Collective Shout (www.collectiveshout.org) is a grassroots campaigning movement challenging the objectification of women and sexualisation of girls in the media, advertising and popular culture. We target corporations, advertisers, marketers and media which exploit the bodies of women and girls to sell products and services, and campaign to change their behaviour. More broadly we also engage in issues relating to other forms of sexploitation, including the interconnected industries of pornography, prostitution and trafficking.

A growing body of evidence documents the real harms to children from exposure to online pornography. The Commonwealth is uniquely placed to take the lead in implementing targeted measures to curb the level of exposure of children to this material and thereby reduce these harms.

Australian children are growing up in a digital, interactive, internet-enabled society. While the benefits of such connectivity can be significant, we are conscious of the potential for children to be exposed to harmful and inappropriate content at a time when their sexual templates are under construction. We share the growing concern of authorities worldwide about the consequences of pornography exposure on their wellbeing, development and ability to form healthy intimate relationships in the future.

We also hold significant concerns for those responsible for the welfare of children, particularly (although not only) parents, as they are attempting to maintain their children’s online safety while helping them to navigate life in a digital world. A total of 88% of polled parents supported the UK’s proposed introduction of the age verification system. This overwhelming response in favour of age verification is not surprising. The standard defence of the global pornography industry has been that if children are accessing porn, parents are at fault. However, as our Campaigns Manager Caitlin Roper writes, the cards are stacked against parents and carers, in the porn industry’s favour. When innocuous activities like

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1 Age-verification for online pornography to begin in July, British Board of Film Classification, 17 April 2019, https://bbfc.co.uk/about-bbfc/media-centre/age-verification-online-pornography-begin-july

2 Roper, C. Parents Vs The Porn Industry Isn’t A Fair Fight: In the end, the porn industry is concerned with profits, not our kids, Huffington Post, March 2018, https://www.huffingtonpost.co.uk/entry/parents-vs-the-porn-industry-isnt-a-fair-fight_uk_5aa0df69e4b0ef2aaff70489
key-stroke errors and searches for cartoon characters can give children direct access to porn sites, parents and carers have little hope of offering adequate protections. Our children don’t need to be looking for porn, but porn will find them. It’s simply not a fair fight.

The evidence of harms as a result of childhood exposure to pornography demands a serious and immediate response. Children are exposed to rape porn, sadism porn, incest porn and other violent and degrading depictions of sex, before their first kiss. This is an unprecedented experiment on the sexual development of children and young people. We are beginning to see the results.

There is evidence that many children are accessing or being exposed to pornography online and exposure of boys to pornography is harmful to girls and - as the boys grow into men- to women generally.

In November 2016 the Senate Environment and Communications References Committee issued its report on Harm being done to Australian children through access to pornography on the Internet. The report found:

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'. It has been reported that in 2015 Australia ranked seventh in worldwide traffic to one of the largest global pornographic websites. [Emphasis added]

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

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5 Ibid., p.4
or older. A few (only around 3 per cent) use age-verification software which requires a credit card number or other 'adult' identification.6

Dr Michael 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.7 [Emphasis added].

Children's access to pornography online is becoming easier due to the proliferation of handheld devices, including smartphones, as well as the availability of unfiltered public wifi enabling access outside the family home.

A UK report, updated in May 2017, presents useful data of relevance in the Australian context where there is a similar level of technology in place.8 Some relevant data includes:

- 28% of children aged 11-12 years had seen pornography online
- 65% of children aged 15-16 years had seen pornography online – of these 94% had first seen pornography by age 14
- 53% of boys consider pornography to be “realistic” compared to 39% of girls
- 44% of boys (compared to 29% of girls) reported that the online pornography they had seen had given them ideas about the types of sex they wanted to try out
- 46% of children who had seen pornography online reported that their first exposure was accidental; “it just popped up”
- 22% of children who had seen pornography online reported that their first exposure was being shown the pornography by someone else when they were not expecting it
- 20% of 11-12 year old children; 44% of 13-14 year old children; and 51% of 15-16 year old children who have seen online pornography have at some time actively searched for it
- 59% of boys who have seen online pornography have actively searched for it compared to 25% of girls

6 Ibid., p. 7
7 Ibid., p. 10
8 Elena Martellozzo et al. “I wasn’t sure it was normal to watch it”: the impact of online pornography on the values, attitudes, beliefs and behaviours of children, May 2017, https://learning.nspcc.org.uk/media/1187/mdx-nspcc-occ-pornography-report.pdf
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- 34% of those children who have ever seen pornography online reported currently seeing it once or more frequently each week (4% daily; 13% several times a week; 17% at least once a week) and a further 22% reported currently seeing it a few times each month
- 71% of those children who have seen pornography online reported seeing it first either on a portable laptop (38%) or on a smartphone (33%)
- While 60% first saw online pornography at home 31% first saw it a friend’s (29%) or relative’s (2%) house

This quantitative research was complemented by qualitative research in focus groups which elicited comments such as these:

- “1st time was strange - I didn’t really know what to think. But now it’s kinda normal; sex isn’t as taboo” (boy, 13-14);
- “At first I wasn’t sure it was normal to watch it, my mates have talked about watching it so I don’t feel bad watching it now” (boy, 15-16);
- “Because young people are now open to seeing this kind of stuff you get used to it so it’s not as shocking but I still think it’s disgusting and degrading” (girl, 13-14);
- “Sometimes [I feel] disgusted - other times alright” (boy, 13);
- “A bit uncomfortable because of the way they act in the videos” (boy, 14);
- “Bad for watching it. Like I shouldn’t really be seeing it” (girl, 14);
- “Yes I was upset and felt sick” (girl, 14);
- “I didn’t like it because it came on by accident and I don’t want my parents to find out and the man looked like he was hurting her, he was holding her down and she was screaming and swearing. I know about sex but it didn’t look nice. it makes me feel sick if I think about my parents doing it like that” (girl, 11-12);
- “It teaches people about sex and what it is like to have it - but I think it teaches people a fake understanding of sex - what we see on these videos isn’t what actually happens in real life” (girl, 14);
- “It can make a boy not look for love just look for sex and it can pressure us girls to act and look and behave in a certain way before we might be ready for it” (girl, 13);
- “Yes and can learn bad things like watching anal sex and then some boys might expect anal sex with their partner” (girl, 13);
- “One of my friends has started treating women like he sees on the videos - not major - just a slap here or there” (boy, age 13);
- “A few of my friends have used it for guidance about sex and are getting the wrong image of relationships” (girl, 13);
- “It gives an unrealistic view of sex and our bodies, makes us self-conscious and question why are bodies are not developed like what we see online” (Female, 13)

The problem appears to be worsening. In a recent Australian study on porn use and sexual risk-taking by young people, Lim et al reported that 69% of males and 23% of females had
viewed porn for the first time at age 13 or younger. The study found an association between earlier porn-viewing and earlier first-time sexual experience. It reported that 84% of boys and young men and 19% of girls and young women who use porn are doing so either daily or weekly.

Harms to children accessing pornography online

In 2016 the Australian Institute for Family Studies summarised the research evidence on the harmful effect of children’s exposure to pornography as indicating that frequent and routine viewing of pornography and other sexualised images may:

- reinforce harmful gender stereotypes;
- contribute to young people forming unhealthy and sexist views of women and sex;
- contribute to condoning violence against women;
- be associated with sexually coercive behaviour by young men;
- normalise sexual violence;
- contribute to unrealistic understandings of sex and sexuality;
- shape social norms around sex;
- lead to young people feeling as though they should engage in the sexual behaviour frequently displayed in pornography, including violent acts;
- be associated with pressure being put on girls to share naked images of themselves online;
- influence young people’s self-concept and body image; and
- be linked to problematic sexual behaviour and sexual abuse among children and adolescents.

Dr Michael Flood’s 2009 study The harms of pornography exposure among children and young people concluded that:

> Exposure to pornography helps to sustain young people’s adherence to sexist and unhealthy notions of sex and relationships. And, especially among boys and young men who are frequent consumers of pornography, including of more violent materials, consumption intensifies attitudes supportive of sexual coercion and increases their likelihood of perpetrating assault.

In his submission to the 2016 Senate inquiry Dr Flood described pornography as “sexist education” and “rape training” for boys.

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12 Michael Flood, Submission 250, Senate Environment and Communications References Committee, Inquiry into Harm being done to Australian children through access to pornography on the Internet, 2016, p. 4,
Professor Freda Briggs described the child-on-child abuse attributed to children’s exposure to pornography in her submission to the Inquiry, reporting that preschool-aged children are ‘acting out what they have seen and experienced, sexually abusing others in schools, kindergartens and child care settings’. 

There are reports of children as young as 8 years old admitting and seeking treatment for ‘porn addiction’. 

The Third Action Plan 2016-2019 in the National Plan to Reduce Violence against Women and their Children included a recognition that there is

*increasing evidence showing a correlation between exposure to online pornography and the sexual objectification of women and girls, the development of rape cultures and the proliferation of sexual assault.*

Collective Shout’s submission to The Australian Human Rights Commission National Inquiry into Sexual Harassment in Australian Workplaces linked the interrelated issues of pornography, objectification of women and sexualised imagery in the public domain and sexual harassment. In our submission, we contended that there are strong connections between pornified culture and practice, and the issues of sexual harassment, including sexual harassment in the workplace.

A meta-analysis of 59 different studies comparing adolescent male sex offenders to male non-sex offenders found that adolescents who had sexually offended were significantly more likely to have had early exposure to pornography and to report higher rates of exposure to pornography.

In a US study of 472 boys and young men (aged 12-20 years; mean age 16 years) with criminal offenses, researchers evaluated and compared the self-reported childhood traumatic experiences of three groups: sexually victimised boys/young men with sexual offenses, nonsexually victimised boys/young men with sexual offenses, and nonsexually victimised boys/young men with general criminal offenses (eg assault, theft). They found that persons who were sexually victimised and who had committed sexual offences showed
greater developmental antecedents including early exposure to pornography and pornography use.\textsuperscript{18}

The above-mentioned Australian study reported a correlation between frequent pornography consumption in adolescents and young adults and diminished mental health.\textsuperscript{19}

Parents and carers have shared with Melinda Tankard Reist many distressing stories of how young children’s ideas of sexuality are influenced by pornography. For example:

- “My 10 year old granddaughter was approached by a boy while waiting for the school bus and asked, ‘Do you do arse?’”
- “My 8 yr old found a note in her school bag which read, ‘Ready for sex?’”
- “An 8 yr old boy told my 8 yr old girl he wanted to ‘f**k you hard’.”
- “10 yr old boy told my 10 yr old daughter that he was going to break in and rape her.”

\textbf{Responding to Terms of Reference 3: ‘the potential benefits of further online age verification requirements, including to protect children from potential harm’}

\textbf{Limiting children’s exposure to online pornography and the resulting harms}

There are various ways to attempt to limit children’s exposure to online pornography and, when children are exposed, to seek to minimise the resulting potential harms. However, the data suggests that parental efforts to protect are surmounted by the tactics of the powerful global porn industry.

Parents clearly play a key role in deciding what devices capable of online access their children have use of, the ‘rules’ for such use in the home environment, and whether their children’s use of devices will be subject to filters and other technological means of restricting access to certain content.

Education can also play a vital role in seeking to inform children, in an age appropriate manner, about the nature of pornography, about the harms it can lead to, about ways to


respond when it is encountered accidentally or shown to them by another person (including peers) and about reducing or avoiding actively searching for pornography.

Indeed, Collective Shout co-founder, author and speaker Melinda Tankard Reist spends a significant proportion of her time presenting information to parents, educators and high school students to achieve these outcomes. Our website includes links to extensive resources for parents.

However, given the reality that more and more children at increasingly younger ages are being exposed to online pornography it would significantly help parents and educators in their efforts to protect children if the Commonwealth government implemented legally enforceable measures to reduce the ease of access by minors to online pornography.

**Recommendation 1:**

In light of data verifying the real-life harms of childhood exposure to pornography the Commonwealth government should recognise the potential benefits of an Age Verification system along with other measures to limit porn exposure to children, including education programs and improved ISP filters.

**Responding to Terms of Reference 5: ‘best practice age verification requirements internationally, including standards, verification and implementation timeframes, and particularly the likely effectiveness of the proposed age verification for access to online pornography in the United Kingdom’s Digital Economy Act 2017’:**

**Age verification – the UK model**

In a useful factsheet, the British Board of Film Classification (BBFC), which had been designated as the age verification regulator to administer the relevant provisions of the *Digital Economy Act 2017*, noted that age verification for online pornography access was “commonsense” as children are not able to “enter a sex shop on the high street”.

In Australia, we cannot buy alcohol or tobacco, or enter gambling venues, sex shops or sex-on-premises venues without proving we are aged 18 years or more. Online there should be no access to pornographic material without requiring a similar standard of proof of age.

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20 [https://melindatankardreist.com/testimonial/](https://melindatankardreist.com/testimonial/)
21 [https://www.collectiveshout.org/parents](https://www.collectiveshout.org/parents)
The BBFC also notes that age verification will not be a “silver bullet”, as determined teenagers will find ways to access pornography. However, it will prevent – or at least significantly reduce – initial exposure of young children by stumbling across pornography.

Section 14 and related provisions of the UK’s Digital Economy Act 2017 had initially been intended for enforcement from 15 July 2019.

Subsection 14 (1) provided that:

A person contravenes this subsection if the person makes pornographic material available on the internet to persons in the United Kingdom on a commercial basis other than in a way that secures that, at any given time, the material is not normally accessible by persons under the age of 18.23

The new UK law was to apply to anyone making services available in the UK and so, importantly, was not limited to UK based content.

A major limitation with Australia’s current regulatory regime is that it only applies to content hosted in Australia and is therefore of limited effectiveness.

UK ISPs were to be directed to block content from websites that failed to comply with the age verification requirement.

Additionally payment services (such as credit card services, Paypal etc.) were to be instructed not to process payments to non-complying companies.

We note the UK Parliament’s recent deferrment of the proposed age verification system for online pornography24, now re-scheduled for launch early 2020, pending implementation through a wider online harms regulatory regime.

While the proposed system has been deferred, the industry had announced it was prepared to comply.25

Note that although the provision referred to making pornographic material available “on a commercial basis” this also covers sites where, although there is a huge volume of free pornography, the site also either carries advertising or has links to paid pornography sites.

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25 Rob Waugh, “Here’s how Pornhub and YouPorn’s compulsory age checks will work from next month”, Metro, 4 March 2019, https://metro.co.uk/2019/03/04/pornhub-youporns-compulsory-age-checks-will-work-next-month-8811336/
Third party age verification services such as MaxID\(^\text{26}\) would provide independent age checks so that the pornography sites would have no access to personal details.

Age can be verified online by uploading a passport, driver’s licence or credit card or face to face at retail outlets using similar criteria used for sales of alcohol or tobacco.

We note that provisions of the UK Digital Charter have implications for social media companies. Due to the groundwork carried out by the UK, global platforms including Facebook, YouTube and others are reported to be on high alert and making significant moves to improve their practices.\(^\text{27}\) However, social media platforms continue to host pornographic content that is easily accessed by children.

**Recommendation 2:**

An age verification scheme for access to online pornography, drawing from work done to develop the original United Kingdom model and with added measures that address perceived shortcomings in that model, for example, additions that extend application to social media platforms, should be implemented by the Commonwealth Government.

**Responding to Terms of Reference 4: the potential risks and unintended consequences in further restricting age verification requirements, including, but not limited to:**

- *a) pushing adult consumers into unregulated/illegal environments or to other legal forms of these activities;*
- *b) privacy breaches;*
- *c) providing false assurance to parents and carers; and*
- *d) freedom of expression;*

**Responses to objections and concerns**

Adult consumers already have to be prepared to produce age verification ID to purchase alcohol or tobacco, to gamble or to purchase pornography in a store. Under the proposed UK scheme, age verification would be a one-off requirement not directly linked to specific

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access to pornography but provided by a third party agency, either online or in person. Adults not prepared to undertake this simple task in order to access pornography would most likely resort to simple bypasses like using a VPN.

While some VPNs offer a free service, this is problematic and unreliable and regular users are more likely to resort to a paid VPN. This will require a credit card to purchase a subscription.

For children, some may be sufficiently tech-savvy to use a free VPN to bypass age verification, or use a parent’s VPN if this is not well protected. However, the goal of age verification is not the unrealistic prevention of any access by any child to online pornography but rather to create a significant barrier to access and in particular to prevent inadvertent and casual access.

Privacy breaches related to age verification need to be prevented by ensuring the highest standards of data management are required before any company offering an age verification service for this purpose is approved by the relevant authority. Notably, Australia Post, with its DigitalID service, is the first industry provider to be accredited under the federal government’s Trusted Digital Identity Framework (TDIF), complying with rules and requirements for privacy, security and fraud protection.28

Already we have adequate legislation (as per the Privacy Act) and regulatory bodies (as per the Australian Information Commissioner and Privacy Commissioner) to regulate privacy for customers seeking the services of an age verification provider.

The eSafety Commissioner is well-placed to promote public messaging to parents that explains both the benefits and limits of an age verification scheme and the need to complement it with appropriate parental actions, including discussions with children about online pornography; awareness and supervision of children’s access to devices; and protection of credit cards, VPNs and anything else that could be used by children to bypass age verification.

Even allowing the very dubious proposition that pornography involves “freedom of expression” – in Collective Shout’s view the majority of pornography involves exploitation of women for profit – an age verification scheme for online pornography is simply in line with other age related measures for films, video games and publications.

**Recommendation 3:**

Introduce an age verification system that will restrict children’s access to online pornography (and the global porn industry’s unfettered access to children),

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acknowledging that our obligation to protect children, and the ensuing protections afforded to children by such a system far outweigh the concerns of those with vested interests in the global porn industry.

Responding to Terms of Reference 10: Australia’s international obligations

International Obligations

Australia’s obligations under Articles 19 and 34 of the Convention on the Rights of the Child are relevant to the implementation of an age verification system designed to protect children from exposure to online pornography.

In 2016 the Children’s Commissioner for England stated, regarding the ease with which children are able to access online porn, that there is no room for complacency:

“It cannot be right that so many children may be stumbling across and learning about sex from degrading and violent depictions of it. We need to act to restrict their access to such material and to ensure that they have spaces in which to discuss and learn about safe relationships and sex. It is our duty to protect children from harm and so we must ensure this happens.”

The availability of online pornography without effective barriers to access by children is a form of sexual abuse of children which States Parties undertake to prevent by “appropriate legislative measures” under Article 14 of the Convention and, given that when a child views pornography a sexual act is effectively being performed in the presence of that child, it is also a form of “unlawful sexual activity” that States Parties are obliged to take “all appropriate national measures” to prevent.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

29 Elena Martellozzo et al. “I wasn’t sure it was normal to watch it”: the impact of online pornography on the values, attitudes, beliefs and behaviours of children, May 2017, https://learning.nspcc.org.uk/media/1187/mdx-nspcc-occ-pornography-report.pdf

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity.\(^{31}\)

Recommendation 4:

Introduce an Age Verification system that will restrict children’s access to online pornography (and the global porn industry’s unfettered access to children) and so uphold Australia’s international obligations to protect children from abuse, exploitation and developmental harm, acknowledging that exposure to online pornography amounts to abuse, exploitation and harm.

Collective Shout

October 25, 2019

\(^{31}\) United Nations Convention on the Rights of the Child,
[https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)