

**Submission  
No 18**

## **SEXUALISATION OF CHILDREN AND YOUNG PEOPLE**

**Organisation:** Digital Industry Group Incorporated  
**Name:** Ms Samantha Yorke  
**Date Received:** 5/02/2016

facebook

 Microsoft



Google

YAHOO!

5 February 2016

Committee Secretary  
Committee on Children and Young People  
Parliament House  
Macquarie St  
Sydney NSW 2000

***By electronic upload***

Dear Committee Secretary,

The Digital Industry Group Incorporated (DIGI) welcomes the opportunity to make this submission and wishes to thank the Committee for considering the important issue of the sexualisation of children and young people.

DIGI comprises representatives from Google, Facebook, Twitter, Microsoft and Yahoo!, and collectively we provide various digital services accessible by Australians ranging from Internet search engines to social networking services and other digital communications platforms.

***The Digital Industry Is Committed to Safety & Well-Being***

For the digital industry, the safety and well-being of the people who connect and engage via our services is our top priority and this is particularly so where minors are concerned. It is imperative that we work to ensure that people have a positive experience when using our services, otherwise we will not be able to realise our long-term goals and businesses. The Connected Continent II report confirms that the digitally enabled economy contributed \$79 billion to the Australian economy in the 2014 financial year and created the equivalent of \$75 billion in consumer benefits.<sup>1</sup>

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<sup>1</sup> <http://www2.deloitte.com/au/en/pages/economics/articles/connected-continent.html>

However, these benefits can only be fully realised if we as an industry work together with government and the community to mitigate any harm that can be caused by misuse of our services.

For this reason, across the industry, we have:

- policies that prescribe how old you must be to use our services,
- policies that outline what can and cannot be shared via our services,
- policies that expressly prohibit sharing of pornography and any content that presents children in a sexual manner,
- tools that allow any of the millions of people who use our services to flag content to us that may violate our policies;
- we invest in tools that can provide additional protections for minors (for example, graphic content warnings, the default additional privacy protections for minors on Facebook and YouTube Kids; and
- we invest in a reporting infrastructure that allows us to promptly review and remove any such content.

We also invest considerably in education and awareness initiatives to promote the responsible use of online services across the board.

In addition, we draw the Committee's attention to Section 2.4 of the Australian Association of National Advertisers (AANA) Code for Advertising and Marketing to Children<sup>2</sup> which expressly prohibits the use of sexual appeal, imagery and the suggestion that children are sexual beings within all marketing and advertising communications within Australia. Our advertising policies require advertisers to comply with local regulations such as these.

### ***Specific Comments***

We now turn to provide some specific comments in response to issues before the Committee, which are to consider, according to your Terms of Reference:

- I. The sexualisation of children and young people in electronic, print and social media and marketing;
- II. The exposure of children and young people in NSW to sexualised images and content in public places, electronic, print and social media and marketing;
- III. The impact on children and young people of growing up in a sexualised culture;
- IV. Adequacy of current measures at state and federal level to regulate sexualised imagery in electronic, print and social media and marketing, and effectiveness of self-regulation measures;

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[http://aana.com.au/content/uploads/2015/12/Advertising\\_Marketing\\_Comms\\_to\\_Children\\_Code\\_081215.pdf](http://aana.com.au/content/uploads/2015/12/Advertising_Marketing_Comms_to_Children_Code_081215.pdf)

- V. Measures to assist parents in fulfilling their responsibility to protect and educate children;
- VI. Measures to educate children and young people and assist them in navigating the contemporary cultural environment;
- VII. Possible measures that the Children’s Advocate can take to assist children and young people to navigate the cultural environment successfully; and
- VIII. Any other related matter.

Each of DIGI’s member companies have specific policies and guidelines that relate to the content and advertising that appears within each of their services. By way of overview, the specific policies that are relevant to the Committee’s terms of reference include:

● **Facebook**

- o Under Facebook’s Community Standards, restrictions are placed on content that contains nudity. Explicit images of sexual intercourse are also prohibited.
- o Our policies prohibit children under the age of 13 from joining Facebook. When a person enters a birth date that indicates their age is younger than 13, our age gate technology blocks the registration and places a persistent cookie on the device to prevent the child from attempting to circumvent the age screen<sup>3</sup>.
- o Facebook uses privacy and visibility settings that take into account the unique needs of people between the ages of 13 and 17, and are more restrictive than the settings for adults in nearly all cases. For example, a minor’s sharing is automatically restricted to no more than the minor’s friends. Also, Facebook’s “Tag Review” feature is automatically turned “on” for minors.
- o Facebook employs robust tools to protect minors from unwanted contact and solicitation. For example, minors can only receive Messages on Facebook from friends or the friends of those friends, and not from strangers.
- o All advertisements, including video ads and other dynamic ad types, on Facebook must comply with our Advertising Policies<sup>4</sup>.
- o Facebook’s advertising guidelines does not allow adult content. This includes nudity, depictions of people in explicit or suggestive positions, or activities that are overly suggestive or sexually provocative.

● **Google**

- o Google’s advertising policies<sup>5</sup> include specific guidance on adult content including a blanket prohibition on sexually explicit content,

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<sup>3</sup> <http://www.facebook.com/safety>

<sup>4</sup> [https://www.facebook.com/policies/ads/#prohibited\\_content](https://www.facebook.com/policies/ads/#prohibited_content)

<sup>5</sup> [https://support.google.com/adwordspolicy/answer/6023699?hl=en-AU&ref\\_topic=1626336](https://support.google.com/adwordspolicy/answer/6023699?hl=en-AU&ref_topic=1626336)

non-consensual sexual content, child sexual abuse imagery and sexual acts in exchange for compensation.

- o Google's Safe Search filter<sup>6</sup> prevents ads containing or promoting nudity, sexually suggestive content, offline adult entertainment, adult merchandise or infidelity or encounter based dating services and international marriage services from appearing within search results.
- o You must be 13 or over to create an account on any of Google's services.
- o Google does not permit the distribution of sexually explicit or pornographic material on Google services.
- o Furthermore, Google does not allow hyperlinks that drive traffic to commercial pornography sites.
- o Google does allow naturalistic and documentary depictions of nudity (such as an image of a breastfeeding infant), as well as depictions of nudity that serve a clear educational, scientific, or artistic purpose.

## ● YouTube

- o YouTube age-gating and ad targeting works to prevent inappropriate advertising reaching users that we believe, or suspect, to be minors.
- o Similar to the Safe Search filter used within Google Search results, YouTube Restricted Mode<sup>7</sup> prevents video advertising containing or promoting nudity, sexually suggestive content, offline adult entertainment, adult merchandise or infidelity or encounter based dating services and international marriage services from appearing on the platform.
- o You must be 13 or over to create a YouTube account.
- o YouTube has a zero-tolerance policy for sexual content involving minors. Uploading, commenting, or engaging in any type of activity that sexualises minors will immediately result in an account suspension.
- o The rule of thumb for user generated content on YouTube is that if the content is intended to be sexually provocative it is unlikely to be acceptable to YouTube. Sexually explicit content is simply not allowed on the platform and is removed as soon as we become aware of it.
- o A video that contains nudity or other sexual content may be allowed if the primary purpose is educational, documentary, scientific, or artistic, and it isn't gratuitously graphic. For example, a documentary on breast cancer would be appropriate, but posting clips out of context from the same documentary might not be.
- o In cases where videos do not cross the line, but still contain sexual content, we may apply an age-restriction so that only viewers over a certain age can view the content.
- o We urge families to turn Restricted Mode on within YouTube so that

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<sup>6</sup> A setting within Google Search which seeks to filter results which are not appropriate for families from all keyword searches.

<sup>7</sup> <https://support.google.com/youtube/answer/174084?hl=en>

even where users are not logged in we can provide a safer experience which is devoid of adult related content.

- **Microsoft**

- o The Microsoft Services Agreement (MSA) covers Microsoft consumer services including Bing, Skype, Xbox, Cortana and Outlook.com.
- o The MSA includes a Code of Conduct which specifies the following:
  - a. By agreeing to these Terms, you're agreeing that, when using the Services, you will follow these rules:
    - i. Don't do anything illegal.
    - ii. Don't engage in any activity that exploits, harms, or threatens to harm children.
    - iii. Don't send spam. Spam is unwanted or unsolicited bulk email, postings, contact requests, SMS (text messages), or instant messages.
    - iv. Don't publicly display or use the Services to share inappropriate Content or material (involving, for example, nudity, bestiality, pornography, graphic violence, or criminal activity).
    - v. Don't engage in activity that is false or misleading (e.g., asking for money under false pretenses, impersonating someone else, manipulating the Services to increase play count, or affect rankings, ratings, or comments).
    - vi. Don't circumvent any restrictions on access to or availability of the Services.
    - vii. Don't engage in activity that is harmful to you, the Services, or others (e.g., transmitting viruses, stalking, communicating hate speech, or advocating violence against others).
    - viii. Don't infringe upon the rights of others (e.g., unauthorized sharing of copyrighted music or other copyrighted material, resale or other distribution of Bing maps, or photographs).
    - ix. Don't engage in activity that violates the privacy of others.
    - x. Don't help others break these rules.
  - b. Enforcement. If you violate these Terms, we may stop providing Services to you or we may close your Microsoft account or Skype account. We may also block delivery of a communication (like email or instant message) to or from the Services in an effort to enforce these Terms or we may remove or refuse to publish Your Content for any reason. When investigating alleged violations of these Terms, Microsoft reserves the right to review Your Content in order to resolve the issue. However, we cannot monitor the entire Services and make

no attempt to do so.

- More detail about Microsoft Services Agreement can be found here: <https://www.microsoft.com/en-us/servicesagreement/>

- **Twitter**

- o We do not tolerate child sexual exploitation on Twitter. When we are made aware of links to images of or content promoting child sexual exploitation they will be removed from the site without further notice and reported to The National Center for Missing & Exploited Children ("NCMEC"). We permanently suspend accounts promoting or containing updates with links to child sexual exploitation.
- o Users must be 13 years or over to create a Twitter account.
- o As indicated in our [Terms of Service](#), we do not allow our users to use the site for unlawful purposes and we remove unlawful media content and follow due process.
- o Our sensitive content settings are on by default. Content which is marked sensitive but which is not unlawful will have a warning message that a viewer must click through before viewing the image, as defaulted in settings.
- o Twitter will also remove profile photos, header photos, or background images that contain pornographic content in order to prevent users from inadvertently being exposed to sensitive content. Guidance on how to report such obscene or pornographic images are outlined [here](#).
- o Because video is such an important consideration around these issues, also outlined here are how our Vine and Periscope services and related policies to address pornography and inappropriate content.

- **Vine** is an app that lets you share short 6 second videos from your mobile phone, which, if shared, can appear right in your Twitter feed.

- As indicated in Vine's [Terms of Service](#), you may not use Vine for any unlawful purposes or in furtherance of illegal activities. This includes content that is pornographic or sexually explicit.
- Sensitive media such as nudity may be subject to certain limitations, including, but not limited to, warnings to users and restrictions preventing the content from appearing in Vine Channels.

- **Periscope** is an app that lets you share and experience live video from your mobile phone, and which will appear right in your Twitter feed. On Periscope we have rules which govern how people can behave, as laid out in our [Terms of Service](#) & [Community Guidelines](#). They rest on the following principles:

- Users are not allowed post pornographic or overtly sexual content.
- Users are not allowed publish explicitly graphic content or media that is intended to incite violent, illegal or dangerous activities.
- On Periscope, a user can instantaneously block another user or report inappropriate content while watching a live broadcast or

during the playback of a broadcast. If a user sees inappropriate content, Periscope encourages the user to take a screenshot and email to: [safety@periscope.tv](mailto:safety@periscope.tv).

## ● Yahoo

- o Yahoo's Advertising Policies include relevant guidance as follows:
  - Yahoo does not allow sexually suggestive ad text, images or video, or landing pages. This includes but isn't limited to sexual descriptions, references, puns, or innuendo and images of total, partial, or suggested nudity. Ads that use models in swimwear or lingerie to promote completely unrelated products are considered sexually suggestive. Images or video, text, and landing pages should be appropriate for a general audience.
  - Yahoo does not accept ads for adult sexual products or services. This includes but is not limited to films, magazines, web sites, sex toys, libido increasers, and entertainment/pornography.
  - Advertisers may not use ad copy or images/video to market directly to children, or that appear to market to children.
  - Yahoo reserves the right to reject or retract, at any time, any advertising deemed to, in Yahoo's sole opinion: . . . Be offensive or disturbing to Yahoo's users, or likely to cause outrage, general disapproval, or negative opinion within the community; Portray minors (or persons who, in Yahoo's opinion, appear to be underage) in a manner that is sexually suggestive or otherwise age-inappropriate . . .
  - Unacceptable products and services for advertising include adult sexual products or services. This includes but is not limited to films, magazines, web sites, sex toys, libido increasers, and entertainment/pornography.
  - Restricted products and services include:
    - Ad copy or images/video to market directly to children, or that appear to market to children.
    - Birth control: Yahoo accepts ads for non-prescription birth control products (including condoms) when targeted to users over the age of majority in approved regions.
    - Dating: Ads for dating sites (including ad text, ad image or video, and landing pages) must not:
      - Suggest or imply the presence of underage members.
      - Promote casual sex, affairs or hook ups either implicitly or explicitly, or promote escort services.
      - Indicate or imply that users will meet or connect with fictitious or specific individuals.
      - Suggest that a user has been, or may be, searched for or interacted with in any way.



- Promote "mail-order bride" services or any type of international matchmaking.
    - Yahoo reserves the right to restrict dating advertisers and campaigns without notice.
  - Display ads for dating sites are subject to additional requirements. These ads must be relevant to a broad audience (without assumptions about a user's dating preferences) and calls to action should focus on the product. Ad images must be static (without animation), of professional quality, and tasteful. Yahoo does not serve display ads for dating services in Yahoo Mail.
- o More generally, with respect to all Yahoo services:
  - You must be 13 or over to create a Yahoo account.
  - Yahoo has a zero-tolerance policy toward Child Sexual Abuse Material on its network.
  - All content on Flickr, public and private, has to be appropriately moderated as "safe", "moderate", or "restricted" using our [safety and content filters](#). If your judgment proves to be poor, we'll moderate your account to match appropriate categorization for Safe Search and/or content type and send you a warning.
  - Flickr's content filters prevent material that has been marked "restricted" from appearing in public view or to users between the ages of 13-17 ("Safe" or "Moderate").
  - Content that contains nudity or other sexual content may be visible in "Safe" or "Moderate" viewing if the primary purpose is education, documentary, scientific or artistic and isn't gratuitously graphic.
  - And finally:
    - Don't use hate speech. Hate speech is speech that attacks a person or group on the basis of race, ethnicity, religion, disability, gender, age or sexual orientation/gender identity.
    - Don't bully or harass members of the community. Yahoo communities aren't a place to harass, bully, abuse, impersonate, or intimidate others. This includes a zero tolerance policy towards sharing adult or sexualized content of another person without that person's consent (Non-Consensual Pornography).
    - Don't forget the children and teens. Remember that children and teenagers are a part of the community too. If you would hesitate to show what you're about to post to a child, your family, or a stranger on the street, you probably shouldn't post it on Yahoo. Think before you post and moderate accordingly.

- Don't be obscene. Sexually explicit and vulgar language and images are not welcome on the site. Also not welcome are belligerence, insults, slurs and generally objectionable speech.
- Don't violate the law. Members of Yahoo communities are not above the law. Don't try to trick people into sharing their personal information, steal anything (like copyright or trademark material), or break into places you shouldn't be. Don't threaten, harass, impersonate, or hurt others, and don't invade other people's privacy.
- Don't behave maliciously. Don't post links to sites that contain viruses or malicious programs or that interfere with the operation of Yahoo.

DIGI members are fully supportive of the self-regulatory codes developed by the AANA and the role that the independent complaints body the Advertising Standards Bureau plays in enforcing community standards in advertising. We believe that when combined with our proactive efforts to inform and support young people's experiences using our services, these self regulatory frameworks provide an appropriate level of protection for young people from inappropriate content.

Furthermore, we would like to highlight research on the exposure to and impact of pornography on young people. 28% of 11-16 year olds have seen sexual images online, a percentage which is only slightly higher than exposure to such images on television<sup>8</sup>. Researchers stress that the desire to explore sexual imagery is often part of broader identity development amongst young people (e.g. exploring sexuality and gender, developing intimacy, seeking advice and creating an understanding of positive relationships). Importantly, this work supports the notion that young people apply the same morals and social norms in their online experiences as they do their offline experiences; they don't distinguish between the two and there remains a significant opportunity for parents, carers and educators to directly influence these norms<sup>9</sup>.

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<sup>8</sup> Green, L., Brady, D., Holloway, D., Staksrud, E., Olafsson, K., (2013), What bothers Australian kids online? Children comment on bullies, porn and violence., Australia <http://ro.ecu.edu.au/cgi/viewcontent.cgi?article=1010&context=ecuworks2013> and Livingstone et al 2013, The EU Kids Online short report *In their own words: What bothers children online?* can be accessed at [http://www2.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20III/Reports/Intheirrownword\\_s020213.pdf](http://www2.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20III/Reports/Intheirrownword_s020213.pdf)

<sup>9</sup> Clifton W.E, Albury K., Byron P & Crawford K., 2013, 'Young people, social media, social network sites and sexual health communication in Australia: "this is funny, you should watch it', *International journal of communication (Online)* Hasinoff 2013; Spirito Project: Linda Jonsson, Karen Cooper, Ethel Quayle, Carl Goran Svedin & Katia Hervy (2015) Young people who produce and send nude images: Context, Motivation and Consequence [http://www.spirito.health.ed.ac.uk/download/website\\_files/SPIRITO\\_FULL\\_InterviewAnalysis\\_FINAL.pdf](http://www.spirito.health.ed.ac.uk/download/website_files/SPIRITO_FULL_InterviewAnalysis_FINAL.pdf); and Kimberly J. Mitchell, David Finkelhor, Lisa M. Jones and Janis Wolak, Prevalence & Characteristics of Youth, *Pediatrics* vol.129, no. 1, January 2012

As our policies make clear, we share the Government and community's commitment to protect children and young people from inappropriate content. In our experience, promoting the safety and well-being Australians is best achieved when industry, Government and the community work together. We released the Cyber-Safety booklet in 2014, which provides tips that individuals can use to ensure that their online experiences are only positive. We would be happy to work with the government to undertake parent education to promote awareness about our policies and tools.

We thank the Committee for considering our comments and look forward to the opportunity to collaborate further on this matter.

Kind regards,

*Mia Garlick*  
Director of Policy

Facebook

The Facebook logo, consisting of the word "facebook" in a blue, lowercase, sans-serif font.

*Samantha Yorke*  
Public Policy & Government  
Relations  
Google

The Google logo, featuring the word "Google" in its multi-colored, sans-serif font.

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General Counsel  
Yahoo! ANZ

The Yahoo! logo, featuring the word "YAHOO!" in a purple, uppercase, sans-serif font.

*Julie Inman-Grant*  
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