

5Rights

Introduction

The internet and digital technologies have created vast opportunities for children and young people to learn, to communicate and to explore. But along with the innumerable benefits come new challenges and risks including open sharing of personal data, invasions of privacy, bullying and exposure to adult content and contact.

Enabling children and young people to deal with the challenges and engage knowledgeably with the digital world is the best way to ensure the full potential of the internet is realised.

This document sets out the 5Rights framework, which provides a set of principles by which governments, corporations, adults, parents and young people should negotiate their online engagement. 5Rights reflects the rights embodied in several different international treaties and within the existing laws of many countries. Here we bring them together and present them in the context of digital technologies in language that will reach out to a larger audience within civil society.

We look to a future where the internet and digital technologies are designed, delivered and consumed with these rights in mind, making it a more empowering space for children and young people. A future in which all children, regardless of gender, race, disability, socio-economic position or place of birth - enjoy the same rights.

The 5Rights envisages a future where the fundamental right of children and young people to access the digital technologies creatively, knowledgeably and fearlessly is fulfilled.

Why We Must Act

The internet and digital technologies has become the decisive organising technology of our world. No child or young person¹ should be left out of the huge opportunity it represents.

Children and young people are often presented as digital natives – with fast thumbs able to summon up the knowledge of the world in an instant, build a million dollar company from their bedroom, or topple a corrupt regime with a tweet. Yet the latest research shows that far from being at the forefront of the digital revolution, many young people remain on the lower ‘rungs’ of digital understanding.² They lack the skills and knowledge necessary to benefit from the immense opportunities on offer as they move between spaces that are heavily limited and others where ‘anything goes’.

Our young people are poorly served by a public debate which is falsely polarised. We are told there is a stark choice to be made between freedom and protection. In the analogue world we balance this choice by giving children clear rights so that they can flourish in a safe and supportive environment. Twenty five years ago we recognised the Human Rights of all children and young people by adopting the UN Convention on the Rights of the Child³. The 5Rights principles contextualise these rights for the digital world.

In demanding digital rights, we are not only concerned with the developed world, where the vast majority of young people are already online – nor have we forgotten those who by geography, poverty, disability, culture or some other barrier, are digitally disenfranchised. Digital access is a powerful tool of enfranchisement. Universal access is the goal. However, as we find ourselves urgently having to now retrofit rights on behalf of the most advantaged young people in the most advantaged parts of the globe, we must guard against the temptation for vulnerable communities to trade rights for access – and make certain that those not yet online, are fully supported digital citizens from the start.

5Rights represents a broad coalition of civil society, including children and young people themselves.⁴

The signatories to these principles agree to be advocates for a better digital world for children and young people, from birth to 18, by reviewing their own policies for the design, provision or consumption of digital content and technologies in the light of the 5Rights. Signatories, including politicians, parents, teachers, corporations, and young people themselves, have come together to support the promise of a better internet for children and young people.

1 United Nations (1989) Convention on the Rights of the Child, article 1, as every human being below the age of 18 years, unless under the law applicable to the child, majority is obtained earlier.

2 Livingstone, S., Haddon, L., Görzig, A. and Olafsson, K. (2011) EU kids online: final report. EU Kids Online, London School of Economics & Political Science, London, UK

3 United Nations (1989) Convention on the Rights of the Child. (UNCRC)

4 Young Person's 5Rights doc, October 2014

The 5Rights

THE RIGHT TO REMOVE

Every child and young person should have the right to easily edit or delete all content they have created.

Personal experimentation is an essential part of childhood development, yet the internet never forgets and never corrects. It can possess an infinite memory of each individual and all of their online actions. Information is collated and presented, typically without context, regardless of age, time passed or personal circumstance.

Errors of judgment, unhappy experiences and attitudes that were the product of immaturity are saved on the internet long after they have faded from the memory of friends and family. This can make it extremely difficult for young people to get away from their past experience and move on. Online, their past coexists with their present, leaving an outdated, un-contextualised public record.

The exchange of information is an essential component of the digital world. However, it is inappropriate for a third party, commercial or otherwise, to own, retain or process the data of minors without giving them the opportunity to retract it or to correct misinformation.

We believe children and young people should have the unqualified right, on every internet platform or service, to fully remove data and content they have created. *This must be easy and straightforward to do.*

This does not mean young people would have an *automatic* right to delete reproduced data or content written or produced by others. Where data or content referring to a child or young person has been created or published by others, the rights of under 18's must be balanced against the right of freedom of speech. It is however essential that there is an easily accessible route for children and young people to resolve disputes or correct misinformation that does not require recourse to the courts.

It must be right for under 18s to own content they have created, and to have an easy and clearly signposted way to retract, correct and dispute online data that refers to them.

THE RIGHT TO KNOW

Children and young people have the right to know who is holding or profiting from their information, what their information is being used for and whether it is being copied, sold or traded.

By facilitating a tick-box culture we are telling children that their personal information has little or no value. Meanwhile companies and organisations gather children's data at an unprecedented rate.

Online entities have been collecting, selling or using the data of young people for purposes that are unknown and may be unwanted. This data gathering transfers wholesale rights and information (however intimate) from the user to the provider, often in perpetuity, perhaps even for purposes not yet determined or explained.

The terms and conditions associated with the services provided are routinely long and complex. There is little chance that any minor understands their meaning. This business practice is exploitative of young people's desire and need to use digital technology.

Children and young people routinely share information online without understanding what the current and future consequences may be. Privacy settings and policies should clearly outline the visibility of the user and the ways in which their actions may be recorded and shared by those in their social world and by the broader community (educational institutions, companies, government, etc.). Children and young people can take more responsibility for sharing personal information if they are clear about what it may be used for.

It must be right that children and young people are only asked to hand over personal data when they have the capacity to understand they are doing so and what their decision means. It must be also be right that terms and conditions aimed at young people are written so that typical minors can easily understand them.

THE RIGHT TO SAFETY AND SUPPORT

Children and young people should be confident that they will be protected from illegal practices and supported if confronted by troubling or upsetting scenarios online.

The routine conflation between what is illegal and what is harmful is unhelpful. For that which is explicitly illegal there is no ambiguity. Nevertheless, no child can ever be entirely safe and not every harm is illegal. It is therefore important that children learn how to stay safe by learning to manage risk.

Just as when we reduce the potential harm of crossing the road by holding a child's hand, it is equally possible to allow young people to explore digital spaces but provide education, support, guidance and representation when needed, varying the strategies by age and maturity.

The UN Convention on the Rights of the Child makes clear that, due to their physical and mental immaturity, children require special safeguards, care and appropriate legal protection. However, when more than one in four secondary school children using social networking sites have reported being upset in the last year, and more than one in ten of those said they felt upset on a daily basis, it is clear that our current strategies are not working.⁵ Provision, while often of excellent quality, is also often under-funded or fragmented.

With or without blocking software, young people are likely, at some point, to be exposed to potentially harmful content, contact or behaviour, whether by accident, through deliberate action, or by the harmful maleficent action of others.

It must be right that children and young people receive an age-appropriate, comparable level of adult protection, care and guidance in the online space, as in the offline. And that all parties contribute to common safety and support frameworks easily accessible and understandable by young people.

THE RIGHT TO INFORMED AND CONSCIOUS USE

Children and young people should be empowered to reach into creative places online, but at the same time have the capacity and support to easily disengage.

Attention is the currency of the internet.⁶ Many online sites deliberately use 'reward technologies' to hold and extend attention and deter users from leaving. Checking for progress in a game, a message or just 'feeling the need' to click, contribute to a norm that sees children and young people attached, and often distracted whether in the classroom or the home. Children and young people need to understand that their attention has value, and know the costs of the exchange.

All generations have raised concerns about overuse of emerging media but the immersive, interactive and portable qualities of digital media have fundamentally changed the dynamic between the technology and the user. Not least because all of a young person's interactions - educational, social, entertainment and news, coexist on the same device. This keeps their attention in constant play. As a result we are seeing children at a developmentally sensitive stage missing sleep and skipping food because of internet use.⁷

Children and young people have a human right to access information, to communicate with others, to participate as social actors and to learn. Access to the internet is essential in fulfilling these rights.⁸ Currently available protective software can improve the online experience, especially for younger children, but it can also deny young people valuable access to the digital world by making inaccurate judgements about the nature of particular content or online space.

In order to be true digital participants, children and young people should be encouraged to work, play and participate in the web's creative spaces and not have their attention held unknowingly.

It must be right that the commercial considerations used in designing software should be balanced against the needs and requirements of children and young people to engage and disengage during a developmentally sensitive period of their lives. It must also be right that safety software does not needlessly restrict access to the internet's creative potential.

5 Lilley, C., Ball, R. and Vernon, H. (2014) The experiences of 11-16 year olds on social networking sites. NSPCC

6 Tim Berners Lee speaking at Web We Want, May 14th, 2014

7 Smahel D., Helsper, E., Green, L., Kalmus, V., Blinka, L. and Ólafsson, K. (2012) Excessive internet use among European children.

EU Kids Online, London School of Economics & Political Science, London, UK.

8 United Nations (1989) Convention on the Rights of the Child

THE RIGHT TO DIGITAL LITERACY

To access the knowledge that the internet can deliver, children and young people need to be taught the skills to use, create and critique digital technologies, and given the tools to negotiate changing social norms.

Digital technologies are used to socialise, to work, to play, to communicate, to learn and to explore. In short, they affect every aspect of a young person's life. To be a 21st century citizen means being digitally literate.

Building on every child's right to an education that develops all individuals to their fullest potential, young people should be enabled to engage with the digital world not just as users and consumers but also as makers, confident and skilled enough to create websites, apps, games and other materials.

Equally they should have the chance to learn about the realities of the digital world, with a grasp of the underlying motivations of actors in digital spaces, and the ability to manage new social norms and their own reputation online.

There is a risk of a widening gap between the potential of technology and the reality of young people's ability to use and understand that it deliberately orchestrates certain responses. Bridging that gap requires a big change in how young people are educated and a commensurate change in what adults understand as the components of digital literacy.

It must be right that children and young people learn how to be digital makers as well as intelligent consumers, to critically understand the structures and syntax of the digital world, and to be confident in managing new social norms. To be a 21st century citizen, children and young people need *digital capital*.

Summary

Articulating these 5Rights provides a common framework for the principles by which digital technology should be designed, delivered and consumed. Embedding them into the DNA of the digital world depends on action by all parties: industry, government, parents, teachers and young people themselves.

The 5Rights principles interweave to tackle the multiple issues of digital engagement. We believe that the internet and digital technologies need to be designed, delivered and consumed with the 5Rights framework, and therefore the young, in mind.

As a clear and joined up framework, 5Rights would, if implemented as standard, create a transparent and empowering digital world for children and young people.