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ADOPTION & FOSTERING ACADEMY



NSPCC
Cruelty to children must stop. **FULL STOP.**

YOUNGMINDS
The route to good mental health and wellbeing

10 Great Queen Street, London, WC2B 5DG

5th June 2019

Rt Hon Jeremy Wright MP
Secretary of State for Digital, Culture, Media and Sport
Department for Digital, Culture, Media and Sport
100 Parliament Street
London SW1A 2BQ

Dear Secretary of State,

I am writing in reference to the Information Commissioner's draft Age Appropriate Design Code, and specifically to the lobbying to which it has been subjected in recent days. In our formal submission to the Information Commissioner's Office (ICO) last week, we wrote the following:

'We are aware that different parts of the internet industry are at present lobbying the Government and the ICO with a view to securing a significant delay to the implementation of the Code of Practice on Age Appropriate Design. There is a widespread fear that the request for such delay is principally about giving commercial interests an opportunity to renegotiate, dilute or abandon key concepts contained in the Code. We urge the Government and the ICO to resist these blandishments.

'Childhood is short but the impact of negative experiences in childhood can last a lifetime. In the many years of their existence some of the firms urging delay had ample opportunities to address the matters raised by the ICO Code. They chose not to act or at any rate failed to and it therefore seems doubly unfair and highly unreasonable that they should now be seeking to kick the can further down the road, particularly if the undeclared agenda is really the abandonment or substantial modification of key principles contained in the ICO document. There was a substantial period of consultation before the ICO published its current proposals.

'It is accepted there will always be a need or scope for clarification of a text but anything beyond that should be stoutly resisted.'

You will be aware that much of the opposition to the Code has focused on its requirement that businesses establish and cater for the presence of children on their services. But you will also be aware that the general drift of policy is pointing towards online businesses having a greater obligation to know who their customers are. Given that the internet began its life as a small 'adults-only' environment populated exclusively by scientists and technologists, but now counts children as a third of its users worldwide, this seems both reasonable and urgent.

Would it be too harsh to say that if internet businesses had already been sufficiently incentivised, they would have found a way to determine a person's age and they would have done it in a heartbeat? We don't think so. Could the law create such an incentive? Yes it could. This Code could. As we point out in our submission:

'In the end it will be a business decision for each of company to decide whether or not to bring themselves into compliance with the Code. We are confident that a sufficient number of businesses will choose to comply and that a healthier and rich online environment for children will be the result.'

I strongly urge the Government to support the ICO in defending the principles of the Code, and in introducing it without delay or dilution. The safety and well-being of children depends on it.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Carr', with a large, stylized initial 'J'.

John Carr OBE
Secretary, Children's Charities' Coalition on Internet Safety