Key considerations for keeping children safe online
NSPCC Jersey briefing - February 2025

The NSPCC is the leading children's charity fighting to prevent child abuse in the UK and Channel Islands. We help children who have been abused to rebuild their lives, protect those at risk, and find the best ways of preventing abuse from every happening. To achieve our vision, we:

- create, deliver, and evaluate services for children which are innovative, distinctive and demonstrate how to enhance child protection
- provide advice and support to ensure that every child is listened to
- campaign for changes to legislation, policy, and practice to ensure the best protection for children; and
- inform and educate the public to change attitudes and behaviours.

We work with partners to achieve our aims and invest in evidenced based services working with research partners at all levels of the organisation to ensure that what we deliver works.

Child safety and the online world

The online world plays a huge role in the lives of children and young people in Jersey and across the world. Social media, online gaming, instant messaging platforms and image-sharing services enable children to interact with their peers, develop and pursue interests, and connect with new communities. However, these platforms and services also come with risks, including online abuse, grooming, and exposure to content that is illegal or harmful.[1]

The scale and complexity of online child abuse continues to increase, with data from the UK[2] showing:

- significant rises child abuse imagery online, with more than 100 child sexual abuse image crimes being recorded by police every day in England
- significant rises in online grooming
- concerns about image-sharing by young people and 'sextortion'[3]
- the rise of generative AI and implications for child safety

Every child deserves to be, and to feel, safe online and their rights under the UNCRC must be respected in the digital environment. Governments must therefore take action to protect children online.

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[1] See: Online risks to children: evidence review | NSPCC Learning
[2] For global insight, see: Prevalence estimates and nature of online child sexual exploitation and abuse: a systematic review and meta-analysis - The Lancet Child & Adolescent Health
[3] See: https://learning.nspcc.org.uk/research-resources/2024/young-people-experiences-online-sexual-extortion

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The importance of regulation

In 2023, the UK Parliament passed the Online Safety Act, placing new duties on social media companies to keep children and adults safe online and establishing Ofcom as the independent regulator for online safety. This landmark legislation is extensive and complex, taking over give years from conception to Royal Assent. NSPCC was supportive of the statutory regulation of social media companies. We felt strongly that previous voluntary mechanisms had led to social media companies failing to prioritise child safety.

To inform and assess the efficacy of the UK's online safety regulation, the NSPCC developed Six Tests to judge the Online Safety Act against. These principles set out key considerations for building a regulatory system that can effectively hold online services accountable for protecting children from illegal and harmful content and behaviours. Should Jersey Ministers opt to develop its own system of regulation, they could consider incorporating similar principles into the design of their regime.

- **An expansive, principles-based Duty of Care**: Require platforms to assess and address the risks to children on their site to meet at Duty of Care. This approach is future-proof and places the responsibility on tech services to identify and implement appropriate design solutions to protect users on their sites.
- **Tackling online child abuse**: To effectively tackle online CSEA, services must be held accountable for addressing a range of risks, including proactively identifying CSEA material, collaborating to tackle cross-platform risks, and addressing high-risk design features such as livestreaming private messaging.
- **Tackling legal but harmful content**: Child users should receive protection that is proportionate to the likely harm caused. This will require high protections from content such as that promoting suicide, self-harm and eating disorder, pornographic content, violent material, and targeted and abusive material, amongst others.
- **Transparency and investigation powers**: Strong investigatory and information disclosure powers are crucial for ensuring regulators can make informed decision, spotlight poor practice, and address the current information imbalance between services and regulators, researchers, and civil society.
- **Criminal and financial sanctions**: Comprehensive enforcement powers are crucial to ensuring companies comply with their regulatory duties. Financial sanctions, senior manager liability, and business disruption measures can all help incentivise services to comply.
- **User advocacy arrangements**: There are established user advocacy arrangements in a range of sectors, enabling resourced bodies to champion the needs of users and give them a voice in decision making. It is vital that children's views and experiences inform regulation, and there must be statutory systems in place to deliver this.

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Child abuse is not siloed by country or region, and neither is the online world: online child sexual abuse is a global challenge. At present, the UK, the EU, and many governments across the world are putting in place legislation to protect children from online harm.[4]

The best way to protect children is through globally aligned regulation which puts the responsibility upon tech companies to make children's online safety a priority. International harmony in regulation will help keep all children safer, raise standards globally, and show that we can be ambitious when talking about child safety online.

With the Online Safety Act now in force in the UK, alignment of regulatory requirements, whether via Jersey-specific legislation or other means, would likely offer the best form of online safety protection for children in Jersey.

Beyond regulation

While statutory regulation is a fundamental part of keeping children safe online, it is not the only lever available to Governments. Rather, a holistic framework to online safety, within which regulation sits, is required.[5]

Such frameworks include measures for the tech industry but also consider criminal justice, victim support, educational programmes and child participation. Jersey Ministers should consider what action is needed across different domains of legislation, policy and practice to keep children safe online.

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[4] Global legislation and policy changes keeping children safe online - NWG Network and Global Online Safety Regulators Network - Ofcom

[5] See e.g. *WeProtect Global Alliance* has developed a model national response framework setting out the different domains within which action is required.
Similarly, *5Rights* has published a Child Safety Online Toolkit designed to aid policy makers in the development of legislation and policy to keep children safe online.

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