



children's charities' coalition on internet safety

Comments on Digital Europe's draft principles for the safer use of connected devices and on-line services by children

The UK Children's Charities' Coalition on Internet Safety (CHIS) is pleased to have been invited to respond to Digital Europe's draft position paper on the safer use of connected devices and on-line services by children.

This letter sets out our response. We make several suggestions as to how the document might be strengthened and improved. We very much look forward to working with you in the next period to take the proposal to the next stage.

It would be useful to have an early indication of whether or not you envisage that the next stage is a larger consultation with a wider stakeholder group or whether the intention is to complete the document within broadly the current framework.

An ambitious project

We appreciate that, in taking an initiative of this kind, seeking to engage a large and very diverse range of industry players, Digital Europe is attempting something which is very rare, perhaps unprecedented.

We entirely accept the need to bring within the scope of the EU-wide online child protection project many companies which have, hitherto, stood outside it altogether or have been only marginally involved. Some might feel there is still insufficient engagement from Internet Service Providers and manufacturers of traditional laptop and desktop computers.

Very different interests around the table

Each of the companies that have chosen to engage is in some way or another involved in producing physical products or in providing online services which are used daily by tens of millions of children and young people in Europe. That is the common bond.

However, several companies involved are very large. They are household names in almost every Member State. Others are smaller, maybe better known in some countries whilst hardly having any sort of profile elsewhere.

In addition, aside from the differences in size and geographical distribution between the players mentioned earlier, we also note that some companies sit at one or more, often several, different parts of the online value chain.

Taken together these factors all point to the risk of there being a lack of a widely shared perspective on the needs, purposes, urgency and drivers behind the initiative.

In the end, if all these companies from so many different parts of the technological and economic compass find they cannot subscribe to a single, overarching policy framework, that would not be a justification for abandoning the project altogether, but it might be a reason for considering alternative approaches e.g. which are sector or service specific.

An EU-wide approach

We understand that one of the motivations for Digital Europe to produce an overarching document of this type is a wish to help your members avoid having to negotiate individually with the national governments of 27 different Member States. We are happy to support this very reasonable pan-European aspiration. However, CHIS reserves the right to revisit this question once we have seen the final document. It may require some revisions to ensure that the actions which flow from it fit appropriately with the UK's local laws and customs.

High level. Too high?

We appreciate that a document of this kind will necessarily be quite high level. We accept also that different online services will have requirements which are unique to them even though there are probably several issues which will be common to and cross all platforms. Even so we must express some disappointment at how little detail is in this first draft.

Current self-regulatory framework is not working – independent review essential

It is now widely accepted that the current self-regulatory policy framework in the online child protection space is failing to deliver.

The two existing EU-wide codes, on social networking services and on safer mobile use by younger teenagers, were never intended to be comprehensive. They were highly targeted. Something broader and cross platform is now needed.

An express commitment to independent reviews must be included in any overarching code that this process might produce.

The two existing EU-wide codes

The current process is not intended to displace or replace the two existing EU-wide codes but we accept, and we hope all the key interests do also, that they may need to be revisited once this cycle has been completed, if only to ensure there are no inconsistencies.

Default settings

In the draft we have seen we could find no reference to the use of default or prescribed settings to support child safety. This principle is enshrined in both of the existing codes. The use of defaults should be seen in part as a way of helping to further the notion of ‘safety by design’. Important child safety features should not be left to chance or made optional extras.

Privacy information needs to be accessible, age appropriate and user tested

We strongly recommend that specific reference is made to the importance of all child safety information and guidance on, for example privacy settings, being prominently presented on every platform and service in an age appropriate and accessible way that has been user tested.

Location data and online behavioural advertising

In the context of privacy settings, extra care and attention needs to be given where there is any geo-location element to the service being provided or where online behavioural advertising is being deployed.

Systems to prevent child abuse images reaching any service

There is a strong case for every service which allows its users to search or post links to external web sites to utilise systems which will both block access to known child abuse web sites and prevent such links being posted.

In addition, companies should be encouraged to investigate the deployment of technology which can utilise hashed databases of known child abuse images in order to prevent or limit their further propagation. Every company should have some means of detecting new and previously unknown child abuse images that might appear on their service, for removing them swiftly and reporting them to the appropriate authorities.

Greater consistency in safety and privacy messaging across services and sites

More consistency should be introduced between companies and services in the way report abuse mechanisms are deployed and presented. As a child or young person moves from one site or service to another they should not have to learn an entirely new vocabulary simply to make themselves safer or report threats.

Feedback is important

There is also a need to establish a principle that all reports of abuse are dealt with expeditiously within publicly stated parameters and that, wherever legally possible, reporters get feedback on the fate of their report. The level of compliance with these turnaround times would be a key item which an independent review would examine.

Enforcing safety standards

Another aspect which we would expect any independent review process to look at is the range of measures companies take internally to enforce their policies. For example, if a site claims it is finding a certain number of underage users per day and closing down their accounts that ought to be auditable.

Age verification

We appreciate that different countries have different laws and practices around the age at which a child may give consent to data being collected from them without any need for verifiable prior parental consent. Whatever those laws are there ought to be some acknowledgement that it is important for all companies do everything they can to comply with them. Within the UK the recently published Baily Review was very clear on this matter. The Review said

Companies that provide content which is age restricted, whether by law or company policy, should seek robust means of age verification...

As recommended in the Internet Safety Technical Task Force report, published by Harvard's Berkman Center, companies should accept that in this area they have an obligation to follow technological developments and be ready to deploy useful, relevant solutions as they become available. Is there a case for establishing a European version of an enforceable Child Online Protection and Privacy Act?

The cost of engagement and consultation

It is important to recognize that children's organizations do not have access to the kind of resources most companies have at their disposal even in these more straitened times. This should be considered when we are being asked to attend meetings which are a long way from our home bases. We are happy to respond to and comment on documents but meetings and extended phone or video conferences can present special challenges.

We should not have to choose between spending our scarce resources on front-line services for children and families or travelling to meetings to help companies improve their understanding of child safety policy and practice.

Wider consultation

Within each of our member organizations there is a great deal of knowledge and expertise in the field of child protection, child welfare and child development. We all work directly and constantly with children and their families. The advice we offer in this or indeed any other consultation with which we engage is drawn directly from that experience, often gained over a great many years.

CHIS speaks only for the members of CHIS. We make no claim to speak for anyone else, much less for all children's organizations in the UK or anywhere else. Thus we would very much encourage you to speak directly with as many other voices or poles

of opinion as possible, particularly to children themselves. Parents' organizations and youth organizations might be especially appropriate in this instance.

Publication of the final protocol

An integral part of any policy making process must be the elaboration of a communications plan which will help ensure that all key target groups and the wider public will have easy and appropriate access to all the relevant deliverables. These will need to be presented in several different but always accessible formats.

Timescales

We appreciate that it has taken a great deal of time to get to this stage. We trust we can now look forward to concluding this process at a brisk pace.

A co-ordinating mechanism

We said at the beginning of this letter that we look forward to working with you in the next period to develop a finished document.

Perhaps there is also a case for establishing a mechanism to continue the wider work in this area and sustain the momentum? Such a mechanism might be especially valuable if we were eventually to move to a position where individual or service specific codes or policy documents were going to be developed.

Were such a body to be established careful consideration would need to be given both to its composition and working methods, as well as to how it will be financed.

Yours sincerely,



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