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My Lords

My thanks for your contributions to the debate on Friday 17th January, on the relationship between the use of digital technology and the health and wellbeing of children and young people. I am grateful to Baroness Kidron for convening the debate on such an important issue. As we ran short of time, I promised to write in response to a number of points raised by Noble Lords.

First, I would again like to reassure Noble Lords that the joint DCMS-Home Office Online Harms White Paper will establish a government-wide approach to online safety, helping to deliver the Digital Charter's ambition of making the UK the safest place in the world to be online. We are considering a full range of possible solutions to address the new issues raised by the internet, including legal and regulatory changes where necessary.

1. Age-appropriate design code

Regarding the question raised by Baroness Kidron about Government's determination to produce a robust code across all areas of design, we are working closely with the Information Commissioner to support the delivery of a code which delivers the robust framework that children deserve. During the passage of the Data Protection Bill, the Government agreed to provide the Information Commissioner with a list of minimum standards to be taken into account when designing the code. This list, which was set out in the House, has served as a basis for the ongoing work being undertaken by the Commissioner. As you are aware the Information Commissioner's Office (ICO) have been consulting on the development of the code, and recently held a call for views from parents, carers and children which closed on 5 December. This was in addition to the call for evidence that was held over the summer. The Information Commissioner is now using the evidence gathered to develop the content of the code and will continue to work with the Government, Baroness Kidron, and a range of stakeholders to ensure it delivers on our shared ambitions.

2. Law Commission review

Regarding the question raised by Baroness Kidron on how we are going to bring clarity to how our laws apply to the digital environment, the Law Commission are currently undertaking a review of current legislation on offensive online communications to ensure



that laws are up to date with technology. They have completed the first part of their review and concluded that, for the most part, abusive online communications are, at least theoretically, criminalised to the same or even a greater degree than equivalent offline offending. We are now working with the Law Commission to consider next steps in this area.

3. Regulator

Regarding the questions raised by Lord Lucas and Baroness Watkins of Tavistock concerning regulation, we are considering the full range of possible solutions to address existing and emerging issues relating to online safety, including legal and regulatory changes where necessary. We believe that a flexible approach to regulation can ultimately strengthen a free and open internet by providing a framework that encourages innovators and provides confidence to investors, whilst also building public trust. We will present our position in the Online Harms White Paper.

4. Relationship and Sex Education

Lord Storey raised the issue of the government's plans for personal, social and health education. The Government is making Relationships Education compulsory in all primary schools, Relationships and Sex Education compulsory in all secondary schools and Health Education compulsory in all state-funded primary and secondary schools.

The Department for Education (DfE) conducted a consultation on the draft regulations, statutory guidance and Regulatory Impact Assessment relating to Relationships Education, Relationships and Sex Education and Health Education, which closed on 7 November. The DfE are currently analysing responses to the consultation and expect to publish the Government response to the consultation in Spring 2019. Following the publication of the Government response, we expect to lay regulations for debate in both Houses. Schools will be encouraged and supported to teach the new subjects from September 2019 – many of them are already teaching the subjects and will be able to adapt to the new guidance quite quickly. The requirement to teach the new subjects will then follow from September 2020. We are currently considering the views expressed through the consultation on the school support package and will inform schools about the support that will be available in due course.

5. Age Verification

Baroness Howe of Idlicote requested an update on our progress with the age verification of pornography. Parliamentary processes for the Commercial Basis Regulations and BBFC guidance were concluded in December. A commencement date for age verification will be announced soon. This commencement date will follow an implementation period, to allow industry time to prepare for the new regulatory framework.

6. ISPs and online filtering

Regarding the question raised by Baroness Howe of Idlicote concerning parental filters for online services, the Government takes child internet safety extremely seriously, whether in the home or elsewhere, and has worked hard to ensure content is filtered in public places where children are likely to be, as well as at home. It is parents who are best placed to decide what material their children should be accessing on the internet and parents should be equipped with the tools to do so. Government has encouraged Internet Service Providers to provide parents with the ability to easily filter content. As you know, this is available to the vast majority of households and we are encouraged to

see an increase of home network-level filters being used. We are expecting Ofcom's latest 'Children and Parents: Media use and attitudes report' to be published shortly which will provide us with a more up to date view of the use of filters.

7. Music education

In response to Lord Black of Brentwood's excellent speech on the use of technology in music education, I would like to highlight the Department for Education's recent announcement that schools are to receive a new model music curriculum. This comes with a £1.33 million funding boost for DfE's music education hubs which is on top of £300 million allocated to the programme between 2016 and 2020. This new funding and model curriculum will increase access to world-class music education and nurture the next generation of musical talent.

Thank you again for your interest in this crucial subject and for your contributions to the excellent debate.

I will place a copy of this letter in the House of Lords Library.

A handwritten signature in cursive script that reads "Henry Ashton".

Lord Ashton of Hyde
Parliamentary Under Secretary of State