



Children and the Internet

Written Submission to the Select Committee on Communications, UK Parliament

Deadline: 26th August 2016

About Together

Together (Scottish Alliance for Children's Rights) is an alliance of children's organisations that works to improve the awareness, understanding and implementation of the UN Convention on the Rights of the Child (UNCRC) in Scotland. We have over 300 members including large international and national non-governmental organisations through to volunteer-led playgroups and after school clubs. We also work closely with equivalent organisations across England, Wales and Northern Ireland, and are a member of the Rights of the Child UK (ROCK) coalition. Together consults widely with its membership through seminars, meetings and other ongoing communications. Every year, we research and publish an annual *State of Children's Rights* report to set out the progress made to implement the UNCRC in Scotland. We worked closely with the UN Committee on the Rights of the Child in relation to its 2016 examination of the UK and its resulting recommendations to the UK and devolved governments, which reflect very many of the concerns of Together's members.

Introduction and summary

Together welcomes the opportunity to comment on the Communications Committee's inquiry into Children and the Internet. In our response, we will particularly highlight the need for:

- Non-discrimination within online media;
- Tackling risks posed by ICTs to the safety of children, including online harassment, sexual exploitation of children, access to violent and sexual content, grooming and self-generated sexual content;
- Addressing cyberbullying as a serious and widespread problem;
- Equipping children and young people with the skills and capacity to be able to make responsible use of ICTs whilst avoiding risks and protecting themselves from harm;
- Compulsory, resourced, relevant and inclusive personal and social education (PSE) at schools and colleges;
- Raised awareness and understanding amongst parents/carers and teachers of the benefits and risks of the internet to children;
- Ensuring that private businesses take account of children's rights in their online activities;
- Calling on government to ensure clear legal and regulatory environments online;
- Ensuring all children have access to digital media and ICTs without discrimination;
- The important role played by NGOs in ensuring access of children to ICTs and protecting their rights when using these means;
- Recognising the positive impact that ICTs can have on children's self-expression, freedom of expression, access to appropriate information, participation, education, as well as rest, leisure, play, recreational activities, cultural life and the arts.

The UN Convention on the Rights of the Child

The Communications Committee's deliberations should be underpinned by the UN Convention on the Rights of the Child (UNCRC) and its associated jurisprudence. The UN Committee's report of the Day of Discussion on Digital Media and Children's Rights provides a comprehensive analysis of the impact (positive and negative) of the internet on children's rights and makes a number of recommendations that the Communications Committee may like to consider as part of its inquiry.

The UN is clear that governments should recognise the importance of access to - and use of - information and communication technologies (ICTs) for children and young people, and its potential to promote children's rights. In particular, the UN highlights the role of ICT in promoting children's rights to freedom of expression, access to appropriate information, participation, education, as well as rest, leisure, play, recreational activities, cultural life and the arts¹.

Together welcomes the fact that the Communications Committee's timely inquiry progresses the UN's recommendation to 'evaluate the impact of digital media and ICT related policies, programmes, practices and decisions on the rights, well-being and development of all children'². In line with this recommendation, Together urges the Committee to ensure the 'active involvement of all stakeholders' in this inquiry, including children, parents and carers³.

Furthermore, the Communications Committee should ensure that the fundamental principles of the UNCRC are effectively prioritised throughout the Inquiry and can be meaningfully implemented through any subsequent recommendations made. These principles include the right to non-discrimination, the right to have the child's best interests taken as a primary consideration, the right to life, survival and development and children's right to express their views in matters affecting them.

How the increase in use of and access to the internet is affecting the development and wellbeing of children in both positive and negative ways:

1) *What risks and benefits does increased internet usage present to children, with particular regard to: (i) social development and wellbeing; (ii) neurological, cognitive and emotional development, and (iii) data security.*

1.1 Online access is closely linked to the ability to exercise freedom of expression and receive information and it can be regarded as one of the first conditions that can enable fulfilment of other rights. The UN specifically highlights the opportunities that increased access to the internet can provide in terms of progressing children's UNCRC rights, such as the potential for governments to promote children's access to appropriate information through encouraging the media to disseminate information and materials of social and cultural benefit to children (such as information regarding healthy lifestyles)⁴.

1.2 However, Together has also highlighted how the mainstream media – particularly online – can perpetuate the discrimination of particular groups of children and young people⁵. For example, an increase

¹ Rec 85, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

² Rec 87, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

³ See also recommendation 99 from the Day of General Discussion

⁴ Rec 104, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

⁵ Together (2015). NGO alternative report to the Committee on the Rights of the Child.

http://togetherscotland.org.uk/pdfs/UNCRC_Scotland_NGO_Alternative_Report_2015.pdf

in the negative and victimised reporting of Gypsy/Travellers in mainstream media has been a driving force behind their continued discrimination⁶. Online media publishes a disproportionate number of articles about Gypsy/Travellers, of which nearly two-thirds is of an overwhelmingly negative tone⁷. Negative reporting has led to feelings of marginalisation and stigma⁸ and young Gypsy/Travellers have identified experiencing high levels of discrimination.⁹

1.3 Online safety has also been identified by Together as an emerging children's rights issue¹⁰. Children value their online privacy and identify that technology is a constant part of their lives¹¹. While they understand issues around online security, they state that safety messages are often ignored¹². Children want to learn how to use technology safely but can be reluctant when they experience it negatively (such as cyberbullying) and when adults focus on the risks (such as being approached by strangers)¹³. In Scotland, research shows that online bullying is effectively an extension of face to face bullying¹⁴. It is important to recognise and explore the relationship between online and offline influences – for example, cyberbullying can be a manifestation of often deeper problems that are sometimes rooted in social values and/or peer pressure.

1.4 There are widespread concerns around systematic child exploitation online in Scotland as elsewhere in the UK. Between April 2013 and December 2015, Police Scotland charged 875 perpetrators involved in online child abuse¹⁵. A survey of parents showed limited awareness of the nature of online grooming and the connections between online and offline abuse¹⁶. The Children and Young People's Commissioner for Scotland has highlighted the need for cohesion in the complex policy environment and has called for overarching strategic thinking in order to align existing legislation, strategies and guidance around child protection, sexual abuse, sexual and reproductive health and rights, internet safety, violence against women and trafficking¹⁷. As with many areas and experiences of violence, children will be best supported through a greater awareness and understanding of their rights.

1.5 The UN has recommended that governments should address the risks posed by ICTs to the safety of children, including 'online harassment, sexual exploitation of children, access to violent and sexual content, grooming and self-generated sexual content, through holistic strategies that ensure the full enjoyment of

⁶ Equality and Human Rights Commission (2010). Gypsy Travellers in Scotland: A resource for the media. http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/gypsy_travellers_in_scotland_-_a_resource_for_the_media__pdf_.pdf

⁷ Article 12 undertook a 3-year review of Scottish media in relation to Gypsy/Travellers. See: Article 12 in Scotland (2014). Young Gypsy Travellers' Lives [YGTL]: Discrimination and On-Line Media. http://www.article12.org/wp-content/uploads/2014/12/YGTL-Media-Audit-Year-3_Final-.pdf

⁸ Article 12 in Scotland (2014). Young Gypsy Travellers' Lives [YGTL]: Discrimination and On-Line Media. http://www.article12.org/wp-content/uploads/2014/12/YGTL-Media-Audit-Year-3_Final-.pdf

⁹ Elsley, S. et al. (2013). Children and Young People's experiences of, and views on, issues relating to the Implementations of the United Nations Convention on the Rights of the Child. <http://www.gov.scot/Resource/0042/00427287.pdf>

¹⁰ Together (2015). NGO alternative report to the Committee on the Rights of the Child. http://togetherscotland.org.uk/pdfs/UNCRC_Scotland_NGO_Alternative_Report_2015.pdf

¹¹ Children's Parliament (2014). A report for Scottish Government on the Children's Parliament consultation as part of the Privacy Impact Assessment of Glow <http://www.childrensparliament.org.uk/assets/glow/CP-Children-and-technology-Report-2014.pdf>

¹² Young Scot (2011). Child Internet Safety: Consultation with Young People: Final Report, Edinburgh: Young Scot

¹³ Children's Parliament (2014). A report for Scottish Government on the Children's Parliament consultation as part of the Privacy Impact Assessment of Glow <http://www.childrensparliament.org.uk/assets/glow/CP-Children-and-technology-Report-2014.pdf>

¹⁴ Respectme (2014). Bullying in Scotland 2014. http://www.respectme.org.uk/_literature_133120/Bullying_in_Scotland_Full_Report

¹⁵ Scottish Government (2016). National Action Plan to Prevent and Tackle Child Sexual Exploitation, <http://www.gov.scot/Resource/0049/00497283.pdf>

¹⁶ Ibid.

¹⁷ Scotland's Commissioner for Children and Young People (2014). Scottish Government Debate: Report on Tackling Child Sexual Exploitation in Scotland. <http://www.sccyp.org.uk/ufiles/Report-on-Tackling-Child-Sexual-Exploitation-inScotland.pdf>

their rights laid down under the Convention and its Optional Protocols¹⁸. It is clear that governments should 'always ensure a balance between promoting the opportunities provided by ICTs and protecting children from harm'¹⁹. In its examination of the UK, the UN Committee welcomed measures taken to address child sexual exploitation and abuse in the UK, including the WePROTECT Model National Response²⁰. However, it remains concerned about the increasing risk of online child sexual exploitation and abuse and the insufficient respect for the views of children in efforts to prevent, detect and respond to such exploitation and abuse. It has recommended that the UK and devolved governments:

(b) Develop and implement comprehensive multi-sectoral strategies on child exploitation and abuse, including online, to ensure effective prevention, early detection and intervention, at national as well as at devolved levels;

(d) Further develop comprehensive services to support children who are victims or at risk of sexual exploitation and abuse;

(f) Consider ratifying the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse²¹.

1.6 The member States of the Council of Europe have observed that the sexual exploitation and sexual abuse of children have grown to worrying proportions at both national and international level, in particular as regards the increased use by both children and perpetrators of ICTs, and that preventing and combating such sexual exploitation and sexual abuse of children requires international co-operation²².

1.7 Currently, child online safety in Scotland is being monitored by the Scottish Government-led Stakeholder Group on Child Internet Safety (SSGCIS) set up in 2009 which includes Police Scotland, Young Scot, Respectme, Local Authority E-Safety Partnerships, Internet Watch Foundation, CEOP and Scottish Government policy leads²³. In 2015 the group published 'A Cyber Resilience Strategy for Scotland'²⁴ and in 2016 published an update to Scotland's National Action Plan to Prevent and Tackle Child Sexual Exploitation²⁵. This document recognises that the internet and social media makes it easier to access and share images, allows perpetrators to connect, provides a sense of anonymity and makes online child sexual exploitation an increasingly global crime; action in Scotland is set within the framework of UK and international measures.

1.8 In June 2016, the UN Committee on the Rights of the Child raised concerns about bullying, including cyber bullying, recognising that it remains a serious and widespread problem, particularly against LGBTI children, children with disabilities and children belonging to minority groups, including Roma, Gypsy and Traveller children. The Committee recommends that the UK State party:

¹⁸ Rec 105 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

¹⁹ Ibid.

²⁰ See Section 44 of the UN Committee's Concluding Observation on the CRC, <https://daccess-ods.un.org/TMP/4101609.58766937.html>

²¹ See Concluding Observation 45, <https://daccess-ods.un.org/TMP/4101609.58766937.html>

²² Council of Europe (2012). Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, http://www.coe.int/t/dg3/children/1in5/Source/Lanzarote%20Convention_EN.pdf

²³ See <http://www.gov.scot/Topics/People/Young-People/protecting/child-protection/internet-safety>

²⁴ <http://www.gov.scot/Resource/0048/00489206.pdf>

²⁵ Scottish Government (2016). National Action Plan to Prevent and Tackle Child Sexual Exploitation, <http://www.gov.scot/Resource/0049/00497283.pdf>

(a) Intensify its efforts to tackle bullying and violence in schools, including through teaching human rights, building capacities of students and staff members to respect diversity at school, improving students' conflict resolution skills, conducting regular monitoring of incidences of bullying at school, and involving children in the initiatives and monitoring aimed at eliminating bullying;

(b) In the light of the recommendations resulting from the day of general discussion on digital media and children's rights, train children, teachers and families on the safe use of information and communication technologies, raise awareness among children on the severe effects that online bullying can have on their peers, and increase the involvement of social media outlets in the efforts to combat cyberbullying²⁶.

Although this recommendation has been welcomed, Together also advocates to extend monitoring of bullying behaviour to cyber-bullying.

1.9 It must also be acknowledged that not all children are harmed by encountering risks online. As highlighted in the UNICEF study *Child Safety Online: Global Challenges and Strategies*, there are major differences between risk and harm, and policymakers and parents need to keep these distinctions clear. Certain types of activity may involve risks that do not necessarily result in harm to children and young people.²⁷ It follows to better understand what makes some children particularly vulnerable to risk of harm, so that protective strategies can be effectively targeted.

1.10 Furthermore, the internet provides an important platform for civic engagement and self-expression among children and young people which allows them to engage in political processes and governance, transcending some traditional barriers to participation. For example, the Scottish Youth Parliament's use of social media is an integral platform of its research and advocacy work that enables young people across Scotland to engage in the political processes that affect them.

The responsibility of industry to develop and maintain controls, and the responsibility of users to practise self-governance

5) *What roles can schools play in educating and supporting children in relation to the internet? What guidance is provided about the internet to schools and teachers? Is guidance consistently adopted and are there any gaps?*

2.1 It is essential that children and young people are equipped with the skills and capacity to be able to make responsible use of ICTs whilst avoiding risks and protecting themselves from harm. As such, the UN recommends that governments promote the development of digital literacy as part of the basic education curriculum in accordance with children's evolving capacities²⁸. The NSPCC Scotland has recommended that cyberbullying become a core component of the school curriculum, that a 'whole school' approach to anti-bullying be taken with support given to young people experiencing cyberbullying even when incidents occur outside the school gates and teacher training given to effectively recognise and handle cases of cyberbullying²⁹. It is clear that training and education for both teachers and children should not be limited to

²⁶ See Concluding Observation 49, <https://daccess-ods.un.org/TMP/4101609.58766937.html>

²⁷ https://www.unicef-irc.org/publications/pdf/ict_techreport3_eng.pdf

²⁸ Rec 109 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

²⁹ NSPCC Scotland (2014). Briefing: Cyberbullying, <https://www.nspcc.org.uk/globalassets/documents/consultation-responses/nspcc-scotland-2014-briefing-cyberbullying.pdf>

technical skills, but also include awareness of ethical principles and values so that children have the skills to behave responsibly when they engage and relate to each other online, and to respond to risks appropriately and safely and protect themselves from harm.

2.2 A Terrence Higgins Trust UK 2016 survey³⁰ finds that children across the UK, including Scotland, are increasingly encountering online pornography from an early age. The prominence of pornography in shaping norms and behaviours is creating pressures for many young people such as growing evidence that young people feel increasingly pressured by peers and wider culture to engage in sexual activity that they are not comfortable with^{31,32,33}. Whilst Scotland has made considerable progress in implementing an SHRE curriculum in the last decade, evidence suggests that SHRE quality is considered patchy across schools, is given limited resources and there is a lack of feedback from pupils to assess its effectiveness³⁴. There are also questions about the level of training available for teachers involved in SHRE.

2.3 Children have reported that a better understanding of health issues and improved personal and social education (PSE) at school and college would improve adolescent wellbeing and have called for 'more relevant' PSE in schools³⁵. Young people have indicated that SHRE should reflect issues prevalent in modern times (including consent, risk associated with sexting and online dating), that discussions of same-sex relationships should not be banned nor restricted and that reliable information should be provided to reduce the dependence on unreliable internet sources³⁶. They have also stated that age-appropriate SRE is vital to help them to place it in a wider context by drawing on consultation from teachers and parents³⁷.

2.4 The UN recommends that governments carry out age-appropriate awareness-raising programmes with children that look at the opportunities and risks of internet use, including the unintended consequences of self-generated content³⁸. It is also clear that such programmes should address the privacy risks that children may face in their use of the internet³⁹. To complement the role played by schools in taking this forward, government should also recognise the vital role that can be played by youth work settings and afterschool clubs, in which this can be taken forward in a more informal environment.

³⁰ Terrence Higgins Trust (2016) 'Shh...No talking': LGBT-inclusive Sex and Relationships Education in the UK, http://www.tht.org.uk/~media/O094%20Campaign/7164200%20SRE_report_2016_FINAL_low-res.pdf

³¹ The Institute for Public Policy Research (2014). Young People, Sex and Relationships: The New Norms. http://www.ippr.org/assets/media/publications/pdf/young-people-sex-relationships_Aug2014.pdf?noredirect=1

³² Zero Tolerance (2014). "He's the stud and she's the slut": Young people's attitudes to pornography, sex and relationships. http://www.zerotolerance.org.uk/sites/www.zerotolerance.org.uk/files/Peer%20Research_1.pdf

³³ Ringrose, J., Gill, R., Livingstone, S. & Harvey, L. (2012). A Qualitative Study of Children, Young People and 'Sexting': A report prepared for the NSPCC. <http://www.nspcc.org.uk/globalassets/documents/research-reports/qualitative-studychildren-young-people-sexing-report.pdf>

³⁴ Responses from Caledonia Youth and NHS Health Scotland which contributed to the Parliamentary Inquiry on Teenage Pregnancy. See: The Scottish Parliament (2013). Report on Inquiry into Teenage Pregnancy. http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf

³⁵ Children's Parliament (date unknown). Adolescent Wellbeing. <http://www.childrensparliament.org.uk/adolescentwellbeing.html>

³⁶ Scottish Youth Parliament (2014). Response to Draft Guidance on the Conduct of Relationships, Sexual Health and Parenthood Education in Scottish schools.

<http://www.syp.org.uk/img/consultations/Sex%20Education%20Guidance%20%20SYP%20Response.pdf>

³⁷ Terrence Higgins Trust (2016) 'Shh...No talking': LGBT-inclusive Sex and Relationships Education in the UK, http://www.tht.org.uk/~media/O094%20Campaign/7164200%20SRE_report_2016_FINAL_low-res.pdf

³⁸ Rec 94 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

³⁹ Rec 102 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

6) *Who currently informs parents of risks? What is the role for commercial organisations to teach e-safety to parents? How could parents be better informed about risks?*

3.1 Together has recently consulted with its members in Scotland through a *State of Children's Rights* survey⁴⁰, asking for examples and evidence on the impact of bullying, particularly online bullying. Responses stated that the focus on online activity needs to be more positive and less overwhelmed by adult fears. Scotland's Children's Parliament has undertaken some small scale consultation with children for Scottish Government on use of the education intranet GLOW and on the forthcoming Digital Learning Strategy⁴¹. Findings suggest that parents/carers need help to understand the digital world and set appropriate boundaries for their children in access to it. In the Children's Parliament's current work on bullying, children identify that where bullying happens is not as important as other children's need to learn that bullying is unacceptable and that bystanders – both adults and children – need to be taught capacity-building skills and confidence.

3.2 The UN recommends that governments take a lead role in raising parents' awareness and understanding of the benefits and risks of the internet to children. It specifically states that governments should provide adequate training and support to parents and other caregivers 'to enhance their technical skills, inform them about risks and potential harm, learn about how children use technology and be able to support children in using digital media and ICTs in a responsible and safe manner'⁴².

3.3 With funding from the Scottish Government, *respectme* (a Scottish anti-bullying NGO), has piloted and delivered practical training sessions for parents, carers and kinship carers across Scotland that allows those attending to use their own phones and mobile devices to develop a better understanding of privacy settings and safe use. This is to enable them to be more confident when discussing phone and social media use with the children in their lives. This is a positive example of how parents can be informed of the risks and benefits of online activities to their children.

8) *What voluntary measures have already been put in place by providers of content to protect children? Are these sufficient? If not, what more could be done? Are company guidelines about child safety and rights accessible to parents and other users?*

Business

4.1 More needs to be done to ensure that private businesses take account of children's rights in their online activities. The UN recommends that governments should require businesses to 'undertake child-rights due diligence with a view to identifying, preventing and mitigating their impact on children's rights when using digital media and ICTs'⁴³. Furthermore, the UN recommends that governments should encourage and facilitate the development of 'voluntary, self-regulatory, professional and ethical guidelines and standards of conduct and other initiatives, such as the development of technical solutions promoting online safety and the adoption of child-friendly terms and conditions for the use of ICTs'. The UK Government's guidance on

⁴⁰ Report to be published in November 2016.

⁴¹ See 'Children's Parliament Investigates Bullying', <https://blogs.glowscotland.org.uk/glowblogs/cpinvestigates/>

⁴² Rec 107 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

⁴³ Rec 97 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

Implementing the UN's Guiding Principles on Business and Human Rights⁴⁴ currently make no reference to the impact of ICT on children's rights but could be adapted to take the UN's recommendation forward.

iRights / 5rights

4.2 The iRights Framework is a set of five rights for the protection and empowerment of children on the Internet that adopts the UNCRC⁴⁵. The iRights are not explicit rights as enshrined in the UNCRC but rather provide a framework of principles through which children can uphold and exercise their rights whilst online. They echo many of the recommendations made as a result of the UN Committee's Day of Discussion. The 5 iRights are:

- The right to remove: to easily edit or delete online content they have created, and access simple and effective ways to dispute online content about them.
- The right to know: to know who holds and profits from their information, what their information is being used for, and whether it is being copied, sold, or traded⁴⁶.
- The right to safety and support: to be confident they will be protected from illegal practices, and supported if confronted by troubling and upsetting scenarios online.
- The right to make informed and conscious choices: to engage online but also to disengage at will and not have their attention held unknowingly.
- The right to digital literacy: to be taught the appropriate skills to use and critique digital technologies and be confident in managing new social norms.

4.3 Young Scot leads the iRights coalition within Scotland and raises awareness of the iRights principles and promotes the framework through various activity programmes and events⁴⁷. The iRights are widely endorsed including through Scottish Government by the First Minister. During the project, a new 5Rights Youth Commission Scotland - led by 19 young people aged between 14-21 - will gather insights from across Scotland through engagement with young people, tech companies and policy-makers in order to make recommendations to key organisations, leaders and decision-makers that will allow children and young people to access the internet safely and knowledgeably.

4.4 The iRights framework and the work currently being undertaken recognises the balance that children and young people are often pioneers in uses of the internet and have a great capacity for creation and learning through online tools, but must also be taught the safeguarding skills to protect themselves from harm online. This echoes the UN's recommendation that governments should 'develop effective safeguards against abuse without unduly restricting the full enjoyment of [children's] rights laid down under the Convention'⁴⁸.

⁴⁴ See <https://www.gov.uk/government/publications/bhr-action-plan>

⁴⁵ See <http://5rightsframework.com/>

⁴⁶ This echoes recommendation 103 from the Day of Discussion in that 'The Committee recommends that States ensure that all children have meaningful and child-friendly information about how their data is being gathered, stored, used and potentially shared with others. In this regard, States should ensure that age-appropriate privacy settings, with clear information and warnings, are available for children using digital media and ICTs'.

⁴⁷ <http://young.scot/media/4672/irights-youth-commission-final.pdf>

⁴⁸ Rec 102 from the Day of General Discussion, See http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

Legislation and regulation in this field

9) *What are the regulatory frameworks in different media? Is current legislation adequate in the area of child protection online? Is the law routinely enforced across different media? What, if any, are the gaps? What impact does the legislation and regulation have on the way children and young people experience and use the internet? Should there be a more consistent approach?*

5.1 The UN calls for governments to ensure ‘a clear and predictable legal and regulatory environment which requires ICT and other relevant industries operating in the State party to respect children’s rights’ and goes on to recommend that governments ‘establish monitoring mechanisms for the investigation and redress of children’s rights violations, with a view to improving accountability of ICT and other relevant companies, as well as strengthen regulatory agencies’ responsibility for the development of standards relevant to children’s rights and ICTs⁴⁹.

12) *What more could be done by the Government? Could there be a more joined-up approach involving the collaboration of the Government with research, civil society and commerce?*

6.1 Despite widespread computer use and internet access across Scotland⁵⁰, Together has highlighted how some families, namely those living in poverty, those affected by homelessness⁵¹, young carers and children living in rural communities can experience difficulties accessing computers and/or the internet. Research has highlighted over 1,000 young people’s views on the way in which poverty impacts on education and opportunities for learning⁵². 81% stated that poverty reduced access to resources for learning within the home (such as access to the internet, books and digital technology).

6.2 In line with the UN’s recommendations, legislation, regulation and policies should be scrutinised to ensure that all children, including children with disabilities, children living in remote areas, children living in poverty, children belonging to minorities, looked after children and other children in vulnerable and marginalised situations, have access to digital media and ICTs without discrimination⁵³. Furthermore, more needs to be done to ‘develop, implement and monitor legislation and policies to ensure the accessibility of digital media and ICTs for children with disabilities’⁵⁴.

6.3 The UN recognises the important role played by non-governmental organisations (NGOs) in ensuring access of children to ICTs and protecting their rights when using these means. It recommends that governments ‘systematically involve all NGOs working in the field of digital media and children’s rights in the development, implementation, monitoring and evaluation of relevant laws, policies and programmes as well

⁴⁹ Rec 96 from the Day of General Discussion, See

http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

⁵⁰ Scottish Government (2011) Digital Participation in Scotland: A Review of the Evidence,

<http://www.gov.scot/Publications/2011/12/22155754/0>

⁵¹ Children in Scotland, Shelter (2012) Homeless Not Hopeless, <http://www.childreninscotland.org.uk/project/homeless-not-hopeless-a-project-for-shelter-scotland-2010-2011>

⁵² Save the Children and Scotland’s Commissioner for Children and Young People (2014) Learning Lessons: Young People’s Views on Poverty and Education, <https://www.cypcs.org.uk/ufiles/Learning-Lessons.pdf>

⁵³ Rec 98 from the Day of General Discussion, See

http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

⁵⁴ Rec 108 from the Day of General Discussion, See

http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf

as in research and data collection⁵⁵. It has been found that children and young people are able to gain access to information about online activities if they have been able to access knowledgeable teachers and resources. In Scotland, these include resources and programmes from NGOs including *respectme*, Rape Crisis Scotland resources, and resources from charities such as Children 1st, NSPCC and Zero Tolerance.

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⁵⁵ Rec 93 from the Day of General Discussion, See
http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2014/DGD_report.pdf