

Science and Technology Committee

Oral evidence: [Impact of social media and screen-use on young people's health](#), HC 822

Tuesday 13 November 2018

Ordered by the House of Commons to be published on 13 November 2018.

[Watch the meeting](#)

Members present: Norman Lamb (Chair); Vicky Ford; Bill Grant; Liz Kendall; Stephen Metcalfe; Carol Monaghan; Graham Stringer.

Questions 551 - 664

Witnesses

[I](#): Anne Longfield, Children's Commissioner for England; Yih-Choung Teh, Group Director, Strategy and Research, Ofcom; and Natasha Devon, Body Image and Mental Health Campaigner.

[II](#): Margot James MP, Minister for Digital and the Creative Industries, Department for Digital, Culture, Media and Sport; and Jackie Doyle-Price MP, Parliamentary Under-Secretary of State for Mental Health, Inequalities and Suicide Prevention, Department of Health and Social Care.

Written evidence from witness:

- [Department for Digital, Culture, Media and Sport](#)

Examination of witnesses

Witnesses: Anne Longfield, Yih-Choung Teh and Natasha Devon.

Q551 **Chair:** Welcome, all three of you; it is very good to see you. Thank you for coming in. First, would you very briefly introduce yourselves?

Yih-Choung Teh: Good morning. It is a privilege to be here. I am group director for strategy and research at Ofcom. I look after our research work, which includes media literacy, looking at how adults and children use media, both traditional as well as online, and understanding their attitudes towards it.

I also look after our strategy function. We track market developments in the sectors we regulate. A dominant theme is the increasing use of communications online. In September, we published a paper building on our experience as a converged communications regulator and the lessons we have learned from broadcasting and on-demand regulation to inform policy debate on how we tackle harmful online content.

Anne Longfield: I am Anne Longfield, the Children's Commissioner for England.

Chair: That is very succinct. Thank you.

Anne Longfield: I will carry on, if you like.

Chair: No; that is absolutely fine.

Natasha Devon: I am a campaigner. The bulk of my work is in schools. I go into about three schools or colleges every week throughout the UK and beyond, working with 13 to 18-year-olds.

Q552 **Chair:** Natasha, you have described the argument that we can blame the apparent rise in mental health problems among young people as being caused by social media as "reductionist." I think that was the word you used. Will you expand on that? Are you saying that is an oversimplification, or that it is a wrong diagnosis? What other factors are we ignoring by focusing perhaps too much on social media?

Natasha Devon: The first thing to be aware of is that social media has had a dramatic impact on the way young people behave, think and see the world, but it is a bit of a leap to suggest that, therefore, it is causing mental illness. If you take as an example self-harm, which in my experience is one of the fastest-growing mental health issues in people aged under 21, the feedback I get from young people is that occasionally the internet has taught them how to self-harm—they have found instructional articles on pro-self-harm websites—but it is not the reason they are doing it in the first place.

My belief is that by focusing so much on social media as a cause we can sometimes take our eye off other things. Anxiety and self-harm in



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particular have risen dramatically since 2010. When you look at what happened in 2010 in terms of the effects that austerity has had on families, we know there is a link between poverty and poor mental health. The lack of funding of schools is making teachers very stressed, as well as the additional paperwork, so children now exist in an environment where there are a lot of stressed adults around them. We have also lost things in the school system that we know have a therapeutic value. In the state sector subjects such as art, music, drama and sports have been systematically squeezed out.¹

If you put all that together, you create an environment where it is very difficult for young people to enjoy a good level of mental health, even before you take social media into account.

Q553 Chair: Perhaps this is a question for Anne and Natasha. When you talk to children and young people in schools, colleges and so forth, what are, in their own words, the harms they worry about most in social media?

Anne Longfield: You will probably get from all of us as a starting point that there are positives and negatives. Social media might not cause a lot of these issues but amplify them and put a finer focus on some issues. There is 24/7 communication; the feeling that there is a narrowing sense of what success looks like; and the sense that you have to be popular, look good and keep up appearance. It is all those things. Those are certainly some of the negatives that young people talk about. There is the feeling that you cannot turn off because somehow it would be socially damaging, and the fact that when you log on in the morning everyone has chosen what they post online and what they look like.

Q554 Chair: There is an intensity.

Anne Longfield: There is an intensity but also a false presentation of the world. People generally do not post something when things are not going well. A lot of 11 and 12-year-olds have told me that they would never put a photo online without a filter, and until you have looked at the difference that filters can make it is difficult to see quite what that means.

Yes, there is overuse. We know from various figures about the extent of overuse and that that can have impacts on mental health, but there is also the content.

There are huge positives: support and friendships. The learning you can get online was unimaginable 10 years ago, but some of the negatives about content around things like self-harming are clearly there.

¹ Note by witness: When I spoke about the impact of austerity and education policy on mental health I should have added to the list –

1. Increased testing;
2. Cuts to CAMHS and social services meaning schools and young people have very little back up in terms of additional support within their community.



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We are where we are, and a lot of my emphasis is about giving children emotional resilience to be able to manage their time online positively, but also to look at other people—schools, Government and social media companies—who have a role to play in providing a positive platform for children to be able to get the most out of it rather than be drawn into and sink into that negativity.

Q555 **Chair:** What about concerns regarding cyber-bullying? Does that get raised with you as well in a direct personal way?

Anne Longfield: Yes. Again, it has not caused it. There has been bullying forever, but what cyber-bullying does is allow individuals to track that person. They can never get away. Back in the day, we would go home from school, things would settle, and we then come back and it would be another day. Young people talk to me about the constancy of it throughout the evening into the early morning. It can get to you in your home as you are falling asleep and beep away throughout the night. Unless we take preventive action to stop some of those things—blocking, turning it off and all those kinds of things—cyber-bullying has a direct effect. Bullying in any sense is awful; it eats away at your confidence and sense of self, but cyber-bullying gets you wherever you are, and that is particularly dangerous.

Q556 **Chair:** Natasha, focus on anything additional to what Anne has already said, and on how we best respond to the issues that young people talk to you about.

Natasha Devon: It is interesting that there is a big discrepancy between what parents and young people identify as the main issues on social media. When you speak to parents, they are concerned mainly about things like pornography, the sexualisation of young children and the relentlessness of it. For example, if you have 30 people in a WhatsApp group who are constantly texting one another, that can start to interfere with sleep because you end up messaging into the night. The fact that young people very rarely bring up either of those things shows the extent to which that has been normalised.

Q557 **Chair:** It does not necessarily mean it is not a problem.

Natasha Devon: Absolutely. It is a bit like the analogy of the frog in the pan. If you try to put a frog into a pan of boiling water it jumps away, but if you put a frog in a pan of cold water and bring it to the boil it stays there until it boils to death because it does not feel the incremental increases in temperature. I think that is a good analogy to explain what is going on with those two things.

Chair: Please do not experiment with that at home.

Natasha Devon: It is not something that I recommend.

Young people talk to me a lot about two things. The first is the need that they feel to compare their reality with other people's highlights reel. New



evidence shows that, if you are a passive social media user and scroll through without interacting, commenting and having conversations, that is when social media is most detrimental to your wellbeing.

Unlike more traditional forms of bullying, there are no structures in place to identify and have restorative justice or punishment, whatever it is, for cyber-bullying, because it is very difficult for anonymous users to be tracked. Even if the young person knows exactly who is targeting them online, if they cannot prove it, their school cannot intervene in the same way as it would if it was three-dimensional bullying.

Yih-Choung Teh: Perhaps I may add a couple of points to support both those comments. Our research this year into cyber-bullying on social media, which will report in the coming weeks, shows that the key age group—we are looking at different age groups—is probably 12 to 15. We put the 16s with adults. Among those 12 to 15, about one in 10 say they have been subject to bullying on social media. That is roughly the same as reporting on face-to-face bullying.

In terms of the “popularity” point on social media, about four out of five say they feel pressure to appear popular. That seems a bit more acute among girls than boys. Some of the qualitative research is fascinating, as I think Anne pointed out. I think you had similar evidence from young people at an earlier session on the curation of social media profiles. More than half of 12 to 15-year-olds say they appreciate that images and videos are designed to make someone look more interesting than perhaps is the case. In some cases, some individuals seem to have multiple social media profiles designed for different audiences, so those that are most widely accessible will be the most curated for a tighter circle and may be a little bit closer to real life.

Anne Longfield: We did a piece of work earlier this year about eight to 12-year-olds. There seemed to be a real change in the use of the digital world.

Q558 **Chair:** Do you mean through that age range?

Anne Longfield: Yes. It is obvious when we think about it, but it was only when all this emerged that it was glaringly the case for me. For eight to 10, it is about family, friends, fun and games, and showing pictures of pets, family occasions and the like.

When children approach secondary school—certainly the first year—they described to me an avalanche of pressure. Suddenly, it became much more socially important; it became the actual platform where your popularity or success was decided. In particular, if you think you are going into a big school, possibly with lots of new people around you, that is a really stressful time anyway. I have had young people say they were overwhelmed with requests to be WhatsApp friends. The largest one I heard of was 500 on the first day, but there was the feeling that you



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were ill prepared for it. Just as you were going through a new stage in your life and a new environment you got an avalanche of pressure.

Q559 **Chair:** No one is guiding you.

Anne Longfield: Absolutely. The huge message to me was to prepare children in year six of primary. I have seen some really good examples where secondary school age children go back to primary schools and say, "If I'd known this, then this would have helped." I think peer education is a really important part of the whole solution.

Chair: That is very helpful.

Q560 **Bill Grant:** Natasha, you did not excuse social media but focused on austerity and poverty, and the link to self-harming, mental health and so on. History tells us that in the '20s, with the general strike, the recession in the '30s and the post-war austerity in the early 50s we had that element of poverty. I do not recall being told that we had mental health and self-harming issues, but what we did not have in those decades were the social media platforms. How would you explain the introduction of social media platforms and today's self-harming and mental health problems, unlike previous decades?

Natasha Devon: Two things are different other than social media. First, great work has been done in reducing stigma. I do not think we had an accurate picture of how many people were suffering from mental health problems in decades past because our understanding of mental health was so very different, but what has been lost is community. One of the human psychological needs is belonging. In a world where parents are increasingly working very long hours just to make ends meet and we do not have that much three-dimensional interaction any more, a lot of young people would not identify it in this way, but as an outsider I do not believe they have the same supportive network around them that children had in the past.

Anne Longfield: Every aspect of life is very complicated. Family structures are very complicated and mobility of families is very complicated, and when you place on top of that the changes around social media and the focus on the individual and narrow focus within it, you get a bit of a toxic mix.

Q561 **Bill Grant:** The big player and massive change is social media.

Anne Longfield: Social media certainly allows us to shine the light on children's mental health. I agree that it is not caused just by social media, but clearly it plays its part.

Q562 **Chair:** What do we know about those who are most at risk from harm in relation to social media, because not all children are the same and some would be more resilient than others? What evidence do we have so far?

Anne Longfield: There are children who are vulnerable to poor mental health and will be particularly affected by the things we have been talking



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about, such as a narrow prism of success. There are children who will not feel resilient in terms of their own confidence and self-esteem. You tell the story of children scrolling down and almost watching the world go by. I have seen children do that for hours. They get into the habit of going online and always scrolling through and watching everyone else. Not only is that dispiriting but it eats away at them.

Q563 **Chair:** It almost implies a lack of self-confidence to engage themselves.

Anne Longfield: Completely. They select themselves out for negative reasons.

There are other groups, such as children in care, where there is a very messy picture around social media generally. A lot of local authorities have worried a lot about the risks of social media and children who are living in the care of the state. Today, some are probably almost a decade out of date. They cannot get access; they cannot get online, often with valid safety intentions, but not always with solutions. You can imagine that, in a society where you are able to go online and expect to have all the benefits that brings, you are marginalising those children further.

Q564 **Chair:** Therefore, exclusion from social media in itself is a potential risk.

Anne Longfield: Yes. Residential children's homes often do not have wi-fi or are not online in any adequate way. Foster carers will often be quite worried about it and will be quite risk-averse to it. You can imagine why, because obviously these children are in very sensitive situations, but given it is the norm for the vast majority of us I think we need bolder solutions.

Q565 **Chair:** Presumably, there is also a subset of children and young people who are more at risk of grooming online.

Anne Longfield: Absolutely. You will get children who are vulnerable in their own right but are also, as you say, at much greater risk of grooming. NSPCC figures particularly highlight private chats and live-stream videos. The numbers are horrific. One in 10 children involved in video streaming have been asked to take off their clothes. It is a lower amount for live streaming, but that is a dreadfully high figure and it is growing.

Natasha Devon: May I mention gender briefly? One study—forgive me, I cannot remember who did it—showed that girls report higher levels of dissatisfaction after using social media than boys, but I think that focused only on things like Instagram and Snapchat. With boys, the major danger zones are online gaming—particularly for radicalisation—and pornography. Some interesting research came out of the University of Cambridge showing that two groups of children are particularly vulnerable to pornography addiction. One is zero-tolerance households where they are taught that looking at any kind of porn or sex is completely shameful. These are often people who come from very strict religious backgrounds. The other is the polar opposite, the completely



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Bohemian household that just lets them do whatever they want. The evidence shows that what children need are boundaries with a little bit of wiggle room.

Anne Longfield: Children have said that half of all the times they have seen unpleasant content such as porn they have not looked for it; it has come to them—it has popped up. One thing we were discussing outside is where you have children who give a wrong age and pretend to be older to get on a site. When they are older—say, 15 or 16—they will be getting access to adult content.

Chair: We will come on to age verification a little later.

Q566 **Stephen Metcalfe:** There is a lot of emphasis on preparing children and young people for a digital life—on making them digitally literate. What do you think digital literacy actually means? What are the boundaries? What should we be teaching them, and at what age should we start?

Anne Longfield: A report I put out earlier this year, “Life in Likes,” which dealt with eight to 12-year-olds, focused heavily on emotional literacy. Schools seem to have done a decent job in looking at safety online. Children will now tell you that you should not put out a photograph of you wearing your uniform. People go to great lengths to trace you.

Safety within school has really progressed, but the emotional resilience to be able to deal with it is not there yet. The key age for me is about year six and year seven. Beyond that, it is to do with the mechanics: how it works and algorithms. You do get targeted with stuff. It is not just everyone getting this. There are things coming your way because the machine is set up to work out what interests you.

There are things around terms and conditions and knowing what you are signing up to. We did a big piece of work last year with lawyers that reduced and simplified terms and conditions from 17 pages to one. Of course, when people read it and it says, “We own all your stuff and we’ll do what we like with it,” it gets a different response. That is probably not the thing that will make us all turn off, but it might make us think twice about what we are doing.

Q567 **Chair:** Is there any evidence about the number of people who even reading one page of information before consenting actually choose not to consent? Does not everyone say they consent?

Anne Longfield: That is why I think that when it pops up on your phone and you are busy, trying to get somewhere and you just want to get on, you accept, but if you do it in schools as part of a broader education piece it is different. When we produced teaching resources and tests, 3,000 teachers downloaded them on the first morning. When I meet children in school, they often tell me it is the one thing they have actually looked at.



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You need simplified terms and conditions but also the ability to report and know what to expect, trying to shift the balance of power from the five or six big global companies, which dominate children's lives in this way, to children who essentially are consumers. If they walk away, those companies have a problem, so it is a matter of trying to give them the education and resilience they need to be able to manage it and, with that, the ability to talk about what to do with unpleasant content.

Natasha Devon: I would like to see some education given to parents as well. Was your predecessor Margaret Atwood?

Anne Longfield: Maggie Atkinson.

Natasha Devon: I was listening to your predecessor. She was saying that five-year-olds are about 18 months behind where they were in terms of cognitive function. She thinks this is because so many parents are not making eye contact and interfacing with them because they are on their phones. You see people pushing prams while on their phones. Maybe as well as targeting children we need to help adults think about this.

Q568 **Stephen Metcalfe:** How would you do that? It is a great thing to say, but at what point do you intervene? Is it part of prenatal training?

Natasha Devon: That would be good.

Anne Longfield: I would have it as part of antenatal education and parenting courses because you are a parent whether or not your child is online. There is something in our heads. We understand what being a parent is when we look at the physical environment. When children go online, parents have not kept up to date with where they are; they literally do not know what they are doing at various points.

There is also a sense of security. You might have done your best to parent. You have been working hard and you come home; you have dinner on the table and so on. It comes to 9 o'clock and your child says, "I'm going to prepare for school," and all is well, but we know that the danger zone is the two hours from 9 to 11. For those two hours they disappear and go quiet, and that is when they are online.

Parents have a lot to do not only in setting boundaries but providing a role model. Putting a phone in a box at some point is testing for adults, just as it is for kids, but I would like to see a lot more of that.

Yih-Choung Teh: I definitely think there is more to do in parents' education. I was quite surprised by some research that suggests that seven out of 10 12 to 15-year-olds take their mobile phones to bed and in some cases watch content to fall asleep, which does not seem ideal.

On your question about digital literacy, in addition to that for children in the 12 to 15 age group I wonder whether part of it is about critical understanding of the content they see and where it comes from. The provenance of content is an increasing issue in the context of news. We



have been doing research on news consumption among the 12 to 15 age group. It is fascinating to see their brand recognition and the trust associated with it. The BBC comes top of their list for what they recognise as news. There are quite high levels of trust—up to 85%—but most of the other brands in the top 10 are social media where trust levels are half that. There is real confusion about what is and is not reliable.

Q569 Vicky Ford: I understand the point about better relationships between parents and teenagers, but 12 to 15-year-olds can be quite challenging to parents. If you say that parents need to start taking phones away from their children at night, I do not think that is really where I want to get to on this. What other tools could we give to enable parents to do that better? Presumably, the parents are paying the contracts on those phones, so phones can automatically deadlock. You have parental blockers and controls like those introduced for the internet. Perhaps we could have more tools like those to help parents.

Yih-Choung Teh: There could be a combination of technological tools. You can block certain devices at certain hours, which you can deal with on most routers, but I agree with you: I am not sure that really solves the issue in having that relationship and conversation. Increasingly, parents are saying that part of their mediation strategies are not just those very blunt things but trying to talk through some of these issues.

Anne Longfield: A lot of parents tell me they know quite well the inside of a router and can find the thing you pull out, but we produced something called the Digital 5 A Day, which I can tell is going to fall into your “nice but it’ll never happen” mode, but that is one element of how you get a healthy balance and partly why it is so important to start young with the kids. You are talking to them at nine, 10 and 11 rather than trying to negotiate with a 15-year-old.

Q570 Vicky Ford: I am not saying it’ll never happen. I’m saying some will manage, but clearly others will struggle.

Natasha Devon: If you have a strong relationship between school and parents, it is really helpful. There is a charity called Childnet. Its research found that young people’s greatest fear is having their technology taken away from them as punishment, so they very often do not confide in teachers and parents about things like cyber-bullying. It recommends that in a school all the parents in a year group have an agreed cut-off point for when technology is taken away and it is enforced in school. Everybody knows that this is when everyone comes offline.

Q571 Chair: Do you mean during the school day or at night, or both?

Natasha Devon: At night, but all the parents in the year group have agreed to it. You do not get the fear of missing out, because no one is online after a certain time.

Q572 Stephen Metcalfe: Obviously, there is a lot to be done in this space. Improving digital literacy in all its guises, whether it is trust or



understanding the impact it has on you, is vitally important. I have a concern that the age at which people start to interact with social media is getting younger and younger, and that, therefore, targeting years five and six may well be too late. If you are posting content, a lot of this content can live with you forever. I know there is a right to delete, but it is out there and someone else has it. The Government are consulting on their PSHE guidelines. Do you think that goes far enough and is broad enough and flexible enough to adapt to a changing environment?

Anne Longfield: They are consulting at the moment and there has been a commitment that digital education and relationships and sex education will be part of that, which is good. I think the proof of the pudding is in the eating. There need to be specialist people. Often it will be older kids doing this. It cannot just be mechanically taught. It is better if the whole school is taking an approach, which is why it is so great if a school does this and everyone shuts off at 9. A lot of schools have been quite proactive in keeping smartphones out of school as well.

I think it works best when it is a whole-school approach. There is so much to be gained by the school being engaged and taking a lead, which will really help families and get through some of the tense arguments. No one wants to turn off their children's phones when they are the only ones.

I think it is there to be delivered. However, at the moment I cannot say to you that it is all covered and sorted. I would like there to be consistency across schools where it is not reliant on the will of the school, or the interest of the school, and whoever gets to teach it, which we know in the past has been the geography or PE teacher.

Q573 **Chair:** Is it your view that at the moment it is pretty chaotic out there and every school is doing its own thing and there is no consistency?

Natasha Devon: PSHE is not funded, so you do not have specialist teachers. They do not have resources. It would be really useful to train teachers in the technology—often, students' understanding is greater than that of their teachers because they have grown up with it—but that requires money and investment.

Anne Longfield: Are you saying it is inconsistent in terms of their response to tech, digital and screens?

Q574 **Chair:** Yes. Every school is different.

Anne Longfield: Every school is different. Everyone will have had some policy. Some of it is, "Keep it in your bag if you can"; some is quite hands-off; some say there should be no smartphones in schools. They allow an old brick phone, a little 10-quid phone that you can use to make phone calls, although I have been to schools that do not even allow that during school time. The children I have spoken to in schools in north London work with teachers and parents. Children like that time in school when they do not have those pressures. It is not something you could



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impose without being able to bring people with you to make it effective, but there is a real role here for schools to be brave and bold and have that kind of leadership with families about access to screens in schools.

Q575 Stephen Metcalfe: The jury is out, and we will wait and see what the Government propose.

Do you think that preparation for transferring from year six and the top end of primary school to early years secondary school has some merit?

Anne Longfield: We might need to start earlier, but it is time when you need to be helping kids develop that resilience to be able to take on the big school. I would have a whole range of things that help them to prepare. We know that some schools do it more thoroughly than others. For some it is a visit; for some it is a chat. But throughout that whole year I have been impressed by schools bringing pupils from secondary schools into primary schools and getting them to talk about what life is like in the school. Obviously, that will cover a range of things that are really important, including digital. Some children talk about before and after; they have been in school before, when screens were in, and they have been there since screens have been taken out, and they will talk about the difference it has made. Whatever the policy of the school, children need to be ready to deal with what comes next. At the moment, that kind of education in years six and seven just is not consistently there.

Natasha Devon: The teenagers I speak to when they have been involved in programmes like that identify them as one of the most helpful things for their wellbeing, so it has benefits at both ends.

Q576 Stephen Metcalfe: Ofcom does a lot of research on media literacy, digital literacy and so on. What do you do with all that research? Tell us that first, and then I have another question about the points at which you categorise people.

Yih-Choung Teh: As you say, we have quite an extensive research programme, which is both quantitative as well as qualitative. One of the interesting things about qualitative studies is a programme called Children's Media Lives, which we have been running since 2014. It follows, as much as we can, the same 18 individuals aged from five to 15.

Q577 Chair: Do you publish all that?

Yih-Choung Teh: Yes. We publish that research annually. We try to disseminate it among lots of different organisations—Government Departments, other regulators, academics, charities and those going into schools. Our aim is very much to try to provide a solid base of evidence and research so that we can pass the baton to others who are better able to take that forward—for example, mental health experts or whoever else.



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Q578 **Stephen Metcalfe:** You have no responsibility to improve digital literacy yourselves.

Yih-Choung Teh: Our responsibilities are quite broad in this area. What we are looking to do is focus on areas where we feel we have particular strengths and skills. We are looking to try to promote digital literacy among media literacy more broadly, but we recognise there are others who may be able to take that further.

Q579 **Chair:** You have a statutory responsibility.

Yih-Choung Teh: We do.

Q580 **Stephen Metcalfe:** You talked earlier about the way research is done, with 12 to 15-year-olds being treated as one group and 16-plus as adults. Do you think that is appropriate?

Yih-Choung Teh: We have a wide range of research that covers both children and adults. Among the groups we consider, which in part is about tracking certain school age groups as well as consistency over time, are three to four-year-olds, five to seven-year-olds, eight to 11-year-olds and 12 to 15-year-olds. Our adult media literacy work covers 16-plus.

Q581 **Stephen Metcalfe:** When was that last reviewed? Do you think that 16-plus is the right point? That is a very broad group for adults, especially as things changed quite a lot in those years? You need to stay at school longer. I am not quite sure that is really where adulthood starts these days.

Yih-Choung Teh: If your question is whether there is a specific age group—all teenagers from 16—which might merit some particular focus, it is a matter I would have to take away and ask where we are.

Q582 **Chair:** Will you come back to us on that?

Yih-Choung Teh: Yes, by all means.

Q583 **Vicky Ford:** I want to try to understand why there has not been more comprehensive oversight or regulation so far. Ofcom's current remit does not extend to social media companies and content regulation. Given there is a huge issue here and reach, why do you think there has not been such oversight or regulation to date?

Yih-Choung Teh: I would start by observing that you are absolutely correct that different levels of regulation apply to different areas. Just to make that concrete, perhaps we can take a particular programme. ITV's "Love Island" is very popular with young people. You might be watching that on the same device. If it is live streamed to your tablet, that would be subject to the full gamut of broadcast regulation, which we oversee. If it is a catch-up or on-demand service, such as ITV Hub, that is still subject to regulation, but a smaller set of regulation, which we look at. If you are watching a clip on YouTube or Facebook, there is no regulation at present other than general law.



Q584 **Chair:** Why the complete inconsistency?

Yih-Choung Teh: We referred to that as a standards lottery, which I think is an issue. I suspect it is confusing to most people. Why is that? I think it is largely a product of how quickly technology and behaviours have changed in this space. It is sometimes hard to remember that about 10 years ago we barely had the iPhone or BBC iPlayer. Netflix did not really come along until about 2012, and Amazon Prime after that. The world is changing very quickly in a way that is particularly true for younger people. I suspect the reality is that it is difficult for legislation to keep up. As those rapid changes happen, we have a regulatory scheme that was not really designed in this way.

Q585 **Chair:** Would you say there is a need for not just this Government but Governments generally to catch up with the pace of these dramatic developments?

Yih-Choung Teh: I think that, because of the example of standards lottery, there is very much an issue about whether there is a need for regulation to be more consistent and offer protection across a wider set of platforms. I think that starts with a consideration of what the harms are and what you are looking to achieve, but there is definitely a question that requires to be looked at.

Q586 **Vicky Ford:** Is that true in other countries, or is it just the UK?

Yih-Choung Teh: This is a global challenge where lots of different jurisdictions are looking at these questions. The European Commission is looking in its audiovisual media services directive at applying regulation to so-called video-sharing platforms like YouTube. Other countries are looking to take steps in a similar direction. I think we are all having a bit of a debate about the best way to try to tackle these issues.

Q587 **Vicky Ford:** We may be having a debate, but clearly things are moving on and we need to be faster. What do you think we should be doing to be more proactive to look at the harms and make sure that we as legislators are getting ahead of them?

Yih-Choung Teh: There is a combination of both legislative and non-legislative steps that can be taken. On legislation, from our experience in broadcasting we do think there are benefits in applying a greater degree of transparency to what platforms say their standards are and holding them to account with meaningful enforcement and sanctions.

On non-legislative steps, I would observe that we can drive greater co-ordination. That is an issue that you have raised through bodies like the UK Council for Child Internet Safety—we are on its board—which brings together about 200 different organisations.

There are things we can do to drive our collective understanding and make a difference. There are some specific things like discussion around a social media code of practice. It is interesting to observe that different



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platforms have different community standards. Some of those offer greater degrees of protection than others. That is not clear to different young people. One of the interesting things from the research on social media is that Facebook is still the most widely used. That is coming down, and in the past year we have seen a rapid rise elsewhere. About two thirds now say they use Instagram and WhatsApp, and the standards of protection are different.

Q588 Chair: The only thing you mentioned for legislation was transparency. If that is all you did on a legislative basis, you would still have a standards or regulatory lottery, would you not?

Yih-Choung Teh: Indeed. I do not mean just transparency. In our paper in September we set out a number of principles that we thought important. They included protection for people viewing content, but also freedom of expression, which we have had to wrestle with over the years—it is a very tricky balance—as well as ensuring innovation in these platforms. We think that, for this to work well, self-regulation probably takes you only so far, because ultimately the commercial incentives are somewhat different. Therefore, having a backstop regulator with a statutory underpinning that can call someone to account in terms of meaningful enforcement as well as transparency is important.

Q589 Vicky Ford: Apart from transparency, what other areas should be regulated—for example, false content, fake content, misleading content and dangerous content?

Yih-Choung Teh: Indeed. What has worked well in our view in the broadcasting space is Parliament setting some high-level objectives for the problem we are trying to address that give the flexibility for that to adapt over time, partly because context, social norms and understanding of what is offensive language or not have changed over the years. We will then be able to adapt the broadcasting code in a way that takes that into account. I think it starts with Parliament setting out some high-level objectives that are principles-based so that there can be adaptability.

Anne Longfield: I have been pushing the tech companies for a couple of years now, with limited success, about them taking more responsibility for their platforms being a positive environment. There has been a change of tone and some movement, but not enough. We should remember that this is one of those areas where the internet absolutely was not designed for children, but they are one of the biggest groups within it, so we need to make sure that there is protection for that vulnerable group in their own right. I would like there to be—it is something we are going to develop ourselves—a duty of care for media companies.

Chair: We may well develop that a little further.

Q590 Liz Kendall: The Government are to produce a White Paper this winter on social media regulation. You say that Parliament needs to set out



principles. What do you think are the five areas that Parliament should legislate for, and do you think Ofcom should be the regulator?

Yih-Choung Teh: To take the last part first, I think the question of institutional arrangements is very much one for Government and Parliament. We do not have views on that. I think that the approach the Secretary of State for DCMS is taking seems a sensible one. He has articulated a desire to set out and identify what the harms are first and then look at the options before getting into the question of who is best placed to do that role. That sounds like a sensible approach.

On the first part of your question, it strikes me that there is a wide range of different concerns. That is a question that this Committee and others will need to engage in in terms of the priorities. Our research suggests that the protection of children is right up there. That is a very large concern for society as a whole, but there are obviously other concerns. The DCMS Committee has been looking at the question of fake news and the implications that has for democracy. There are a number of questions to set out.

Q591 **Vicky Ford:** Last week, 100 women MPs from 84 different countries were here. We know that women in public life are particularly targeted for harmful abuse and threats online. I was incredibly struck by the fact that, if we think we have it hard here, it is greatly magnified in many other countries, including those that are less developed. Their feeling was that the responsibility needs to lie more with the social media companies to act and that we need global action. What are your thoughts on that?

Yih-Choung Teh: I absolutely agree. As Anne says, while the large companies have started to take steps, there is a long way to go.

Q592 **Vicky Ford:** We were pretty unimpressed with them when they came here, or at least I was.

Yih-Choung Teh: I have also had some conversations with them directly. My observation is that, as Anne says, the tone of engagement has changed. A number of years ago it was very difficult to have much of a conversation in the regulatory space, whereas now I think there is an acceptance that this is a question in which they have to engage and they are doing more, but I agree there is an awful lot more to do. My point is that self-regulation will take you only so far because they have very strong commercial interests.

Q593 **Chair:** Do you engage with other regulators around the world?

Yih-Choung Teh: Absolutely. We engage with multilateral bodies in Europe, but also bilaterally with the French and Germans in particular. It is a global problem; it is not just in Europe. In a couple of weeks' time, I am in Washington DC participating in a panel that is talking about online platform regulation with the FCC and the Canadian regulator, so we absolutely engage with others.



Q594 **Carol Monaghan:** A number of my questions have already been asked, so I will jump to interaction with counterparts across Europe and the world. We have seen recently that in Germany social media companies can now be fined up to €50 million for failing to clamp down on hate speech, for example. Have you had much interaction with your counterparts in Germany specifically about how that has been implemented?

Yih-Choung Teh: We have had some discussions with our German counterparts. I would make a couple of high-level observations. One is that I think that example demonstrates that national law can make a difference and can do something at least. The platforms have engaged at least with that and some obviously illegal content has been taken down. You can take steps.

Q595 **Carol Monaghan:** Is there evidence that more has been taken down? So, is it actually having an impact?

Yih-Choung Teh: There are some statistics about the number of cases brought forward under the regulation on Facebook, Google and Twitter. A proportion of those cases has come down, so something is happening.

Q596 **Chair:** Are there data that show before and after the change?

Yih-Choung Teh: One of the challenges is trying to understand to what degree it is as a result of the law versus the platforms saying they are following their own community standards. Sometimes it is a little hard to disentangle some of those points.

My broader observation is that there have been concerns about it being quite a prescriptive approach. Clearly, it addresses illegal content according to German law. To my understanding, it is reasonably prescriptive in terms of things that fall into that category, more so than in the UK. One of my concerns is always that we have a future-proof system that allows for innovation on what is a hugely beneficial set of platforms for young people and others in terms of creativity and other things, as well as concern about freedom of expression. If some of this is too prescriptive, there is always a risk that the response will simply be to take things down and never engage in that question, which might have other consequences.

Q597 **Carol Monaghan:** Have any fines been applied?

Yih-Choung Teh: I am not sure. I might have to come back to you on that. I think it is still early days. I can come back to you on that.

Q598 **Carol Monaghan:** Are you aware of whether this has required an increase in resources in order to regulate it?

Yih-Choung Teh: That is obviously a question for the platforms directly. My understanding is that they have responded to the requirements by increasing some resources.



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Q599 **Carol Monaghan:** But, surely, there is a role for Government as well because they are the ones that apply any fines.

Yih-Choung Teh: Yes.

Q600 **Carol Monaghan:** Is there a requirement to increase resources at Government level to check that the social media companies are doing what they are supposed to be doing through regulation?

Yih-Choung Teh: Inevitably, there are some requirements on that side.

Q601 **Carol Monaghan:** To come back to regulation in the UK, what powers do you feel a regulator would require in order to enforce a regulatory regime similar to the German situation on companies in the UK?

Yih-Choung Teh: A couple of things come to mind. As I said, it requires a clear objective in terms of what the regulator is meant to be doing, but powers of enforcement are very important because, as the Chair was suggesting, transparency is great, but if that is to be taken seriously appropriate enforcement and sanction need to be sitting behind that. In Germany there are a number of measures, including a €50 million limit on fines.

Another quite important aspect in this space is information-gathering powers. That is something we have felt is quite important in our existing work, whether on broadcasting or telecoms. Ultimately, if you are going to act, some of these companies are very well resourced; they do not mind being litigious. That requires having a robust evidence base and gaining information where you can put together that case. That can often be quite forensic and detailed, and having statutory powers is an important element of it.

Q602 **Carol Monaghan:** That takes us back to what Vicky referred to earlier. Most of us as elected representatives are subjected to online abuse, some of it fairly disturbing. If I were to report that to Twitter or Facebook, I am not confident they would take it down. That does not need any great regulatory powers from Government or Ofcom; that just needs them to take action, and we are not always seeing that.

Yih-Choung Teh: I agree. One of the challenges with this space, the extent of which is not necessarily the same as in our broadcast licensing regime, is the sheer volume and scale of what is going on. To have a regulator that looks at each individual case is very challenging. Perhaps a more appropriate model is the one we have with the BBC. Complaints of the order of 250,000 a year go to the BBC in the first instance and then we look at a number of cases after that almost as an appeals body. That might be one regime.

My observation about information is that it is great if the platform does the right thing by looking at your case, taking action and taking down content, or remedying the situation. In cases where that is not true, what



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happens? Whether it is the regulator or court that catches them, having the ability to request information becomes quite important.

Q603 Bill Grant: The panel touched on the rapid changes to the social media environment. In the light of the Government's responses to their own internet safety strategy Green Paper, do those go far enough to protect young people from online harm? Are there areas of weakness in the proposals or areas that have been overlooked?

Anne Longfield: I have not been a member of the internet safety strategy group. I have just joined it and have not yet been to my first meeting, but, generally, building on the notion of strengthened controls, there is the potential for much more to be done. I think there is an argument about regulation, fixing something here and everything changes and it is irrelevant, but we have given social media companies quite some time to stand up and take responsibility for some of these things. The tone is different, but then it would be because they have worked out that they do not want to antagonise people. I would like to see and have recommended for some time that there is a digital ombudsman for children that performs the role we were talking about, and is a backstop for children who want to report content and have it removed from online to give some balance and back-up to children. GDPR has given some strength to children in terms of better-explained processes and content, but that may need to be refined.

We know that children are particularly susceptible to harmful content. That is another reason for looking at how we can remove that, but I would like it to go to the heart of things in terms of design. When we are designing these platforms, we need assurance that there is safety by design from the start.

The notion that platforms need to take responsibility for content is much discussed. If it was an area of the community, there would be no doubt that that community needed some framework that protected but also enabled children within it. We would not think about dropping kids off at a park gate at midnight, which at the moment is the equivalent of the internet, which is still on the wild west side of things. A duty of care is an interesting notion that has merits in terms of scrutiny.

Natasha Devon: I would like to see a public health campaign around how much social media use is appropriate for different age groups. Alcohol, for example, has benefits and drawbacks in just the same way as social media, but if your eight-year-old was drinking beer at the dinner table you would be rightly concerned. I think there should be information for parents on what is and is not appropriate.

I would also like to see some dots joined up. I am the target of so much misogyny online and it is never picked up in the same way as it would be if I was the subject of racist or homophobic abuse, but that is because misogyny and misandry are not recognised in the same way as hate



crimes. Maybe the Government can take a lead on that, and social media platforms will follow.

I would also like to see the Government do some joined-up thinking with the all-party parliamentary group on body image, because one of the areas where I fully acknowledge social media has had a momentous impact is young people's relationship with their bodies. Body image and mental health are very closely correlated, particularly in young women and girls. For example, if they are watching "Love Island" online, are they going to be subject to a barrage of fitness, fashion and beauty advertising, which will damage the relationship with their bodies?

Yih-Choung Teh: I do not have much to add. I agree that the principle of starting from a place where you have similar expectations online as offline is a good one. In some sense that is my point about the standard lottery that we see. Why is it that just because it is a different platform there should be different regulation?

Having said that, there are one or two areas that require some thought about expectations online. In our space, looking at news regulation we have requirements for duly accurate and impartial broadcasting. Interestingly, when you look at the research, the expectations online are different when it comes to impartial news where people do want to see differing opinions. I think the broad principle is the starting place.

Q604 **Bill Grant:** We are clearly starting on the back foot. I suggest it will be almost impossible to future-proof any regulation. Do you agree? How often should that be reviewed, given the rapid changes you have referred to?

Yih-Choung Teh: It is certainly a challenge and one we have recognised over the years, but the technological change in behaviours that go with it seems to be happening increasingly rapidly. If we can have a principles-based regime, whether through guidance, codes or however a regulator might deal with some of those issues, that can become more adaptable and flexible, does that completely mitigate some of it? I do not know, but at least it puts you in a position where you have some flexibility. Periodic reviews may well be sensible, but I am not sure of the exact frequency.

Anne Longfield: GDPR showed that people will respond to the challenge, and that has had a big impact that we all see. Obviously, these things need to be continually reviewed and, if need be, refined, but I do not think we should be afraid of being quite bold in this area on the basis that we can never tame this beast; it will always be one step ahead.

The framework within which it is operated is very loose and the balance of responsibilities is not where it should be. I think that, 10 or 15 years in, this is the moment to review what we know, to be able to make informed decisions about what further controls are needed. Ten years ago we would not have been able to conceive what this meant, but now I



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think we have the time and opportunity to do that. I think the next couple of years are absolutely crucial.

- Q605 **Bill Grant:** The Government have a proposal for a social media levy. Would that help to fund and promote safety initiatives that would outstrip the current fragmented system of safety, which seems to be all over the place and possibly not working? Would that be a good thing?

Anne Longfield: More money for this would be great and I think they probably can afford it, so on that basis why not?

Yih-Choung Teh: Lots of different countries are thinking about some sort of levy. I do not think I have views on that other than that, as Anne says, this needs to be funded in some way.

- Q606 **Bill Grant:** Do you think companies could sustain a levy? Could they afford it for the betterment and safety of our children?

Yih-Choung Teh: These are generally well-resourced companies.

Anne Longfield: I do not think we should worry too much about that.

- Q607 **Chair:** Yih-Choung, you have talked about the standards lottery. The Digital Economy Act provides for a code of practice. Could this mechanism be used to introduce a principles-based approach and regime of sanctions and perhaps duty of care and so forth, or is it clear that we require new primary legislation if we are to end this standards lottery and introduce consistency across platforms?

Yih-Choung Teh: My understanding is that, if we are to have a statutory scheme with an independent regulator not just for broadcasting with on-demand content standards but which goes into video-sharing platforms and social media, that would require primary legislation.

- Q608 **Chair:** Anne, in your report, "Growing up Digital," you asked for information from Facebook and Google about the number and type of requests they received from minors to remove content, but neither company was able to supply it. Do you understand why? What is your understanding of the position?

Anne Longfield: I was not given an explanation, just that it was not possible. For me, there is a particular issue there, because one of my powers as Children's Commissioner is the ability to request information from any public body and expect it to be given to me, unless there is a particular good reason not to. That was established before we had the digital world to the extent we have, and before we had the big companies that are operating, in my view, in a very public space, which has an impact on the lives of lots of people and children. One of my recommendations was consideration of the extension of my powers to digital companies to be able to demand information and data, and that remains.

- Q609 **Chair:** I think the House of Lords Communications Committee made the



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recommendation, did it not, that you should have powers to request information from these companies?

Anne Longfield: The legal advice at the moment is that I do not, but it is one that obviously we would be keen to clarify and to strengthen.

Chair: Thank you all very much.

Examination of witnesses

Witnesses: Margot James and Jackie Doyle-Price

Q610 **Chair:** May we have the briefest of introductions, starting with Jackie?

Jackie Doyle-Price: I am the Parliamentary Under-Secretary of State for Mental Health, Inequalities and Suicide Prevention.

Margot James: Good morning, and thank you for inviting us. I am the Minister for Digital and the Creative Industries.

Q611 **Chair:** The Health Secretary warned last month that the threat of social media on mental health was similar to that of sugar on physical health. What is the evidence base for that claim?

Jackie Doyle-Price: The comparison with sugar is a good one, because sugar is not universally bad. We need some of it.

Q612 **Chair:** But we have evidence on the risks of sugar. What is the evidence of the impact of social media on mental health?

Jackie Doyle-Price: At the moment, in truth, the evidence is anecdotal. The chief medical officer is undertaking a review of all the international evidence that has been collated and has also commissioned additional research from UCL. We are expecting her to report on that in December. That will build a stronger evidence base on which to draw conclusions.

Q613 **Chair:** So the Health Secretary was stretching a point.

Jackie Doyle-Price: No, I think he was putting a marker down. We know that social media can be a force for good; we also know that people can access content online that is bad for them, which obviously is a force for bad. We are seeing emerging evidence that guidelines around the extent of use and how people use it can have an impact on people's health. We are setting down a marker, which frames the discussions that we are having with social media companies in respect of Margot's upcoming White Paper.

Q614 **Chair:** The Health Secretary—I am not sure whether it was Jeremy Hunt or Matt Hancock—asked the chief medical officer to produce guidelines for parents on children's use of social media. Can you give us some sort of overview of what those guidelines are likely to cover? Obviously, we do not yet know what they will be, but what is the remit for her investigation and what are you hoping to cover in them?



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Jackie Doyle-Price: I do not wish to pre-empt the outcome of the review that she is undertaking, but one key thing that we will look at is the number of hours that people spend online. Even that is a crude measure because, increasingly, schools encourage children to do their homework online, which is a positive thing. There is a headline point about time spent online, but that needs to be broken down a little more carefully.

There are also things about how we look at the technology, and how it stimulates the brain; there is growing evidence about blue light and the extent to which it overstimulates the brain. To be fair, some providers have already hoisted that in and started to develop tools to help people to dim the light on their screens. So, there will be things about technicalities, such as that, but also comments about content and what it is advisable for people to look at, as well as how parents can protect their children.

Q615 **Chair:** Will it cover issues such as the length of time spent using social media in the course of the day or week?

Jackie Doyle-Price: Absolutely. Some of the figures that we are seeing on the face of it seem horrific. For example, 94% of children aged eight to 11 go online for nearly 13.5 hours a week, and for 12 to 15-year-olds it is 21 hours a week—but the extent to which that is harmful rather depends on what they are doing. If they are using it as a way of researching their homework, that is one thing; if they are doing online gaming that is very aggressive and stimulating, it is quite another. The headline point about time spent online needs to be broken down a little.

Q616 **Stephen Metcalfe:** You said that 12 to 15-year-olds spend 21 hours online. Are there any figures for 16 to 18-year-olds, or are they treated as adults? We heard from the last panel that Ofsted treats those aged 16 plus as adults. There needs to be some sort of differentiation.

Jackie Doyle-Price: The figures that I have are from Ofcom

Stephen Metcalfe: That will be why, then.

Jackie Doyle-Price: But I am sure that the CMO's report will go up to the age of 25.

Q617 **Chair:** We are all conscious that risk is greater with some children compared with others; some are more resilient than others. Will the chief medical officer's advice cover guidance to professionals working with more at-risk children in their use of social media, and the particular risks that they face?

Jackie Doyle-Price: I would expect the chief medical officer's advice to be very comprehensive. Given that we are rolling out more support in schools, I am looking to the new mental health support teams to highlight children who are at risk as much as children presenting with symptoms. We need to cover the whole gamut of risks, so we need the advice to be



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comprehensive. But it will have credibility only with the evidence base sitting behind it, as you have already said.

Q618 **Chair:** Did the Department publish the remit for the work the chief medical officer was asked to undertake? Is there any set of guidelines that she has been asked to cover?

Jackie Doyle-Price: The initial request was for her to collate all the available evidence. As you say, a lot of this is anecdotal, and the initial request was for her to collate all available evidence, including from overseas. She has done that, and commissioned her own research on top of it, through the UCL. I could not tell you the exact terms of reference, but I shall write to you.

Q619 **Chair:** If there is a letter from the Secretary of State to the chief medical officer, it would be useful to have a copy for our inquiry.

Jackie Doyle-Price: I shall furnish that.

Chair: Thank you very much.

Q620 **Liz Kendall:** The debate about regulating social media goes beyond the issues we are looking at as a Committee on the physical and mental health of young people. The DCMS Committee is also looking at regulation from the perspective of disinformation and fake news. Is it now time for statutory regulation of the different social media platforms?

Margot James: My Department published a Green Paper a year ago on internet safety. As a follow-up to the Digital Economy Act, which came into force last year, the Department established a draft statutory code rooted in the provisions of that Act. It is there for social media platforms, large and small, to sign up to with regard to governance and what they are prepared to do to protect users and make the UK online environment a more respectful one, particularly for children and young people—but for all users. The code of practice is part of that, and we are also expecting some transparency reporting.

Q621 **Liz Kendall:** Is that reporting that they are required to do, or are asked to do voluntarily?

Margot James: At the point of the Green Paper published last year, there was an expectation that, although rooted in the Digital Economy Act and, therefore, a statutory code, it would be undertaken on a voluntary basis. However, in our response to the consultation that followed from the Green Paper, which we published in May, we announced that we would work on a White Paper that would produce recommendations to enforce the code of conduct and transparency reporting by a means of legislative and non-legislative measures. Our thinking is developing towards the view that some level of statutory legal regulation will be required.

Q622 **Liz Kendall:** Do you see Ofcom doing that?



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Margot James: At present, we are working on the White Paper and going through a wider consultation. It is now a consideration that some legal measures will be required and will need to be enforced, which will be done by an approved regulator. But we have not come to any conclusion as to—

Q623 **Liz Kendall:** Are you considering a new regulator?

Margot James: All options for the appropriate regulation are under consideration. We feel that it makes sense to determine what is going to be regulated legally and, therefore, what is going to be the requirement of a regulator before we decide on its nature. But we will look at the options and proceed to publish them in the White Paper this winter.

Q624 **Liz Kendall:** Are you considering deadlines for removing harmful content?

Margot James: Yes, that would be one aspect of what may require new law, as opposed to the many non-legislative measures that we are still developing.

Q625 **Liz Kendall:** Are you also considering requiring internet companies to produce harm reduction policies?

Margot James: That is a bit specific. There are various expectations that we could place on internet companies. Research has been done into how a duty of care is applied in other economic sectors, which may play a role in our regulation. But, at the moment, we are looking at options—so I cannot be precise in answer to the particular idea that you have posited.

Q626 **Liz Kendall:** But you are considering a duty of care.

Margot James: That is one proposal that we are looking at, yes.

Q627 **Liz Kendall:** When would you envisage legislating?

Margot James: As always, that depends on the availability of parliamentary time.

Q628 **Liz Kendall:** And Brexit.

Margot James: But we have applied for a legislative slot in the next Session of Parliament, and we regard it as a very important and urgent matter. It is important that we get it right, but it is also important that we get the necessary legislative time as soon as possible.

Q629 **Chair:** We heard from Ofcom in the first panel about what it described as a “standards lottery.” If you watch “Love Island” on television or on a tablet, on catch-up, there is a clear and strong regulatory framework that attaches to it, but, if you watch something on YouTube or any of the other social media platforms, there is no regulatory framework. The implication, therefore, was that you have to end the standards lottery. Do you agree with that? Will it drive your thinking on the need for legislation?



Margot James: We agree with that, yes—we agree with Ofcom in that regard. Fundamental to our digital charter, which was published last year and is an overarching set of principles governing our expectations for the online environment, is the principle that people's rights and protections should be the same online as they are offline.

Q630 **Carol Monaghan:** The Digital Economy Act made it compulsory for commercial pornography sites to undertake age verification, but implementation has been subject to ongoing delays. When do we expect it to go live?

Margot James: We can expect it to be in force by Easter next year. I make that timetable in the knowledge that we have laid the necessary secondary legislation before Parliament. I am hopeful of getting a slot to debate it before Christmas, before the end of the year. We have always said that we will permit the industry three months to get up to speed with the practicalities and delivering the age verification that it will be required to deliver by law. We have also had to set up the regulator—well, not to set it up, but to establish with the British Board of Film Classification, which has been the regulator, exactly how it will work. It has had to consult on the methods of age verification, so it has taken longer than I would have liked, but I would balance that with a confidence that we have got it right.

Q631 **Carol Monaghan:** Are you confident that the commercial pornography companies are going to engage fully and will implement the law as you hope?

Margot James: I am certainly confident on the majority of large commercial pornography websites and platforms being compliant with the law. They have engaged well with the BBFC and the Department, and want to be on the right side of the law. I have confidence, but I am wary of being 100% confident, because there are always smaller and more underground platforms and sites that will seek ways around the law. At least, that is usually the case. We will be on the lookout for that, and so will the BBFC. But the vast majority of organisations have indicated that they are keen to comply with the legislation.

Q632 **Carol Monaghan:** One concern that we all have is that children can stumble across pornography. We know that on social media platforms, where children are often active, up to a third of their content can be pornographic, but they fall outside the age verification regulation because it is only a third and not the majority. Is that likely to undermine the law? Ultimately the law, as it stands, is there to safeguard our children.

Margot James: I acknowledge that that is a weakness in the legislative solution. I do not think that for many mainstream social media platforms as much of a third of their content is pornographic, but it is well known that certain social media platforms that many people use regularly have pornography freely available. We have decided to start with the commercial operations while we bring in the age verification techniques



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that have not been widely used to date. But we will keep a watching brief on how effective those age verification procedures turn out to be with commercial providers and will keep a close eye on how social media platforms develop in terms of the extent of pornographic material, particularly if they are platforms that appeal to children—not all are. You point to a legitimate weakness, on which we have a close eye.

Q633 Carol Monaghan: At the moment, platforms such as Facebook require age verification, but that simply means entering a date of birth, and children can change that. If you are planning to extend that, or look at how it might apply to other social media, how confident are you that the age verification processes would be robust enough to cope?

Margot James: At the moment, I do not think that we would be, but age verification tools and techniques are developing at pace, and we keep abreast of developments. At the moment, we think we have a robust means by which to verify people's age at 18; the challenge is to develop tools that can verify people's age at a younger age, such as 13. Those techniques are not robust enough yet, but a lot of technological research is going on, and I am reasonably confident that, over the next few years, there will be robust means by which to identify age at younger than 18.

Q634 Stephen Metcalfe: My question is on the same point about how we can create a verification system that you cannot just get around by putting in a fake date of birth. I assume that the verification for 18-plus is based around some sort of credit card, or some sort of bank card. The issue there is that, potentially, someone could borrow another person's card, because it does not require secret information—it requires just the entering of the 16-digit number, or something. But on the younger ages, given that we are talking about digital life and digital literacy, do you think that the time has come to talk about having a digital verified ID that young people get and which you cannot fiddle with—a bit like an online ID card, or digital passport? I know that that idea has been around a little while.

Margot James: It has. I do think that the time has come when that is required, but there are considerable hoops to go through before we can arrive at a system of digital identity, including someone's age, that is acknowledged, respected and entered into by the vast majority of people. As you probably know, the Government have committed in prior years to the Verify system, which we think has got as far as it can go, which is not far enough. We have a team of excellent policy officials in the DCMS looking afresh at other techniques of digital identity. It is a live issue and there have been many attempts at it; there is frustration, and not everybody would agree with what I have said. But you asked my view, and that is it—and the Department is focusing a lot of energy on that area of research.

Q635 Vicky Ford: On the issue of digital ID, there is a company called Yoti, which is a leader in India and the US, and happens to be based in London and in Essex—so I have a declaration of interest.



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Chair: Not Chelmsford.

Vicky Ford: Yes. Yoti is doing leading work on age verification in the digital world, and I am very happy to broker an invitation to discuss how it is doing that.

Chair: Can you suggest to Yoti that it sends in a submission?

Vicky Ford: I shall get Yoti to send in a submission, yes.

Margot James: I have met Yoti, and I spoke to a Yoti manager last week at the Web Summit congress in Portugal. I have great respect for its work, and I am sure that it would be an interesting witness at any forthcoming inquiry that you might consider mounting.

Q636 **Chair:** Can you imagine that your legislation, when it comes, could include the concept, to which Stephen referred, of a digital identity for children?

Margot James: That is a long way off—or it is not next year, and probably not the year after, given how much consultation it would require. The new work has only just started, so it is not a short-term solution, and I do not expect to see it as part of our White Paper that we publish this winter. That does not mean to say that we do not think that it is important; we are working towards getting a system that we think could have public support.

To go slightly beyond the terms of your inquiry, with regard to the potential for delivering a proper digital relationship between citizen and Government through delivery of public services, a digital identity system will be important. We feel that public service delivery has a huge amount to gain from the digital solution.

Q637 **Bill Grant:** I am pleased to note that the Government are addressing issues that have been with us for nearly a decade—the dark side of social media and the risk to children, not least the risk that we all experience as parliamentarians. Can you offer any reason why it has taken so long for Government to begin that process? Would you be minded to accelerate the process to address the belated start?

Margot James: One reason is that progress has been made by working with technology companies. The Home Office has had considerable success in working with technology companies to eradicate terrorist content online. To a lesser but still significant extent, progress has also been made on a voluntary basis with the reduction in child abuse images and child sexual exploitation. I said “significant,” but this is a Home Office area—I am working closely with the Home Office, because the White Paper is being developed in concert with it—and it is clear that it does not feel that anything like enough is being done through voluntary measures.

Q638 **Chair:** Do you feel that?



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Margot James: Yes, I do. A lot of the highly dangerous material has gone under the radar in the dark web, but too much material is still available, apparently, on various platforms, and it takes them too long to remove it.

Q639 **Chair:** Ultimately, the voluntary approach is not working adequately.

Margot James: Exactly—that is our view now. I was trying to address the hon. Member’s question about why it had taken a long time. Partly it is that technology changes very fast, but, partly, it is because voluntary engagement was delivering, but it has impressed itself on us in the last 12 months that it is not delivering fast enough or adequately. We have not even talked about the vast range of other harms, some of which are illegal and some legal but harmful, and some in the grey area in between, where decidedly inadequate progress has been made as a result of the many instances of voluntary engagement, not just between the Government and the technology sector but between charitable organisations and non-governmental organisations, including the police.

Q640 **Bill Grant:** It was envisaged earlier that there would be some sort of regulator or ombudsman, but, over and above that, Martha Lane Fox’s think-tank proposed the establishment of an office for responsible technology, which would be overarching, in whatever form the regulation comes. Would you be minded to take that on board?

Margot James: That is one proposal that we will certainly look at, yes. Martha Lane Fox does a lot of very good work in this area, has many years’ experience of it, and runs a very good organisation in the “tech for good” environment, so her proposals are well worth consideration. That is one reason why I was unable to give a specific answer earlier, because there are good ideas, and they all need proper evaluation. When the White Paper is published, we will engage with you and any other interested party, and invite other organisations to contribute to our thinking, prior to the final legislation being put before Parliament and firming up the non-legislative measures, which are crucial. We all know that legislation does not solve every ill, and it is crucial that we continue the very good work being done by many internet companies to improve the overall environment.

Q641 **Bill Grant:** Under UK corporate governance, which is well respected throughout the UK and globally, companies are required to put shareholders and key stakeholders first. Should we look at those laws and broaden them slightly to look at the impact that companies’ activities may have on the wider social issues that we see evolving through social media platforms, going beyond the stakeholders and wealth creators? I have nothing against wealth creators, but, rather than corporate governance, corporate responsibility should be pushed out. That may not be applicable to all companies, but it may be applicable to some, not least to social media companies.



Margot James: Yes, I am aware of the provisions in the Companies Act and the wider corporate governance agenda. You make a very good point; there is perhaps scope in that area for us to press those issues on companies. I know that the corporate governance work being undertaken by the Business Department is looking at those issues, and at ways in which to enforce the corporate governance regime for publicly quoted companies on privately quoted companies as well. So there is scope there. On the extent to which we can enforce that against foreign-owned companies, I would need to consult the Business Department.

Q642 **Graham Stringer:** Part of your responsibility is suicide prevention. How much time do you spend looking at the social media companies in trying to prevent suicide?

Jackie Doyle-Price: Rather than being about time spent, it is about having dialogue with organisations that have a strong interest in this area. Over the last year and a half, the Samaritans have been very keen to emphasise with me the clear distinction between how responsible the broadcast organisations are on following guidelines on how suicide is treated and how they are struggling to get that across to social media companies.

There have been advances. Google has started to be a bit more responsible. When users have gone on to research suicide, Google makes sure that the Samaritans helpline is the top box that they see. But it remains the case that Wikipedia continues to publish advice on how to take your own life, on which we need to continue to have dialogue. That comes back to your original point, Chair, about the very different regimes. We need to do our best to tackle that.

Q643 **Graham Stringer:** Do you have any metrics on your effectiveness in this area or the impact that social media has on the absolute number of suicides?

Jackie Doyle-Price: The reason someone decides to take their own life is usually down to a series of complex factors. One gets to the stage when one cannot cope with the struggles of life any longer. To say that it is down to one thing or another is quite difficult. We know that some factors are very prevalent, relationship breakdown being the most prevalent, indebtedness being the other. Equally, we know that those drivers are very different from age group to age group.

Given that this inquiry is about children, I am very concerned about online content being a driver for that, particularly when you look at the extent of use and how it feeds into people's body image. We know that self-harm as well as suicide is on the rise.

But it comes back to the Chair's original question. We can all come to conclusions and think anecdotally of examples, but we really need the evidence. When the chief medical officer's report comes out in December, obviously it will inform the suicide prevention strategy.



Q644 Graham Stringer: That was what I was really looking at—the evidence in numbers. As you say, this inquiry is about children, and a lot of children are concerned about not just illegal content but bullying and other unpleasant things that happen on the internet. What could social media companies do to improve that situation, to take bullying content off quickly, and what do you think the Government could do in this area?

Jackie Doyle-Price: The social media companies could do a lot more; they are being very slow in this area. I have no doubt that the stick of regulation has focused their minds to encourage them to do more.

I make the analogy with drinking and driving. We have always had legal restrictions on the extent to which we can drink and drive, but 30 years ago it was acceptable to get in your car when you had had a drink and now it is not. It is about social attitudes. Legislation is less good at changing behaviour than is peer pressure and education. In that regard, social media companies are really at the forefront of tackling this, and we need to make our voices felt—that we expect them to. Many people in this room will have been victims of online abuse and bullying, and how some of the companies deal with those things is less than consistent—and we are less vulnerable than the people that we are talking about here.

Q645 Graham Stringer: We could have a long conversation about when legislation works. Obviously, it has worked for smoking in workplaces and public spaces, where social pressure did not. But you are absolutely right about drinking and driving.

You are relying on the social media code of practice, which will make it easier to report bullying online. To go back to metrics, how will you evaluate whether that is successful?

Jackie Doyle-Price: Ultimately, it is a two-way conversation. We will look to social media companies to report on the action that they have taken on that, but we will also be able to witness content ourselves. Again, it comes back generally to changing behaviour. Let us be frank: given the speed at which technology is changing every day, and given that how we interact with those technologies is changing daily, too, it will be extremely difficult for legislation and/or measurement to keep up with that. Rather than look at measures, we need to look more at outcomes and the real impact of this, which will change daily. Dialogue will be needed to tackle that.

Q646 Chair: Will the legislation that we are envisaging also impose requirements of data transparency to inform the research that Graham is talking about?

Margot James: Certainly, when we look at the legislative measures, that will be an area that we consider—the transparency reporting mechanisms that we are already consulting on, whereby companies are obliged to report the number of complaints that they have had, categorise them and



detail what they have done about them, as well as making sure that reporting mechanisms are easy and obvious for users.

Platforms that know, because data show, that a lot of young people and children are accessing them, will have to start designing themselves in a child-friendly way. That was a provision that we put into the Data Protection Bill this year, in Baroness Kidron's amendment, which we accepted. There is the possibility that it could be underpinned by a legal requirement for all that transparency reporting to take place.

Q647 Graham Stringer: I have one final point about what you said about outcomes, Minister. Surely, it is important to measure outcomes so that we know whether the policy has been effective in reducing bullying. That can really be done only with numbers. How are you going to produce those numbers? How will you know that it is an effective policy?

Jackie Doyle-Price: I think that we both have answers to this question.

Q648 Chair: Is it the same answer?

Jackie Doyle-Price: We need to avoid silo culture. My focus is going to be on reducing suicide; it is about making sure that we capture everyone who suffers from mental ill health, which will bring us our intelligence. Margot, obviously you will be measuring something else.

Margot James: Yes, the Department for Education is also part of this, and some of the data that it has shared with us is illuminating. In 2018, the Department did a study of young people and found that 11% of year 10 students had been cyber-bullied. It also published a biannual poll of people's parents and carers; the last one, which was published earlier this year, found that 45% of those who responded had been bullied online once or twice in the previous year.

When I next discuss the measures with the Department for Education, I shall raise the issue of having an omnibus survey with a scientific sample. I do not think that we can rely on survey data whereby people are just asked and it is a question of who responds. That would probably not satisfy the rigours of your Committee, but it is an indication and provides a benchmark against which we will be able to measure future years. We will have better data from platforms by then, too, because they will report as per the requirements of the transparency mechanisms.

Q649 Vicky Ford: This is the last set of questions, which look at what has happened in Germany. Have you been reviewing the impact of the German law that compels social media companies to remove hate speech within 24 hours, given that there is a lot of concern about content not being taken down quickly enough here? What are your thoughts on the German situation?

Margot James: I am very interested in the German approach. We do not have any data yet about how effective it has been. It came into force only in January this year, so I would think that meaningful data will probably



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be available in the first quarter of next year, based on, say, the first six to nine months. I await that eagerly.

It is interesting to note that the German Government have been able to introduce this law, which, as you say, compels content that has been reported to be taken down within 24 hours, otherwise there are substantial fines, and that has been deemed compliant with the European e-commerce directive.

Q650 Vicky Ford: Have you asked them to try to give you some earlier advice, given the timing of when we are making our legislative decisions?

Margot James: Yes, I met the German Economy Minister at a European digital meeting in April or May this year, and it was really too soon for him to be able to give me anything but anecdotal evidence. He was pleased with how it was going, but that was really all he could share with me. I have since tried to arrange a meeting with the German Digital Minister, but that is still outstanding. But whether I meet her or not, I shall certainly acquire a proper update on the effectiveness thus far, I hope, before the publication of our White Paper.

Q651 Vicky Ford: If there is a sister Committee to ours in Germany, I am wondering whether we should ask it about that.

Margot James: That might be an idea. You might also look at Australia, where they have brought in some provisions as well.

Q652 Chair: Are they provisions related to hate speech or to a broader range of potential harms?

Margot James: I am happy to write to you.

Chair: That would be very helpful.

Margot James: Yes, I shall write to you about our understanding of what has happened in Australia, and with any further information that we have had more recently that I have not had access to on Germany.

Q653 Vicky Ford: Are you considering some sort of similar mechanism—maybe not at the same speed, but with the same type of focus?

Margot James: Yes, indeed, we are. The European directive for the most part relieves social media platforms from liability for content, but it contains provisions in respect of illegal content, which has to be clearly defined. It provides for member states to bring into law, as the Germans have done, mechanisms to demand that content be removed by the platform as soon as they know about it. We could debate the merits of that caveat, but the illegal content is not assumed to be the liability of the platform until the platform is notified about it. That is a weakness under the directive, but that is the directive as it stands.

Q654 Chair: Is there any discussion about whether the directive itself needs to be updated and amended?



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Margot James: There is ongoing discussion about that, yes, which is of course of great interest to us.

Q655 **Chair:** And are we contributing to that?

Margot James: Yes, we are.

Q656 **Vicky Ford:** If under that directive you can remove only speech that is illegal, is UK law clear enough about what is illegal? Is it hate speech, grossly offensive speech or just robust criticism?

Margot James: Going in the reverse order of what you mentioned, robust criticism is certainly not illegal. The illegal and harmful content is what we are trying to tackle through the White Paper. There is a grey area, of course, in that what we would think of as illegal turns out not to be. There is a vast array of potential harms that people can experience, offline and online, some of which strays into criminal behaviour and some of which falls just short of it.

Q657 **Vicky Ford:** Then there is the criticism about whether the German law is constricting freedom of expression. What are your thoughts on the balance between removing hate speech and making a stronger legal responsibility to take it away as soon as notified, and giving freedom of expression?

Margot James: The legal definitions are quite hard to arrive at, and it is a fine balance between protecting free speech and prosecuting abuse and hate speech. I do not think that we in this country, when we talk about the fine principle of free speech, which we believe in very passionately, take the view that it is an unalloyed right to say what you like about anyone in terms that might cause grievous harm to that individual; neither does it necessarily afford you the right to pretend to be someone else while doing it, which is of course what happens a lot of the time. People operate under aliases and pretend in some cases to be someone else. There are a lot of caveats around free speech, so it is not all or nothing.

Q658 **Vicky Ford:** We had the media companies in and talked about the next generation of what we may see—deep fake videos, for example, and people absolutely being able to pretend that they are someone else. Personally, I was unimpressed by Facebook's response. Maybe somebody is looking at that somewhere. Will you look at that, and look at the need to warn users of potentially fake content?

Margot James: Yes, that would be very much in the ballpark of what we would look at. As technology enables all sorts of new levels of abuse, it would be good to feel that we were not going to be caught on the back foot with regard to those developments, because we can see them coming. We have the White Paper in train and have accepted that there is likely to be a need to legislate as well as to keep working on the voluntary basis and other areas. So, yes, safeguards should be in place before that sort of technology becomes widespread.



Q659 **Vicky Ford:** It is about future-proofing.

Margot James: Yes, it is. And it should not be left just to the platforms to decide what is and is not acceptable. At the moment, they have their terms of business and principles, and we challenge them to uphold those terms and conditions and criticise them when they do not. But this is all based on the assumption that it is up to them to determine what is acceptable. I do not think that that is very satisfactory—and, to be fair, quite a lot of platforms themselves do not want to be judge and jury, because it puts too much of an onus on them.

Q660 **Chair:** On timings, we are expecting the chief medical officer's report to be published in December, and it will be published. We understand from the Secretary of State that the White Paper will be published over the winter, which I think he defined as "before March." Can we assume that it is pencilled in for February? Is that a likely timescale?

Margot James: I think that is likely. I cannot confirm exactly, but it is likely.

Q661 **Chair:** The Budget introduced the concept of the digital services tax, but there was previously a Government proposal for a social media levy to fund all the work that we need to do in protecting children, and so forth. Does the tax announced in the Budget take the place of the levy in the Government's thinking, or is the levy still in place as a proposition that could be introduced in addition to the tax?

Margot James: We are consulting on the levy; we do not see the tax as a replacement for it.

Q662 **Chair:** So it is still in play, in other words.

Margot James: It is still in play, yes.

Q663 **Vicky Ford:** To come back to that, some campaigning groups are suggesting that some of the tax should be set aside for addressing issues to do with online bullying, and funding work to combat that.

Q664 **Chair:** We have heard that it may also be included.

Margot James: All I would say is that, in other areas of regulation, when an industry is being regulated, it is quite a common principle that it funds the cost of the regulator through a levy. That does not mean that they do not have to pay tax as well.

Vicky Ford: Excellent.

Chair: Thank you. That was the right answer. Thank you both very much indeed for your time this morning. It is appreciated.