



children's charities' coalition on internet safety

Hayley Fletcher
Code Policy Executive
Committee of Advertising Practice
Mid City Place
71 High Holborn
London W1CV 6QT

7th June, 2012

Dear Ms Fletcher,

Review of the use of children as brand ambassadors and in peer-to-peer marketing

Thank you for meeting myself and Shaun Kelly of Action for Children to discuss several issues arising from the CAP's review of the practice of children being used as brand ambassadors and in peer-to-peer marketing. Thank you also for inviting us to submit evidence. We note that the review arises from the recommendations of the Bailey Review.

CHIS representatives expressed the view that there could be no objections at all to children being consulted about the qualities or properties of different products or services that are aimed at their age group. If the children were rewarded for participating in that kind of research that was all to the good, assuming their parents or guardians knew and approved.

However CHIS feels it crossed an ethical line when companies, in effect, recruited sub-16 year olds then incentivised them to use their online or other friendship networks to promote or sell their products. If children, or indeed anyone, were asked to do this covertly it would contravene existing ASA codes but even insisting on doing this overtly was still problematic, principally for two reasons.

First, it would encourage children to think about friends in a manipulative or commercial way as they sought to exploit relationships for their own personal gain. That would be a difficult enough line for an adult to tread, but with a child the worry would be that it might somehow normalise or appear to normalise the behaviour when I am sure we could all agree it is anything but normal or common. Children are less likely to possess the critical faculties that would enable them to locate "selling to friends" in an appropriate context.

Secondly, and more seriously still, there would be an additional worry that incentivising children to work in this way would encourage them to extend their

online and offline friendship circles in ways which might lead them into danger. The general advice we give is that children should normally only accept as friends those people whom they know in real life, or who are vouched for or known by some other route e.g. via a teacher or a school language club. It is difficult enough to hold this line but introducing incentives to do the exact opposite can hardly be helpful.

Beyond that I think on further reflection we have other, underlying concerns about the overall approach outlined in the email to which we are responding.

You say CAP intends to: *“assess the available evidence to determine whether it is necessary and proportionate to ban the use of children aged under 16 as brand ambassadors or in peer-to-peer marketing.”*

We know of no empirical evidence that would help you one way or the other. Indeed we know of no ethical way in which you could construct or obtain such evidence, let alone take it and use it to determine whether or not a particular course of action was, or was not, proportionate. “Proportionate” to what exactly? How do you weigh or measure the moral peril or confusion that would potentially be implanted in a child’s mind after they have been encouraged to make money by selling things to their friends? Isn’t it the case that some things are just right or they are wrong, and where children are concerned if there is any doubt the precautionary principle should apply and the status quo ante should be preserved?

We cannot be alone in thinking it is self-evident that there are already plenty of ways in which children are exposed to commercial pressures through advertising without needing to find yet more, particularly where the “yet more” involves trading on hitherto innocent friendships among the very young. In that light, ought not the onus to be on the would-be advertiser to “prove” the intended new types of advertising practices, in this case acting as brand ambassadors and in peer-to-peer marketing, will either be beneficial to children in some way or at the very least that they would be neutral in effect? If that is not the case it suggests advertisers are always free to do what they like unless and until someone else shows they should be doing something else. Should children’s organizations have to raise money from their supporters to carry out research into new advertising practices? That doesn’t seem right, especially now in the straitened times we all live in when charities are hard-pressed to stay afloat and help their clients with more immediately pressing needs.

Yours sincerely,



John Carr OBE
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