Foróige Submission on the Draft Online Safety Code

# Summary

This submission has been prepared by Foróige to capture our feedback in relation to the draft Online Safety Code, published by Coimisiún na Meán in May 2024. This feedback is drawn from our extensive experience of digital youth work, supporting young people, parents and guardians, and communities to navigate the digital realm safely and responsibly as active creators rather than passive consumers.

# About Foróige

Foróige is the leading youth organisation in Ireland and has been working with young people since 1952. Our purpose is to enable young people to involve themselves consciously and actively in their development and in the development of society.

We work with 50,000 young people aged 10-18 each year through volunteer-led Clubs and staff-led Youth Projects, across all 26 counties in Ireland. We work with all young people through our general services, as well as providing additional support to young people who experience disadvantage or marginalisation through a full range of targeted services.

# Online Safety in Foróige

Foróige has a 20 year track record in the provision of digital youth work. Foróige’s digital youth work takes many forms under the umbrella brand of Foróige Go - digital skills for what’s now and next. All of our digital youth work programmes are designed to facilitate young people to grow their empathy, critical thinking, and digital citizenship. These skills are essential not just to young people’s engagement with digital technologies, but also in their day-to-day lives and relationships, supporting their personal and social development, their values, and their ability to connect with others positively.

Foróige Go incorporates a range of programmes and initiatives under five pillars: GoBuild, GoLevelUp, GoVirtual, GoSonic, and GoSafely. GoSafely encompasses Foróige’s Connect Safely programme, which helps young people develop the skills and confidence to navigate online spaces in a safe manner, as well as a series of underpinning best practice policies and guidance on safe online engagement, and social media good practice and safety guidelines. Foróige were commissioned by the Department of Children, Equality, Disability, Integration and Youth to create the Connect Safely Programme on behalf of the youth sector. The programme is now available to the youth sector and is accessed through training provided by Foróige.

Connect Safely is a programme designed for 12-18 year olds. It promotes safer use of digital resources, equipping young people with the skills and knowhow to benefit from being online, while also empowering them to safely participate in their online communities as positive and proactive digital citizens. Covering topics such as cyberbullying, wellbeing, privacy, misinformation, gaming and gambling, and online relationships, along with an emphasis on cultivating digital leadership and resilience, the programme has been developed to engage young people in safe, creative, digital learning experiences where they can learn, connect, and be creative in an informed and empowered way.

The programme was developed with the input of three key groups: an internal staff working group who provided essential expertise and guidance; a Youth Advocacy Group, whose members piloted programme activities and offered valuable insights from a young person’s perspective; and an expert advisory committee, featuring industry and academic experts representing DCU Anti-Bullying Centre, Maynooth University, Webwise, DCEDIY, NYCI, SpunOut.ie, An Garda Síochána, and the Children's Rights Alliance, who provided strategic direction and leadership.

At the outset, we conducted extensive research and a needs assessment, which demonstrated significant discrepancies between young people and adults. While young people generally felt confident in their ability to handle online issues, staff and volunteers were less certain about the young people’s implementation of this knowledge. Our findings highlighted the need for increased awareness, support, understanding, practical guidance, empathy regarding impact and consequences, and more in-depth discussions on these topics for young people.

We have recently piloted a version of the programme aimed at children aged 8 to 11, which is being evaluated and is due to be launched in autumn 2024. We have also developed a resource for parents and guardians, to furnish them with the knowledge to address online safety issues and better support their children.

# Feedback on the Draft Online Safety Code

Foróige expresses its support for the draft Online Safety Code prepared by Coimisiún na Meán, recognising its importance in enhancing digital safety standards. It is an important step in ensuring clear guidelines that video-sharing platform service providers (VSPS providers) must adhere to and can be held accountable on. We believe there are a number of areas that can be strengthened or expanded, to ensure that it is as robust as possible and speaks to the needs of young people in particular. We have grouped these recommendations thematically below, and have based them on the research we have conducted in this area, as well as our experience of engaging young people directly on the topic of online safety.

It is important to note that as a demographic, young people aged 18 and under have grown up with the internet and social media readily available to them. As such, they have a different relationship with online platforms and services than older age cohorts. Foróige’s own research showed a divergence between the perception young people had about their ability to identify risks online, and the lack of confidence of youth workers and volunteers in those same young people’s ability to do so. Moreover, the impact of internet and social media use on the still-developing brains of young people is not yet fully understood, as well as potential implications for their personal, social and emotional development.

As a general principle, we believe it is critical that young people, parents and guardians, teachers and youth workers are directly consulted on an ongoing basis about young people’s needs in relation to online safety. This will help to ensure that provisions in this Code and in other instruments account for the impacts on young people as a demographic who are especially vulnerable to the potential negative effects of online use. In addition, we believe that VSPS providers have a duty of care to their users and to ensuring harm reduction.

**Accessibility and User Empowerment:**

* The draft Code in its current form is very technical and not user-friendly, particularly not for young people. A youth-friendly version should be developed in consultation with young people, using plain English and non-technical language, and incorporating an infographic to capture the key provisions of the Code for VSPS providers.
* Supporting resources that clearly and simply explain user rights and recourse mechanisms should be developed. This will empower users to pursue transparency and accountability from VSPS providers.
* Ensure clarity and consistency in the various legislative provisions that enshrine user rights, and that the intersection between different instruments and provisions is easily understood, with an emphasis on what this means in practice for users.

**Age Verification:**

* Current mechanisms do not effectively prevent young people from accessing platforms when they are below the age limit. All online platforms accessible to children and young people should be mandated to implement robust age verification mechanisms.
* Develop a standard age verification process for consistency across all platforms.

**Data Privacy:**

* Ensure age verification complies with GDPR. Age verification data should be handled appropriately and in accordance with best practice, and used solely for the stated purpose of verifying age.
* Platforms should collect the minimal amount of personal data necessary for age verification to protect users’ privacy.

**Parental Consent & Parental Controls:**

* Implement verifiable parental consent for young users, exploring the possibility of a standardised approach to parental consent across VSPS providers in order to ensure clarity, consistency, and ease of use for parents and guardians.
* Parents and guardians play a critical role in supporting young people to navigate online platforms safely and responsibly. Providing tools and support to allow parents and guardians to fulfil this role is therefore important. This should be coupled with digital literacy education for both parents/guardians and young people, to ensure that they have the knowledge and skills needed to make informed decisions about their online activity. Additional tools and functions that would support parents and guardians could include:
	+ **Content Filtering**: Ability to restrict video access by age rating, content type, and other criteria to block inappropriate material.
	+ **Monitoring and Reporting**: Provide mechanisms by which parents can raise concerns about their children’s online activity if they suspect adverse impacts on health and wellbeing, without compromising individual privacy.
	+ **Content Blocking**: Ability to block specific videos, channels, or content deemed inappropriate.
	+ **Purchase Controls**: Restrict in-app purchases and premium content to prevent unauthorised spending.
	+ **Profile Management**: Create and manage profiles with custom parental controls for different age groups.
	+ **Educational Resources**: Guidance for parents on using parental controls effectively to protect children.

**Content Safety:**

* Platforms should be required to implement stringent content moderation policies to prevent children and young people from accessing harmful or inappropriate content, particularly linked to age and developmental stage.
* Platforms should provide easy-to-use and well-publicised mechanisms for reporting inappropriate content or behaviour, ensuring timely responses and actions.

**Transparency:**

* Platforms should regularly publish transparency reports detailing their age verification processes, content moderation efforts, and any breaches or violations related to minor protection.
* Conduct third-party audits to ensure compliance.

**Support:**

* Platforms should offer links or direct access to support services for users who may encounter online issues.

**Use of Algorithms:**

* The use of algorithms, particularly for children and young people, must be reviewed and greater transparency mandated from VSPS providers in relation to these. Algorithms can have a profound impact on young users, often driving them towards content that may not be suitable for their age or developmental stage, whether deliberately or inadvertently. Any implementation of algorithms in services accessible to young people must be thoroughly justified, adhering to strict criteria that prioritise safety and wellbeing, and VSPS providers must ensure transparency around the rationale, development, and implementation of their algorithms. This should ensure that algorithms do not result in children and young people being exposed to inappropriate, harmful, or extreme material, actively shielding them from this content.

**User-Friendly Reporting:**

* Ensure that platforms have simple and accessible reporting mechanisms for users to report harmful content or behaviour, and that users understand the reporting process including timelines, appeals, and escalation mechanisms.
* Establish a feedback loop where users are informed about the outcomes of their reports in a timely manner.

**Homogenous User Interface:**

* Ensuring the same User Interface for reporting and support embedded into any website visited within the EU will make reporting easier, more accessible and not something new to learn on every visit or according to the platform.

**Ensuring Provisions Remain Relevant:**

* Regularly review and update the Code to adapt to new technologies, platforms, tools, and evolving online behaviours (e.g. generative AI).
* Involve stakeholders, including children, young people, parents, youth organisations, educators and child protection organisations, in consultations and the review process to ensure comprehensive and effective policies.