

Diplomacy Training Programme
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The Rights of Children in the Digital Environment



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Five Key Points



- Introduction
- ‘Digital by Default’ - COVID-19 Pandemic
- Framework of the *UNCRC 1989* – 3 P’s
- Themes from research studies
- What can a rights-based approach offer?
UN General Comment on Children’s Rights and Digital Environment (March 2021)

Introduction: Australia – UNICEF’s ‘Children’s Report’ (2019)

- ‘Research shows that young Australians are among the nation’s **most digitally included**. As of 2016, the vast majority of Australian families (96%) had wifi access at home, and in 2018, 86% of Australian teenagers aged 14–17 years are recorded as owning or using a mobile phone, with 57% having a smartphone. However, despite Australia’s aspirations to be ‘the first fully connected continent’, there remain **barriers to digital inclusion, including cost and quality of service connectivity.**’

Australia – UNICEF’s ‘Children’s Report’ (2019)

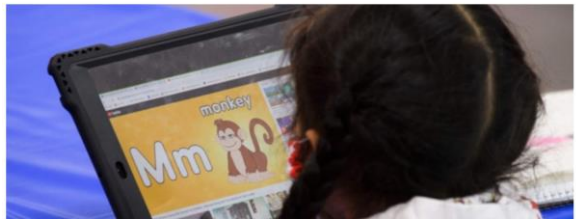
- ‘The establishment of the Office of the **eSafety Commissioner** in 2015 – a unique entity internationally – has played a significant role in coordinating and leading online safety efforts across sectors.’
- ‘If Australian children are to be adequately prepared for the digital future, it is critical that **more attention** is targeted towards their **participation and provision rights.**’

COVID-19 Pandemic Context

- More than 1.5 billion children and young people have been affected by school closures worldwide (UNICEF, 2020).
- Increased time spent on online platforms can leave children open to online sexual exploitation and grooming (Archbold *et al.*, 2021, forthcoming).
- International reports e.g. Internet Watch Foundation in the UK (2020) reported that in the 11 weeks from 23 March 2020, its phonenumber logged 44,809 reports of images compared with 29,698 the previous year.

Social media firms won't prioritise child safety until Ofcom is given the teeth to make them, warns NSPCC

The NSPCC is urging the Government to ensure the forthcoming Online Harms legislation forces social media firms to prioritise child safety online as offences increase



COVID effect left world's children more vulnerable online

17 MAY 2021 | YOLANDE HUTCHINSON, STEFANIE MENEZES

A UNSW report has raised concerns over how COVID-19 impacted online child sexual exploitation investigations globally.



There has been an increase in reports of online child sexual exploitation during the COVID-19 pandemic. Photo: Shutterstock.

School children at risk of harm online, charity warn

fe news by FE News: The Future of Education News Channel

Published: 12 March 2021 Hits: 538

Children are at greater risk of harm as their lives move increasingly online during lockdown in the COVID-19 pandemic, child protection bodies have warned.

School closures and more reliance on digital platforms for learning, entertainment and communication can lead to increased safety risks.

And charity **Safe and Free** has released

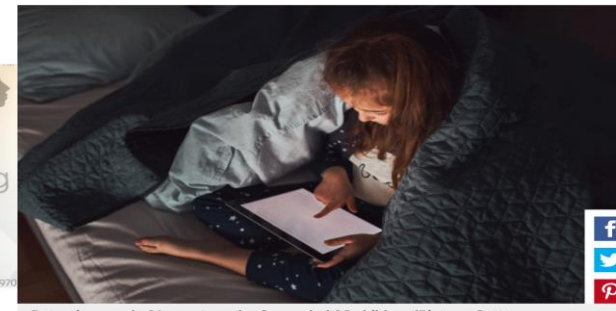


Nearly 70 children saved in huge crackdown against paedophiles

Comment

Sam Corbishley Tuesday 9 Mar 2021 3:55 pm

1.2k SHARES



Detectives made 31 arrests and safeguarded 68 children (Picture: Getty)

Trolls and social media platforms face huge fines in Australia for failing to remove abuse material

Proposed legislation would also give government power to unmask identities of anonymous accounts



▲ New legislation proposed by the Coalition would allow the e-safety commissioner to respond to online crisis events such as the Christchurch terrorist attacks, by requesting internet service providers block access to extremely violent content for a limited time. Photograph: Anadolu Agency/Getty Images

- ‘The COVID pandemic and associated restrictions has accelerated trends we have seen for some time in our “Time Spent on Activities for Young Australians” data. Time spent using the Internet at home in an average week has increased to 11 hours (up 0.9hrs from 2018) and including using the internet at school and elsewhere this increases to 15.8 hours a week.’
(Roy Morgan Foundation, May 2021)

COVID-19 Pandemic Context

- The COVID-19 pandemic has further exposed many structural inequalities and has exacerbated systemic issues for children and young people, particularly the most marginalised.
- The Secretary General of the United Nations (UN), António Guterres, has suggested that the COVID-19 pandemic is quickly turning into a ‘broader child rights crisis’.

Themes from research studies

- Access and Digital Divide
- Digital by ‘Default’ – COVID 19
- Most marginalised and hidden voices
- Positive aspects
- Negative aspects – online harms

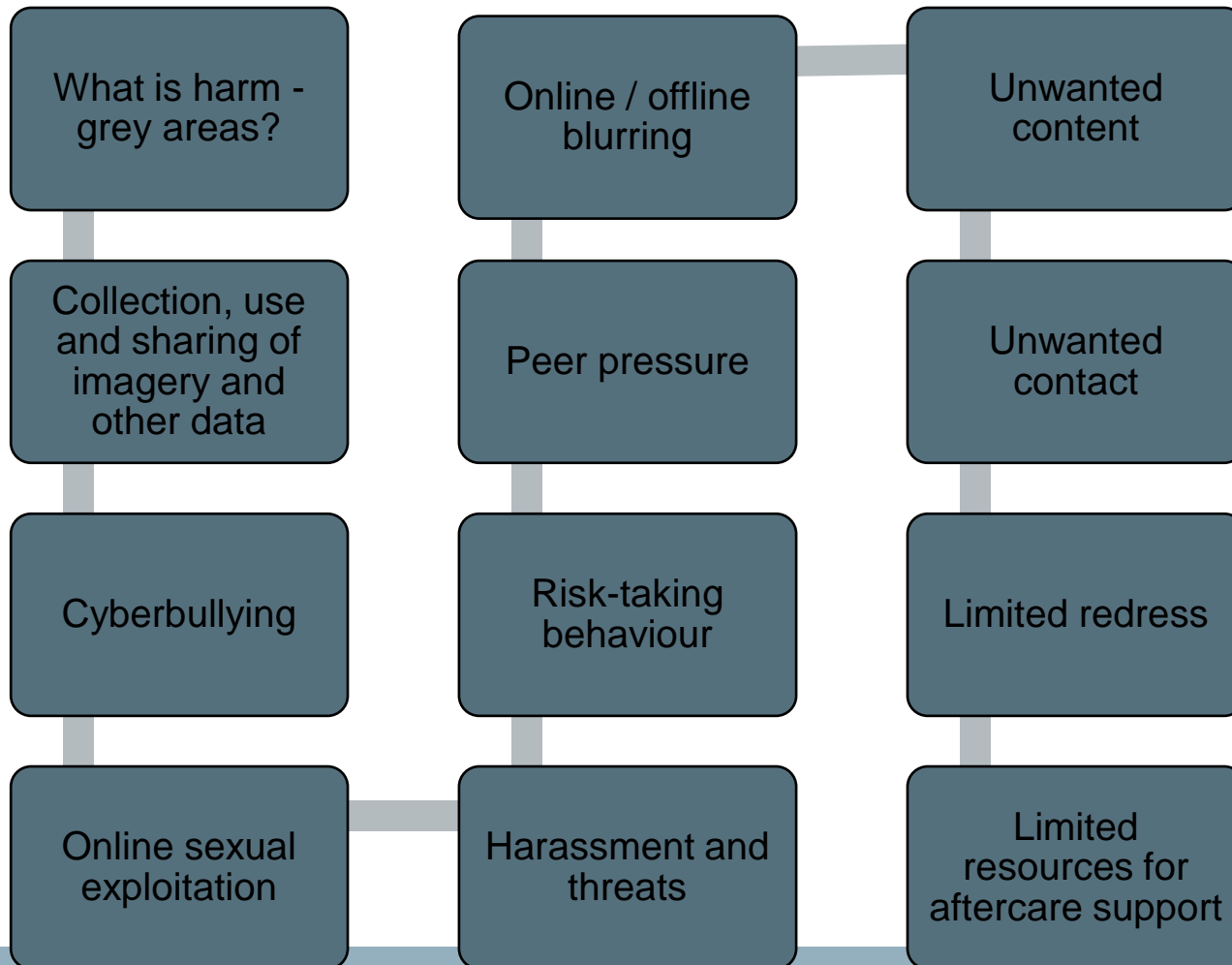
Framework of the UNCRC 1989

- 3 P's – Provision; Protection; Participation

Provision

- Right that enables children's growth and development.
- Access and Digital inclusion – challenging 'digital divide'.

Protection – online harms - COVID-19 & Heightened ‘risk’ of harm



Catch22 Survey

- The [Catch22 Online Harms Consultation](#) was launched in June 2020 and received survey responses from 22 young people, 75 frontline professionals, from tech platforms and from Commissioners on the challenges of online harms in the UK.
- The findings indicated that **more than 70% of young people have seen content online that they've found concerning, referring to specific violent and explicit content** and that **only 40% of young people report online harms to the platforms they are using.**

Aims of this Research Study

This study aimed to better understand children's and young people's:

- experiences of online platforms, social media platforms, apps and gaming;
- experiences of online harms and the impact on their lives;
- perceptions of what 'acceptable use' is in online spaces;
- views on law enforcement's role in addressing online harms;
- views on what future regulatory frameworks and arrangements should be developed.

Children's and Young People's Voices

- Seek... out, record... champion... and valu[e] the view from below (Scraton 2007: 10). The experiences of those most marginalised, as well as a consideration of how power operates in society, helps to 'explain generalised oppression in order to precipitate social change' (Henn *et al.*, 2009: 17). [ref: Gordon, 2018: 7]

“[Exploring online harms] I think ... that's probably best done in a qualitative sense, working with organisations that work with children, to better understand what the challenges are and how they can be addressed”

(Tech Industry Representative - Interviewee).

Methodology

The methods included:

- working with a youth advisory group;
- designing qualitative semi-structured interviews questions for professionals working in a range of industries and professions;
- holding an online findings event and panel session to discuss preliminary findings and further engage with young people and experts;
- an analysis of quantitative data on referrals and service provision from the first three quarters of 2019 (pre-pandemic) and 2020 (during the pandemic), to compare the nature and volume of referrals to victim support services and other related services.

- Focus groups and interviews were conducted with **42** children and young people aged 10-22 years.
- **15** qualitative interviews were conducted, with key stakeholders and professionals, including senior police, educators, safeguarding experts, youth workers, victim service providers, tech and gaming companies, regulators and representatives from the wider tech industry.
- The study also involved analysis of quantitative data from service providers pre-pandemic and during the UK lockdowns on service provisions, referrals and engagement with police.



**catch
22**

Online Harms Experienced by Children and Young People: Interim Findings from an International Review



Wednesday 9th December, 2020

0:01 / 1:22:43



Accessible online here: <https://www.youtube.com/watch?v=bUulaB7tkMw>

- Children and young people said online platforms were **positive** for communicating with friends, keeping in contact with people in other places, for educational purposes, finding new hobbies and having a sense of belonging as part of an online “community”.
- Some young people felt it was easier to talk to people online than in person and this assisted them with participation.

- Cyberbullying, threats, harassment, unwanted contact, unwanted content, **negative** consequences for mental health, the “toxic” nature of interactions and content, the lack of boundaries and the nature of restrictions for adults and youth, as well as the levels of surveillance, were some of the negative aspects identified by children and young people.

Voices of Children and Young People

- **“I don't think I know one person who hasn't had something bad go on online” (Young Person, Focus Group 7).**
- **“If a video, or a picture has been uploaded on to the internet, as soon as that goes on there there's millions of people that can see it, and they can always save it and they can share it to another platform, so it will never go away like properly, it will always be there...” (Young Person, Focus Group 2).**

Voices of Children and Young People

- “[watching a video of] someone who had committed suicide on the YouTube platform” (Young Person, Focus Group 11).
- “There are predators on there” (Young Person, Focus Group 8).
- “I feel like people text a lot of stuff saying, ‘kill yourself’” (Young Person, Focus Group 6).
- “Like if the platforms are safe and that, how does child porn get on to platforms, and how does the grooming happen and that?” (Young Person, Focus Group 2).

Advice from children and young people

'Trusted' person: Children and young people encourage those who are experiencing harm online to reach out to someone they trust – this might be a parent, guardian, carer, teacher, peer or another trusted person.

Monitoring balanced with respect for privacy: Some children and young people felt that parents/guardians/carers should act in a more responsible way in monitoring usage. Whereas other children and young people felt that privacy was essential.

More education for adults: They also felt that parents/guardians/carers should receive more education on online harms, risks and approaches to support children and young people.

More tailored, interactive and up-to-date education: Education in schools needs to be updated and keep up with the changing nature of online platforms. Children and young people felt that they would learn more from peer-to-peer learning.

Responsibility and Responses: Social media platforms should take responsibility, act promptly and employ technology for social good in making platforms safer for everyone. Online platforms, social media platforms and gaming should be given warnings when they have done something wrong and should be held accountable.

Youth Voice: Children and young people want to be asked by tech companies about what is bad about their platforms and products. Tech companies should have a youth panel and engage in a meaningful way with children and young people when designing platforms and in the ongoing process of ensuring they are safe and remain safe.

Regulation is not a panacea

- **Reporting Process:** Children and young people wanted a swifter and simpler process for reporting online harms and they wanted to be given all of the information in an accessible manner.
- **Information Sharing:** Professionals interviewed described the need for information sharing between agencies, organisations and victims. They also stressed the need for tech companies to share information about their capabilities to address online harms.
- **Education and Training:** Children and young people wanted police to involve them in the design and delivery of better education programmes in schools on online safety. The police professionals described clear “gaps” in knowledge and those that had completed training with the Social Switch Programme advocated for widespread training of all police.
- **Ongoing Research:** The police and tech companies should be open to be involved in ongoing and new independent academic research, in order for new knowledge to be generated and an informed evidence-base to be developed. This would assist with evidence-based change.

What can a rights-based framework offer?

United Nations

CRC/C/GC/25



Convention on the Rights of the Child

Distr.: General
2 March 2021

Original: English

Committee on the Rights of the Child

General comment No. 25 (2021) on children's rights in relation to the digital environment

I. Introduction

1. The children consulted for the present general comment reported that digital technologies were vital to their current lives and to their future: “By the means of digital technology, we can get information from all around the world”; “[Digital technology] introduced me to major aspects of how I identify myself”; “When you are sad, the Internet can help you [to] see something that brings you joy”.¹

2. The digital environment is constantly evolving and expanding, encompassing information and communications technologies, including digital networks, content, services and applications, connected devices and environments, virtual and augmented reality, artificial intelligence, robotics, automated systems, algorithms and data analytics, biometrics and implant technology.²

3. The digital environment is becoming increasingly important across most aspects of children's lives, including during times of crisis, as societal functions, including education, government services and commerce, progressively come to rely upon digital technologies. It affords new opportunities for the realization of children's rights, but also poses the risks of their violation or abuse. During consultations, children expressed the view that the digital environment should support, promote and protect their safe and equitable engagement: “We would like the government, technology companies and teachers to help us [to] manage untrustworthy information online.”; “I would like to obtain clarity about what really happens with my data ... Why collect it? How is it being collected?”; “I am ... worried about my data being shared”.³

“13. States parties should involve the national and local bodies that oversee the fulfilment of the rights of children in such actions. In considering the best interests of the child, they should have regard for all children’s rights, including their rights to seek, receive and impart information, to be protected from harm and to have their views given due weight, and ensure transparency in the assessment of the best interests of the child and the criteria that have been applied.”

- 15. The use of digital devices should not be harmful, nor should it be a substitute for in-person interactions among children or between children and parents or caregivers. States parties should pay specific attention to the effects of technology in the earliest years of life, when brain plasticity is maximal and the social environment, in particular relationships with parents and caregivers, is crucial to shaping children's cognitive, emotional and social development. In the early years, precautions may be required, depending on the design, purpose and uses of technologies. Training and advice on the appropriate use of digital devices should be given to parents, caregivers, educators and other relevant actors, taking into account the research on the effects of digital technologies on children's development, especially during the critical neurological growth spurts of early childhood and adolescence.

- 32. facilitate educational programmes for children, parents and caregivers, the general public and policymakers to enhance their knowledge of children's rights in relation to the opportunities and risks associated with digital products and services. Such programmes should include information on how children can benefit from digital products and services and develop their digital literacy and skills, how to protect children's privacy and prevent victimization and how to recognize a child who is a victim of harm perpetrated online or offline and respond appropriately. Such programmes should be informed by research and consultations with children, parents and caregivers.

- 40. The digital environment includes businesses that rely financially on processing personal data to target revenue-generating or paid-for content, and such processes intentionally and unintentionally affect the digital experiences of children. Many of those processes involve multiple commercial partners, creating a supply chain of commercial activity and the processing of personal data that may result in violations or abuses of children's rights, including through advertising design features that anticipate and guide a child's actions towards more extreme content, automated notifications that can interrupt sleep or the use of a child's personal information or location to target **potentially harmful commercially driven content.**

- 54. States parties should protect children from harmful and untrustworthy content and ensure that relevant businesses and other providers of digital content develop and implement guidelines to enable children to safely access diverse content, recognizing children's rights to information and freedom of expression, while protecting them from such harmful material in accordance with their rights and evolving capacities.

Participation and Empowerment

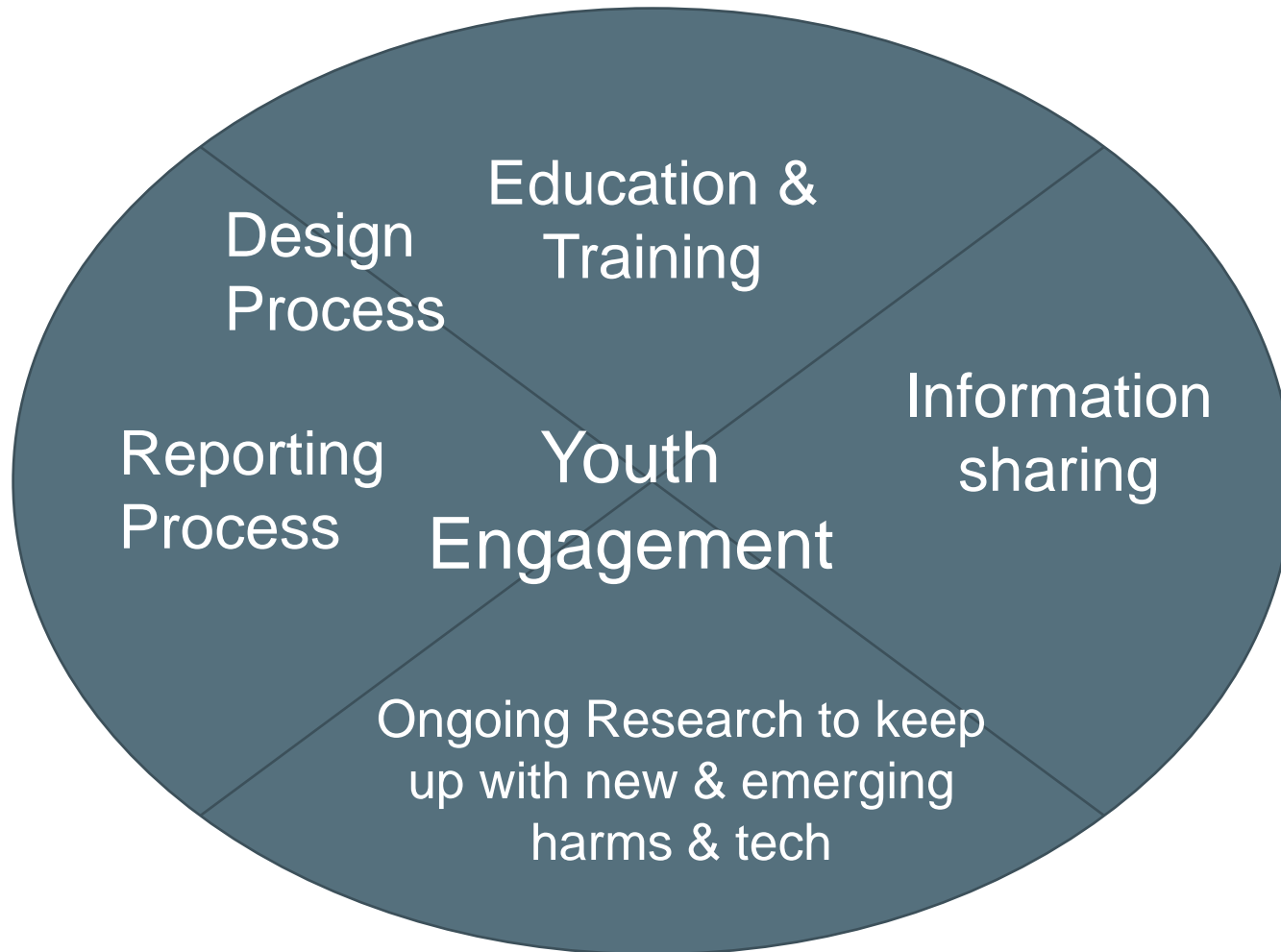
**“It's just not often that
young people are
asked about anything
to do with them, which
sucks”
(Young Person, Focus
Group).**

Australia – UNICEF’s ‘Children’s Report’ (2019)

Recommendations:

That the Australian Government:

- prioritise the digital access and online safety needs of vulnerable groups of children through targeted programs;
- develop research and online safety initiatives in collaboration with children, to ensure they more effectively enhance children’s capacity to manage a range of risks online.



Partnership

- Governments, regulators, digital companies, advocates, children and young people
- Safety by design
- Youth panels
- Children and young people designing and participating in the delivery of education

Labor has announced a new ‘youth engagement’ model:

If elected, an Albanese Labor government will:-

- Establish a **framework to directly and formally engage** with young Australians on an ongoing basis.
- Establish an **Office for Youth** so that, rather than youth engagement being an afterthought or duplicating functions across departments, there is a dedicated unit within government to feed in the contribution from young people and advocates, improve and harmonise policy across government, and ensure government is communicating effectively with young people.
- Commit to a **Minister for Youth** to improve and facilitate a holistic response across portfolios on issues affecting young Australians.

Updated at 8.29am AEST

Source: *The Guardian* Online.

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