British Psychological Society response to the London Assembly

Online Harms: White Paper

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Under its Royal Charter, the objective of the British Psychological Society is "to promote the advancement and diffusion of the knowledge of psychology pure and applied and especially to promote the efficiency and usefulness of members by setting up a high standard of professional education and knowledge". We are committed to providing and disseminating evidence-based expertise and advice, engaging with policy and decision makers, and promoting the highest standards in learning and teaching, professional practice and research.

The British Psychological Society is an examining body granting certificates and diplomas in specialist areas of professional applied psychology.

Publication and Queries
We are content for our response, as well as our name and address, to be made public. We are also content for the Department to contact us in the future in relation to this inquiry.

Please direct all queries to:-
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About this Response
The response was led on behalf of the Society by Saskia Perriard-Abdoh, BPS Policy Advisor with contributions from:
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We hope you find our comments useful.

British Psychological Society response to the Department for Digital, Culture, Media and Sport

Online Harms: White Paper

	This government has committed to annual transparency reporting. Beyond the measures set out in this White Paper, should the government do more to build a culture of transparency, trust and accountability across industry and, if so, what?
1.	The emphasis on transparency reporting, which allows parents to make informed decisions is welcome. In particular, we welcome Recommendation 3.9, which refers to companies making relevant terms and conditions sufficiently clear and accessible, including to children. However, we would recommend that transparency reports should also be fully accessible to children, which is in keeping with the spirit of the Children and Families Act 2014. This would emphasise the importance of empowering children and young people to participate as fully as possible in decisions that directly affect them, and would provide them with information to do so. From a psychological perspective, facilitating transparency and ensuring accountability are both necessary to foster trust in systems (Kramer, 1999). While people want to continue to use online services and appreciate the value of them, they are increasingly questioning how much control they have of what they see, and how their information is used (Grimes and Roger, 2018). This relationship needs repairing, and regulation based on psychological evidence can help achieve this. If we get this right, we can protect people online while continuing to embrace the opportunities of digital innovation.
	Should designated bodies be able to bring 'super complaints' to the regulator in specific and clearly evidenced circumstances?
2.	<table><tr><td>**Yes**</td><td>**X**</td></tr><tr><td>**No**</td><td></td></tr></table> **If your answer to question 2 is 'yes', in what circumstances should this happen?** Local authorities, schools or third sector bodies, such as the NSPCC should be able bring 'super complaints' in the case of children. For example, children who are looked after are particularly vulnerable, as well as children with special educational needs and disabilities (Simkiss, 2012; Miller & Brown, 2014). The ability to bring forward representative 'super complaints' has the potential to encourage individuals affected to come forward and make their voices heard. Evidence shows that feelings of disconnection and isolation can be difficult barriers to overcome at the individual level and can have long term mental and physical health impacts (Cornwell & Waite, 2009). The ability of designated bodies to take forward complaints could help diffuse the impact of stigma which can be as harmful to wellbeing as the originate harm (John et al., 2018)

	What, if any, other measures should the government consider for users who wish to raise concerns about specific pieces of harmful content or activity, and/or breaches of the duty of care?
3.	The rights of children in a digital environment must be protected, as they underscore their rights across a range of environments. This is a two-way relationship, in which vulnerabilities in the online world reflect vulnerabilities in the offline world Carr (2014). As such, protection and empowerment of rights online is likely to support the protection and empowerment of rights offline.

In order to ensure that a whole-systems approach to address the impact of online harms is taken, a formal link between the regulator and the UK Council for Internet Safety should be established. Representation on the council should include young people, as well as a greater proportion of professionals. This should include both practitioner psychologists who are involved at the individual level and work directly with affected individuals as well as psychologists with expertise on the impact of online activity on young people (as described in the 2018 NSPCC review of the impact of the Byron Review).

This link should include sharing annual transparency reporting data, as well as consultation on responses to 'super complaints' or appeals. This would help the government achieve its transparency and accountability objectives outlined in question 1. |
| | **Are proposals for the online platforms and services in scope of the regulatory framework a suitable basis for an effective and proportionate approach?** |
| 5. | The BPS would like to outline the following principles to shape a regulatory framework:
  • Ensuring web content is as accessible as possible to a wide range of children and young people. This includes thinking carefully about how to make age appropriate content easily accessible but also how to ensure that appropriate safeguards are in place to allow children to explore without risk.
  • Establishing stronger statutory duties for internet providers, social media and other companies to take down or block harmful or inappropriate content and a commitment to cooperate with and report evidence of crimes to the police. There should also be stronger penalties for companies who fail to fulfil this responsibility.
  • How children and young people could be trained on how to use technology safely including how they can report any problems that may arise.
  • Greater thought should be given to how to enable children and young people from deprived backgrounds to access good quality appropriate technology that their parents may not be able to afford, e.g. through libraries and schools.
  • Children and young people with disabilities or special educational needs should be provided with the technology they need to access education, communicate and to live as independently as possible.
  • Given the speed at which technologies develop and the constantly changing landscape, young people who are born even a few years apart are likely to have differing experiences (Joiner et al., 2013).

We agree with the Children's Commissioner that well-known apps such as Instagram or Facebook are not the only ones who need regulation (Longfield, 2019). Smaller companies should have to follow the same laws given that their potential to unknowingly and rapidly becoming conduits that lead to harm. For example, Psychologists have reported on how quickly apps like TikTok can become |

popular with children, which often places both parents and the regulator in a reactive position.

Children are also using social media and the internet from a younger age, and spending more time online (Ofcom, 2019). However, it would be a mistake for a regulatory framework to focus only on companies that 'market' to children. Many children under the age of 13 are on apps that were not designed for them, or with their needs and vulnerability in mind. Children can do this by inflating their age when they sign up and their parents are often unaware (Byrne, 2014), or hope their child will not be affected (Boyd et al., 2011).

Given that harms which originate online often manifest themselves in the physical world, implementing a statutory duty of care shift would change the currently disproportionate balance of responsibility away from the individual and back to the companies who provide the platforms through which harmful content can reach vulnerable audiences – which includes children and young people (Bunting, 2018). It would give companies providing online services a legal responsibility to keep users safe, provide more support for parents and children, and instil notions of social responsibility as a key component of how these services and platforms should be designed, ideally at the inception point of project development (Bowler et al., 2015).

While current focus is rightly on matters such as sexual exploitation, it is important to also pay attention to more commonplace commercial exploitation. Children can be particularly vulnerable to this. Online platform companies should have sound codes of corporate governance, which explicitly define their responsibilities towards children. If voluntary self-regulation proves ineffective there might need to be recourse to legal regulation (see for example online gambling regulation).

Businesses should:
- Not advertise directly to children.
- Not deliberately include features in technology targeted at children that can promote addiction and excessive screen time, such as variable reward schedules, and push notifications. (Raso 2018).
- Use algorithms to search for keywords, which may indicate online harms such as grooming, violence or self-harm. Appropriate policies should be in place to address these issues when they are identified.
- Make it easy to report problems and have a legal duty to address them within a set time.
- Commit to better monitor sites used by children to ensure adults are not accessing them inappropriately.

	In developing a definition for private communications, what criteria should be considered?
6.	There are two additional criteria which should be considered: A) If a user is registered as a child and an adult user corresponds with them, could this private communication be subject to additional monitoring? Especially in chat facilities and online game platforms. B) Is there a maximum number of people beyond which a conversation is not considered 'private' communication? If so, we believe that this should this be specified.

	What further steps could be taken to ensure the regulator will act in a targeted and proportionate manner?
8.	Given that the online environment is not restricted to one national jurisdiction, the research function of the regulatory body could include an international dimension where actions in different countries are considered against bodies/organisations of similar sizes and considered comparatively.
	Should an online harms regulator be: (i) a new public body, or (ii) an existing public body?
10.	**If your answer to question 10 is (ii), which body or bodies should it be?** (ii) The current regulator for health and social care would seem appropriate given the psychological impact of some harmful online use (such as gaming addiction) as well as risks such as grooming. Ofcom seems less relevant as there are significant differences between the nature and impact of online content versus television or radio. For example, children are more likely to be exposed to traumatic content (pornographic or violent) with 1/10 children and 1/5 young teens reporting they encountered something worrying or nasty online in the past year (UKCCIS, 2017).
	Should the government be doing more to help people manage their own and their children's online safety and, if so, what?
17.	In line with the NSPCC' 2018 review of the Byron Report, the British Psychological Society recommends the establishment of a 'vulnerable groups champion' in working groups of the UK Council for Child Internet Safety (UKCCIS). This would promote the inclusion of those with additional needs in online safety/digital literacy initiatives. We would also recommend reviewing the feasibility of more robust age verification checks for online gaming. The Children's Commissioner reported that parents and carers are often insufficiently skilled with technology to understand risks and be able to put appropriate safeguards in place (2017). While there is a clear need to ensure that children can maximise the benefits that accrue from digital access and engagement (Wilson, 2016). The challenge remains that many young people are far more digitally skilled than their parents and caregivers (Bennett, 2012). There is certainly room for wider education of parents aimed at alleviating this 'threat'. This training should be based on a psychologically informed approach relating to both evidence and communication, in order to empower parents and carers to respond to the risks associated with the digital world in an appropriate and proportionate manner. Specific to children living away from their birth parents in care, there is a great concern among professionals in this area about the implications of young people having access to information or contact with parents via the internet, in a manner that is outside the realm of appropriate supervision (Simkiss, 2012). For example, La Valle and Graham (2016) found all residential care homes were limiting access to internet and phones to young people they felt were at risk of child sexual exploitation. However, digital exclusion is not and should not be considered as a solution. Children, particularly children in the care system, who have frequently been disempowered by the systems around them, need to be provided with skills and empowerment to engage actively, appropriately and successfully in the digital world. This is likely to be far more effective than punitive, sanction based measures to shape online risk taking.

	There also needs to be specific consideration of how the private sector should take part in developing technical solutions to current challenges within the digital world e.g. the development of interfaces, which restrict access to specific content, rather than the unfortunately frequent entire removal of internet within a residential home that results in digital exclusion (Simkiss, 2012).

Lastly the high proportion of young people looked after who have disabilities or additional needs also necessitates consideration of how the digital world needs to be adapted to meet the needs of these young people (Miller & Brown, 2014). How this might be achieved is not clear and further research is required. Relevant research should also be commissioned to enable a better understanding of what guidance carers, educators and professionals need in order to address the impact of online harms in their workplaces and communities. Ideally, this would lead to the subsequent creation of guidance that is feasible for Local Authorities to adopt. |
| | **What, if any, role should the regulator have in relation to education and awareness activity?** |
| 18. | Some parents report finding it very difficult to set limits on their children's screen time or what they can access (Ofcom, 2019). Clear communication with schools or the development of an evidence-informed resource pack for parents could be incorporated into the work of the regulator.

It is essential that the views of children and young people are sought as part of the process of co-producing and formulating these resources and policies (Brooker, 2011). Furthermore, any conclusions should include thoughtful discussion about how to ensure that these evolve with the change in both technology and the evidence base.

For example, children's view could be sought by:
- Setting up children and young people's panels so their views can be gathered directly. (This panel should consist of children and young people of different ages and backgrounds. It should also include those with disabilities and special educational needs).
- Providing these children with the psychological support needed to participate effectively in the process
- Training and empowering children and young people to be co-researchers and providing them with the support to share their views. |
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End.