

From the Executive Director

24 May 2019

Engagement Department
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Dear Ms Denham

Society of Editors response to the ICO's Age Appropriate Design Code consultation

Summary:

The Society of Editors (SoE) is a campaigning body that represents editors in the UK across the broad spectrum of the media, including national and regional print media, broadcast and on-line.

The SoE campaigns on behalf of press freedom, freedom of expression, the public's right to know, diversity in the media and high standards of training within the media.

With regard to the ICO's proposed interpretation of the DCMS's age appropriate design code and standards in this case to the UK's media organisations, the SoE objects strongly to the recommendations.

If implemented as outlined in the draft code, the Society believes the effect would be to severely damage the media industry in the UK, making many news and media on-line offerings simply untenable.

The overall effect of such measures would see, the SoE contends, a huge loss of both audience and revenue, leading to the near collapse of the regional media and severely damaging national print and broadcast organisations.

The SoE cannot see how the age appropriate clauses if implemented can further, protect or even uphold the existence of a free media in the UK, indeed becoming instrumental in destroying much of the media landscape as it currently exists.

The problem:

The age appropriate design code if implemented would require media organisations to ensure their on-line offerings become age appropriate in a way hitherto expected by only those sites specifically targeting children. To undertake such a task and fulfil those requirements would entail publishers and media organisations to either require their audiences provide proof of age limiting them to over-18 readers, or ensure their sites provide age-appropriate settings.

cont

University Centre, Granta Place, Cambridge, CB2 1RU

www.societyofeditors.org

A company limited by guarantee incorporated in England. Registered No. 304 7323. Vat No. 653 5446 28

President
Ian MacGregor

Executive Director
Ian Murray

Board of Directors
Martin Breen
Paul Clarkson
Peter Clifton
Polly Curtis
Oliver Duff
Charles Garside
Ceri Gould
Alison Gow
Jonathan Grun
Donald Martin
Ian Murray
Sue Ryan
Moira Sleight
Fran Unsworth
Caroline Waterston
Sarah Whitehead
Doug Wills
Joy Yates

Past Presidents
Nick Turner
Doug Wills
Ian Murray
Jonathan Grun
Fran Unsworth
Robin Esser
Donald Martin
Nigel Pickover
Simon Bucks
Paul Horrocks
Charles McGhee
Keith Sutton
Neil Benson
Jonathan Grun
Liz Page
Edmund Curran
Neil Fowler
Geoff Elliott

Fellows
Ian Beales
Simon Bucks
Peter Cole
Andrew Colman
Edmund Curran
Geoff Elliott
Robin Esser
Maurice Frankel
Phil Harding
David Meara
Bob Pinker
Peter Preston
Alan Rusbridger
Richard Tait

From the Executive Director

- 2 -

Both of these requirements would prove virtually impossible to apply without either losing the vast majority of visitors unable or unwilling to provide proof of age, or damaging content to the point where it becomes irrelevant.

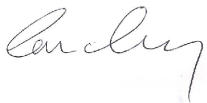
Should the criteria not be met then publishers would face large fines which could put them out of business. If publishers decide age verification is untenable and stop collecting data as a result, then they would face huge loss of advertising revenue when it becomes no longer possible to provide potential advertisers with essential audience measurement.

The whole regime if enacted would mean a watering down of editorial content which it has always been accepted is targeted towards an adult readership, although throughout the news industry this has always been provided in a 'family-friendly' manner and remains the case.

Although news is not targeted specifically at children – those under the age of 18 – there has always been an encouragement that young adults and teenagers do engage with the world through reading newspapers and following news broadcasts. The proposed age-appropriate codes would seem to go against that body of thought, which in itself is strange at a time when there are more and more calls for young people, especially teenagers, to have their voices heard with regard to their future. Here it appears teenagers and young people under the age of 18 are to be treated as too young to be allowed to engage in the world taking shape around them.

All of this is set against a backdrop of a UK media that is already well regulated and where the ICO is not recognised, nor accepts that it should be, as a media regulator. These proposals would seem to fly in the face of that understanding.

As a further backdrop, the SoE is not aware of any incidents or concerns with the wider public and government bodies regarding the effect on children created by the media's on-line publications. In short, this addition to the code would appear to be an unnecessary and overly complicated provision that has the potential to wreck the UK media landscape and undermine press freedom and is at odds with recent steps by the government – including the Cairncross Inquiry – to seek to support the media and its vital role on a local, regional and national level.



Ian Murray
Executive Director

University Centre, Granta Place, Cambridge, CB2 1RU

www.societyofeditors.org

A company limited by guarantee incorporated in England. Registered No. 304 7323. Vat No. 653 5446 28