

## About ISPA

The Internet Services Providers' Association is the trade association for the internet industry in the UK. ISPA has over 200 members from across the sector, including a large number of access provider ISPs from small to large, content platforms, hosting providers, and others. ISPA has been heavily involved in online safety policy since our inception in 1995. For example, we helped set up and still help fund the Internet Watch Foundation, regularly respond to parliamentary inquiries and government consultations and our members are at the forefront of helping their customers and users protect themselves through education, awareness, and technical tools.

## Introduction

1. ISPA welcomes parliamentary interest in this area and supports the Committee's position on the importance of child internet safety. The internet as a vital tool in children and young people's development and key for a successful modern economy and society. In light of this, ISPA members have dedicated huge amounts of time and resources to helping make the internet safer, including by working with Government, and we believe that this approach has been highly successful and should be continued. Initiatives such as Internet Matters and the UK Council for Child Internet Safety have brought together industry, Government, and stakeholders and helped the UK to become a world leader in the area of child online safety. We believe that the current regulatory environment that promotes self-regulation over regulation has achieved a great deal, so would encourage caution before jumping into any new legislation that may be detrimental to this progress.

## ISPA Position

2. The internet has been transformative in the lives of young people who have grown up as digital natives. It is now a part of everyday life for young people and is deeply ingrained in all aspects of their lives, with children often seeing no distinction between their online and offline lives. Educationally, the internet offers opportunities to learn and experience in a way that was not previously possible, and has opened up huge opportunities for their development. Crucially, the internet also helps children gain digital skills, which are important to the UK maintaining its place as a world leader in the digital economy and are only likely to become more so. For the UK to maintain this role, it is crucial that children have the chance to learn and explore the online world, honing their skills in a digital, knowledge-based economy.
3. Whilst the internet also carries adverse risk, as with other aspects of everyday life, we believe that if children's use of the internet is moderated by a parent or carer in a sensible manner that the benefits far outweigh the risks. To help parents, carers, and young people themselves, our members have worked to educate and empower parents to become more internet savvy and keep their children safe

online. An example of this has been the setting up of Internet Matters – funded and run by BT, Sky, TalkTalk and Virgin Media - which offers advice and information on tackling e-safety issues and gives parents and carers the support they need. We would suggest that this kind of education and empowerment is the most effective solution to managing online safety, supported by technological tools. Examples of technical tools and education and awareness programmes offered by industry include:

- Companies, including ISPs, operating systems, search engines and others, provide online safety guides, awareness raising and education to their customers to help make the right choices for them.
  - A number of ISPs, both large and small, offer consumers the choice on whether to install network-level configurable parental controls, with more than 90% of consumers covered by a range of ISPs. These tools offer granular filtering across a variety of categories determined by the end user, cover multiple devices in the home and are adaptable for different age groups. However, these tools have limitations, may over or under block and should not be viewed as a silver bullet solution.
  - Other device-based technical tools can be used to help protect users online
  - Content providers, search engines and other platforms stipulate within their terms and conditions what content they view as inappropriate, and moderate their networks to remove it. This includes websites like Facebook and Twitter which seek to remove extremist and pornographic content and are able to ban users.
  - ISPA and many ISPs have helped to setup the IWF and have consistently supported the organisation which is considered to be world class in preventing people from access child abuse content and facilitating the removal of such content at source.
4. However, it is important that both industry and Government play their part in making sure the internet is safe for children. Government has led the way through the creation of UKCCIS bringing together stakeholders to identify, work through and solve issues. However, one further area in which Government could show leadership is on education and consider the value of an educational campaign, similar to that they have done for cyber-crime and a host of other more traditional public health campaigns, that would involve educating both parents and children on the dangers associated with the internet and how they can be avoided.
5. We would also highlight that some of the most harmful behaviours, such as cyber-bullying, are often societal issues rather than simply technological. Whilst the bullying is taking place online, it could just as easily take place in the schoolyard and should be treated in the same way. At times the current policy debate is sometime too strongly focused on finding a technological fix to a problem that often has societal roots or is simply an expression of offline behaviour that was always present in some sort

or form. The same approach of moderation and education is the most effective way to tackle societal and behavioural issues.

6. ISPA believes that current legislation in the area of child protection online is largely sufficient. The current approach, in which Government have partnered with industry and stakeholders and looked first at self-regulation, is we believe the most effective way. This approach is able to keep pace with technology in a way that legislation often cannot, meaning the UK is seen as a world leader on internet safety. For example, the level of child abuse content hosted in the UK has fallen from 18% in 1996 to below 1% today through a self-regulatory approach, rather than legislation. That's not to say that legislation does not have its place as a backstop and to provide clarity on the law, and there may be a need to review and streamline legislation. For example, with the police are said to be using up to 30 pieces of legislation to prosecute online abuse. We also believe that Government will face numerous challenges whilst implementing their age verification legislation, due to many websites being based outside the UK. Thus, we firmly believe that Government should continue to work with industry in order to tackle the problem of children's safety online, such as through UKCCIS.

## **Technical Challenges**

7. We believe that technical fixes to control internet usage should not be viewed as a silver bullet solution to the issues at hand. Whilst there will be technical challenges involved in introducing greater controls on internet usage by children, the main reason we do not support a solely technical approach is that we see it as less effective. For example, some have called for ISP-level blocking of non-compliant pornographic websites, as they see it as an effective means to make sure pornographic websites comply with the age verification measures. However, we believe that this would be an ineffective approach as in 2011, Ofcom [reviewed](#) the practice of blocking websites to reduce online copyright infringement and found that blocking websites could be easily circumvented, carried adverse risks, and could ultimately have an impact on privacy and freedom of expression.
8. Blocking would also carry an adverse impact on the operation of the open internet - the ability to impose technical measures on individual users will vary between ISPs and there could be unintended consequences for ISPs' networks. Moreover, there may be significant impact on business to comply with blocking orders that could have a negative impact on UK ISPs. Instead, policy measures are best targeted at the most effective part of the internet value chain, in this instance the sites themselves or those that help support them financially.
9. We would also highlight that it is important that the Committee considers the internet value chain and realise that different actors play different roles within the chain and not lump the 'internet' as one

homogenous body. Whilst internet service providers can provide filtering products, they cannot control what is hosted on social media platforms. Thus, policy in this area needs to take account of this and be directly targeted at the correct part of the internet value chain.

## **General Data Protection Regulation**

10. GDPR is a robust framework for data protection and in our opinion it goes a significant way in terms of enhancing children's safety online. The introduction of an age of consent of 16 for processing personal data by a data controller offers new protections for children and the Regulation clearly states that 'children deserve specific protection of their personal data', especially when used 'for the purposes of marketing or creating personality or user profiles', allowing any data subject the right to object to the use of his/her personal data for the purposes of 'direct marketing'. These provisions will impact the experience of children online and especially their exposure to marketing and advertising, as children are explicitly protected and given the right to challenge if their data is used.
  
11. GDPR also contains provisions to make sure that any communications to users about how their data is being processed contain the use of 'plain language' and the use of pictograms or icons to make it easier for users to understand. This will allow parents to have a clearer picture of how a website may process data and make an informed decision as to whether they feel it is appropriate to allow their child to use a service.