Enhancing Online Safety for Children

Janice Richardson, Senior Advisor, European Schoolnet (Please note: the opinions expressed here-below are my own opinions built on the basis of my experience and in no way represent the opinions of European Schoolnet or the Insafe network)

Introduction: As an Australian citizen based in Europe for several decades and currently coordinator of the European Commission's (EC) largest project in the area of online safety, I read with interest your document and wish to bring my viewpoint to the debate. I am founder of Safer Internet Day, celebrated annually in February in well over 100 countries worldwide, and (within my tasks as senior advisor at European Schoolnet) have coordinated the Insafe network since it was created in 2004. Insafe consists of national EC-funded centres in 31 countries (27 of the 28 EU member states plus Iceland, Norway, Russia and Serbia). Each Safer Internet Centre (SIC) comprises an awareness-raising/education team, a helpline and a youth participation coordinator, and works closely with the national hotline(s) which is often part of the same organisation.

European Schoolnet (EUN) is a consortium of 30 Ministries of Education from across Europe who work together to transform teaching and learning through the integration of Information and Communication Technology (ICT). Within this remit, EUN coordinates a dozen or so networks set up by the European Commission and is an active partner in many Public-Private Partnerships that deal with issues ranging from digital rights and citizenship to eSkills, digital jobs and gender equality in domains such as science and technology (see www.Europeanschoolnet.org).

Q1	What existing programmes and powers should the Commissioner take responsibility for?

Experience has shown us the importance of constantly gathering data from youth (through youth participation groups and initiatives) and helplines in order to rapidly spot emerging trends and taking preventive action as rapidly as possible. This is especially important in Europe, where rates and types of technology take up vary greatly from country to country. By maintaining strong links with industry, a good understanding of the evolving context enables us to request modifications to improve safety and even "future-proof" certain tools and services. Although your document proposes "establishing a research fund to consider the effects of internet use on children, how support services can be provided online and how to mitigate children's online risks", I would like to suggest that the Commissioner's office should have a coordination role to ensure that data is gathered from all relevant sources and that links with industry are sufficiently strong to trigger rapid responses when necessary. This function necessitates both independence and objectivity which only a public office can bring.

On the other hand, delivering online safety education through special funding programmes rather than through the education ministry and the school curriculum could present certain negative aspects, at least where school education is concerned though it could be effective for other sectors of the population. Online safety is an integral aspect of 21st century literacy and needs to be tackled holistically by being embedded across the curriculum. Moreover, validation (certification) of the pedagogical skills of trainers and of the quality of resources, even for programmes aimed at population sectors beyond schools, can best be given through an education ministry. Lastly, online safety needs to be integrated into teacher training, once again the remit of education ministries. This is especially true if we want to go beyond the current "tips and messages" culture to get people to reflect on their online activity and build the resilience they need to benefit from the opportunities of online technology and know how to avoid any risks. I therefore suggest that establishing a funding programme to be distributed by any office other than the education ministry could detract from the value of the programme in the eyes not only of teachers and parents but also of the general population.

Example of successful practice: Every year our network produces a DVD with one online safety resource per member country, and the 30 ministries of education that make up the steering committee of European Schoolnet are request to validate the content of their national resource. This system has proved very popular with schools across Europe over the past 4 years.

> **Q2** Considering the intended leadership role and functions of the Commissioner, which option would best serve to establish the Commissioner?

Option 3 appears to me to offer the most-cost effective long-term solution. In Europe NGOs play a large and important role in online safety, however this presents a certain number of disadvantages. Every two years, they need to re-apply for funding, hence having to extrapolate on needs and initiatives almost 3 years in advance – in a field as rapidly evolving as online safety this is not the most effective solution or the one that ensures the best continuity. Moreover, competition between NGOs does not always ensure the best synergy or coherence of strategies, and therefore duplication of efforts and resources is often a problem. Moreover, whilst NGOs are able to work well with industry, funding needs can sometimes lead them to undertake projects that are not necessarily driven by the interests of the public. The ACMA is very well known in Europe for the excellence of its staff and achievements.

Luxembourg created an interesting good practice model a dozen or so years ago, by creating a National Committee for the Information Society (CNSI). This brought together 6 Ministries (Education, Culture and Research, Economy, Justice, Interior, Social Affairs) who dedicated an annual budget to finance projects put forward by the public and private sector to improve all aspects of ICT development. The CNSI selected a task force of 10 experts to investigate projects submitted and supervise the implementation of projects accepted. In this way, Luxembourg has an effective strategy in place for all sectors of the

public led by a public-private committee involving wide-ranging actors from educators and police to youth leaders and industry.

Q3   Are these definitions of 'social networking sites' suitable for defining 'social media sites' for the purposes of this scheme?

Q4   Should the proposed scheme apply to online games with chat functions?

Q5   What is the best criterion for defining a 'large social media site', and what available sources of data or information might be readily available to make this assessment?

Q6   Is the coverage of social media sites proposed by the Government appropriate and workable?

As a result of recent USA research[1] that has resonated with many researchers and educators in Europe, people are beginning to questions our current strategies of dealing with bullying – indeed, many of our 31 helplines are showing a negative correlation between anti-bullying campaigns and the rise in bullying. The focus on social and emotional learning (SEL, or SEAL in the UK) is growing, and this is what I find missing in your definition of social media. Above all, it seems to be an important means for young people to express/share feelings that they cannot express elsewhere, which brings both positive and negative results. I was at the Facebook Compassion Day in Palo Alto last December, and am pleased to see that the emotional facet of social media has become an area of focus.

European Schoolnet ran an online course for teachers in 2012, called SMILE (social media in learning and education at: http://www.eun.org/teaching/smile) which has showcased several important aspects about social media. It underlined that young people need role models in online communication that they are currently not getting from adults; this is one reason why teachers consider it important to use social media in class. It also showed the great value of social media in learning to implement non-performance related models (see Basil Bernstein[2]) as an enabler to adapt classroom learning to the rhythm and needs of pupils rather than vice-versa. We run a "Games in School" online course for teachers every year too, and this highlights amongst many other things that online games with communication facilities serve many of the functions of social media, especially for boys. We are working with IFSE (International Federation of Software Entertainment) to better understand how to rate/delete content, and several years back I worked with them on a committee set up by the Council of Europe to draw up a set of guidelines for games providers[3] which, although dated 2008, still bring some valuable ideas to the discussion.

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[1] http://dx.doi.org/10.1155/2013/735397

[2] http://eprints.qut.edu.au/2864/1/2864.pdf - an overview of some of Bernstein's ideas

[3] http://www.coe.int/t/dghl/standardsetting/media/Doc/H-Inf(2008)008_en.pdf

Social media channels are growing so rapidly in number and functions on offer that it would be impossible for any government to be in contact with them all. We have deployed two strategies in this regards: our helplines keep us rapidly informed of emerging issues (e.g. chatbots in January) and we then develop a factsheet describing the issues and suggested solutions which our country coordinators send to their helplines and disseminate broadly through youth groups and websites. In parallel, we contact the social media provider to try to negotiate for a modification of the service and/or better information for users. We have been negotiating with Ask.fm for 4 months now, and it seems that at last we are making progress. The press is helpful in this regards too, over-dramatising events but enabling us through interviews etc. to apply pressure where necessary.

The European Commission in 2011 brought together the 30 biggest online service/content/media providers in what is known as the CEO coalition. This is a self-regulation body comprising a broad range of business companies including Microsoft, Facebook, Nintendo, Vodafone, Blackberry, ISFE etc. The Coalition meets several times a year, and were initially set 5 action points by EU Commissioner Neelie Kroes; progress on these points is now available.[4] This appears to be an effective means of keeping apace of the rapid evolution of online tools and services.

Q7   Should the scheme allow children who are unsupported by adults to be active participants (either as complainants or notice recipients)? Having regard to the vulnerability of children, what procedural safeguards should be in place?

Q8   What type of information would it be necessary to collect from complainants in order to assess their eligibility under the proposed scheme (including age verification), and also to adequately process complaints with minimal investigation required?

Q15   What is an appropriate timeframe for material to be removed?

Children, like all other humans, have the fundamental right to be able to complain when they feel their rights are not respected, but also have the responsibility to respect the rights of others. Moreover, being aware of and able to exercise these rights provides an invaluable step in active participation in society as a fully-fledged citizen. However, a major challenge that we frequently encounter is how children can complain when illegal content in which they feature is created/uploaded by an adult? We are investigating complaint buttons and mobile call services that would completely efface all traces of such calls so that the privacy of the child/victim can be fully protected against the offending adult.

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[4] http://ec.europa.eu/digital-agenda/en/news/ceo-coalition-2014-progress-reports-actions-make-internet-better-place-kids

We approve the more subtle reporting system that Facebook has recently implemented and note that other social media operators are beginning to implement similar reporting systems. It seems best that complaints are handled within the context in which the offending behaviour has been committed, wherever possible, since escalation entails both human and financial costs to all concerned. The anti-bullying research quoted earlier seems to underline this point. However, whether the complaint remains with the social media operator or goes to the Commissioner, it is very important for a complainant to receive rapid acknowledgement of the complaint and a timeline for a response and for the eventual removal of content and each step of this process needs to be transparent and fully respected. The length of time is not particularly important if it is reasonable, but users are empowered only if the whole process is transparent and they are fully informed. Our investigations with youth show that unfortunately many no longer report regardless of the situation due to lack of visible response.

From another point of view, social media operators should also have a responsibility to collate reports and submit them to the entity in charge of the overall online safety programme, as this "big data" can highlight emerging trends and also weaknesses in the system. Some reports may require psychological support for the complainant/victim, and such cases should be handed on to an officially accredited helpline specialised in the domain.

> **Q16** What would be the best way of encouraging regulatory compliance by participating social media sites that lack an Australian presence?[5]

Regulatory compliance seems impossible to obtain given the very different legislation in countries across the world, which is why Europe has placed the focus on self-regulation. This is once again an area that requires international governance, for example through discussion at the annual Internet Governance Forum. Better cooperation on an ongoing basis also seems essential, since there is no real international cooperation in this area but rather conferences here and there which raise new issues but never tackle any of them in depth. I would like to see an international think-tank set up, bringing together public, private and civil sectors and actors covering the broad spectrum from research and education to policy and business standards. The think-tank would need to be set a clear annual agenda and deliver publicly on this.

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[5] In considering this question, readers may wish to review the ACMA's paper *Cross-border regulatory strategies; Case studies in regulatory practice for a networked economy and society*, which was released in October 2013. This paper makes a case for a mix of regulatory tools to ensure compliance with domestic regulatory measures. These include, but are not limited to, a range of domestic legal and industry tools (including education programs, taxation approaches, industry codes, industry and consumer levies and graduated response models), and also cross-border legal harmonisation.

Other questions in this section are more of a national nature, and therefore beyond my knowledge. Industry can best respond to Q 19.

> Q20 In light of the Government's proposed initiatives targeting cyber-bullying set out in Chapters 1 and 2; do the current criminal laws relating to cyber-bullying require amendment?
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> Q21 Is the penalty set out in section 474.17 of the Criminal Code appropriate for addressing cyber-bullying offences?
>
> And following Qs

Please see my comments above on cyber-bullying. I feel that this is a much deeper human issue that cannot be solved by legislation. Serious bullying entails other crimes which are already taken into account by law. There has been interesting discussion at the Council of Europe and other EU institutions regarding the UNCRC, and the conclusion seems to be that if the rights of the child were to be modified to take into account digital aspects, there is a very great danger that some rights would be inadvertently diluted.

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