

The Senate

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Environment and Communications  
References Committee

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Harm being done to Australian children  
through access to pornography on the Internet

November 2016

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# **List of recommendations**

## **Recommendation 1**

**4.15** The committee recommends that the Australian government commission dedicated research into the exposure of Australian children and young people to online pornography and other pornographic material.

## **Recommendation 2**

**4.16** Following completion of the research referred to in recommendation 1, the committee recommends that the Australian government commission an expert panel to make recommendations to the government regarding possible policy measures. The panel should include experts in a range of relevant fields, including child protection, children's online safety, education, law enforcement and trends in internet usage.

## **Recommendation 3**

**4.17** The committee recommends that state and territory governments consider the adequacy of:

- their current policies on, and responses to, allegations of sexual abuse perpetrated by children within schools; and
- the training on child protection matters provided to individuals employed in, or preparing for employment in, roles that could involve children.

## **Recommendation 4**

**4.18** The committee recommends that the Australian government consider the adequacy of the information available to parents, guardians and teachers on how to keep children safe online, including whether existing resources such as the Office of the eSafety Commissioner's iParent website can be promoted more effectively.





# Abbreviations

ACCM	Australian Council on Children and Media
ACL	Australian Christian Lobby
AHRC	Australian Human Rights Commission
AMA	Australian Medical Association
APS	Australian Psychological Society
ASIC	Australian Securities and Investments Commission
DIGI	Digital Industry Group Incorporated
EFA	Electronic Frontiers Australia
ISP	Internet service provider
NSPCC	National Society for the Prevention of Cruelty to Children (UK)
RACP	Royal Australasian College of Physicians
UK	United Kingdom of Great Britain and Northern Ireland
US	United States of America
VPN	Virtual private network



# Chapter 1

## Introduction

1.1 On 2 December 2015, the Senate referred the following matter to the Environment and Communications References Committee for inquiry and report by the first sitting day in December 2016:

Harm being done to Australian children through access to pornography on the Internet, with particular reference to:

- (a) trends of online consumption of pornography by children and their impact on the development of healthy and respectful relationships;
- (b) current methods taken towards harm minimisation in other jurisdictions, and the effectiveness of those methods;
- (c) the identification of any measures with the potential for implementation in Australia; and
- (d) any other related matters.<sup>1</sup>

1.2 On 8 May 2016, the Governor-General issued a proclamation dissolving the Senate and the House of Representatives from 9 am on 9 May 2016 for a general election on 2 July 2016. As a result of the dissolution of the Senate for an election, the committee ceased to exist and the inquiry lapsed.

1.3 The 45th Parliament commenced on 30 August 2016. Members of this committee were appointed on 1 September 2016. On 13 September 2016, the Senate agreed to the committee's recommendation that this inquiry be re-adopted with a reporting date of 23 November 2016. The Senate also agreed to the recommendation that the committee have the power to consider and use the records of the Environment and Communications References Committee appointed in the previous parliament that related to this inquiry.<sup>2</sup>

### Conduct of the inquiry

1.4 In accordance with its usual practice, the committee appointed in the previous parliament advertised the inquiry on its website and wrote to relevant individuals and organisations inviting submissions.

1.5 In total, 416 submissions were received. These submissions are listed at Appendix 1 and the public submissions are available from the committee's website at [www.aph.gov.au/senate\\_ec](http://www.aph.gov.au/senate_ec).

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1 *Journals of the Senate*, 2 December 2015, p. 3587.

2 *Journals of the Senate*, 13 September 2016, p. 177.

1.6 In addition to the published submissions, the committee received a significant number of form letters and other correspondence, the overwhelming majority of which expressed concern about the exposure of children and young people to pornographic material. This material is categorised as follows:

- Six different form letters were sent to the committee with 151 letters received in total. The committee agreed to publish an example of each type of form letter and the number of each type received. A breakdown of the form letters by type is at Appendix 1.
- The committee also received a significant number of short statements expressing general concern about children and young people's access to online pornography. This correspondence was available to the committee throughout the inquiry, however, the emails were not published as submissions.

### **Acknowledgement**

1.7 As the above paragraphs indicate, the committee received a significant amount of written evidence for this inquiry. The diverse material received included submissions based on personal accounts, submissions from individuals expressing their personal views on this issue and submissions that drew the committee's attention to detailed research. The committee thanks all of the individuals and organisations that contributed to the inquiry.

### ***Passing of Emeritus Professor Freda Briggs AO***

1.8 One of the most detailed submissions the committee received was from respected child protection advocate Emeritus Professor Freda Briggs AO, who passed away in April 2016. The committee wishes to record its appreciation for her contribution to Australian public life as a champion for the protection of children.

### **Structure of the report**

1.9 This report comprises four chapters, as follows:

- Chapter 1 has outlined introductory matters regarding the referral and conduct of the inquiry.
- Chapter 2 introduces the discussion of the topic referred for inquiry by explaining the committee's approach to defining the scope of key terminology, presenting a selection of available data on pornography exposure and outlining the impacts and harms to children and young people arising from online pornography that submissions discussed.
- In light of the evidence available regarding the impact of pornography exposure on children and young people, submitters put forward their views on whether a case exists for further government action. They also discussed the merits of specific policy proposals. This evidence is outlined in Chapter 3.
- Chapter 4 contains the committee's findings and recommendations.

## Chapter 2

### Background and summary of the available evidence

2.1 This chapter presents an overview of key issues raised in submissions regarding the potential harms to children and young people arising from exposure to online pornography. It begins with a discussion of key definitions and concepts relied on for the inquiry, followed by an overview of the statistical research on exposure. The remaining sections of the chapter are devoted to introducing and summarising the evidence received on the various types of potential harm to children and young people arising from this exposure.

2.2 This chapter is intended to provide a guide to the principal matters raised. To ensure readers can appreciate the full scope of the potential harms that many submitters argued pornography exposure presents, the discussion of individual harms is necessarily brief. The committee received a large number of detailed submissions for this inquiry, many of which cited several research papers and reports. Readers interested in particular issues this chapter introduces are encouraged to consult the written submissions and the primary material cited within them for further detail.

#### Definitions and key concepts

2.3 This section discusses the terms 'online pornography', 'children' and 'harm' in the context of this inquiry.

#### *Online pornography—definition and sources*

2.4 The terms of reference do not define 'pornography'. Dr Michael Flood, an associate professor at the University of Wollongong who conducts research into gender, sexuality, and interpersonal violence, provided the following definition:

...'sexually explicit media that are primarily intended to sexually arouse the audience'...'Sexually explicit' representations include images of female or male nudity or semi-nudity, implied sexual activity, and actual sexual activity. Note that this definition is neutral rather than judgemental, and does not involve using 'pornography' as a negative term referring to representations of bodies and sexual activity which are necessarily offensive, obscene, or harmful.<sup>1</sup>

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1 Dr Michael Flood, *Submission 250*, p. 6. The definition cited was from N Malamuth, 'Pornography', in NJ Smelser and PB Baltes (eds), *International encyclopedia of social and behavioral sciences*, vol.17, 2001, p. 11817.

2.5 The WA Commissioner for Children and Young People noted that pornography may 'range from nudity or other similar material (generally termed "soft-core") through to depictions of explicit actual sex, and in some cases beyond that into the realm of fetishism, violence or other extremes'.<sup>2</sup> Ms Maree Crabbe<sup>3</sup> argued that some contemporary pornography challenges the standard definition of pornography as the material 'is sexually explicit, and may be arousing—or become arousing—for some viewers, but includes extreme, shocking content to the extent to which shocking the viewer may be considered its primary purpose'.<sup>4</sup>

2.6 Pornography can be accessed online on websites that 'provide free video streaming similar to YouTube'. These sites 'include user-generated material...archival content from defunct websites and often pirate[d] content from competitors, meaning they have enormous quantities of content that is often available for free, without any requirements for credit cards, age verification or email log in'.<sup>5</sup> It has been reported that in 2015 Australia ranked seventh in worldwide traffic to one of the largest global pornographic websites.<sup>6</sup>

2.7 Online pornography, however, is also available from sources other than websites dedicated to hosting pornographic content. The authors of a 2015 report for the UK government's Department for Culture, Media and Sport compiled a non-exhaustive list of other means by which children and young people could conceivably view pornographic images online or otherwise using digital devices. The list included:

- photo or video-sharing platforms;
- search engine results;
- advertisements;
- interpersonal messaging apps and services;
- social network sites;
- peer-to-peer portal sites and torrent services for downloading films and videos;
- mobile and tablet apps;
- games;
- physical sharing of devices or USB sticks; and

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2 Commissioner for Children and Young People (WA), *Submission 14*, p. 2.

3 Ms Crabbe is the co-founder of an Australian violence-prevention and community education project: *Reality & Risk: Pornography, young people and sexuality*. Ms Maree Crabbe, *Submission 340*, p. 1.

4 Ms Maree Crabbe, *Submission 340*, p. 7.

5 Ms Zahra Stardust, *Submission 287*, pp. 12–13.

6 The Salvation Army Australia Southern Territory, *Submission 282*, p. 2.

- 
- the dark web.<sup>7</sup>

### **'Children'**

2.8 Although the terms of reference do not indicate the age groups encompassed by the term 'children', the broader motion containing the terms of reference agreed to by the Senate referred to children as being under 18 years of age. This definition is often adopted in Australian legislation (where age is relevant) and is used in the Convention on the Rights of the Child. Nevertheless, it is noted that different age thresholds do exist in statute for particular matters; a relevant example being the laws governing the age a person is considered capable of giving informed consent to sexual activity, which varies between 16 and 17 years of age depending on the state or territory.

2.9 When discussing potential harms from online pornography and tailoring policy responses, it may be useful to differentiate between young children and adolescents. This report adopts the term 'children and young people' to refer to individuals who are under 18 years old.<sup>8</sup> The terminology the WA Commissioner for Children and Young People uses, who defines children as 0 to 12 years old and young people as 13 to 17 years old, is also relied on in this report.<sup>9</sup>

### **'Harm'**

2.10 Harm is not defined in the terms of reference, although the first paragraph of the motion containing the terms of reference refers to links between online pornography and:

- 'measurable negative effects on brain development and behavioural outcomes';
- 'children's acceptance of violent attitudes and beliefs', particularly against women; and
- 'violence towards, and abuse of, children'.<sup>10</sup>

2.11 The terms of reference emphasise the effects of pornography on the 'development of healthy and respectful relationships'.<sup>11</sup>

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7 V Nash, J Adler, M Horvath, S Livingstone, C Marston, G Owen and J Wright, *Identifying the routes by which children view pornography online: implications for future policy-makers seeking to limit viewing*, November 2015, [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/500701/Report\\_of\\_DCMS\\_Expert\\_Panel\\_Autumn\\_2015\\_FINAL.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500701/Report_of_DCMS_Expert_Panel_Autumn_2015_FINAL.pdf) (accessed 6 October 2016), p. 10.

8 This is the terminology used by the Australian Human Rights Commission in its submission. See *Submission 261*, p. 3.

9 Commissioner for Children and Young People (WA), *Submission 14*, p. 1.

10 *Journals of the Senate*, 2 December 2015, p. 3586.

11 *Journals of the Senate*, 2 December 2015, p. 3587.

2.12 Potential consequences for both physical and mental wellbeing are discussed in submissions. Overall, submissions focused on physical and mental harm to children and/or young people who:

- view pornography themselves, with implications for their development during their childhood/adolescent years and subsequent life as an adult;
- are affected by other children or young people who have viewed pornography; and
- are affected by adults who have viewed pornography.

### ***Unique issues presented by online pornography and social context***

2.13 As pornographic material has been available in various forms prior to the internet,<sup>12</sup> it is necessary to consider whether online pornography presents unique issues for children and young people.

2.14 Submissions commented on the history of pornography and the sexualisation of western society. Professor Brian McNair, a professor of journalism, media and communication at the Queensland University of Technology, submitted that the 'sexualisation of western societies has been ongoing since the 1950s', with a 'pornographication' of mainstream culture since the 1990s.<sup>13</sup> Professor McNair added that: 'At the same time as western culture has become more sexually explicit in general terms, the more specific form of pornography...has expanded its reach' due to the internet. He further noted that although 'pornographic imagery dates back to ancient Pompeii...its contemporary reach and accessibility are unprecedented'.<sup>14</sup>

2.15 Dr Michael Flood argued that the 'cultural context' for pornography consumption by young people is changing as a result of the 'increasing normalisation of pornography use and the pornographisation of mainstream culture'. Like Professor McNair, Dr Flood observed that there is 'an increased blurring of boundaries between pornography and mainstream media and artistic representations, and an incorporation

12 For example, a 1989 US study cited in a submission suggested that 'by the age of 15 years, 92% of boys had looked at or read Playboy, with average age of first exposure reported to be 11 years. Similarly, in regard to X-rated films, 92% of 13 to 15 years-olds reported that they had seen such a film'. South Eastern Centre Against Sexual Assault, *Submission 334*, p. 2; the study cited is J Bryant and D Brown, 'Uses of pornography', in D Zillmann and J Bryant (eds), *Pornography: research advances and policy considerations*, 1989, pp. 25–55.

13 Professor McNair explained: 'By "pornographication" I refer not to the narrow form of pornography itself, but the many ways in which the styles and codes of pornographic texts have become embedded in pop music, fashion, advertising and other cultural formats including "high art", as in the notorious work of Robert Mapplethorpe and Jeff Koons in the late 1980s. Madonna's *Sex* book of 1992 exemplifies the trend towards 'porno chic', with its deliberate evocation of pornographic poses and tropes in its imagery. Miley Cyrus' Wrecking Ball video, with its nudity and sexually charged performance, would be a more recent example of pornographication'. *Submission 55*, p. 1.

14 Professor Brian McNair, *Submission 55*, p. 1.



of the language and visual codes of pornography in mainstream media'. Dr Flood argued that these trends 'may intensify and normalise pornography use among children and young people'.<sup>15</sup>

2.16 The contrast between the availability of online pornography and the restrictions in place on the distribution of other pornographic material, such as DVDs or printed pornography, was noted. Pornographic DVDs and printed material are legally restricted to people 18 years old or above and there are further restrictions on how it can be sold and what it can contain.<sup>16</sup> The WA Commissioner for Children and Young People submitted that:

Only around one-third of sites with sexually explicit content actually notify the user of that content, and in many cases require the user only to tick a box stating they are 18 or older. A few (only around 3 per cent) use age-verification software which requires a credit card number or other 'adult' identification.<sup>17</sup>

2.17 Despite the issues potentially presented by online pornography, it was acknowledged that children and young people can be exposed to sexualised content in advertisements, films, television programs, music videos and video games.<sup>18</sup> The WA Commissioner noted:

In examining the potential harm of internet pornography to children and young people, it must be recalled that it exists within a wider context of society, and certainly is not the sole or even the main influence on children and young people.<sup>19</sup>

## Statistics on exposure

2.18 Submissions presented a variety of data on pornography usage. Studies differed in terms of the age groups surveyed, how recently the research was undertaken, and how the data were collected. Several submissions recognised that most research on pornography has occurred in countries other than Australia, and ethical issues mean there is little research involving children.<sup>20</sup> Nevertheless, many

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15 Dr Michael Flood, *Submission 250*, p. 8 (citation omitted).

16 This material is classified X 18+ and is only available for sale or hire in the Australian Capital Territory and the Northern Territory. See Guidelines for the Classification of Films 2012 (available on the Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)).

17 Commissioner for Children and Young People (WA), *Submission 14*, pp. 2–3 (citations omitted).

18 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 1; Australian Council on Children and Media, *Submission 73*, p. 7; Digital Industry Group Incorporated, *Submission 75*, p. 2; Australian Catholic Bishops Conference: Bishops Commission for Family, Youth and Life, *Submission 84*, p. 2; Family Council of WA, *Submission 256*, p. 2.

19 Commissioner for Children and Young People (WA), *Submission 14*, p. 7.

20 For example, see Burnet Institute, *Submission 61*, p. 8.

submitters reasoned that children are more likely to be exposed to pornography, including at younger ages, because of the high number of pornographic websites and high degree of internet use among children and young people.<sup>21</sup>

2.19 The Royal Australasian College of Physicians (RACP) suggested that the likelihood of unintentional exposure to internet pornography by children is increasing given the high number of pornographic websites.<sup>22</sup> Similarly, Dr Michael Flood submitted that overall rates of deliberate and accidental exposure of young people to pornography are likely to be increasing, and it is also likely that children and young people are being exposed to pornography at younger ages.<sup>23</sup> Regarding the likely exposure at younger ages, Dr Flood noted that 'children's and young people's internet use and access is increasing, and pornography itself appears to be becoming a more normalised aspect of children's and youths' peer cultures'.<sup>24</sup>

2.20 Dr Flood also argued that exposure to pornography is increasing via the internet, and that this exposure potentially involves increasingly violent, hostile and sexist content, although Dr Flood noted that conclusive statements about content are difficult as there has 'been little or no research which analyses pornography's content over time'.<sup>25</sup>

2.21 This section will discuss a selection of the international studies and Australian data.

### *International studies*

2.22 Although Dr Flood acknowledged that there is 'no direct longitudinal evidence' of an increase in rates of exposure in Australia, he suggested that findings in the US are likely to be similar in Australia. Dr Flood advised that a US study found that, after comparing data from 2000 and 2007, 'rates of unwanted exposure to pornography had gone from 9 to 19 per cent for those aged 10–12, from 28 to 35 per cent for those aged 13 to 15, and from 33 to 44 per cent for those aged 16 to 17'.<sup>26</sup>

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21 See, for example, Royal Australasian College of Physicians, *Submission 112*, p. 2; and Dr Michael Flood, *Submission 250*, p. 7.

22 The RACP noted that, although 'inherently difficult to quantify', one estimate claims that '12 per cent of all publically available websites are pornographic, and around a quarter of search engine requests relate to pornography'. *Submission 112*, p. 2 (citation omitted).

23 Dr Michael Flood, *Submission 250*, p. 7.

24 Dr Michael Flood, *Submission 250*, p. 7 (citation omitted).

25 Dr Michael Flood, *Submission 250*, pp. 7–8.

26 Dr Michael Flood, *Submission 250*, p. 7.

2.23 A 2016 report based on a UK-wide survey of approximately 1000 secondary school students commissioned by the National Society for the Prevention of Cruelty to Children (NSPCC) and the Children's Commissioner for England found that:

- at the age of 11, 28 per cent of children surveyed had seen online pornography;
- by the age of 15, 65 per cent had seen online pornography; and
- of those who had seen online pornography:
  - boys were more likely to view online pornography through choice than girls (59 per cent of boys compared to 25 per cent of girls), and
  - children 'were as likely to stumble across pornography as to search for it deliberately'.<sup>27</sup>

2.24 An earlier UK study (2013) revealed an average first age of exposure to pornography of 11 years of age, with 100 per cent of 15-year-old males and 80 per cent of 15-year-old females surveyed 'reporting that they have been exposed to violent, degrading online pornography, usually before they have had a sexual experience themselves'.<sup>28</sup>

2.25 Findings from the US published in 2007 indicated that the average age of first-time exposure to pornography was 12.2 years old.<sup>29</sup>

### *Australian data*

2.26 The RACP submitted that the available Australian studies have 'consistently demonstrated that a high proportion of young people are viewing pornography on the internet'. It explained:

One study has found that 28 per cent of 9 to 16-year-olds have seen sexual material online, though of particular concern is the indications that the percentage is 73 per cent for 15 to 16-year-olds. Other research found that among 13 to 16-year-olds, 93 per cent of males and 62 per cent of females had seen pornography online. Generally, young males are more likely to

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27 E Martellozzo, A Monaghan, JR Adler, J Davidson, R Leyva and MAH Horvath, "I wasn't sure it was normal to watch it...": a quantitative and qualitative examination of the impact of online pornography on the values, attitudes, beliefs and behaviours of children and young people, 2016, [www.childrenscommissioner.gov.uk/sites/default/files/publications/MDX\\_NSPCC\\_OCC\\_pornography\\_report\\_June\\_2016.pdf](http://www.childrenscommissioner.gov.uk/sites/default/files/publications/MDX_NSPCC_OCC_pornography_report_June_2016.pdf) (accessed 11 August 2016), p. 8.

28 Australian Psychological Society, *Submission 347*, p. 4. The study cited was commissioned by the UK Children's Commissioner and is: MAH Horvath, L Alys, K Massey, A Pina, M Scally, and JR Adler, *Basically...Porn is everywhere: a rapid assessment on the effect that access and exposure to pornography has on children and young people*, 2013.

29 These findings are from an unpublished doctoral thesis cited in Australian Psychological Society, *Submission 347*, p. 17.

access pornography (either intentionally or unintentionally) than young females.<sup>30</sup>

2.27 The Burnet Institute advised that it recently undertook research to address the lack of up-to-date studies about pornography use among young Australians. The data were obtained from questions asked in the 2015 *Sex, drugs and rock 'n' roll* study, which is part of a series of annual online surveys. In 2015, a convenience sample of 993 residents of Victoria aged 15–29 years were asked questions regarding their sexual health, sexual behaviours and alcohol and drug use. The study found that 100 per cent of male participants and 81 per cent of female participants had seen pornography, with the median age of first viewing at 13 years for males and 16 years for females.<sup>31</sup>

2.28 In addition to these survey results, the Burnet Institute cited research papers by other authors that indicate:

Young Australians have reported that they believe most, or all, young people watch pornography. Both teenage boys and girls report peer group pressure to watch pornography, and boys in particular are likely to believe pornography is 'cool' and share pornography among their friends.<sup>32</sup>

2.29 Dr Flood cited a 2011 survey that found:

...44% of 9-16 year-olds had seen sexual images in the last 12 months, whether offline or online (defined in terms of images which are "obviously sexual—for example, showing people naked or people having sex")...Exposure was higher at higher ages. Among 9-12 year-olds, 27% of boys and girls had seen sexual images, while among 13-16 year-olds, 58% of boys and 61% of girls had seen sexual images. Focusing on images or video seen online of someone having sex, 6% of 11-12 year-olds, 11% of 13-14 year-olds, and 29% of 15-16 year-olds had seen such images online in the last 12 months.<sup>33</sup>

2.30 A 2006 study of 13–16 year olds found that '93 per cent of boys and 61 per cent of girls reported exposure to pornography online'. It was noted that this study pre-dates 'the widespread use of smart phones and one-to-one laptop and tablet programs in schools'.<sup>34</sup>

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30 Royal Australasian College of Physicians, *Submission 112*, p. 2 (citations omitted).

31 Burnet Institute, *Submission 61*, p. 6.

32 Burnet Institute, *Submission 61*, p. 8 (citations omitted).

33 Dr Michael Flood, *Submission 250*, p. 7. The study cited is L Green, D Brady, K Ólafsson, et al, *Risks and safety for Australian children on the internet: full findings from the AU Kids Online survey of 9–16 year olds and their parents*, ARC Centre of Excellence for Creative Industries and Innovation, 2011.

34 Ms Maree Crabbe, *Submission 340*, p. 9. The study cited is MJ Fleming, S Greentree, D Cocotti-Muller, KA Elias, and S Morrison, 'Safety in cyberspace: adolescents' safety and exposure online', *Youth and Society*, vol. 38, no. 2, 2006, pp. 135–54.

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### *Limitations of the data*

2.31 The Burnet Institute and the WA Commissioner for Children and Young People both noted that there is little research on the types or content of material being accessed by young people.<sup>35</sup> It was also noted that the available research 'generally does not distinguish accidental versus intentional pornography exposure', with accidental exposure possible for many reasons. The Burnet Institute submitted that accidental exposure can occur from 'improperly "tagged" photos in image searches, "pop-up" advertisements, spam emails and social media viruses...[and] processes called "mousetrapping" and "page-jacking", where users become "trapped" on certain websites or follow a seemingly official link'.<sup>36</sup>

2.32 Studies also differ in how they define pornography and in the assumptions they make about exposure. The WA Commissioner for Children and Young People noted that these differences complicate efforts to analyse research about online pornography exposure and in 'making any definitive statements on its effects'. The Commissioner explained:

In the 2011 Rapid Evidence Assessment carried out for the Children's Commissioner for England, the researchers pointed out that although it was known that children and young people were exposed to and/or accessing pornography, the studies generally were not specific about how they had defined 'pornography'. Some studies used a broad descriptor which may have encompassed non-pornographic websites, such as art or sexual health sites. Others appear to have inferred that if a certain 'type' of pornography was available on the internet, it necessarily followed that children and young people were accessing it. What studies had been done (with young adults or adults) showed a wide range of rates of exposure to violent sexual content, and so determining exactly what children and young people may see on the internet is unclear.<sup>37</sup>

2.33 There is also a lack of government data. For example, the Northern Territory government advised that it does not collect trends on online pornography consumption by children.<sup>38</sup>

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35 Commissioner for Children and Young People (WA), *Submission 14*, pp. 2–3; Burnet Institute, *Submission 61*, p. 7.

36 Burnet Institute, *Submission 61*, p. 8.

37 Commissioner for Children and Young People (WA), *Submission 14*, p. 2 (citations omitted).

38 The government explained that this statement is based on information from the Department of Correctional Services, Department of Education, police, fire and emergency services. Northern Territory Government, *Submission 255*, p. 1.

## **Key impacts and harms identified**

2.34 This section outlines the impacts and harms to children and young people from online pornography that were discussed in submissions. Evidence received about the reliability of this information and issues to consider when analysing it are also outlined.

### ***List of potential impacts***

2.35 Overall, the following potential impacts were identified in submissions:

- pornography as a sex educator, including whether it influences attitudes towards sex;
- pornography as a source of distress for younger children;
- pornography viewing as a habitual or 'addictive' activity;
- changing sexual practices influenced by sexual practices which are routine in pornography;
- consequences for body image and self-esteem;
- implications for the development of respectful relationships due to changing male views on women, including seeing women as sex objects and pornography normalising violence against women; and
- children's sexual offending inspired by pornography.

2.36 The remaining paragraphs of this chapter discuss these potential impacts in turn.

### ***Pornography as sex education***

2.37 Dr Michael Flood submitted that the use of pornography 'informs greater sexual knowledge and more liberal attitudes towards sex among children and young people (and how one assesses this depends then on one's wider assumptions)'.<sup>39</sup> Dr Flood wrote:

Experimental and correlational studies find associations between exposure to sexual media content and for example, greater acceptance of pre-, extra- and non-marital sexual relations, the belief that one's peers are sexually active, and a more favourable attitude towards recreational sex...and acceptance of prostitution and pornography itself...<sup>40</sup>

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39 Dr Michael Flood, *Submission 250*, p. 10.

40 Dr Michael Flood, *Submission 250*, p. 10 (citations omitted).

2.38 Dr Flood added that online pornography may also have particular educational uses for same-sex attracted people. He observed:

In the context of a silence about homosexuality and other non-normative sexualities in their everyday lives, young men and women may use pornography to learn what to do when having sex, to improve their knowledge about sexual behaviour, or as a substitute for sexual relationships.<sup>41</sup>

***Distress for younger children***

2.39 Submissions raised the potential for exposure to online pornography to be distressing for children. Dr Michael Flood cited a 2002 publication that noted children and young people of various ages may react differently to sexually explicit material. Dr Flood provided the following extract:

The youngest children may not find such images remarkable or memorable because they do not have the cognitive abilities or understand the social meaning of explicit images. In contrast, because they are becoming curious about sex and are experiencing changing bodies and a changing social landscape, those in the 9 to 12 age range may be more vulnerable to disturbing portrayals of sex and sexual activity...[Older children] noted that they were exposed to similar material in every other part of their lives, and they now found it more annoying than upsetting.<sup>42</sup>

2.40 Dr Flood added that some children who are inadvertently exposed to online pornography are 'upset not by its content but by the potential reactions of their parents'.<sup>43</sup>

***Pornography viewing as a habitual activity***

2.41 Some submissions noted concerns that the use of online pornography can become a habitual or even an addictive activity. These concerns are applicable to both young people and adults. For example, Emeritus Professor Freda Briggs submitted that there 'is research evidence that pornography affects the brain in much the same way as drugs. It can become addictive'.<sup>44</sup> The Alannah and Madeline Foundation submitted:

While addiction to pornography is not listed as an addictive disorder in the American Pediatric Association's Diagnostic and Statistical Manual of

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41 Dr Michael Flood, *Submission 250*, pp. 10–11 (citation omitted).

42 D Thornburgh and HS Lin (eds), *Youth, pornography, and the internet*, 2002; cited in Dr Michael Flood, *Submission 250*, p. 13. Some anecdotes in submissions from individuals support this; for example, the author of *Submission 200* argued: 'Kids filter things out. I found my brother's porn collection at a young age and thought it was pretty weird. The next time I found it puberty kicked in so it was more interesting'.

43 Dr Michael Flood, *Submission 250*, p. 13 (citations omitted).

44 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 2.

Mental Disorders...many believe its existence. Some consumers of pornography use it in ways that are obsessive, compulsive and have damaging consequences for themselves or others...Brain studies have shown that pornography viewing is associated with brain changes 'similar to those observed in addiction' and that 'adolescents take longer than adults to recover from...[these changes]' possibly due to the younger age of exposure to the material.<sup>45</sup>

2.42 Based on current evidence, objections have been made to descriptions of pornography as being 'addictive'. For example, a submitter cited an open letter signed by several academics, journalists, campaigners and others in response to a survey by the NSPCC, which stated:

The very existence of 'porn addiction' is questionable, and it is not an accepted medical condition. Dr David J Ley, a psychologist specialising in this field, says: 'Sex and porn can cause problems in people's lives, just like any other human behavior or form of entertainment. But, to invoke the idea of "addiction" is unethical, using invalid, scientifically and medically-rejected concepts to invoke fear and feed panic.'<sup>46</sup>

2.43 Dr Flood acknowledged an 'emerging scholarship on sexual, internet, and cybersex "addiction" suggests that some pornography consumers come to use pornography in ways which are obsessive, compulsive, and have damaging consequences for themselves or others'. However, he added that 'there is little data on what proportion of pornography consumers use pornography in such ways'. Dr Flood noted that some habitual patterns of use may be more accurately described as 'impulse control disorders, akin to eating disorders or pathological gambling'.<sup>47</sup>

### ***Changing sexual practices and engaging in risky behaviour***

2.44 Many submissions expressed concern that pornography exposure is changing young people's view on normal sexual practices and leads to greater risk-taking. For example, the Australian Medical Association (AMA) submitted:

Evidence indicates that exposure to and consumption of internet pornography is strongly associated with risky behaviour among adolescents. The AMA is also aware of a range of studies that demonstrate a strong link between internet exposure to sexually explicit material and earlier and more diverse sexual practice that can result in adverse sexual and mental health outcomes.<sup>48</sup>

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45 The Alannah and Madeline Foundation, *Submission 89*, p. 8 (citations omitted).

46 Name withheld, *Submission 120*, p. 4. The letter is also published at: <http://sexandcensorship.org/2015/04/open-letter-nspsc-re-porn-addiction-study/>. The NSPCC's response is available here: [www.nspcc.org.uk/fighting-for-childhood/news-opinion/nspcc-response-to-sex-censorship-criticism1](http://www.nspcc.org.uk/fighting-for-childhood/news-opinion/nspcc-response-to-sex-censorship-criticism1)

47 Dr Michael Flood, *Submission 250*, p. 14 (citations omitted).

48 Australian Medical Association (AMA), *Submission 11*, p. 2.



2.45 The 2016 UK study prepared for the NSPCC and the Children's Commissioner for England (see paragraph 2.23) reported that 21 per cent of 11–12 year olds, 39 per cent of 13–14 year olds and 42 per cent of 15–16 years olds 'wanted to try things out they had seen in pornography'. Boys were more likely to want to emulate pornography than girls (44 per cent for boys compared to 29 per cent for girls).<sup>49</sup>

2.46 The Australian Psychological Society (APS) submitted that online pornography 'can be a disturbing introduction to human sexuality'. It explained:

Pornography increasingly plays a significant role in shaping social norms in relation to sexuality, and in shaping sexual tastes, particularly among young people. This is associated with increased confusion and anxiety as young people feel pressured to behave in ways commonly displayed in pornography. Crabbe and Corlett (2013), in their ground-breaking Australian research, show clearly that young men actually believe that what they are watching provides real templates for sexual activity...Young women, conversely, risk feeling pressured to go along with it, and to participate in sexual acts they may not feel comfortable with.<sup>50</sup>

2.47 Specific evidence about children engaging in risky sexual behaviour following exposure to pornography was provided by Professor Briggs, who advised that in research undertaken for New Zealand Police:

...we found that most children had seen pornography by the age of ten, that around 50% were engaging in casual sex by the age of twelve, that boys avoided using contraceptives and did not relate sex with pregnancy. From the age of twelve, children were 'partying' at weekends and girls said the aim was to get drunk and 'get laid' as soon as possible. Neither the boys nor the girls said they enjoyed the sex but they did it to be popular and this was the expectation of the peer-group.<sup>51</sup>

2.48 Dr Flood submitted there 'is clear evidence that pornography is shaping young men's sexual practices', with findings to this effect from cross-sectional studies corroborated by longitudinal studies.<sup>52</sup> Dr Flood also stated that pornography use may increase practices of unsafe intercourse as 'the vast majority of pornography shows sex without condoms'.<sup>53</sup>

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49 E Martellozzo et al, *"I wasn't sure it was normal to watch it..."*, p. 10.

50 Australian Psychological Society, *Submission 347*, p. 6. The material cited is *Love and sex in an age of pornography*, directors M Crabbe and D Corlett, Rendered Visible and Looking Glass Pictures, 2013.

51 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 4.

52 See Dr Michael Flood, *Submission 250*, p. 11.

53 Dr Michael Flood, *Submission 250*, p. 12.

2.49 Pornography viewing may also influence decisions about sexual practices, including unsafe practices<sup>54</sup> and practices in which partners are pressured to participate. For example, it was submitted that there is evidence 'young men are initiating sexual practices they have observed in pornography...often to young women's displeasure'.<sup>55</sup> The Gold Coast Centre Against Sexual Violence submitted that it 'deals with victims of sexual violence daily' and the 'majority of the recent sexual violence perpetrated involves porn inspired sexual acts which women and young women have not consented to'.<sup>56</sup>

2.50 A contrary perspective was provided by the Digital Industry Group Incorporated (DIGI), which represents Google, Facebook, Twitter, Yahoo! and Microsoft. DIGI submitted that the 2013 study *Does viewing explain doing?* 'suggests that exposure to explicit material has only a modest impact on the sexual behaviour of young people'. DIGI added:

Professor John de Wit, director of the National Centre in HIV Social Research at the University of NSW and co-lead of the research project, said the findings suggest that the increasing prevalence of sexually explicit material was having less impact on sexual behaviours than previously thought.<sup>57</sup>

### ***Body image and self-esteem***

2.51 The potential impact of pornography on young people's body image was noted in submissions. The Burnet Institute submitted that there is 'conflicting evidence' on this 'although young women have reported feeling pressured to achieve an "ideal body" that is often represented in pornography'.<sup>58</sup>

2.52 The AMA submitted that there is a 'growing body of research' showing that 'premature exposure to sexualised images and adult sexual content has a negative impact on the psychological development of children, particularly on self-esteem, body image and understandings of sexuality and relationships'.<sup>59</sup> The AMA, however, noted that online pornography is one type of the sexualised images available; it pointed to 'sexualised representations of children in advertising and the circulation of sexualised content through social media' as other sources.<sup>60</sup> Furthermore, the AMA

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54 Australian Psychological Society, *Submission 347*, p. 6.

55 Ms Maree Crabbe, *Submission 340*, p. 3. See also Emeritus Professor Freda Briggs AO, *Submission 2*, p. 1.

56 Gold Coast Centre Against Sexual Violence, *Submission 77*, p. 4.

57 Digital Industry Group Incorporated, *Submission 75*, p. [3].

58 Burnet Institute, *Submission 61*, p. 9 (citations omitted).

59 Although the AMA noted that online pornography is only one type of the sexualised images available, also pointing to 'sexualised representations of children in advertising...[and the] circulation of sexualised content through social media'. AMA, *Submission 11*, p. 2.

60 AMA, *Submission 11*, p. 2.

commented on a possible relationship between online pornography and a dramatic increase in demand for genital cosmetic surgery, although the Burnet Institute noted that to date, no research has been conducted into a relationship between pornography and rates of labiaplasty.<sup>61</sup>

2.53 Self-esteem effects were also noted. The RACP referred to a study that noted 'boys may feel they lack the virility of on-screen actors, whereas girls reported feeling physically inferior to women they viewed in pornographic material'.<sup>62</sup>

### ***Development of healthy and respectful relationships***

2.54 Several submissions commented on the messages pornography conveys about the nature of relationships between men and women, and the impression these messages leave on children and young people. The significance of this for young people was emphasised by the APS, which advised that '[m]any young people often do not have the critical frameworks required to deconstruct and understand these messages'.<sup>63</sup>

2.55 The AMA submitted that online pornography is increasingly playing a role in shaping young people's attitudes towards sexuality. The AMA added that many adult websites 'feature what can only be termed "extreme" material, which to a young and vulnerable person without an understanding of sex education, could be quite damaging'. The AMA:

...believes that children viewing highly sexualised pornographic material are at risk of negatively affecting their psychological development and mental health by potentially skewing their views of normality and acceptable behaviour at a critical time of development in their life.<sup>64</sup>

2.56 One of the issues specifically raised is the theme of male dominance and female submission that heterosexual pornography generally conveys.<sup>65</sup> The Centre for Excellence in Child and Family Welfare submitted that pornography 'normalises sex acts that many women may experience as degrading, painful or violating'. The Centre argued that this 'raises serious implications for young people's capacity to develop a positive sexuality that incorporates mutual pleasure, respect and the negotiation of free and full consent'.<sup>66</sup> The APS added:

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61 AMA, *Submission 11*, pp. 2–3; Burnet Institute, *Submission 61*, p. 9 (citations omitted).

62 Royal Australasian College of Physicians, *Submission 112*, p. 3.

63 Australian Psychological Society, *Submission 347*, p. 5.

64 AMA, *Submission 11*, p. 2.

65 The APS added that similar issues exist with homosexual pornography. See *Submission 347*, p. 7.

66 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 2 (citation omitted). See also Ms Maree Crabbe, *Submission 340*, p. 4.

Porn...gives the impression that everyone wants to have sex all the time, but it does not teach young people that consent is crucial, nor how to communicate with your partner how and when you would both like to have sex, and how to respect their needs as well as meet your own.<sup>67</sup>

2.57 'Sexting', which is the sending of sexually explicit photographs, videos or messages via mobile phones, is a related concern. Collective Shout argued that '[a] further outworking of pornography's shaping influence is seen in the demands from boys for sexual images of girls'. Collective Shout submitted:

This year, Plan Australia commissioned a survey of a random sample of 600 Australian women and girls aged 15–19. Key results:

- Seven out of ten young women surveyed agreed that girls are often bullied or harassed online.
- 58% agreed that girls often receive uninvited or unwanted indecent or sexually explicit material such as texts, video clips, and porn.
- 51% agreed girls are often pressured to take 'sexy' pictures of themselves and share them.
- 82% believe it is unacceptable for a boyfriend to ask their girlfriend to share naked photos of themselves.
- 44% do not feel comfortable reporting abusive online behaviour.<sup>68</sup>

2.58 However, most submissions that commented on pornography's impact on relationships focused on the consequences of young people's exposure to 'extreme' and violent pornography. The Centre for Excellence in Child and Family Welfare emphasised that online pornography is often violent and aggressive as 'producers seek to push the market boundaries'. It explained:

Research conducted in 2007 showed that almost 90 percent of scenes in pornographic videos portrayed physical aggression, while nearly half contained verbal aggression, and that 94 percent showed the aggression perpetrated against women. In particular, the portrayal of violence and degrading behaviour during sex has the potential to negatively influence children's attitudes to relationships and sexual expectations and norms.<sup>69</sup>

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67 Australian Psychological Society, *Submission 347*, p. 5.

68 Collective Shout, *Submission 288*, p. 3. See also Emeritus Professor Freda Briggs AO, *Submission 2*, p. 2.

69 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 1 (citations omitted). Figures on violent content were also provided by the Australian Psychological Society: see *Submission 347*, p. 4.

2.59 Dr Michael Flood argued that 'the most troubling dimensions of pornography's negative impact, among children and adults alike' are its 'influences on sexist and violent attitudes and behaviours'.<sup>70</sup> Dr Flood cited several studies associating the consumption of pornography with 'more sexualised and sexually objectifying views of women'.<sup>71</sup> In addition, Dr Flood cited a 2007 report by the American Psychological Association that found 'exposure to pornography...leads men to rate their female partners as less attractive...to indicate less satisfaction with their intimate partners' attractiveness, sexual performance, and level of affection...and to express greater desire for sex without emotional involvement'.<sup>72</sup>

2.60 On whether pornography influences aggressive tendencies, the RACP submitted that there is 'some evidence to suggest that this is dependent on what type of pornographic content is being consumed'. It explained:

Simple nudity may actually reduce aggressive tendencies, whereas sexually violent pornography is likely to increase aggressiveness. Other evidence has suggested that violent pornography in particular can lead children and young people self-reporting higher rates of sexually aggressive behaviour.<sup>73</sup>

2.61 Dr Flood described an 'overwhelming' body of evidence linking pornography to sexual violence against girls and women.<sup>74</sup> Dr Flood cited three longitudinal studies that 'support the claim that pornography increases the likelihood that individuals will perpetrate sexual violence'.<sup>75</sup>

2.62 The Australian Human Rights Commission (AHRC), however, submitted that although '[r]esearch indicates that children's and young people's attitudes and behaviour may be influenced by viewing pornography...there appears to be only limited empirical evidence that viewing pornography causes children and young people to engage in coercive, aggressive or violent sexual behaviour'.<sup>76</sup>

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70 Dr Michael Flood, *Submission 250*, p. 15.

71 Dr Michael Flood, *Submission 250*, p. 15.

72 American Psychological Association, *Report of the APA Task Force on the Sexualization of Girls*, 2007, p. 29; cited in Dr Michael Flood, *Submission 250*, p. 15.

73 Royal Australasian College of Physicians, *Submission 112*, p. 3 (citations omitted).

74 Dr Michael Flood, *Submission 250*, p. 15.

75 See Dr Michael Flood, *Submission 250*, pp. 16–17.

76 Australian Human Rights Commission, *Submission 261*, p. 3 (citation omitted).

### ***Sexual offending by children inspired by pornography***

2.63 Some submissions asserted that online pornography has resulted in child-on-child abuse. This issue featured in Professor Freda Briggs' submission, which argued that:

Sexual exploration is a normal part of healthy child development but children (usually boys) who are sexualized prematurely through access to pornography or personal experience may engage in sexual behaviours that are not within normal bounds.<sup>77</sup>

2.64 Professor Briggs advised that 'young children are acting out what they have seen and experienced, sexually abusing others in schools, kindergartens and child care settings'. Professor Briggs argued:

There are only three explanations for children sexually abusing younger children:

- (a) They have been traumatized/influenced by exposure to pornography and repeat what they have seen. In the writer's interviews with more than 700 children...some boys aged 6–8 years revealed that 'fun' activities with their fathers included watching pornography on the internet because 'that's what guys do'.
- (b) They have been traumatized by sexual abuse and are repeating what they have experienced.
- (c) They have inappropriately witnessed sexual activity in the home environment.

All of the above constitute child abuse and should be reported, investigated and therapy provided (by specialists) for perpetrators and victims as well as counselling for the parents of both victims and offenders. The problem is that neither teachers, police nor social workers appear to be trained to take these behaviours seriously and respond appropriately.<sup>78</sup>

2.65 Pages 14–16 of Professor Briggs' submission summarises cases indicating that children of various age groups who abused other children were influenced by pornography. The cases also indicate that instances of child-on-child abuse are not being handled appropriately. Professor Briggs stated that:

Child-on-child abuse should not only be reported to child protection services but therapy should be provided because of the risk that (a) the perpetrator will continue to create victims; (b) the child's premature sexual experience will be recognised by paedophiles and s/he will then be at risk of being abused repeatedly.<sup>79</sup>

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77 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 14.

78 Emeritus Professor Freda Briggs AO, *Submission 2*, pp. 4–5.

79 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 9.

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2.66 Submissions from individuals articulated how they were distressed by media reports on children perpetrating sexual abuse against other children in environments such as schools and childcare centres.<sup>80</sup>

2.67 Dr Michael Flood also commented on the role of pornography in children's sexual offending. However, Dr Flood warned about claims that have not been tested. He stated:

Simplistic claims regarding pornography's role in sexual violence have been evident in Australia lately particularly in relation to children's sexual offending...The claim that pornography exposure is fuelling a significant increase in children's sexual abuse of other children comes from various quarters, including from people who work with children showing sexually abusive or problematic sexual behaviours. Such impressions by frontline workers are important, but they should be tested by empirical research.<sup>81</sup>

2.68 In Dr Flood's opinion:

Pornography's role in children's sexual offending is likely to be similar to its role in adults' sexual offending. Yes, pornography exposure is a significant risk factor for sexual violence perpetration by children and young people...There is no doubt: pornography exposure increases the risk of children's and young people's perpetration of sexual assault.

At the same time, pornography exposure is likely to increase the likelihood of perpetration for some children and young people more than others, depending on their pre-existing attitudes and behaviours. In addition, children's pornography exposure itself may be a part or symptom of a range of forms of abuse and trauma experienced by children who themselves are engaged in problem sexual behaviour...<sup>82</sup>

2.69 Other concerns about children's sexual offending included children becoming producers of child pornography. Professor Briggs submitted:

In July, 2008, Victoria Police confirmed that more and more children were being reported for sex offences. An eight-year-old boy stored pornography on a mobile phone. In the 2006 crackdown, 12% of those arrested for downloading child pornography were adolescent boys. They also outnumbered adults at a ratio of two to one in the manufacture of pornography...Boys aged 10 were among 61 young people accused of making child porn in 2007-8. More 15- to 19-year-olds were caught producing child porn than any age-group in 2007.<sup>83</sup>

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80 For example, see *Submission 128*, p. 1.

81 Dr Michael Flood, *Submission 250*, p. 19 (citations omitted).

82 Dr Michael Flood, *Submission 250*, p. 19 (citations omitted).

83 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 22.

***Reliability of evidence and other considerations***

2.70 Many submissions emphasised that care needs to be taken when analysing data and individual accounts about children's and young people's exposure to pornography. The following paragraphs outline some of the matters raised.

2.71 Dr Michael Flood argued that '[w]e must move beyond simplistic, deterministic claims and towards more sophisticated and evidence-based accounts of pornography's effects'.<sup>84</sup> He submitted that the impact of pornography on its viewers is mediated by various factors, as follows:

- The characteristics of the viewer, such as age, gender, maturation, sexual experience and parental involvement.
- The viewer's 'sexual, emotional and cognitive responses to the material'; Dr Flood explained there is evidence that 'effects are greater for people who are more active and involved viewers', although he added 'little is known about children's and young people's active engagements with pornography'.
- The character and circumstances of exposure, such as 'the type of material involved, the duration and intensity of viewing, and the context (whether voluntary or involuntary, and whether solitary or collective)'.<sup>85</sup>

2.72 The Burnet Institute submitted that:

Research indicates that pornography use is associated with some harms (in adolescent and adult populations), particularly with regards to viewing violent pornography and when watching pornography frequently. These harms should be taken seriously.

However, there is little evidence, at least in an Australian setting, to say that pornography causes harms in adolescents and young adults, although there is a significant body of cross-sectional and qualitative evidence suggesting a link between them.<sup>86</sup>

2.73 Similarly, the WA Commissioner for Children and Young People submitted that although research shows correlations between access and exposure to pornography and various behavioural changes, 'there has not been demonstrated evidence of a causal role for pornography' in these changes.<sup>87</sup>

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84 Dr Michael Flood, *Submission 250*, p. 4.

85 Dr Michael Flood, *Submission 250*, p. 9 (citations omitted).

86 Burnet Institute, *Submission 61*, p. 4.

87 Commissioner for Children and Young People (WA), *Submission 14*, pp. 5–6.



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2.74 Finally, the Scarlet Alliance, which is the peak national sex worker organisation in Australia, presented the following perspective in response to claims about the influence of pornography:

The assertion that pornography is, or contributes to, violence against women, is often stated as fact, when it is theory that is not proven. While anti-porn advocates have heralded studies showing a causal link between porn and misogyny, sexual abuse, and domestic violence, an equal number of studies show no link at all. It is also important to note that even if some studies purport to create a causal link; this is not evidence of causation. Anti-porn advocates present anecdotal research that gives an "extremely biased picture of pornography that stands in stark contrast to sound scholarly research."<sup>88</sup>

## Conclusion

2.75 This chapter has introduced key concepts that are relevant when considering how children and young people may be exposed to pornographic material. It has also provided an overview of the possible harm that submitters consider exposure to this material may cause to some individuals.

2.76 The following chapter discusses the various proposals that were put forward to respond to this evidence.

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88 Scarlet Alliance, *Submission 119*, p. 3. The quotation is from R Weitzer, 'Pornography's effects: the need for solid evidence', *Violence Against Women*, vol. 17, no. 5, 2011, pp. 666–75.



# Chapter 3

## Potential policy responses

3.1 The previous chapter outlined the key potential harms to children and young people arising from the availability of online pornography. This chapter presents the evidence received regarding whether a case exists for government action beyond any current measures or policies. Following this, the evidence received regarding specific policy proposals is examined.

3.2 On the specific policy proposals, across all submissions three broad areas of recommendations are evident: research, education and filtering technology. These are discussed in turn. Other suggestions that do not fit in these categories are outlined at the end of the chapter.

### **Does the available evidence warrant government action?**

3.3 Among submitters, there is general agreement that action of some form is needed or would be useful, but views differ on the nature and extent of this action. Some submitters call for further research, while others want more immediate and decisive government policies and legislative remedies. This section briefly outlines some of the key stakeholder positions.

#### *Justifications for intervention*

3.4 Government and government agency submissions highlighted some of the existing work relating to the issue of children and young people's exposure to online pornography.

3.5 The Office of the Children's eSafety Commissioner, which is a Commonwealth independent statutory office, advised that in December 2015, the Children's eSafety Commissioner's Online Safety Consultative Working Group met to discuss this issue, with representatives from industry, government and non-government organisations participating at the meeting.<sup>1</sup> The Office also noted that it provides information for parents about exposure to inappropriate content on the eSafety website: [www.esafety.gov.au](http://www.esafety.gov.au).<sup>2</sup>

3.6 The Northern Territory government's submission noted that 'mandatory reporting of child abuse and neglect is required by law for all Northern Territory residents'.<sup>3</sup> The submission added that the Department of Children and Families 'is often made aware of a child's exposure to pornography through a child protection

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1 Office of the Children's eSafety Commissioner, *Submission 74*, p. 2.

2 Office of the Children's eSafety Commissioner, *Submission 74*, p. 6.

3 Northern Territory Government, *Submission 255*, p. 1.

report or through the course of a child protection investigation'. In addition, the Northern Territory Department of Education advised that it 'has a filtering system in place that blocks all inappropriate material such as pornography in the Northern Territory schools network'.<sup>4</sup>

3.7 In light of the various harms many submitters consider are linked to exposure to pornography, however, arguments were presented to the committee supporting further government action. For example, the Australian Catholic Bishops Conference's Bishops Commission for Family, Youth and Life submitted the following statement:

Children have a right to be children, away from the pressure applied by advertising and other images on television and the Internet for them to dress and act as mini-adults. Bombarding children with sexualised images can hurt their normal development...Allowing children to be exposed to pornography is a form of abuse. The Church has its own shameful history of child abuse and, particularly because of that terrible experience for victims, does not want to see other forms of abuse of children such as the harms from the increased availability of pornography.<sup>5</sup>

3.8 Submitters outlined practical difficulties with the responses currently available to parents and guardians for protecting their children from exposure to online pornography. Given this, it was argued that specific government measures should target children's and young people's ability to access to pornography. For example, the Australian Council on Children and Media (ACCM) submitted that 'it is not enough to rely on parents to regulate their own children's access to pornography':

Unlike many aspects of parenting which are a matter of individual, private choice, regulating children's access to media (of all kinds, but especially pornographic content) is a highly socially significant activity. It is appropriate for society, through its representatives in government, to take action at the societal level for the prevention of a societal problem...[M]edia use is one call that should not be left completely up to parents; and this is an idea that has traditionally been accepted, as expressed for example through the institution of the National Classification Scheme for publications, films and computer games.<sup>6</sup>

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4 Northern Territory Government, *Submission 255*, pp. 1, 4.

5 Australian Catholic Bishops Conference: Bishops Commission for Family, Youth and Life, *Submission 84*, p. 3.

6 Australian Council on Children and Media, *Submission 73*, pp. 3–4.

3.9 Professor Freda Briggs, who focussed on responses to child-on-child abuse in the school environment seemingly inspired by pornography, argued that the current responses are inadequate. Professor Briggs submitted:

- When faced with allegations, schools often 'try to "shove the problem under the carpet" to avoid facing parents and avoid a reduction in enrolments'.<sup>7</sup>
- Teachers, kindergarten staff and parents of perpetrators dismiss sexual abuse as normal sexual experimentation/curiosity.<sup>8</sup>
- Teachers, police and social workers do not appear to be trained to take these behaviours seriously and respond appropriately, and that teachers have been 'instructed not to ask questions because of the risk that they may "contaminate the evidence"', although police are often not interested in pursuing the allegations.<sup>9</sup>
- When schools act, they can encounter resistance. For example, primary school principals advised Professor Briggs that when they confiscate children's phones until the end of the school day, 'parents lodge formal complaints and verbally attack them'.<sup>10</sup>

3.10 Professor Briggs further noted that when perpetrators are expelled from one school, 'these children invariably enrol at another school where, because of "the child's right to privacy", staff may not be aware of their histories'. Professor Briggs stated that the behaviour is likely to continue unless effective therapy is provided.<sup>11</sup>

### *Counterarguments and other issues*

3.11 Although Dr Flood is of the view that pornography has 'demonstrable, undeniable, effects on attitudes and behaviours', he cautioned against 'simplistic and deterministic claims regarding its effects', which he noted are often made in the media and elsewhere. Dr Flood emphasised that pornography's influence is not 'all-powerful and determining of individuals' behaviour', does not have homogenous effects, and is not 'the single most important risk factor for children's or adults' sexually coercive or problematic behaviours'. In relation to the perpetration of sexual violence, Dr Flood described pornography as 'one risk factor, among many', adding that '[i]t is the

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7 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 6.

8 Professor Briggs added: 'Other common explanations for ignoring the behaviour are "Maybe he's seen pornography" or, "Perhaps he's seen his parents having sex". Even if this were true, if a child is so psychologically harmed that he is replicating what he experienced, this constitutes reportable child abuse and intervention is essential'. See *Submission 2*, pp. 5–6, 9, 13.

9 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 5.

10 Emeritus Professor Freda Briggs AO, *Submission 2*, p. 1.

11 Emeritus Professor Freda Briggs AO, *Submission 2*, pp. 8–9.

confluence or interactive combination of these risk factors which has the strongest predictive power'.<sup>12</sup>

3.12 Dr Flood added:

In focusing on children and pornography, there is a related danger of assuming that the task is to protect children from sex. Instead, the task is to protect children from sexual harm. In fact, maintaining children's sexual ignorance fosters sexual abuse. Young people who know their sexual rights and responsibilities are more likely to speak up when they are being forced into sex, and they are less likely to abuse others.<sup>13</sup>

3.13 The Burnet Institute emphasised that further research is needed, as although 'there are associations between pornography and some harms in young people...there is as yet no clear evidence that pornography causes these harms'. The Institute added that many 'adolescents and young adults enjoy watching pornography and have described positive effects of pornography use' and that 'young people should not be shamed or alienated for being interested in sexuality'. The Institute urged responses to be based 'on evidence rather than anecdote'.<sup>14</sup>

3.14 It was noted that 'sexually explicit material online can include useful material that informs young people in older age groups about sexuality and assists them in negotiating their own emerging sexual identity'. The joint submission advancing this point emphasised that care should be taken to respect 'young people's agency in exploring their sexual identity' and 'the importance of diversity and difference in the range of sexual identities affirmed in media and culture' acknowledged.<sup>15</sup>

3.15 Professor Brian McNair argued that 'the harms allegedly caused to young people by exposure to pornography are elusive'. He submitted:

If sexual etiquette and ethics are changing in our time, it is often for the better, and away from the brutally sexist standards of the past. Far from pornography generating a 'rape culture', as is sometimes claimed, twenty years after the internet became a mass medium, the incidence of rape and sexual violence in general in western societies are at historic lows. As a society Australia is making great progress in identifying and policing sexual misconduct from whichever source it comes, and today's children will grow up in a world where their sexual rights and responsibilities are

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12 Dr Michael Flood, *Submission 250*, p. 18. Dr Flood cited GM Hald, C Seaman and D Linz, 'Sexuality and pornography', in D Tolman, L Diamond, J Bauermeister, W George, J Pfaus and M Ward (eds), *APA handbook of sexuality and psychology: vol. 2 contextual approaches*, 2014, p. 22.

13 Dr Michael Flood, *Submission 250*, p. 26.

14 Burnet Institute, *Submission 61*, pp. 1, 4–5.

15 Professor Lelia Green, Professor Catharine Lumby and Professor Alan McKee, *Submission 88*, p. 16.

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much better understood and respected than in their parent's and grandparents' time.<sup>16</sup>

3.16 Professor McNair also noted that failures to deal with children accessing pornography because of dysfunctional parenting 'long predates the era of online porn...and there is no evidence that its incidence is increasing'. Conversely, 'it can be argued that parents today are much more aware of and equipped to deal with these issues than previous generations'. Nevertheless, Professor McNair acknowledged that:

...the desire and right of parents and policy-makers to protect children from age-inappropriate sexual content and exposure in all platforms including the internet is valid, and digital tools pose special challenges to that exercise of parental authority.<sup>17</sup>

### **Calls for further research**

3.17 There is a significant amount of support for further research into how children and young people access pornography, the types of pornography accessed and the implications of this access for healthy development.

3.18 Ms Maree Crabbe submitted that there 'has been no substantial Australian research into children and young people's experiences of pornography and its impacts'.<sup>18</sup> Ms Crabbe added:

Given young people's high rates of exposure and access, the nature of the pornography to which they are exposed, and the related harms and potential harms identified, significant further research into young people's pornography exposure and access and its impacts is critical

Quality research can assist us to understand the extent and nature of the issues, and how they may be addressed effectively

It is critical that research into pornography's impact on young people is shaped by appropriate frameworks, particularly by a critical understanding of gender, inequality and aggression.<sup>19</sup>

3.19 Ms Crabbe's submission provides a detailed outline of areas that, in her view, would benefit from further research.<sup>20</sup>

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16 Professor Brian McNair, *Submission 55*, p. 3.

17 Professor Brian McNair, *Submission 55*, pp. 3–4.

18 Ms Maree Crabbe, *Submission 340*, pp. 4–5.

19 Ms Maree Crabbe, *Submission 340*, pp. 4–5.

20 See Ms Maree Crabbe, *Submission 340*, pp. 18–19. Ms Crabbe advised that the list was developed in consultation with Dr Michael Flood.

3.20 The Gold Coast Centre Against Sexual Violence highlighted how research into pornography usage could focus on 'its influence on young people in shaping sexual expectations and practice'.<sup>21</sup> The Salvation Army noted that it 'is highly probable that there would be a link between the exposure to pornography and the perpetration of domestic and family violence; however, there is limited research in this area'. The Salvation Army submitted that it supports 'further research into the linkages between the objectification of women through the exposure to and consumption of pornography and the attempted control of women through violence'.<sup>22</sup>

3.21 The Brisbane Women's Club advised that it 'supports further research conducted within Australia to create a research base'.<sup>23</sup> The Alannah and Madeline Foundation also supports 'longitudinal research to demonstrate the full extent of exposure to pornography over time'.<sup>24</sup>

3.22 On research on the effects of exposure to sexualised media content more broadly, the WA Commissioner for Children and Young People commented this issue in a literature review provided with its submission. The Commissioner noted government inquiries and studies have 'recognised the need for further empirical research to evaluate the potential harmful impacts of sexualised media, advertising and products on children and young people'. The submission advised that the Commissioner 'supports further research in this area'.<sup>25</sup>

3.23 Organisations that argued the existing evidence supports the implementation of particular policy measures—these proposals are discussed later in this chapter—nonetheless acknowledged the benefits further research could provide. For example, despite advocating for policy action, the Centre for Excellence in Child and Family Welfare submitted that 'further research is needed to show the full impact of exposure to pornography on children and young people over time'.<sup>26</sup>

3.24 Researchers cautioned, however, that study of this topic is difficult. For example, the Burnet Institute recognised that 'further research is required to fill significant gaps in our understanding of the potential adverse outcomes of children and young people's exposure to online pornography'. However, it added that this 'is not a straightforward task'. The Institute explained:

It is inherently complicated due to the ethical, moral and logistical constraints of researching the impact of pornography use on sexual and social attitudes and how this plays out in the lives of children and young

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21 Gold Coast Centre Against Sexual Violence, *Submission 77*, p. 5.

22 The Salvation Army Australia Southern Territory, *Submission 282*, p. 7.

23 Brisbane Women's Club, *Submission 80*, p. 3.

24 The Alannah and Madeline Foundation, *Submission 89*, p. 10.

25 Commissioner for Children and Young People (WA), *Submission 14*, Attachment 1, p. 4.

26 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 4. See also Salt Shakers, *Submission 94*, p. 1.



people. However, the recommendations below provide a starting point for addressing these issues by using evidence informed and participatory approaches.<sup>27</sup>

3.25 In their joint submission, Professors Lelia Green, Catharine Lumby and Alan McKee also emphasised the ethical difficulties in undertaking research in this area. They wrote:

...it is almost inconceivable that any university-based research would be able to directly interview children (under 18) about their experiences with online pornography. Such a research project is unlikely to be approved by any Human Research Ethics Committee at an Australian university. Further, researchers in this field know that they should not introduce problematic concepts to children and thus would never ask a child directly about pornography unless that child had raised the term first.<sup>28</sup>

### Education proposals

3.26 Many submitters noted the utility of education for addressing the potential harms from pornography. The following extract from the Burnet Institute's submission sums up this view well:

...if our young people are looking primarily to pornography for their understanding of sex and sexuality, what does this say about the quality and relevance of our formal sex education?<sup>29</sup>

3.27 Similarly, the Gold Coast Centre Against Sexual Violence linked pornography to deficiencies in the approach to education provided to young people:

In the absence of conversations/education from parents and schools about real intimacy and sex, the porn industry has begun to fill the void. This misinformation is setting up unrealistic expectations for young people about sexual relations and relationships.<sup>30</sup>

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27 Burnet Institute, *Submission 61*, p. 12.

28 Professor Lelia Green, Professor Catharine Lumby and Professor Alan McKee, *Submission 88*, pp. 4–5. The submission noted that when faced with this problem, the EU Kinds Online research project, which was conducted with 9–16 year olds, approached the topic by asking respondents the following question: 'In the past year, you will have seen lots of different images—pictures, photos, videos. Sometimes, these might be obviously sexual—for example, showing people naked or people having sex' (citation omitted).

29 Burnet Institute, *Submission 61*, p. 12. Similarly, the Gold Coast Centre Against Sexual Violence stated: 'In the absence of conversations/education from parents and schools about real intimacy and sex, the porn industry has begun to fill the void. This misinformation is setting up unrealistic expectations for young people about sexual relations and relationships'. *Submission 77*, p. 2.

30 Gold Coast Centre Against Sexual Violence, *Submission 77*, p. 2.

3.28 The Australian Human Rights Commission (AHRC) highlighted the benefits associated with education-based strategies when it advised that its past research emphasises that 'the key drivers of behavioural change among children and young people are peer support and educative approaches, rather than simply legislative prescription'.<sup>31</sup>

3.29 The WA Commissioner for Children and Young People referred to a national survey of secondary students on sexuality education that indicated a greater emphasis on 'consent, decision making and relationships' would be useful.<sup>32</sup> The Australian Psychological Society advised that '[s]ome excellent programs have been developed in Australia to help parents, schools and welfare agencies address pornography and reduce the harms for young people'. The programs it highlighted were:

- *Reality & Risk: Pornography, young people and sexuality*—a program developed by researchers Maree Crabbe and David Corlett in Victoria in 2009; and
- various resources produced for schools by the South Eastern Centre Against Sexual Assault.<sup>33</sup>

3.30 Submissions that suggested educational strategies generally favoured education over other possible responses.<sup>34</sup> Several submitters also emphasised the importance of involving young people when developing proposals in this area.<sup>35</sup>

3.31 Recommendations relating to education can be separated into: (a) education of children and young people; (b) education of parents, teachers and others involved with children; and (c) community outreach strategies. The following paragraphs examine these matters in turn.

### ***Education for children and young people***

3.32 There is a significant amount of support in submissions for efforts to improve the quality of education about sexuality and healthy and respectful relationships in schools.

3.33 The Burnet Institute called for 'a national, comprehensive sex education curriculum in Australia', which would involve adults talking 'openly to children and young people about sex and sexuality, not merely about the mechanics of reproduction and contraception'. It stated:

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31 Australian Human Rights Commission, *Submission 261*, pp. 5–6.

32 Commissioner for Children and Young People (WA), *Submission 14*, p. 10.

33 Australian Psychological Society, *Submission 347*, pp. 9–10.

34 For example, see Association of Heads of Independent Schools of Australia, *Submission 87*, p. 12.

35 See Burnet Institute, *Submission 61*, pp. 12–13; Commissioner for Children and Young People (WA), *Submission 14*, pp. 1, 8–9; and Australian Psychological Society, *Submission 347*, p. 14.

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Discussing pornography and the types of images that are represented within explicit content can be confronting and challenging for parents and educators, but without these discussions young people are less likely to gain the skills to navigate real life sexual relationships or to develop a critical awareness of pornography as fantasy.<sup>36</sup>

3.34 The Alannah and Madeline Foundation argued that age-appropriate sexuality and relationship education should commence 'before young children begin to get interested in sexuality and continuing through adolescence' and 'taking account of children's developmental stages and needs but encouraging moral and ethical growth as well as resilience'.<sup>37</sup> Dr Michael Flood reasoned that school curricula should 'foster healthy relationships, media literacy, and related skills and which increase young people's resistance to sexist and violence-supportive themes in pornography'.<sup>38</sup>

3.35 In its contribution to the Northern Territory government's submission, the Department of Children and Families, outlined education measures that could be implemented regarding internet safety, noting that increased education 'may also help with other risks associated with internet use'. The following suggestions for educating children that could be considered for a trialled implementation were provided:

- offering children computer programming courses 'so they learn how vulnerable they are when being active on the internet and chat rooms and using mobile devices';
- developing targeted education packages 'where children are made aware of the dangers by speaking with victims or reformed predators first hand'; and
- school curriculums 'to offer mandatory child safety internet/multimedia education'.<sup>39</sup>

3.36 The AHRC identified a leadership role for the Australian government, working with the state and territory governments, 'to ensure critical discussion of pornography forms part of effective, age-appropriate education about healthy and respectful relationships and sex, delivered in schools, with parental support and reinforcement'.<sup>40</sup>

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36 Burnet Institute, *Submission 61*, p. 12. Similarly, the Victorian Commission for Children and Young People submitted that schools and parents need to 'offer well-informed sexuality and health education that is engaging, interactive and bold enough to answer students' questions'. See *Submission 78*, p. 3.

37 The Alannah and Madeline Foundation, *Submission 89*, pp. 10–11. Similarly, Bravehearts called for 'developmentally appropriate sex education for schools, inclusive of positive and healthy relationships, consent issues and awareness of the online environment'. *Submission 129*, p. [7].

38 Dr Michael Flood, *Submission 250*, p. 4.

39 Northern Territory Government, *Submission 255*, p. 4.

40 AHRC, *Submission 261*, p. 4.

3.37 Education on respectful sexual relationships was widely supported.<sup>41</sup> The Centre for Excellence in Child and Family Welfare suggested that education on respectful relationships in schools should encompass 'awareness of rights and responsibilities in sexual relationships'.<sup>42</sup> The WA Commissioner for Children and Young People advised that the WA program *Growing and developing healthy relationships* includes components on relationships and respect 'and may be instructive in framing' recommendations regarding the inclusion of information on respect, consent, and relationships in sexual education in schools.<sup>43</sup> Professor Briggs recommended that children protection programs should be a compulsory part of the health curriculum in all states to ensure children 'know what constitutes wrong, reportable behaviour and to whom it should be reported'.<sup>44</sup>

3.38 Submissions also focused on teaching about safe internet and mobile device use. For example, the Australian Medical Association submitted that education for children and young people on safe internet navigation is important.<sup>45</sup> The Royal Australasian College of Physicians (RACP) stressed that education should cover 'the importance of respectful interactions with potential sexual partners both in person and over the internet, including combatting gendered power relationships'.<sup>46</sup> In addition, the RACP argued that age-appropriate information on sexting should be provided.<sup>47</sup>

3.39 The Centre for Excellence in Child and Family Welfare called for efforts to improve the ability to 'critique information presented on the internet, including pornographic imagery'.<sup>48</sup> This 'porn literacy' approach was described by the Burnet Institute as encouraging 'a critical reading of pornographic content within formal sex education'. Although this approach has been 'widely advocated', the Institute suggested that further research to evaluate its effectiveness is required.<sup>49</sup>

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41 See Professor Brian McNair, *Submission 55*, pp. 4–5.

42 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 3.

43 Commissioner for Children and Young People (WA), *Submission 14*, pp. 10–11.

44 Professor Briggs advised that only SA state and Catholic schools currently include this topic as a component of the curriculum from preschool upwards, although Queensland has an optional program. *Submission 2*, pp. 24–25.

45 Australian Medical Association, *Submission 11*, p. 3.

46 Royal Australasian College of Physicians, *Submission 112*, p. 2.

47 Royal Australasian College of Physicians, *Submission 112*, p. 2.

48 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 3.

49 Burnet Institute, *Submission 61*, p. 12.

3.40 In addition, the Centre for Excellence in Child and Family Welfare argued that targeted sex education and respectful relationships education is needed for children and young people in residential care settings, as they 'often have limited access to positive role models and information about sex and respectful relationships'.<sup>50</sup>

***Education for parents, teachers and others who work with children***

3.41 Professor Briggs argued that education of parents 'is essential given that most exposure to pornography and most sexual abuse occurs in the family setting'.<sup>51</sup> Professor McNair suggested that 'anxieties of parents and others responsible for the welfare of children around the impact of online sexual content' could partly be addressed by education 'of adults and parents on media literacy and mediated sexuality, and the importance of supervising the online usage of children in their care'. He added that this needs to 'include discussion of the potential benefits as well as harms of sexualised culture, such as the increased emphasis on female sexual agency and responsibility'.<sup>52</sup>

3.42 Submitters argued that schools should provide parents and carers with information about managing their children's technology use, with resources and tuition on internet proficiency made available for parents through schools or other organisations in the community.<sup>53</sup>

3.43 The need to provide training for teachers and others who work with children was also discussed. Collective Shout and Ms Maree Crabbe suggested that pre-service teacher training should cover the influence of pornography and how to address it through the respectful relationships and sexuality curriculum. Existing school staff also should have access to quality professional support and resources on these issues.<sup>54</sup> Ms Crabbe further submitted that a 'workforce with specialist expertise on pornography's impact on young people' should be developed to build capacity in workforces that deal with children, such as teachers, youth works, doctors and the police, among others.<sup>55</sup>

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50 Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 4. Similarly, the Royal Australian and New Zealand College of Psychiatrists argued that 'generalised approaches to children who are exposed to pornography should sit alongside more targeted, specialised supports for children who are in a high risk group, such as those in out of home care, or who have experience neglect or violence'. *Submission 96*, p. 2.

51 Emeritus Professor Freda Briggs AO, *Submission 2*, pp. 24–25.

52 Professor Brian McNair, *Submission 55*, pp. 4–5.

53 For example, see Ms Maree Crabbe, *Submission 340*, p. 30; The Alannah and Madeline Foundation, *Submission 89*, p. 11.

54 Collective Shout, *Submission 288*, p. 13; Ms Maree Crabbe, *Submission 340*, p. 30.

55 Ms Maree Crabbe, *Submission 340*, p. 30.

3.44 Professor McNair also suggested educating teachers and other people who work with children about the risks and benefits of the digital environment. He added that this approach 'must include sex education, linked to the recognition that many children will indeed be exposed to sexually explicit material of a type rarely available to that age group pre-internet'.<sup>56</sup>

3.45 As part of the Northern Territory government's submission, the Department of Children and Families advised that efforts to increase computer literacy for parents and carers 'could be a powerful mechanism to address the issue of children accessing online pornography'. The department noted that, as part of a trialled implementation, access to training could be provided for counsellors, teachers, parents, carers and case managers regarding 'how to address, monitor, report and educate youth especially vulnerable youth' regarding the issue of children accessing online pornography and other risks associated with internet use.<sup>57</sup>

3.46 On child-on-child abuse and other problematic behaviours, Professor Briggs submitted:

The committee should join Royal Commissions, coroners and CEOs of education and child protection services in demanding comprehensive practical and relevant child abuse-related training for all human service TAFE and university graduates whose work could involve children. This should include recognising and handling child-on-child abuse and identifying and responding to problem sexual behaviours that indicate the influence of pornography or suggest that the child is acting out abuse. Most university courses only include mandatory reporting instructions.<sup>58</sup>

3.47 The Victorian Commission for Children and Young People argued that schools 'need to be required to comply with their obligations to provide a duty of care in protecting students from the physical and emotional harm that pornography presents' and that governments 'must ensure that schools have the mandate and resources to do this effectively'.<sup>59</sup>

### ***Community-focused strategies***

3.48 The Centre for Excellence in Child and Family Welfare called for community-focused strategies that 'address how pornography perpetuates rigid gender roles and reinforces attitudes that condone violence against women'. The Centre also called for national strategies relating to gender inequity to recognise harmful effects of pornography on young men.<sup>60</sup>

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56 Professor Brian McNair, *Submission 55*, pp. 4–5.

57 Northern Territory Government, *Submission 255*, p. 4.

58 Emeritus Professor Freda Briggs AO, *Submission 2*, pp. 24–25.

59 Commission for Children and Young People (Victoria), *Submission 78*, p. 2.

60 Such as the *National plan to reduce violence against women and their children 2010–2022*. Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 4.

3.49 Other submissions called for the government to consider public awareness campaigns aimed at reducing the harmful impacts of pornography on children and young people.<sup>61</sup> However, the WA Commissioner for Children and Young People noted that a similar program has been implemented previously, and discontinued (the Australian government's NetAlert package, which was funded between 2007 and 2010).<sup>62</sup>

### **Internet filtering**

3.50 Filtering pornographic content to make it inaccessible for children and young people was a policy option canvassed in many submissions. Some of these submissions called for both education strategies and internet filtering. Others emphasised internet filtering as a policy solution on the basis that 'the greater focus should be towards preventing children's access to pornography in the first place'.<sup>63</sup> Submitters discussed both existing commercial filters and proposals for default internet filters at the internet service provider (ISP) level.

#### ***Commercial filters***

3.51 The Communications Alliance explained that industry codes require Australian ISPs 'to make available an accredited internet content filter (Family Friendly Filter) at or below cost price'.<sup>64</sup> The Office of the Children's eSafety Commissioner also noted the range of parental control tools and commercial filters available in Australia, including those offered by ISPs such as Telstra; filters offered by search engines and social media platforms such as YouTube Kids and Google SafeSearch; and the parental control options on iTunes, the App Store and the Google Play Store.<sup>65</sup> The Office noted that it promotes the use of these tools, although greater awareness of them 'through improved industry cooperation and campaigns could assist Australian families in managing internet use at home'.<sup>66</sup>

3.52 Various submitters expressed support for parental and school filtering technologies. There were also calls for improvements in such technology to be developed, including that industry should lead these developments.<sup>67</sup>

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61 Ms Maree Crabbe, *Submission 340*, p. 31; Australian Psychological Society, *Submission 347*, p. 3.

62 See Commissioner for Children and Young People (WA), *Submission 14*, p. 11 (citation omitted).

63 Australian Christian Lobby, *Submission 285*, p. 10.

64 Communications Alliance, *Submission 93*, p. 6.

65 See Office of the Children's eSafety Commissioner, *Submission 74*, p. 6.

66 Office of the Children's eSafety Commissioner, *Submission 74*, p. 6.

67 See Professor Brian McNair, *Submission 55*, p. 5; Burnet Institute, *Submission 61*, pp. 12–13; Centre for Excellence in Child and Family Welfare, *Submission 13*, p. 3.

3.53 It was suggested, however, that internet filters in the home and at school can protect children from unwanted exposure, it 'is not feasible to rely on filters and parental supervision for young people in older age groups, who can evade filters and access online material in multiple situations and on multiple devices'.<sup>68</sup>

3.54 The Burnet Institute also suggested that filtering software may help prevent accidental exposure, but otherwise it appears 'to be ineffective at stopping young people from accessing pornography online'. It explained:

Filtering software often makes one of two types of errors: over-blocking (blocking a page that should not be blocked) and under-blocking (failing to block a page that should be blocked). In a survey of American teenagers, 50 of 51 participants stated no problems circumventing filters to access pornography. An Australian study found no correlation between parents installing internet filters and children's exposure to violent and sexual material. Furthermore, filters often block legitimate health, educational or other materials.<sup>69</sup>

3.55 In addition to young people's ability to circumvent filters or parental monitoring of their internet usage, the Burnet Institute suggested that such techniques can also 'backfire' by making young people 'reluctant to talk to their parents about risks or problems encountered online', including because of 'fear that their parents will remove [their] internet access'.<sup>70</sup>

### ***ISP-level filtering***

3.56 Many submissions favour the introduction, or further consideration, of an ISP-level default clean feed to prevent children and young people from accessing pornographic websites.<sup>71</sup> Other submitters who anticipated that this proposal would be put forward presented arguments against the introduction of a filter.<sup>72</sup> This section outlines the arguments presented to the committee relating to this proposal.

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68 Professor Lelia Green, Professor Catharine Lumby and Professor Alan McKee, *Submission 88*, p. 16. Some submissions discussed how children can get around these filters—see *Submissions 4, 93* (p. 8) and 227.

69 Burnet Institute, *Submission 61*, p. 10 (citations omitted).

70 Burnet Institute, *Submission 61*, p. 10.

71 These include the Gold Coast Centre Against Sexual Violence, the Bishops Commission for Family, Youth and Life of the Australian Catholic Bishops Conference, Sydney Anglican Diocese, The Alannah and Madeline Foundation, Salt Shakers, the Church and Nation Committee of the Presbyterian Church of Victoria, Presbyterian Church in Australia in the state of NSW, Bravehearts, Australian Christian Lobby, FamilyVoice Australia, Youth Wellbeing Project, Family Council of WA, Catholic Women's League Tasmania, Collective Shout, the Dads4Kids Fatherhood Foundation, Australian Council on Children and the Media and many individuals.

72 Such as the Communications Alliance, Electronic Frontiers Australia, Scarlet Alliance, Brisbane Women's Club and several individuals.



3.57 The idea of ISP-level filtering in Australia has gained some traction previously. Prior to the 2007 election, Labor committed to requiring ISPs to filter out material that would generally be refused classification or classified as X18+ under the National Classification Code. By 2010, however, further development and implementation of the mandatory filter had been postponed and ultimately it was not pursued.<sup>73</sup>

3.58 Internet filtering is not common in western countries. Nevertheless, ISP-level filtering was recently introduced in the United Kingdom by the government led by the Rt Hon David Cameron. Many submissions to this inquiry, particularly from individuals, support the adoption of the UK policy in Australia.<sup>74</sup>

### *The UK approach*

3.59 The UK filter followed an agreement in 2013 between the government led by Mr Cameron and four large ISPs—BT, Sky, TalkTalk and Virgin Media. The agreement led to the introduction of 'network level filtering for all new broadband users and existing internet users across home internet devices which would allow the account holder to choose to block web-based content that could be inappropriate for children'. The filters are designed to 'block pornography and other sites deemed "inappropriate" for children unless users elect to opt-out'.<sup>75</sup> The filter was extended to existing customers 'through 2014, on an "unavoidable choice" basis; that is, the customer had to choose to implement or opt out of the filter'.<sup>76</sup>

3.60 As at June 2015, between 6 per cent and 40 per cent of customers (depending on the ISP) had 'taken up some level of filtering'.<sup>77</sup>

3.61 The Australian government's Office of the Children's eSafety Commissioner advised that a January 2015 report on the scheme by Ofcom, the UK communications regulator, found that '50% of parents reported being aware of the ISP network level content filters, and only 21% reported using them'. The Office's submission added that reasons indicated for not using the filters include preference for other strategies, such as supervision, setting rules, the use of other tools and trusting their child. The Office noted that Ofcom has not published further research into take-up of the filters.<sup>78</sup>

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73 P Pyburne and R Jolly, 'Australian governments and dilemmas in filtering the Internet: juggling freedoms against potential for harm', *Parliamentary Library Research Paper*, 8 August 2014, pp. 20–28.

74 Other countries where it is government policy to block mainstream pornography include Turkey, Iran, China, Tunisia, and Russia. Office of the Children's eSafety Commissioner, *Submission 74*, p. 4.

75 Office of the Children's eSafety Commissioner, *Submission 74*, p. 3 (citation omitted).

76 Commissioner for Children and Young People (WA), *Submission 14*, p. 11.

77 Commissioner for Children and Young People (WA), *Submission 14*, p. 11.

78 Office of the Children's eSafety Commissioner, *Submission 74*, pp. 3–4 (citation omitted).

3.62 It was also noted that the ISPs 'were asked to introduce a network level filter to cover web-based HTML coded services'.<sup>79</sup> The Office of the Children's eSafety Commissioner noted that in June 2015, over 69 per cent of UK teens used smartphones to access the internet 'including via mobile apps, many of which the ISPs acknowledged would not to be covered by the filter'.<sup>80</sup>

*Calls for the introduction of mandatory ISP-level filtering in Australia*

3.63 The Australian Christian Lobby (ACL) argued that Australia 'needs a universal, by-default, ISP-level "clean-feed"...internet regime, filtering out adult content and thereby protecting children from harmful exposure, for both fixed line and mobile service'. The ACL added that customers could opt out of the regime on request to their ISP or mobile provider.<sup>81</sup> The ACL argued that:

...the effectiveness of the UK system belies the objections which have been raised to a 'clean-feed' internet service in the past. Any system is imperfect, but the UK model has demonstrated that there are no significant technical issues with implementing by-default ISP-level filtering, and that it has the potential to dramatically reduce child exposure to online pornography.<sup>82</sup>

3.64 In advocating for a universal regime, the ACL argued that voluntary commercial filters are not a sufficiently effective solution. It submitted:

Telstra is to be commended for now offering an optional ISP-level adult-content filter (Telstra Broadband Protect). However, this is an extra cost service for subscribers. ACL submits that to be effective in protecting children, an ISP-level internet filtering regime needs to be at no additional cost, universal, by-default, and with the ability of the adult account holder to opt out upon request. A robust age verification system (such as credit card information) should also be introduced to ensure that minors are not able to change the default setting.<sup>83</sup>

3.65 The ACL also emphasised that its proposal does not constitute government censorship. It submitted that the 'technical process of filtering adult content would be left entirely up to mobile providers and ISP', with a mechanism developed for incorrectly blocked sites and sites that should be blocked to be reported.<sup>84</sup>

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79 Office of the Children's eSafety Commissioner, *Submission 74*, p. 3 (citation omitted).

80 Office of the Children's eSafety Commissioner, *Submission 74*, pp. 3–4.

81 Australian Christian Lobby, *Submission 285*, p. 11.

82 Australian Christian Lobby, *Submission 285*, p. 12.

83 Australian Christian Lobby, *Submission 285*, p. 11.

84 Australian Christian Lobby, *Submission 285*, pp. 11–12.

3.66 Several other submissions similarly pre-empted arguments they expected would be mounted against measures that would regulate access to online pornographic content. For example, the ACCM, which advocated for industry to adopt measures that provide children with greater protection from harmful online content and referred to the filters implemented by UK ISPs in its submission, commented:

...it does appear that there are voices in the community that oppose regulation of access to pornographic content, even for the protection of children. Sometimes this is on freedom of speech grounds: whatever impact there is on children's wellbeing is simply the price we have to pay for living in a free society. This is a profound argument that goes to the heart of political morality and we do not propose to attempt to resolve it here. We will say, however, that nearly all people and legal systems recognise some limitations to freedom of speech. Obviously as an organisation we see the protection of children's wellbeing as an important basis for such a limitation; and we believe the broader community sees it that way too.<sup>85</sup>

3.67 On potential technical issues that could reduce the effectiveness of measures intended to regulate access to online pornographic content, the ACCM observed that '[n]o system of regulation is 100% effective, but regulation can help to shape both behaviours and attitudes'.<sup>86</sup>

3.68 Views on the implementation of a clean feed system differed. The ACL called for the Commonwealth to legislate for a clean feed regime.<sup>87</sup> Collective Shout submitted that the government should work with ISPs to establish a scheme, with legislation to impose the scheme required only as a backup if insufficient progress occurs. Collective Shout gave a timeframe of 12 months against which progress could be measured.<sup>88</sup>

#### *Opposition to a universal clean feed and other comments*

3.69 The committee received a small number of submissions that were critical of proposals for an opt out clean feed, generally due to concerns:

- that the proposed regime would not be technologically effective;
- about an impact on personal freedom; and
- regarding 'scope creep'.

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85 Australian Council on Children and Media, *Submission 73*, p. 3.

86 Australian Council on Children and Media, *Submission 73*, p. 4.

87 Australian Christian Lobby, *Submission 285*, p. 13.

88 Collective Shout, *Submission 288*, p. 12.

3.70 Electronic Frontiers Australia (EFA) submitted that it is opposed to 'legislated technological measures that amount to censorship in the name of attempting to restrict the ability of minors to access pornography and other arguably harmful content'. The EFA opposes such measures because it considers they:

- are 'almost always trivial to circumvent for anyone with basic technical knowledge';
- 'inevitably restrict access to entirely legitimate content';
- 'have the potential to harm network performance';
- 'replace parental judgement with bureaucratised or corporate control';
- 'are always subject to scope creep, often very quickly'; and
- 'perhaps most importantly, divert attention and resources away from responses that are likely to be more successful in addressing harm'.<sup>89</sup>

3.71 In relation the restrictions on access to legitimate content and scope creep, the EFA highlighted the example of the Australian Securities and Investments Commission (ASIC) blocking over 250,000 legitimate websites.<sup>90</sup>

3.72 The Burnet Institute argued that ISP-level filtering is unlikely to be successful due to technical issues. Furthermore, the Institute considers another weakness of the filtering approach is that it 'fails to deal with the broader social context in which these materials are produced and widely used'.<sup>91</sup>

3.73 The Communications Alliance noted that website blocking 'has a legitimate place in law enforcement', and under section 313 of the *Telecommunications Act 1997*, the industry assists 'law enforcement agencies with the blocking of sites which are classed as the "worst of" (Interpol blacklist) and other illegal content'. However, the Alliance added that 'website blocking is a relatively blunt tool', which has the potential for 'comparatively easy evasion' and over-blocking. In relation to circumventing a filter, the Alliance noted a range of tools are available, including virtual private networks (VPNs) which are already widely used. The Alliance observed:

As the examples of Netflix and other online streaming providers prior to their official entry into the Australian market have demonstrated, current generations of children are well capable to install and use VPNs to

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89 Electronic Frontiers Australia, *Submission 116*, p. 2.

90 Electronic Frontiers Australia, *Submission 116*, p. 3. In Senate estimates, ASIC advised that although it blocked 'a very large number of sites, around 253,000...the vast majority—in excess of 99.6 per cent—contained no substantive content'. Mr Peter Kell, Deputy Chairman, ASIC, *Senate Economics Legislation Committee Hansard*, 4 June 2013, p. 114.

91 Burnet Institute, *Submission 61*, p. 5.

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circumvent blocking of websites and to access the content that they wish to consume.<sup>92</sup>

### 3.74 The Communications Alliance concluded:

Given the risks and infringements of personal rights and freedoms associated with website blocking, the high costs involved with the execution of site blocking (it requires highly trained technical staff), the ease with which it can be circumvented and given that there are alternative means...which equally or more effectively achieve the objective of protecting children from potentially harmful content, the ISP-based blocking of websites must be considered not meeting any proportionality test and ought to be discarded in the discussion around the protection of children from potentially harmful, but legal, content.<sup>93</sup>

## Other matters

### 3.75 Some of the other matters submitters put forward for consideration include:

- The Australian government should consult with state governments and the community sector on the 'adequacy of current responses in supporting children who have been sexually abused by peers and others and/or in other ways have been adversely impacted by exposure to pornography'. Consideration should also be given to programs for perpetrators for young people affected by pornography who have sexually abused others.<sup>94</sup>
- Noting the discrepancy between the age of consent (16 or 17 years of age) and the classification of explicit material (restricted to individuals aged 18 years and above), the age of access to explicit material should be reduced.<sup>95</sup>
- 'Ethical' pornography—a few submissions suggested that the production of more ethical pornography should be considered. This pornography would be produced with consent and have content that depicts respectful relationships and does not include violence.<sup>96</sup>
- A national summit—the Gold Coast Centre Against Sexual Violence called for a national summit on pornography. It suggested that 'a wide range of stakeholders including researchers, practitioners, doctors, educators, police, lawyers and violence against women services' should be invited to participate in the summit.<sup>97</sup>

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92 Communications Alliance, *Submission 93*, p. 7.

93 Communications Alliance, *Submission 93*, p. 9.

94 Yourtown, *Submission 249*, p. 21.

95 Ms Zahra Stardust, *Submission 287*, p. 12.

96 Dr Flood discussed this in his submission: see *Submission 250*, p. 25. Dr Flood remarked that 'After I have given workshops for parents on young people and pornography, some parents have come up to me and asked, "What pornographic websites *should* my son be looking at?'"

97 Gold Coast Centre Against Sexual Violence, *Submission 77*, p. 5.



# Chapter 4

## Next steps

4.1 Children and young people growing up today have access to a range of digital devices and services that provide entertainment, support their education and creativity, and help facilitate their social communication. Compared to individuals born earlier in the internet age, it appears that children today are going online at younger ages and accessing online material more frequently. Children and young people are expected to be savvy users of digital technologies and are taught to be digitally literate. Most children and young people are likely to have positive experiences online.

4.2 Accompanying these developments, however, are growing concerns about harm to children and young children caused by aspects of their online activity, including concerns about their safety, privacy and the type of content they access. Digital devices are ubiquitous in society, but in general there are significant divergences between age groups regarding the use of these devices and knowledge about popular media platforms. With younger generations eager to engage with digital technology and often understanding it better than adults, this presents challenges for the ability of parents, guardians and others in key roles to supervise the use of these tools. It also challenges existing government and industry responses that seek to prevent children and young people from being exposed to certain material. In particular, the classification regime is less relevant when material that has been or would be refused classification, or would be subject to restrictions about its distribution, is freely available online.

4.3 Statistics about internet usage demonstrate that pornographic websites are numerous and popular. It is also clear that there are many ways for accidental exposure to pornographic content to occur when online. Furthermore, evidence suggests that, among the range of pornographic material accessible online, extreme content is widely available. Although pornographic imagery is not new—indeed it can be traced back to ancient civilisations—the content readily available now includes violent and shocking material. The widespread use of digital devices by children and young people, and the increasing amount of online activity they undertake, is occurring in this environment. Depending on their age, stage of development and other factors, there are valid concerns about whether exposure to this material influences the healthy development of children and young people, particularly with respect to the formation of respectful relationships and ability to make decisions about sexual activity. Although some children and young people may not be bothered or affected by this material, it is likely that many others would be.

4.4 There are other matters, however, that should be taken into account. One, for instance, is the wide range of other sexual-themed content in society to which children and young people can be exposed. Such content may be present in advertisements, films, television programs, publications, video games and the lyrics of popular songs. Some of this material includes violent sexual content and presents other troubling messages about gender roles and respect for women. There are also related concerns about the sexualisation of children by advertisers, broadcasters and manufacturers. Pornography is one source of inappropriate material that may influence children and young people; however, it is not the only source.

4.5 It is also apparent that moral panic about particular media corrupting youth occurs regularly between generations. Concerns about certain types of music (over various decades) and the content of video games are some examples. In addition, it should be noted that concerns about children being exposed to online pornography are not new; for example, in legislation that was ultimately found to be unconstitutional, the United States Congress first attempted to prohibit the 'the knowing transmission over the internet of obscene or indecent messages to any recipient under 18 years of age' in 1996.<sup>1</sup> In the twenty years that have followed, the internet has become more prevalent, yet successive groups of children and young people reached adulthood and enjoy happy and respectful relationships.

4.6 These other considerations do not lessen concerns about the harm pornography may cause children and young people. Further, the Australian, state and territory governments have a clear role in enacting laws, developing policies and showing leadership in efforts to protect and care for children. This includes ensuring that children:

- are not exposed to material they are not capable of dealing with; and
- have the knowledge and skills necessary to build healthy and respectful relationships.

4.7 This policy area is complex and involves a topic that is emotive and makes adults uncomfortable. This provides an impediment to openly discussing whether a problem exists or the extent of the problem. Unlike many other public policy issues, there are also clear ethical issues that make it difficult to obtain the information needed to inform evidence-based responses. It is important, however, that consideration of this matter continues. Legislators and policymakers have an obligation to understand more about how children and young people are being exposed to pornographic material and whether this harms their development, and if so, to take any effective action that can alleviate such harm.

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1 *Ashcroft v American Civil Liberties Union*, 535 US 564, 567 (2002).



4.8 The committee emphasises that an evidence-based approach must be pursued. Emotional perspectives and individual accounts of harm have been presented, including accounts that are deeply distressing, particularly cases of child-on-child abuse apparently linked to exposure to pornography. However, the committee cannot endorse particular policy proposals based on a relatively small number of cases. Proceeding on that basis presents a grave risk of introducing measures that are poorly-targeted, otherwise ineffective or disproportionate.

4.9 To ensure that an evidence-based approach to this issue can proceed, the committee considers further research is required in an Australian context. Although the committee is aware of various studies that have been undertaken, these vary in the age groups and issues considered. There are considerable ethical problems associated with researching this topic, which likely explains why evidence presented to the committee suggests a correlation between exposure to pornography and harm, but not causation. To the extent possible, further information needs to be obtained on the number of children and young people in specific age groups who are exposed to pornographic material. For each age group, information on the following additional matters would also be of value:

- how children and young people are first exposed to this material;
- the types of pornographic material to which children and young people are exposed, and to what extent this includes violent or otherwise extreme content;
- how exposure to this material commonly occurs, including access online using various devices and distribution from one child or young person to another; and
- to what extent the exposure is accidental, deliberate or following persuasion by, or pressure from, others.

4.10 Following this, expert advice can be obtained about the implications of the results for the healthy sexual development of children and young people at different ages and different development stages. This expert advice could also identify whether online pornography is the most pressing problem, or whether other sources of explicit material are more concerning. A better understanding of these factors will influence the policy discussion that would follow. Whether exposure is accidental or deliberate, for example, will likely influence views on whether a technology-based measure will be effective.

4.11 In the committee's view, the next steps are for the Australian government to commission comprehensive research into the exposure of Australian children and young people to online pornography and other pornographic material. Following this, an expert advisory panel should be formed to analyse the commissioned research, other research that may be available, and to consider the merits and viability of particular policy proposals.

4.12 It is likely that the matters raised will involve both the Commonwealth and the state and territory governments. For example, concerns about communications regulation are a matter for the Australian government; however, education and issues within schools are primarily matters for each state and territory jurisdiction. Given this, and depending on the findings of the expert panel, it may be appropriate for the Australian government to convene either a multi-jurisdictional ministerial council or another forum, such as a dedicated national summit, to build consensus on whether a problem exists that warrants government intervention, and if so, the policy options that should be pursued.

4.13 On a separate matter, after considering evidence received about accounts of child-on-child sexual abuse in schools, the committee urges state and territory governments to consider the adequacy of current policies on, and responses to, allegations of sexual abuse perpetrated by children within schools. This should include the adequacy of child protection training provided to individuals employed in, or preparing for employment in, roles that could involve children.

4.14 The committee recognises that the next steps it has outlined are not as decisive as some submitters would like. The committee agrees with those submitters that society has a responsibility to protect children and young people from harm. Society also needs to ensure that children and young people are equipped with the skills needed to develop healthy relationships. To ensure a topic as important as this is addressed properly, however, it is important to proceed methodically with proposals that are supported by clear evidence. Across the submissions from key stakeholders, there was broad support for further research. Commissioning Australian research will provide a firm footing for further evidence-based policy development, the results of which can be widely accepted within the community.

### **Recommendation 1**

**4.15 The committee recommends that the Australian government commission dedicated research into the exposure of Australian children and young people to online pornography and other pornographic material.**

### **Recommendation 2**

**4.16 Following completion of the research referred to in recommendation 1, the committee recommends that the Australian government commission an expert panel to make recommendations to the government regarding possible policy measures. The panel should include experts in a range of relevant fields, including child protection, children's online safety, education, law enforcement and trends in internet usage.**

**Recommendation 3**

**4.17** The committee recommends that state and territory governments consider the adequacy of:

- their current policies on, and responses to, allegations of sexual abuse perpetrated by children within schools; and
- the training on child protection matters provided to individuals employed in, or preparing for employment in, roles that could involve children.

**Recommendation 4**

**4.18** The committee recommends that the Australian government consider the adequacy of the information available to parents, guardians and teachers on how to keep children safe online, including whether existing resources such as the Office of the eSafety Commissioner's iParent website can be promoted more effectively.

**Senator Larissa Waters**  
**Chair**



## **Labor Senators' additional comments**

1.1 Labor Senators recognise that the issue of 'harm being done to Australian children through access to pornography on the internet' is a serious and sensitive one and a cause of significant public concern. We acknowledge the evidence supplied to this inquiry from parents, teachers, health professionals, psychologists, government agencies, industry bodies, advocacy groups, academics, social workers and religious groups, among others, about the potential impact that exposure to sexually explicit material has on children's physical and mental health and psychological development.

1.2 Labor Senators note that the contemporary reach and accessibility of sexually explicit material, including pornography, erotica and sex education material via the internet, is unprecedented. We acknowledge that we live in an era where many children have greater facility with technology than their parents and that a multi-faceted approach to protect children from harmful content, including adult supervision, technological access-prevention measures (including internet filtering) and education/media literacy of children and adults, is of ongoing necessity.

1.3 We acknowledge that access to sexually explicit material is associated with potential harms as well as potential benefits to children. Potential harms include distress for younger children; habitual or compulsive consumption of pornography; greater engagement in risky sexual behaviour such as intercourse without condoms (resulting in adverse sexual and mental health outcomes); body image and self-esteem issues; a negative impact on the development of healthy and respectful relationships (including the rise of problem sexting and 'revenge porn') and sexual offending by children inspired by pornography. Potential benefits include sexual education, including information for young people of non-normative sexualities; and increased awareness of sexual rights and responsibilities.

1.4 Labor Senators note that the term 'children' is broad and that the needs, abilities, interests and behaviours of children are related to their stage of development. We agree that it is instructive to use more variegated categorisations such as 'young children' (0–12 years of age) and adolescents/young people (13–17 years of age) and understand that age/stage may affect whether and the extent to which children are vulnerable to portrayals of sex and sexual activity.

1.5 We note that the term 'pornography' is used to refer to a vast and diverse range of content, from soft-core imagery to graphically violent material which may be Refused Classification in Australia, or images exchanged consensually over mobile phones between people in relationships, for example. We note that the term 'Sexually Explicit Material' (SEM) is preferred by social scientists and more usefully captures the range of issues addressed in this inquiry, given that children may produce, seek out or be exposed to a broad range of sexually explicit material on the internet for a broad range of reasons, including for the purposes of sexual education.

1.6 Labor Senators understand that issues of definition and categorisation complicate efforts to understand potential harms and interventions in this space and that more clearly segmented and focussed approaches to problem identification and response formulation may be useful. For example, in the current inquiry, general concerns about the sexualisation of children of all ages via the mainstream media (including representations of children in advertising) are considered alongside concerns about sexual offending by children who have themselves been subject to child abuse (either by having been exposed to pornography, by having been sexually abused or by having inappropriately witnessed sexual activity in the home environment).

1.7 Labor Senators recognise that various research methods and practices complicate efforts to understand potential harms or to make definitive statements on the effects on online pornography on children. While submissions presented a variety of data on pornography usage, studies differed in terms of the country surveyed, age groups surveyed, how recently the study was undertaken, how the data was collected and whether pornography exposure was accidental or intentional, for example. We note ethical considerations make obtaining evidence on these issues challenging.

1.8 Labor Senators support an evidence-based, best practice approach to policy making and regard quality research as a sound basis for effective interventions. We advocate for more sophisticated and nuanced approaches to inform progress on the important issue of the impact of sexually explicit material on children in Australia. In particular, we advocate for:

- (a) thorough review of research on the issue of the potential harm being done to Australian children and young people through access to sexually explicit material on the internet;
- (b) evaluating the need for both generalised and targeted policy interventions according to characteristics of the viewer (such as age, gender, maturation, etc.) and their care setting (vulnerable or at-risk children), for example;
- (c) research that better assists in understanding what online sources children seek out of curiosity about sex, or for sexual education/information purposes with a view to ensuring the availability of appropriate online sources for children in Australia;
- (d) research that assists individuals employed in roles whose work involves children to recognise indicators of child abuse and to respond appropriately.

**Senator Anne Urquhart**  
**Senator for Tasmania**

**Senator Anthony Chisholm**  
**Senator for Queensland**

**Senator Sam Dastyari**  
**Senator for New South Wales**

# Appendix 1

## Submissions and additional information

### Submissions received during the 44th Parliament

1	Mr David Youl
2	Emeritus Professor Freda Briggs AO
3	Ms Christine Kuhl
4	Name Withheld
5	Name Withheld
6	Name Withheld
7	Mr Paul Case
8	Margaret and Bob Lineage
9	Ms Elizabeth Harrington
10	Mr Paul Rosenfeldt
11	Australian Medical Association
12	Ms Mim Barlett
13	The Centre for Excellence in Child and Family Welfare
14	Commissioner for Children and Young People
15	Mrs Michelle Verkerk
16	Name Withheld
17	Confidential
18	Name Withheld
19	Name Withheld
20	Mrs Sandra Lewis
21	Mr Michael Treacy
22	Name Withheld
23	Ms Holly-ann Martin
24	Ms Ann Selvadurai
25	Ms Gabrielle East
26	Mr Cameron Roy
27	Mr Rick Morse AM
28	Mr Ramsey James Nasr
29	Ms Trish Harrop
30	Dr Gillian Scoble
31	Mr Greg Amos
32	Name Withheld
33	Ms Judy Geering
34	Ms Lynn Menhennitt
35	Name Withheld
36	Name Withheld
37	Mr Phil Crocker

38	Name Withheld
39	Name Withheld
40	Ms Heather Wade
41	Ms Lee Street
42	Ms Jenny Madden
43	Ms Janelle Paech
44	Ms Anne Mock
45	Mr Alex Cavicchi
46	Mr Bernard Hoey
47	Mr John de Jongh
48	Name Withheld
49	Name Withheld
50	Ms Cielita Ila
51	Ms Mary Carolan
52	Mr Dean and Mrs Shirley Fisher
53	Mr Mark Skinner
54	HUSHeducation
55	Professor Brian McNair
56	Mrs Bridget Tape
57	Dr Debbie Ollis
58	Mrs Michelle Perkins
59	Mr David Henselin
60	Mr Peter Stevens
61	Burnet Institute
62	Mr Adam Payne
63	Name Withheld
64	Dr Caroline Norma
65	Mr Daniel Piat
66	Mr & Mrs Jaison and Penne Lamb
67	Mr Pierluigi Vajra
68	Ms Meagan Yeoman
69	Ms Leann Wright
70	Name Withheld
71	Mr Peter Janetzki
72	Department of Social Services
73	Australian Council on Children and Media
74	Office of the Children's eSafety Commissioner
75	Digital Industry Group Incorporated
76	Name Withheld
77	Gold Coast Centre Against Sexual Violence Inc.
78	Commission for Children and Young People (Victoria)
79	Dr Anne-Frances Watson
80	Brisbane Women's Club
81	Name Withheld



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82	Name Withheld
83	Knights of the Southern Cross Albury Parishes Branch
84	Australian Catholic Bishops Conference
85	Man Enough
86	Sydney Anglican Diocese
87	Association of Heads of Independent Schools of Australia
88	Professor Lelia Green, Professor Catharine Lumby and Professor Alan McKee
89	The Alannah and Madeline Foundation
90	Name Withheld
91	Name Withheld
92	Australian Association of Christian Schools
93	Communications Alliance
94	Salt Shakers
95	Dr Jeremy Prichard and Dr Caroline Spiranovic
96	The Royal Australian and New Zealand College of Psychiatrists
97	Ms Judy Pewee
98	Ms Maryanne Barra
99	Mr Damon Harrington
100	Ms Jenny Mannering
101	Mr Gary Clarke
102	Uchooz for change
103	Name Withheld
104	Ms Hmily Shantala
105	Presbyterian Church of Victoria Church and Nation Committee
106	Rev Jonathan Guyer
107	Guilty Pleasure
108	Name Withheld
109	Mrs Emily Bickerton
110	Name Withheld
111	Dr Justin Coulson
112	Royal Australasian College of Physicians
113	Women's Health in the South East
114	Rev Jason Forbes
115	Plan International Australia/OurWatch
116	Electronic Frontiers Australia
117	Name Withheld
118	Mrs Karen Beckett
119	Scarlet Alliance
120	Name Withheld
121	Name Withheld
122	Mr Gary Stephens
123	Dr Stephen Fyson
124	Familysmart

125	Mrs Juliana Harmeling
126	Name Withheld
127	Name Withheld
128	Name Withheld
129	Bravehearts
130	Ms Laurinda Wellings
131	Youth Wellbeing Project
132	Baroness Howe of Idlicote CBE
133	Christian Action Research and Education
134	Confidential
135	Confidential
136	Confidential
137	Confidential
138	Confidential
139	Confidential
140	Confidential
141	Confidential
142	Confidential
143	Confidential
144	Confidential
145	Confidential
146	Victorian Women's Trust Ltd
147	Ms Margaret Cook
148	Ms Lee Street
149	Ms Maila Mercado
150	Mr Ross Herrmann
151	Mr Gary Weston
152	Mr Tim Johnson
153	Mr Robert Falzon
154	Ms Lenore Stevenson
155	Mr Matt Robinson
156	Mr Dennis Mattiske
157	Name Withheld
158	Ms Eirene Bennett
159	Ms Christine Natsis
160	Mrs Karen Mitchel
161	Mr Jeff Ireland
162	Miss Cecily Mac Alpine
163	Ms Isobel Gawler
164	Fr Max Polak
165	Mr Chris Harkness
166	Mr Michael Casanova
167	Mr Nathan Keen
168	Ms Julia Manickam

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169	Mr Kevin James Smith
170	Mr Daniel McNaughton
171	Mr Phillip Servaes
172	Ms Jenny Bailey
173	Ms Natalie Cooper
174	Mr Tony Ruggeri
175	Mr Daryl Pohlmann
176	Ms Nikayla Eyles
177	Rev Fr Francis Denton
178	Ms Tracey Moynihan
179	Ms Katie Sippel
180	Ms Michele Wilson
181	Ms Natalie Gardiner
182	Mr Trafford Fischer
183	Ms Deborah Leonard
184	Ms Jessica Moran
185	Mr Lee Davy
186	Ms Leigh Austin
187	Dr Katie Willis
188	Ms Lisa Rigby
189	Mr John Bryant
190	Mr Dennis Bagnall
191	Ms Josie Tjang
192	Mr Peter Thomas
193	Mr Timothy Peden
194	The Canberra Declaration
195	Ms Louise Woods
196	Mr Trevor Adams
197	Mr Rudolf Holwerda
198	Ms Pauline Turnbull
199	Name Withheld
200	Name Withheld
201	Ms Ursula Bennett
202	Ms Debbie Cale-Clark
203	Mr Jack Sonnemann
204	Mr John Clark
205	Ms Hannah McKerrow
206	Ms Lucy Bailey
207	Ms Merlene O'Malley
208	Ms Anne Jones, Catholic Womens League
209	Mr Geoff Rogers
210	Mrs Fiona Forward
211	Mr Sean Lee
212	Ms Nancy Noble

213	Mr Douglas Sands
214	Mr Nigel Darch
215	Name Withheld
216	Dr Dallas Clarnette
217	Mr Stephen Weir
218	Ms Johanne Cook
219	Mr Graeme Tscharke
220	Mr Murray Morton
221	Name Withheld
222	Ms Rachael Marshdale
223	Mr John Davidson
224	Mrs Anne Bergen, WCTU Australia Ltd
225	Name Withheld
226	Name Withheld
227	Name Withheld
228	Mr Michael Schubert
229	Mr Gordon Gudgeon
230	Ms Bronwyn Hinton
231	Dr Paul Anthony McGavin
232	Name Withheld
233	Mr Stephen Forkin
234	Mr Alan Johnson
235	Mr Bill Forrester
236	Mr Brendan Krueger
237	Mr Amooshi Lento
238	Mr Lawrie Guidera
239	Ms Katy Kucks
240	Ms Emily Shea
241	Name Withheld
242	Mr Alan Baker
243	Name Withheld
244	Mr Bill Laver
245	Mr Les Martin
246	Mr Dennis Paton
247	Mr Jeremy Walker
248	Mr Jude Hennessy
249	yourtown
250	Dr Michael Flood
251	Presbyterian Church of Australia
252	Australian Psychologists and Counsellors in Schools
253	Catholic Women's League of Victoria & Wagga Wagga
255	Northern Territory Government
256	Family Council of WA
257	Maroondah City Council

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258	Mr Joseph Stephen
259	Council of Catholic School Parents NSW/ACT
260	Catholic Women's League of Australia Inc (CWLA)
261	Australian Human Rights Commission
262	Name Withheld
263	Ms Maria Ng
264	Name Withheld
265	Miss Katie Brown
266	Name Withheld
267	Name Withheld
268	Dr Meagan Tyler
269	Hon Nicholas Goiran
270	Mr David Whigham
271	Mr Roger Harrington
272	Ms Ellen Webb
273	Mr David Kobler
274	Ms Cheryl Harrold
275	Ms Therese McLinden
276	Name Withheld
277	Dr Brian Trenbath
278	Mr David Miller
279	Mr Adam Paull
280	Ms Julie Bernardson
281	Mr Max Monin
282	The Salvation Army
283	Catholic Women's League Tasmania
284	The Reward Foundation
285	Australian Christian Lobby
286	Dr Spencer Gear
287	Ms Zahra Stardust
288	Collective Shout
289	Family Planning NSW
290	FamilyVoice Australia
291	Mrs Joan Smurthwaite
292	Elijah House Ministries
293	Dr Maddy Coy and Dr Miranda Horvath
294	Mr Richard Wilson
295	Media Standards Australia
296	The Australian Family Association – WA Division
297	Knights of the Southern Cross Western Australia
298	Name Withheld
299	Mr Geoffrey Reid
300	Mr Jim Hunt
301	Mr Greg Smith SC

302 Ms Judy Ball  
303 Ms Kaye Davidson  
304 Ms Bernadette Davies  
305 Mr Robert de Weger  
306 Confidential  
307 Confidential  
308 Confidential  
309 Confidential  
310 Confidential  
311 Confidential  
312 Confidential  
313 Dr David Gawler  
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321 Confidential  
322 Confidential  
323 Confidential  
324 Dr Helen Pringle  
325 Confidential  
326 Confidential  
327 Confidential  
328 Confidential  
329 Confidential  
330 Confidential  
331 Confidential  
332 Confidential  
333 Ms Jaguar Lacroix  
334 South Eastern Centre Against Sexual Assault  
335 Confidential  
336 Confidential  
337 Mr Ian Nott  
338 Name Withheld  
339 Fr Gerard Conlan  
340 Ms Maree Crabbe  
341 Mr Johann Trevaskis  
342 Mr Samuel Rothe  
343 Name Withheld  
344 Mr Edward Maxwell  
345 Mr Robert Finster

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346	Name Withheld
347	Australian Psychological Society
348	Dean and Shirley Fisher
349	Ms Marita Hanscamp
350	Ms Maggie Hamilton
351	Mr Paul Le Feuvre
352	Endeavour Forum
353	Mr Dougal Pottie
354	Mr Richard Holloway
355	Dr Robert Pollnitz
356	Mrs Marilyn Noonan
357	Australian Christians
358	Dads4Kids Fatherhood Foundation
359	Mr Lex Stewart
360	Mr Peter Phillips
361	Mr David Cameron
362	Ms Peggy Phillips
363	Ms Donna Chapman
364	Mr Colin Chapman
365	Ms Amanda Bowen
366	Mr Beng Sim Khor
367	Mr Trevor Friend
368	Mr Keith Dean
369	Mr John Argus
370	Ms Jenni Walker
371	Mr Steven Talbot
372	Ms Kathryn Booth
373	Mrs Kay Christensen
374	Mr Mark Osmond
375	Mr John Nelson
376	Ms Helen Bonzo
377	Mr Peter and Mrs Angela Ham
378	Confidential
379	Mrs Kaziah Frost
380	Name Withheld
381	Mr Jeffrey Rose
382	Ms Sylvia Wootton
383	Mr John Ballantyne
384	Mr RV and Mrs PJ Barbero
385	Mr John Morrissey
386	Ms Lyn Wicks
387	Mr Harry Hordyk
388	Mr Bruce Mackay
389	Mrs Helen Drew

390	Ms Corinne Smith
391	Ms Nola Drum
392	Mrs Heather Andrews
393	Ms Carolyn Harris
394	Mr Bob Harvey
395	Ms Debra Kerbey
396	Ms Carole Sherring
397	Mr Rob Sherring
398	Mr Hugh Thompson
399	Ms Jenny Thomas
400	Ms Fiorina McGillivray
401	Ms Jackie Carlyle
402	Mr William Hodgson
403	Mr Brian Kirk
404	Ms Marilyn Coleman
405	Mr Graeme Jones
406	Mr David Dennis
407	Ms Samantha Bryan
408	Ms Roslyn Grant
409	Name Withheld
410	Dr Don Hardgrave
411	Mr Bruce Sharman
412	Ms Julie Fenech
413	Ms Ruth Maher
414	Mr Graeme Jones
415	Ms Rosa Whitehead
416	Mr Michael Duffy
417	Ms Catherine Simes

### **Form letters received during the 44th Parliament**

Form letter type 1: 27 received

Form letter type 2: 25 received

Form letter type 3: 35 received

Form letter type 4: 21 received

Form letter type 5: 22 received

Form letter type 6: 21 received



**Additional information received during the 44th Parliament**

Ms Maree Crabbe—*In The Picture: Supporting young people in an era of explicit sexual imagery: A secondary school resource*

Ms Maree Crabbe—*Love and Sex in an Age of Pornography*

Ms Maree Crabbe—*The Porn Factor*