that is one of the



main differences for parents. Where is my child? What are they doing? What can I do to help keep them safe?

Q268 **Damian Green:** One of the traditional worries has always been about sheer screen time; you are spending all your time doing this rather than anything else that might be useful. These are new worries on top of that, but that must in a sense be exaggerated by this because here is a new form of compelling entertainment on top of all the existing ones that still exist, of course. Has screen time usage gone up among different age groups?

Professor Livingstone: Screen time usage is going up steadily year on year and absolutely during the pandemic, but that is not to say that problems linked to screen time are going up. There is quite a lot of scepticism in the research community about whether it is just sheer hours that causes more and more problems. I think the consensus is that generally it does not, it is not about time, unless you get to the children who spend almost all of their disposable time.

Where the view is going is that what matters is the nature of the interaction and the quality of time that children are spending. What seems interesting and new, and indeed sometimes worrying, about influencers is that they offer a relationship with the child, at least as the child sees it. From the child's point of view, it might be a very intense and seemingly personal interaction that they have with that influencer that offers them an identity and offers them a sense of a community that they can belong to. Children have always been fans, in a way, of certain kinds of content. Parents could say, "Yes, but that is an actor", but this is the person in themselves offering a sense of connection with the child and a community to belong to.

That quality, as Ysabel said, can be used for good. It can be used to inspire or to offer positive messages, but the influencer is pretty much at liberty to say what they want, whether it is disinformation or inappropriate sexualisation or advertising and marketing.

Q269 **Damian Green:** Who are you talking to when you are producing your content?

Helen Wills: For me now it is very different to when I began. My children are 17 and 14. They were four and six when I started. I am always talking to people like me. I am not marketing to children, but a lot of young people do follow me. Who I am really talking to is middle-aged mums with preteens or teenagers because that is who engages with me. That is who asks me for advice or reassurance or what I did about something. That is the market. In fact, I follow my market rather than the other way around.

I do have children and teenagers and a lot of young adults who follow me, and I am only ever aware of that when they reach out to me and say that something I have said online has resonated with them. I do not



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leverage that but it takes me down that route. For example, I have talked about mental health in the first year of university. I had a huge response to that from first-year undergraduates saying that it is really tough and they have a hard time and it is not the be-all and end-all that the world makes it out to be. They are expecting to be really happy and they are not happy. Then I go down the line of talking to other people who talk about teenage mental health. I am led by my audience.

Q270 **Damian Green:** Is this a job for you? You are funded through advertising and sponsorship and all that kind of thing?

Helen Wills: I do, yes.

Q271 **Damian Green:** Do you turn any of it down?

Helen Wills: Yes.

Q272 **Damian Green:** Why? What do you turn down?

Helen Wills: I have an advertising platform on my site that populates my website as well as individual sponsored agreements with different brands. The things that I turn down most notably and I have the setting switched off on the automatic population on my website for are things like diet and gambling. Anything that as a parent I do not want my own children to see, I turn that off.

Q273 **Damian Green:** Do you know how much that costs you?

Helen Wills: Yes, I get told that I should have it put back on because it will create me more income, but that is a moral standpoint that I take and that most influencers that I work with and who I consider colleagues also take. I say most; some don't because it is lucrative. A lot of influencers are not the big famous influencers who are raking it in. They are not making £500 a week. They are desperate for income, so they will capitulate on those morals.

Q274 **Damian Green:** Is there any regulation of that type of thing? If you decided tomorrow, "Stuff it, I need the money. I am going to take gambling, even though I know a lot of 14 and 15-year-olds are watching", is there anything that would stop you?

Helen Wills: No, not that I am aware of. If there is, I think this is one of the biggest problems. It is such a muddy, grey area, as it was described earlier, that probably the reason influencers do not want to come and account for themselves is because they do not know if they are getting it right half the time. Most of us really want to get it right but there aren't guidelines because it is so new. I think they would love to have guidelines that say you can and you cannot do this.

Q275 **Clive Efford:** How much responsibility falls on the shoulders of influencers to look out for the wellbeing of the people who are watching their content and to make sure that they are aware of the dangers of some of the things that they may come into contact with through being



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on the internet and social media? What is the role of influencers in protecting the people that they communicate with?

Professor Livingstone: You are asking us a moral question. In practice, as Helen just said, there is no obligation. There is very little or no obligation that falls on the shoulders of influencers. What responsibility do influencers have in principle? It is an interesting question. Do they have the responsibility of any kind of public actor with a platform? Society might hold them accountable. I do not see any kind of mechanism that makes them or requires them, unless they consider it part of their brand to be doing the right thing.

Q276 **Clive Efford:** If I were a child who was going on to an influencer's site, how would I be made aware of what I was coming into contact with and whether it was advertising? What are my rights in being made aware of what I am coming into contact with?

Professor Livingstone: We could say the child has the right to know what kind of content. That is what we have always said in this country. We have always said, whether it is through magazines or television or film, that the child should be told whether this is advertising and whether this content is designed for entertainment and information without persuasive purpose. That is what we have always been used to. That just does not apply in the world of social media. We could assert the moral right of the child to know but that does not translate into action, except as was said. The CAP code applies to advertising but, as the Advertising Standards Authority itself says, it is being incredibly imperfectly observed and not so much enforcement.

Q277 **Clive Efford:** What would you say to this Committee? We are going to be writing a report about that. What would you want to see in that report to address that issue, if anything?

Professor Livingstone: I think the expectation from those concerned with children—and I would include parents as well as educators and researchers—is that it should be transparent to a child and to whoever is looking after the child what the financial arrangement is behind the content that they are seeing. That should be demarcated from content that is provided under subscription or other purpose. There should be transparency as a minimum. I think what really matters even more than transparency is minimising the volume of advertising that children are exposed to, which is a separate question. It comes partly from influencer content and partly from other sources. It is the sheer volume of messages that adds up across different sources that says, "Junk food is great" or, "Being skinny is important" or, "Money matters".

Q278 **Clive Efford:** Can I move on quickly to this issue of algorithms operating out of these black boxes? How prevalent would you say that is and what sort of problem does it pose that algorithms are dictating what content people are directed towards?



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Professor Livingstone: It is ubiquitous. I do not think that there are any platforms that give you an unfiltered feed. They all use algorithms to optimise attention. There will be lots of different viewpoints on the level of damage to democracy, but those algorithms are not transparent; they are commercially motivated. If that is within the remit of this Committee, action is needed.

Q279 **Clive Efford:** The reason I asked the question is because they have been described as basically requiring feeding for content and that unless someone is producing that content they may find themselves not getting a prominent position on the sites that they want. When you are considering someone who is a child influencer, that is incredibly problematic. What should be done to ensure that children are not being exploited and forced to produce content at a rate that is not really in their interests because of the way these algorithms are drawn up?

Helen Wills: I have a view on that. I think it is almost impossible to legislate for. Influencers will publish sponsored content and advertised content at a rate that they feel comfortable with. I believe that most of us are reasonable about that because we know that it affects our platforms quite badly. I get much lower engagement rates on advertising content than I do on anything that is non-sponsored, non-paid for. Obviously some abuse that. The platform I use most is Instagram but I think that they all operate in the same way or in a similar way in that Instagram and Facebook want a certain amount of sponsored content that has been paid for to them. You could look at the platform owners themselves and say, "You can only provide a certain amount of sponsored content to children's eyes" but it is so difficult to moderate.

Q280 **Clive Efford:** Yes, it is. None the less, the platforms seem extremely successful in devising these algorithms to benefit themselves, so I am not convinced that it cannot be done to protect individuals, particularly children. What I am concerned about, which is why I raised the question, is that the way that these algorithms have been described as operating as black boxes—because we cannot look into them and see what is going on—the outcome could be that they are driving young people who are influencers to be anxious about providing content continually. I have described it as the same as "They Shoot Horses, Don't They?", those competitions where people are forced to perform until they are completely and utterly exhausted. How can this be a good environment for young people to operate in?

Dr Gerrard: Everything is an algorithm so we need to be really clear about what we mean when we are talking about algorithms. If we are talking about recommendation algorithms, they are the bread and butter of social media platforms. They want you to see what you like so that they retain what is effectively your custom so that they make money.

One of the things that I am concerned about with children's rights is that when they use social media they are not being exposed to a diversity of content. You asked the question earlier about what the Committee should



do. It is hard to legislate but there is an extent to which this is also a design choice. What if social media companies were to say when people signed up, "What do you want to see? What do you want us to recommend to you?" Instead of the platform guessing and thinking it through itself, there are ways of children being asked to tailor and personalise their experience, which at the moment does not happen on the mainstream platforms.

Q281 Clive Efford: I was going to come to the issue of diversity and how we make the content more representative of minority groups in particular. That was going to be my last question. If it is a marketplace, inevitably it is going to be pushed towards where the greatest amount of money is to be made. How do we combat that?

Professor Livingstone: That is, I understand, partly what the Online Safety Bill is debating. If content is likely to be accessed by children, it should not harm them. Pushing them all in the same direction, pushing them all towards certain commercial or profitable messages, eradicating diversity from their experience are all harms that the Bill or maybe other mechanisms can regulate against. That means regulating the platforms for the kinds of algorithms that they operate for content likely to be accessed by children, which is much broader than content designed for children, which is currently where most protections apply. I think there might be lots of contestation around such regulation but there would also be enormous support for it. At the moment, the entire content landscape is dictated by profit and brand or platform decisions, and it is not in the interests of children.

Q282 Chair: Before I move on to Simon, I want to press about online harms legislation. Helen said that it is "impossible" to legislate in this area for some of the harms that we are seeing and the way in which parents are effectively monetising their children. Do you think that is right? Do you think that it is relatively easy through duty of care, through Ofcom regulation, to ensure that this is a much safer space for children and for families?

Professor Livingstone: I think we are talking about two things and maybe it is helpful to separate them. One, as in the previous session, is about the children being the performer and whether that is in their interests and wellbeing. I had not seen that as especially part of the Online Safety Bill but very much the kind of regulatory options that were being discussed before about labour regulation. I understand the Online Safety Bill to be debating children in front of the screen, getting caught up in this content and as viewers of this content. Yes, I do not see why it could not be regulated.

Chair: I like to have a yes because we are talking about the first part of that, yes.

Professor Livingstone: For the children who are the performers I don't know that that is the optimal way to go.



Q283 **Chair:** Helen also mentioned algorithms and whether or not you can regulate to ensure that algorithms are designed in a way that is not harmful or excludes harm when it comes to family influencers. Do you see that as in the scope of online harms as such?

Professor Livingstone: Yes, I do, but I think there are lots of possible harms at stake. I don't know if it is helpful to think about if the effect of unregulated family influencers is, as was being discussed before, to promote a lot of images of the joys of junk food eating, one might say you could make a requirement that that kind of messaging is limited, just as it was on television or in any other media. Some things are more ephemeral but really important. The effect of self-esteem and body image for children's wellbeing matters. It is harder to say, "This is the kind of message that is problematic" and there will always be an interaction between the particular vulnerabilities of young people—

Q284 **Chair:** The reason I am asking the question is that it is about the scope of online harms. There is a lot of debate in Parliament about whether or not online harms legislation as it is coming forward is wide enough. In that respect, what we are talking about is whether or not, frankly, the duty of care aspect of social media, when these items are shared online, should effectively take in many other aspects above and beyond child sexual exploitation, above and beyond terrorism content, for instance, or even economic crime. It is whether or not this should apply as well to whether or not social media influencers should be able to promote images online that could effectively lead to body dysmorphia in children or any form of potentially very harmful psychological impact.

Professor Livingstone: I will make two points. My understanding is that advertising and persuasive messaging is not currently in the Online Safety Bill. There is a lot of puzzlement about why it isn't and, insofar as we are here today talking about a relatively unregulated area, it would seem incredibly efficient to include advertising in the Online Safety Bill.

The other point is whether the focus of the regulation is on the advertiser or the influencer or the person producing the content or whether it is on the platform. The duty of care applies to platforms, whereas the Advertising Standards Code, for example, applies to the person producing the advertising content. Both of those are probably in need of regulation, but where the force of different interventions falls might be different.

Dr Gerrard: It is tough, though not impossible, to regulate to protect people's body image and self-esteem. A lot of the time what triggers that kind of response in someone varies from person to person. You cannot remove the body and images of bodies as a whole from social media. It is nobody's job to look at a picture of someone and say, for example, they are "too thin". That is really challenging.

Countries like Norway have launched new laws around influencers having to tag photos that they have edited. There are filters, which is where you edit the shot, finesse the contrast or whatever, but then there is using



FaceApp or Perfect365 to distort your body completely and then put that online. They have tried to do that in Norway quite recently. I have not seen any empirical studies about the reception to that, but it feels like it was praised and was a good idea. It is never going to be possible, you are not going to eradicate these things because they predate social media, but there are things that can be done. Other countries are doing them and they are having successes in doing them.

Q285 Simon Jupp: Dr Luke Evans, an MP in this place, is putting forward a Private Member's Bill that is quite similar to the legislation that you have discussed. I am one of his backers and very proud to be so because I think it is a huge issue.

Earlier on in this session you listed a number of social media websites, apps and things like that that I think I looked confused about as a result because I have never heard of them. I have never felt so old in all my life and I am only 36. My question is largely around the way that children will look at this content. I am thinking of, for example, parents who may be familiar with seeing the Facebook app on their phone, the Instagram logo, but have never heard of any of the ones you have just listed, which I have genuinely never heard of. Do you think that children are more likely to consume influencer content when an adult is not present? What are the dangers of all these new pop-up brands coming forward? It is almost impossible to keep track of them, isn't it?

Dr Gerrard: It is really difficult to keep track of. The kids that I work with are very trend driven. Every child is not trend driven but—

Simon Jupp: You say I am not trendy because I do not know what these brands are?

Dr Gerrard: Yes, sorry. People who are trendy, like the kids, enjoy discovering a new app and playing with it. The biggest genre that I do not read about in the online harms Bill or anywhere in any government document is secret-telling apps or anonymous apps. Influencers are not really there but kids are consuming so much content on these platforms. They are so incredibly popular and at the peak of their use they have more users than the big players like the TikToks and the Instagrams.

One of the points I wanted to make today is that when we have any kind of legislation, when we try to do this kind of work, we need to sometimes move away from the big players. Instagram is a problem but it is not the only problem. It is not just about TikTok; it is all these new players that, as you have said, parents find it difficult to keep track of. There are so many apps where you would not recognise the logo because it is brand new. It has been around for two minutes and it becomes popular and then it becomes so dangerous that the Apple App Store will take it down and then kids cannot use it anymore. You see these peaks and troughs of popularity.



I cannot think of any research on anonymous apps or secret-telling apps and influencers. It is a section of knowledge that we do not have as researchers.

Q286 **Simon Jupp:** That is really interesting. Thank you. Sonia, did you want to add something?

Professor Livingstone: We have known for a long time that as the attention of parents, educators and regulators falls on a particular popular app, the kids are already moving to the next one. That is particularly dangerous for contact among strangers and strangers contacting children, and perhaps also sharing inappropriate sexual content. Some of those things can happen very fast on a new anonymous app. For something like that, if a regulator like Ofcom is not already required to know exactly what apps are available, it should be.

For influencers, it takes a bit of time—as we have heard from both Helen and Sergei before—to build up your following and your business model and that gives others time to notice what the latest platform is. TikTok was almost unheard of just a couple of years ago and now suddenly it is number one. One question for the Committee is: do you wait until it gets big and then say, “Now is the time to say you must abide by the code” or do you say, “You cannot even begin to operate until you meet these minimum standards”? I think that a code for best practice but minimum standards to operate at all might be very sensible.

Q287 **Simon Jupp:** Helen, is there anything that you want to add?

Helen Wills: Personally, I think anonymity is one of the biggest problems on all of the platforms. I have quite a big following on Twitter and that is the only place I have experienced any kind of trolling. We were talking about trolling earlier. The problem there is that it is entirely possible to be nobody on Twitter and say what the heck you like with no repercussions. I think that if anonymity on any platform was stopped, people could be held accountable for poor behaviour.

Q288 **Simon Jupp:** Drawing back to the focus of the session today and influencer culture, I mentioned all these different new apps that have come along and things like that earlier in my questioning. How does influencer culture and the way they are used to advertise certain products change the perception of advertising among young people as they grow up? We know that we live in a very materialistic world, but is this going to make it worse in the longer term, do you think?

Dr Gerrard: I was reading the Ofcom media use report from 2020 to 2021, and it struck me that two-thirds, I think, of children are aware that influencers may be advertising products to them. They do have this awareness. It raises a question we have always had with any media format: is advertising inherently bad?

Something else that came out of that Ofcom study was a lot of young people saying, “I benefit from some advertisements” because a lot of



young people want to follow influencers who are relatable. They are not necessarily following ultra celebs with lavish lifestyles, they are following people who are like themselves. If this person uses this product and they like it and they declare that it is an ad, first, children know that that is an ad and, secondly, appreciate that knowledge. I think it is a really good question and I feel like I am dodging the question, but it is just to go back a step and ask whether ads are inherently bad. I do not really know the answer to that question.

Q289 Simon Jupp: It is another way, I guess. There is an awful lot of pressure on young people to look a certain way and have certain things and consume different bits and bobs. Having this subliminal advertising—which it could be described as in some way—piles more pressure on younger people to have the latest AirPod, iPod, whatever it might be. I sound so old; I am so sorry. Personally, I think it can be quite a challenging thing to also meet that expectation among your peers as well. I am sorry to press you on it again. I do not know what your view is on the psychological impact of that, for example.

Dr Gerrard: What is the difference between an influencer advertising a product and you seeing something in an ad break on TV or on All 4 or on ITV Hub? I think there is a difference.

Simon Jupp: This seems more real, doesn't it? An influencer seems more real to a person. If you are seeing someone who has impossibly white teeth advertising the latest toothpaste on television, that is different to, for example, someone who you have followed on Instagram for a while and you might have a respect for all of a sudden advertising this new toothpaste that is apparently magical. It is a different kind of pressure, isn't it?

Dr Gerrard: Yes. I am going to defer to Sonia in a second, she can field this one, but if Ofcom is saying that two-thirds of children understand and know and recognise that they are being sold a product and they are fine with that, has Ofcom not already answered that question?

Professor Livingstone: There is the third who have not understood, and they are especially the younger kids.

Dr Gerrard: Yes, you are right.

Professor Livingstone: I think there is an argument about fairness, which is that it is not fair not to be told whether something is an advert or content. We have always regulated for that, as I have said. There is also something about influencers that takes the parents and educators out of the equation because they do not see the marker that says this is an advert or this has been paid for or whatever. They do not have that trigger to say, "Are you aware of what you are looking at?" or, "Let's watch this together and be critical", which is what teachers and parents consider part of their role, so their role is lost to them.



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In a way, I take Ysabel's point. Even if it were clearly marked and there is all that conversation going on, there is still research that says, none the less, children will be influenced. That is when I go back to the question about the overall volume of messaging and the fact that most of that messaging is pointing in one direction. If we think that is the problem, it is the volume that should be attended to as well as clearly demarcating what content is what.

Simon Jupp: Agreed. Helen?

Helen Wills: I feel quite strongly that the ASA rules are not followed or enforced as well as they should be. The vast majority of the influencers who I have a lot of respect for will hide their advertising disclosure somewhere within their text or forget to put it there at all. That is because the repercussions have not been that great yet. It is always fear that it will be enforcing it and making it very publicly a big deal that will change that.

As a parent of a teenage girl, advertising has a massive effect on her, but I agree with Ysabel. If she did not have TikTok and Instagram and goodness knows what other apps she is on that I don't know about advertising, she would be consuming it on television and she still would be wanting those things. I see that where a person feels they have a relationship with an influencer it is potentially more dangerous and more influencing, but when it is the big influencers, I am not sure they see it as anything different than a television advert.

The difference is that when my daughter is watching "Love Island" on television there is a clear point when the adverts begin, so she knows that those are adverts. If she is watching somebody who is an influencer who was on "Love Island" talking about a product, it needs to be fully disclosed. If she is watching someone who has a million followers, I feel she will understand that that is not necessarily a personal recommendation. It is more people like me who have 6,500 followers, because I am able to respond to all of the messages that I get and they are personal. She might feel like she has a relationship with someone of my size, but I don't feel like the big influencers are—they will know that that is an advert, I think.

Simon Jupp: The children will know and understand that?

Helen Wills: Yes, those two-thirds who understand it is an advert, they will understand the implications of that in the same way as they would if they were watching TV or seeing it in a magazine. It does not prevent them from wanting that product. You are right about the peer pressure. It is phenomenal, "I am not as good as that group of friends because I do not have that type of bag" or whatever it is.

Q290 **Simon Jupp:** Therefore, there must be an improvement in the way that these things are labelled. I am going to use Instagram as an example because I cannot fathom some of the other stuff that has been talked



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about. It is buried, "I have attended this event, it was a fantastic thing", and then at the bottom: name of bank.

Helen Wills: "By the way", yes.

Simon Jupp: Not even "by the way", just at a bank. You are thinking to yourself, okay, that person is wearing a t-shirt saying that bank's name as well, but still you would theoretically think that was a post about an event or about a product, not necessarily that you need to get a mortgage with that particular bank.

Helen Wills: Yes, and that happens all the time. For the majority of people, I follow I can guarantee that at least half of them have not disclosed properly.

Simon Jupp: Fascinating. Thank you very much for your evidence.

Q291 **Kevin Brennan:** Dr Gerrard, you mentioned some of those apps. I have heard of some of them, actually, including YOLO, which is not just a Welsh first name. "Yollo" is the way I pronounce it. "You only live once" I think it stands for, doesn't it? I understand that that app is currently unavailable because of a tragedy that occurred. Effectively, these apps are basically online cyberbullying apps, aren't they? They invite children and teenagers, although they allegedly have some sort of age restriction on them, that is not enforced and is not enforceable, to spout hatred and bile at each other anonymously. That is correct, isn't it?

Dr Gerrard: That is the question that my research asks. It is funded by the British Academy and the whole point of it is to say, "Is this or is this not what kids are using these apps for?" It is mixed. It is undeniable that there is cyberbullying and hatred on these apps. That is undeniable. For the kids in my research, it is not their overwhelming experience. It is not how they overwhelmingly experience it. Often the bullying occurs in tandem with bullying that is occurring face to face. Generally, that was going to happen for the person who is being bullied on the app because they are being bullied anyway.

What often happens on these apps that is talked about less in the media particularly is how the apps are used for sexism and sexual surveillance of young bodies. I remember speaking to a black girl who was a sixth form student. In her sixth form, which I am not going to name for confidentiality reasons, they had a particular secret-telling app. They used Tellonym. Somebody in the school asked people to send gossip or confessions about the school students to Tellonym and then somebody else cross-posted it to Instagram so that everyone could see it. What the school kids were doing was they were rating each other. It was "hot" or "dog". You were either hot or you were a dog.

Kevin Brennan: That is how Facebook started, isn't it? It is exactly how Facebook started.



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Dr Gerrard: Exactly. It was “hot” or “dog”. She completely changed her personal aesthetic, which was deeply rooted in her racial identity. She completely changed that. She came to school in very dark, drab clothes, very baggy clothes, because she did not want anyone looking at her body. In her formative adolescent years, it completely changed her relationship to her body. Yes, the bullying is happening but it is—

Kevin Brennan: It is like “Gossip Girl” on stilts, basically, isn’t it?

Dr Gerrard: Yes.

Kevin Brennan: That is what we are talking about, yes.

Dr Gerrard: It is “Gossip Girl”.

Kevin Brennan: On stilts because it is even worse.

Dr Gerrard: It is quicker than “Gossip Girl” was, yes.

Q292 **Kevin Brennan:** I know that this is not directly about influencers, but we are also looking at this issue, as you know. What should people who are responsible for public policy, like us for example, recommend should be done, if anything, about these sorts of apps?

Dr Gerrard: I have written about this. There was a *Wired* piece that I wrote about this, where I make this exact argument, but I will condense it for now.

My view is that every new social media start-up, particularly ones with risky factors baked into them—5Rights does a lot of this risky by design work, which I really admire—from the very beginning we should know that they have sufficient content moderation teams. We should know that they are working with external experts and advisers, and they should arguably be named. You should have to have bare minimums for us to know that the app is going to be safe. At the moment, when an app gets too dangerous it is the app store that takes it down. It makes me ashamed that private companies take down private companies. What are we doing if we are not the ones who are taking them down ourselves? I think that every app needs to have content moderation safety built into it from the get-go, especially secret-telling apps because they are so popular with children. It is just such an underdiscussed area.

Q293 **Kevin Brennan:** Professor Livingstone, do you have anything to add to that point? To keep things brief, because we are running quite late, the other thing I wanted to ask about was advertising content and whether or not the relationship with influencers is sufficiently transparent. I think we have discussed that a little bit already, so unless you have anything to add on that point, do you have anything to add about the secret-telling apps and what should be done about them?



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Professor Livingstone: I completely agree with Ysabel's recommendation. We have said that the advertising from influencers should absolutely be clearly demarcated from other kinds of content.

Kevin Brennan: I think I will leave it there. Thank you.

Q294 **Jane Stevenson:** I am disturbed about the secret-telling app. To think that a bullied child will go home from school and get more of the same is awful. Is there is a mechanism where children are educated to report if they are the victim? Is there no central place they could flag up to get it taken down, which seems an obvious thing?

Back to influencers, which is our subject today, do you think that harmful or problematic content that is affecting young people's mental health is more common to be generated from an influencer than other forms of media? Is it more prevalent?

Dr Gerrard: It is a really good question. It is one that is hard to answer empirically, but we have empirical evidence to suggest that there are often lots of comparisons between people's relationships to their bodies and seeing images of other people. Whether that was on films, television, magazines, advertisements or social media influencers, there is always this argument, "Isn't it just more of the same? Haven't we always had this?" Yes, we have. We have always had eating disorders and body dysmorphia. We have always had these problems.

Evidence is suggesting that because on social media you are seeing images of your peers, you are seeing images of your equals, and even though influencers are kind of discursively positioned as not being equals to you because they are influencing you, supposedly, and you follow them, young people are following relatable people. If a young person were to see an image of someone and it is a false image, it has literally been manufactured on an app like Facetune or Perfect365, that is what young people in some studies are indicating as the harm here. It is not necessarily just seeing bodies.

I hope that we all in this room know that one image, one platform, one form of media cannot cause an eating disorder. Any eating disorder charity or medical professional will say that. However, there are contributing factors and that is what seems to be unique about influencers. You are seeing pictures of people who are like you, and the harm comes in if those pictures are fabricated.

Q295 **Jane Stevenson:** To widen it a little bit, could and should social media platforms be limiting access to certain influencers or is it just about information and making sure they know if an image is doctored and unrealistic?

Dr Gerrard: Can you give an example of what you were thinking of, like who you limit?

Jane Stevenson: If a certain influencer—I cannot name any,



surprisingly—repeatedly was posting something that was so distorted, I do not think there is a mechanism to tell when it reaches a benchmark. This is perhaps an issue, so maybe it is impossible.

Dr Gerrard: It is impossible and social media companies should not be in charge of policing people's bodies. It is not the job of a platform to say, "Do you know what, your body looks like it is not real so we are going to take you down". Platforms should not be making that decision at all. I think the second part of your point is the correct one, which is that it is about the information and the labelling. I think that is why the Norwegian Government went in the direction that they did.

Q296 **Jane Stevenson:** Professor Livingstone, do you think the same direction is needed in labelling?

Professor Livingstone: I agree with what has been said. There are lots of options available to both platforms and influencers but also to regulators. Lots of them get wrapped up in the idea of the duty of care, which, for example, includes enforcing platform terms and conditions. Platforms will say, "It is against our terms and conditions to have influencers who promote unhealthy eating practices", for example, so then the regulator—in this case Ofcom—would not be saying, "You take down this or that content" but, "You enforce your terms and conditions". Then the platform is expected to do so and to be transparent and accountable for how it does so.

Similarly, a duty of care can require that platforms provide adequate reporting. Indeed, the regulator itself could provide backstop reporting so that children have somewhere to go when they see something problematic, because at the moment they haven't. Insofar as those reporting functions have been offered by some platforms, and not the new under-the-radar ones, children say over and over again, "It is not effective. I report it and nothing happens. I don't get the help that I need".

Reporting, remedy, transparency, and adhering to terms and conditions is what is so important about the duty of care that applies to platforms. It does not quite apply to influencers, so this is to put the pressure on the platforms more than the content providers.

Helen Wills: I think that the platforms need to be held much more accountable for the type of content they allow. There are reporting procedures on the more established platforms but they are very rarely upheld. It is very benign. They allow pretty much everything.

I am thinking particularly of body image and expectations on young people. There are a plethora of accounts promoting it. In fact, there is one called "Teeny Tweeny Bikini", something like that, and it is young girls posing provocatively in bikinis. Girls will submit their own photos to be uploaded to this account. I have reported it on numerous occasions. It is not the only one. My son, who is 14, has said, "Mum, there is no point



reporting it because there are hundreds of these accounts". It has been described among influencer communities as porn for eight-year-olds because that is where it begins. We report them, as influencers. Most of my colleagues are parent influencers so we are pretty responsible about things like that. We report it and we immediately get told it does not violate community guidelines, but it is having damage and it is entering children into an arena that they should not be part of.

Q297 Jane Stevenson: Dr Gerrard, I know that after "The Facebook Files" you said that Instagram was targeted as being especially damaging for mental health. I think you said you were inclined to be slightly less perturbed by the findings themselves and more concerned with how Instagram had handled them, which is an interesting observation. How do you think that should be shifted? With body image especially, I worry about my niece and I am sure you worry about your daughter. Is it just girls? Are boys now becoming sucked into this whole Instagram and looking perfect? I have noticed since I was young, when we just worried about looking a bit like someone in Bananarama, nowadays it is hours and hours of trying to look like a very specific ideal. Is there a risk that boys are catching up with girls now?

Dr Gerrard: Yes. The whole point of Instagram is to look picture perfect. It is a highly aesthetic platform. Instagram markets itself as that, and that discourse is something that would be experienced by everyone across the gender spectrum. It is often underreported that I think 25% of eating disorder sufferers are men, and I believe bulimia among men is on the rise. I am absolutely not implying that these things are directly uniquely connected but it just speaks to your point. There are crises along the gender spectrum and it is young girls who are often the focus, especially in the press. It is, "Girls are affected, girls are affected", and it is everyone. The reason why I said I was more perturbed by the—what did I say again?

Jane Stevenson: The way Instagram had dealt with the allegations.

Dr Gerrard: Yes, the way it handled them. It is hard to talk about "The Facebook Files" because at the end of the day we do not know how that research was conducted. I don't know anything about the methods or who gave ethical approval. I find it hard to talk about it because we talk about it as though it is legit research. I am not saying that it is not true and I am not defending them in any way, but it is not real research. It is not research in the way that it would be done at a university. They are findings and we need to talk about them. I think it is morally wrong of the company that that was not shared with the public and that that was privy to people who are internal, but what worries me a bit more is that we know nothing about how the research was conducted. I feel like I cannot even offer substantive comment on it because I do not know how it was done. It is difficult.

Jane Stevenson: Professor Livingstone?



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Professor Livingstone: Sorry, I have forgotten where the question began.

Q298 **Jane Stevenson:** It was sort of around how media platforms are reacting. There may be a broader question about the effect of this body image on young boys and men as well as young women.

Professor Livingstone: In the world of clinical and mental health there are huge levels of concern about young men and boys as well as girls and women. There is also now an important and nuanced discussion about the multiple factors in society that are leading to today's mental health crisis, including the difficulty of getting mental health support professionally when you need it. The sense that young people are spending so much time a day engaging with content and influencers that has the consistent message that what you look like matters and these are the standards and so forth, as Ysabel said, is going to be a contributing factor among others. It might be the factor that is most easily open to intervention. That might be where some kind of regulation can make a difference.

Helen Wills: It is an anecdotal point but the hot Christmas gift wish among 13 and 14-year-old boys this year is a gym membership. They are as obsessed as girls, if not more so, and it comes from the girls who think they should look like that. It is the whole toxic masculinity argument. As you say, it is a much wider issue.

Jane Stevenson: Yes, I think I would agree with that. Thank you.

Chair: Thank you very much. That concludes our second panel of today's session. Professor Livingstone, Dr Gerrard and Ms Wills, thank you very much for your evidence today. It has been really interesting.