

Written evidence submitted by Barnardo's (OSB0017)

1) About Barnardo's

Barnardo's is the UK's largest national children's charity. In 2020-21 we supported 382,872 children, young people, parents and carers, through more than 791 services and partnerships. Barnardo's has a long-standing history of providing services to children and young people not living with their parents – we were founded to provide food, shelter and skills to children living on the streets of Victorian London. Today we provide support to families who are struggling; we are the largest voluntary provider of adoption and fostering services; and we provide support to care leavers up to the age of 25. We also run 15 residential services across the UK. These cater for children with a variety of needs, including emotional and behavioural difficulties, special educational needs and autism, and life limiting conditions.

In addition, we host the [Centre of Expertise on Child Sexual Abuse](#) which reaches 1000s of professionals through its training and research and the [National FGM Centre](#), a partnership between Barnardo's and the Local Government Association, which works with professionals and in communities to educate and prevent FGM.

Through our direct support to children and young people in our services across the UK, we know that children are facing online grooming, coercion and threats from adults and other children on a daily basis.

2) The Draft Online Safety Bill

Barnardo's is delighted to have the opportunity to feedback our calls on the Draft Online Safety Bill to the Joint pre-legislative scrutiny Committee. This Bill has the potential to be transformative in how children and young people are protected from harm online if the Government:

- 1) Includes all pornography sites in the scope of the Bill; as well as ensuring the regulator has responsibilities which cover underage access to online pornography
- 2) Avoids a two-tier categorisation and ensures all sites which provide pornographic content are required to respond to legal but harmful content
- 3) Improves access to support services for all victims of online harm and their families
- 4) Ensures that guidance accompanying the Bill sets out the specific needs and protection required for young carers, looked after children, LGBTQ and other vulnerable groups who are more at risk of being harmed online.

We would also like the Government to seek ways to fully legislate against end-to-end encryption. End to end encryption makes it much easier for perpetrators to hide their abusive activity online and puts more children at risk.

3) Key Points

Barnardo's welcomes the draft Online Safety Bill and the ongoing commitment from the Government to tackle abuse and exploitation online. We are particularly pleased that the Bill imposes a 'duty of care' on social media companies, and on some other platforms that allow users to share and post material, to remove 'harmful content'. Importantly, this includes content that is legal but is still harmful to users, including children. There still needs to be greater clarity though around the definition of 'harmful content' from the Government. We believe this needs to include racial abuse, cyber bullying and content that impacts on children's self-esteem and mental health.

We do believe that the legislation still must go further to ensure the protection of children.

- **Barnardo's believes that pornography sites *must* be included in the scope of the Online Safety Bill, because viewing harmful pornography has a negative impact on children**

The 2017 Online Safety Strategy Green Paper and the Digital Economy Act 2017 required all pornography sites to have rigorous age verification processes in place. However, very disappointingly the draft Online Safety Bill sets out to repeal this and replace it with legislation that would require only 'user-to-user' and 'search' services to implement this age verification. The new clause removes the ability of the independent regulator to monitor and enforce rules on illegal pornography. The failure to enact the original age verification legislation over three years ago has meant that thousands of children have continued to easily access pornography sites and this will continue unless the draft legislation is amended. Evidence shows (detailed later in the response) that accessing harmful pornography has a hugely damaging impact on children. The British Board of Film Classification survey in 2019 reported that children are stumbling upon pornography online from as young as seven. The survey also suggested that three-quarters of parents felt their child would not have seen porn online but **more than half** had done so^[2019]. In a 2021 survey, 26% of Barnardo's frontline practitioners told us that they had supported underage children who had viewed pornography.

Bitdefender, a global company that works on eliminating threats, protecting privacy and data, and enabling cyber resilience, found that children under 10 are increasingly visiting porn mega sites such as Pornhub, and this age group accounts for one in every ten visitors and 22% of underage visitors to the site.³ Moreover, 10% of 12 to 13-year-olds believe that they may be addicted to pornography.⁴

'This (pornography) is having a corrosive effect on what they view as healthy and expected within relationships. More and more extreme behaviours and sexual contact is being accepted as they are modelling this from porn and online influences such as games.' –
Quote from a Barnardo's frontline practitioner

- **The proposed ‘two-tier’ system of protection could mean children will continue to be at risk of harm online - we believe all companies and sites should be subject to the higher level of conditions**

In the draft Online Safety Bill, the government categorises online services into two sections. Category One services, which include larger and more-mainstream providers (which Ofcom will identify at a later date), would be legally required to respond to legal but harmful content present on their services (e.g., content relating to eating disorders or self-harm). While this content is arguably harmful to everyone, it has a heightened negative effect on children as they develop as adolescence brings increased insecurity about body image and a heightened fear of rejection as well as more fragile emotional and mental health. Although Category Two services will be subject to some conditions, they will be exempt from some of the more onerous sanctions. It is unclear which sites will fall into category one and more clarity is needed on this. The Government envisages that most services and sites will fall into category two. Enforcing only a single category of online services to respond to harmful content in this way could lead to a two-tier system that is potentially dangerous as children will still be less protected and potentially be able to access harmful content through these smaller sites. The popularity and reach of sites can change rapidly and it is unclear if regular reviews will be undertaken that could reclassify which category sites fall into.

- **Children and young people who are victims of abuse and exploitation online need access to specialist support services to help them recover, and professionals need to better understand the impact of online abuse**

The impact of online abuse and exploitation on children is often underestimated and safeguarding systems are not always well equipped to understand these newer and evolving forms of harm. Online harm is identified in a variety of ways. Whilst some children may disclose abuse directly, it is often the case that abuse is discovered through apprehension of the perpetrator, identified by law enforcement through an image online or concerns are raised by a family member. Whichever these routes to identification, Barnardo’s believes that there needs to be more consistency to the support that victims and their families receive. The impact of online abuse can be at least as severe as it is in the case of contact abuse offline, and the two are often linked. However, often support services for children do not ‘kick in’ in the same way when abuse is assessed as having taken place ‘online only’. Professionals working with children affected need to better understand the impact of online abuse in order to better support victims. We would like to see the Online Safety Bill encourage companies to create more effective pathways into support for children and young people affected by online harms, as well as investing in awareness raising to prevent them from being harmed in the first place.

- **There needs to be better protection for vulnerable groups of children and young people, particularly young carers and looked after children. We believe the**

guidance needs to detail measures on how these groups can be better protected from harm by internet companies

All children are vulnerable by virtue of their age, but the internet can provide a setting where some children with additional vulnerabilities can be more at risk of experiencing harm. Despite the promises made in the Online Safety Strategy Green Paper, the draft Bill does not set out guidelines referring to the provisions to protect some of the most vulnerable children. An acknowledgement has been made that young people who are more at risk of real-life harms are also more at risk of online harms, but the proposed legislation does not reflect this and leaves some of the most vulnerable children unprotected. Research shows that children in care are at a greater risk of experiencing harm online and are less protected by adult supervision.⁵ Barnardo's is part of the UK Council for Internet Safety's Vulnerable Users Group, which recently launched the Digital Passport, which is 'a communication tool for foster carers and their children, created to help them have frequent and supportive conversations, agree steps they can both take to keep children safer online and record any safeguarding or concerning incidents, as well as celebrate what they enjoy online'.⁶ This is one example of a resource that supports particularly vulnerable children from online harm. We recommend that the guidance accompanying the Bill encourages sites to link to these resources.

4) The growing nature of online harms to children - why it is vital that this Bill ensures that all children are protected from online harm

Child sexual abuse (CSA) remains hidden and underreported. Worryingly, CSA now accounts for a much smaller proportion of child protection plans compared with other risks such as neglect or emotional abuse. It was listed on 4% of plans in 2019-20 down from 23% in 1993-94. This is not because there has been a reduction in CSA but because of an ever-widening gap between the likely rates of CSA compared to identification and intervention. The Crime Survey for England and Wales (CSEW) estimated that 7.5% of adults aged 18 to 74 years experienced sexual abuse before the age of 16 years (3.1 million people); this includes abuse from both adult and child. The majority of which did not report it at the time.⁷

The risk online is rapidly increasing. More than 10,000 online child sexual abuse offences were recorded between April 2019 and March 2020, a 16% increase on the previous year.⁸ In addition the NSPCC recently published evidence that the number of online grooming crimes recorded by police has increased by around 70% in the last three years, reaching an all-time high in 2021 partly due to increased online activity during Covid-19.⁹

Another concerning change is the increasingly dual nature of online and offline abuse. More and more abuse is moving from online to offline abuse and we believe policy makers should no longer create such a clear distinction between the two forms of harm. Children and young people may be initially approached and groomed online by perpetrators to build a trusting relationship with the child in order to meet with the child in person to abuse them.

As perpetrators and organised crime gangs find new ways to engage children online and children continue to become more reliant to being online, risks will increase. Children will use a wider range of online platforms. The challenges online brings in prevention, identification and support will continue especially as the safeguarding system is still struggling to adapt to the new forms of harm against children.

The extent of online exploitation has increased substantially due to Covid-19 with reports of child abuse images increasing by almost 50% during the first lockdown (March –June 2020), according to the Internet Watch Foundation (IWF). In the 11 weeks from 23 March 2020, its hotline logged 44,809 reports of images compared with 29,698 last year. The fastest growing category of images removed by the IWF are images generated by children after grooming or coercion.¹⁰

Almost half of British police officers reported a rise in online grooming of children during the coronavirus pandemic.¹¹ UK police officers who were surveyed were broadly in line with global results with 23% of British officers reporting an increase in reports of online child sexual abuse from hotlines, compared with 24% across Europe. Also, in the UK 48% of police officers reported an increase in reports of grooming and sexual extortion involving children.¹²

The need to address online harms is even greater and more urgent in the current Covid-19 context. During the first lockdown, we surveyed children and young people who we support about the impact of the pandemic on them in relation to the content they are being exposed to online¹³ and found:

- Around a quarter (27%) of young men aged 16-24 said they had seen more content online that made them uncomfortable or scared than before lockdown - but this rose to more than two fifths (42%) for young women.
- For children aged 8-15, one in five (21%) boys and girls said they had seen more potentially harmful material than usual.
- Overall, over a quarter (27%) of children and young people aged 8-24 said they had seen more things online that made them uncomfortable or scared than before lockdown.
- More than four in five (83%) children and young people reported spending an increased amount of time online during lockdown, which could have resulted in the increased exposure to harmful material.

During the pandemic Barnardo's led a unique and innovative COVID-response programme called See, Hear, Respond (SHR). Commissioned by the Department for Education (DfE) and collaboratively designed by Barnardo's and the DfE, the programme was delivered by 87 national and local charities and community-based organisations and supported over 100,000 vulnerable children who were struggling as a result of COVID but did not access statutory support. SHR aimed to intervene and support children early, preventing additional harm and ensuring that needs that were triggered or exacerbated by COVID did not become entrenched. Need for support with mental health and wellbeing was the most common reason for referral.¹

See, Hear, Respond Case Study - child sexual exploitation

*James (aged 15) disclosed that he had been groomed online by an adult who had asked him to send the adult naked pictures, and was now being blackmailed. The offender threatened James that unless he paid £500 for the safe return of the images, he would inform the police that James had sent naked pictures of himself to the offender's 12-year-old daughter's account and that he would be arrested for sexual offences. James immediately contacted his See Hear Respond worker to get help and advice. His worker was able to de-escalate his high anxiety and suicidal ideation, work with his family to understand the situation and make sure the child had family support and inform local police of the blackmail and exploitation.

*names have been changed to protect identities

5) Harmful pornography and its impact on children

Viewing pornography has also increased. The Ofsted Review into peer-on-peer abuse in schools in 2021 in response to the Everyone's Invited website testimonies, found that 'the prevalence of children and young people seeing explicit material they do not want to see and being pressured to send 'nudes' is a much wider problem than schools can address'.¹⁴ 90% of girls and nearly 50% of boys surveyed said they were frequently or sometimes being sent explicit photos or videos. Viewing pornography – often extreme and violent – distorts their understanding of healthy relationships. Research commissioned by the British Board of Film Classification (BBFC) shows that children and teenagers are stumbling across and watching pornography from an early age - in some cases as young as seven or eight. The impact of watching pornography can be traumatising for children, affecting how they view the opposite sex and attitudes to sex and consent.¹⁵

Recent Data from Barnardo's 2021 survey of frontline practitioners found that across our wide range of services¹⁶:

- 26% of practitioners have supported children who they know have accessed pornographic material while underage.
- 32% of practitioners felt accessing pornography under-age led to children developing unrealistic expectations of sex and relationships.
- 28% of practitioners felt accessing pornography under-age led to children displaying inappropriate sexualized behaviours.
- 22% of practitioners felt accessing pornography under-age negatively impacts Mental Health and Wellbeing.

Practitioners responding to the survey commented:

'I've seen multiple examples of online pornographic access being a pathway to other inappropriate material and sites where young people have been exploited... Examples of

¹ <https://www.barnardos.org.uk/see-hear-respond-impact>

children as young as 8yo being exploited and key factor including distorted thresholds to sexual activity as a result of previous access to online pornographic material.'

'Young person being inappropriate to children of a younger age on social media by sharing and requesting images. Young person sharing this content with peers. I believe this has resulted in the majority of young people being more vulnerable to online predators as frequent exposure to pornographic content is becoming more and more normalised on platforms such as TikTok.'

Early intervention and prevention is vital if we want to address the harmful effects of pornography on our young people. In the UK, 55% of 11–16-year-olds admit to having seen pornography, whether intentionally or not.¹⁷

Pornography use can lead to unrealistic expectations for young people about what sex is like. Research shows that 88% of scenes show physical aggression, and 94% of this is directed at women. This enforces gender stereotypes and leads to higher rates of gender related violence among young people.¹⁸

Pornography is even more dangerous for children who identify as LGBTQ+. Most pornography involving gay men sorts them into clearly defined gender roles. Lesbian sex is presented as being solely for heterosexual men and their desire. This affects the sexual development of LGBTQ+ young people and how they perceive their own sexuality.¹⁹ LGBTQ+ people are also more likely to have poor mental health such as depression, self-harm, alcohol and drug abuse and suicidal thoughts due to the discrimination they face.²⁰

Evidence from the NSPCC and It's Time We Talked shows that pornography has a strong relationship with gender-based violence. The four key drivers of gender inequality are considered to be: violence against women, men in control of women (unequal gender relations), rigid gender stereotypes and roles, and male peer relations emphasising aggression towards women. Pornography often includes all four of these things. These messages can be very harmful to young people, both male and female, and the way their relationship with gender inequality develops²¹.

Pornography can have a heightened negative effect on children and young people if they have high levels/history of trauma, neglect, family violence, sexual exploitation, unstable relationships, grief, disability or sexual abuse. It is even more important for protection to be put into place to prevent these young people from accessing harmful pornography that could contribute them engaging in dangerous sexual behaviour themselves.²²

The World Health Organisation includes the need to address pornography in its *Standards for Sexuality Education in Europe*. As a society, we can limit the negative effects of pornography on children by limiting screen/internet access and exposure, equipping young people with the tools to critique what they see online, helping them resist the influence of pornography, and teaching them that sex in real life is very different than the sex presented in pornography.²³

The Government's responsibility is to prevent children and young people from accessing harmful pornography in the first place, the draft Bill as it is currently constructed fails to do this.

September 2021