# Written Submission to the Education and Workforce Committee at New Zealand Parliament's Inquiry into the harm young New Zealanders encounter online, and the roles that Government, business, and society should play in addressing those harms

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## Executive Summary

The harms that children (individuals under the age of 18 years)[1] may experience online are of increasing concern to governments, policymakers, educators, parents, and children around the world. This submission analyzes the risks and harms children can be exposed to in the digital environment and recommends key regulatory and educational approaches for mitigating their impacts, while promoting and upholding children's rights in line with the UN Convention on the Rights of the Child (UNCRC),[2] specifically the General Comment 25 on children's rights in the digital environment (GC25).[3]

Current evidence shows that digital technologies offer significant opportunities for children's learning, connection, civic and cultural participation, and creativity. However, digital technologies can also be used and deployed in ways that expose children to a range of online risks, including privacy violations, predators, bullying, inappropriate content, mis/disinformation, and exploitative commercial practices.[4] Importantly, children's exposure to these risks is not evenly distributed and often correlates with their levels of digital access, skills, and support.[5]

Therefore, effective interventions for addressing potential harm must move beyond blanket age-based restrictions on children's digital technology use. Instead, this submission advocates for evidence-based approaches to the design and regulation of the digital environment, as well as educational initiatives that:

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[1] Article 1, UN Convention on the Rights of the Child

[2] UN Convention on the Rights of the Child (1989), https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

[3] UN Committee on the Rights of the Child, General comment No. 25 (2021) on children's rights in relation to the digital environment, https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation

[4] Digital Forensic Research Lab (2023). *Scaling Trust on the Web: Comprehensive Report of the Task Force for a Trustworthy Future Web*. Atlantic Council. https://www.atlanticcouncil.org/wp-content/uploads/2023/06/scaling-trust-on-the-web_comprehensive-report.pdf

[5] Haddon, L., Cino, D., Doyle, M.-A., Livingstone, S., Mascheroni, G., & Stoilova, M. (2020). Children's and young people's digital skills: A systematic evidence review. https://doi.org/10.5281/zenodo.4274654

1. **Support children's agency and their rights under the UNCRC**
Digital services and platforms should be designed to enable children to make informed choices about their online interactions and experiences, and ensure they are provided with appropriate opportunities to engage and participate in digital life. This includes opportunities to customize their digital spaces, express their thoughts and ideas, and exercise meaningful decision-making online.

2. **Preserve children's right to privacy**
This includes restricting or limiting digital practices that can violate children's privacy, such as targeted advertising, profiling, and nudging; ensuring that children's privacy is a key consideration in the design of digital services and platforms; and requiring that children receive clear, child-appropriate explanations about how their data is processed and how they can protect their privacy online.

3. **Encourage digital literacy**
Children build resilience when they learn to manage online risks. Digital services and platforms must be designed to help children and their parents/caregivers develop digital skills, open communication, and trust.

## Response to Terms of Reference

1. *Understanding the nature, severity, and prevalence of online harms to children in the digital environment*

Digital technologies can be used to target, exploit, and harass children, as well as influence children to engage in violence, bullying, discrimination, and self-harm. Some of these harms will be physical in nature, while others will impact children's psychological wellbeing, reputations, relationships, and autonomy. Indeed, the term *online harms* has been used to refer to a diverse range of activities and experiences in the digital environment, and thus it is essential to clearly articulate what constitutes harm in order to effectively address it. This is critical since some activities designated as online harms are restricted, illegal activities offline, such as hate crimes and terrorism, while others are tied to individual experience and subjective interpretation. For instance, a recent study with 8-year-olds in New Zealand measured their exposure to online harm by asking whether they had encountered anything on the Internet that "worried, bothered, or upset" them.[6]

It can be useful to conceive of harm as the adverse consequences of a risk that has manifested.[7] Children may be exposed to a multitude of risks in the digital environment,

[6] Gath, M., & Swit, C. (2024). Digital media in early childhood: Risk factors for online harm and psychosocial correlates. Frontiers in Developmental Psychology, 2, p. 4. https://doi.org/10.3389/fdpys.2024.1390276
[7] Livingstone, S. (2013). Online risk, harm and vulnerability: Reflections on the evidence base for child Internet safety policy. *ZER: Journal of Communication Studies, 18*(35), Article 35.

which are commonly categorized under the "4Cs risk framework" used by the Organisation for Economic Co-operation and Development and the European Commission.[8,9] The framework includes content, conduct, contact and consumer risks, along with cross-cutting risks such as privacy that cut across all four categories.[10] For example, risks can be related to exposure to potentially harmful *content*, such as pornography or misinformation; engaging in inappropriate *conduct* such as peer-to-peer bullying or harassment; unwanted or negative *contact* intended to victimize, as in sextortion or hate crimes; and unfair *consumer risks*, such as purposefully confusing virtual currency systems designed to obscure or even deceive players about the real cost of in-game purchases.[11]

Risk represents a potentiality for harm, and some risks will engender a higher potentiality for harm than others. Differentiating between these is important because children's exposure to risk online is uneven and influenced by age, stage of development, family circumstances, and other cultural and socioeconomic factors.[12]

At the same time, children's exposure to risk online is correlated with their access to opportunities and the strength of their digital skills. Gaining digital skills is one of the primary ways children can mitigate negative impacts from their exposure to online risk.[13] It is necessary that children are supported to foster the digital skills they need to navigate the online world safely. Importantly, children with high levels of digital skills may be more likely to encounter online risks, but this does not necessarily lead to more experiences of harm.[14]

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[8] OECD (2021). Children in the Digital Environment: Revised Typology of Risks. OECD Digital Economy Papers, January (302). https://www.oecd.org/content/dam/oecd/en/publications/reports/2021/01/children-in-the-digital-environment_9d454872/9b8f222e-en.pdf; see also Livingstone, S., & Stoilova, M. (2021). *The 4Cs: Classifying Online Risk to Children*. CO:RE Short Report Series on Key Topics. CO:RE - Children Online: Research and Evidence. https://doi.org/10.21241/ssoar.71817

[9] European Union. (2025). *Key online safety risks*. https://better-internet-for-kids.europa.eu/en/learning-corners/teachers-and-educators/key-online-safety-risks

[10] Jang, Y., & Ko, B. (2023). Online Safety for Children and Youth under the 4Cs Framework-A Focus on Digital Policies in Australia, Canada, and the UK. *Children, 19*; 10(8):1415. https://doi.org/10.3390/children10081415

[11] Grimes, S.M. (2021). *Digital playgrounds: The hidden politics of children's online play spaces, virtual worlds and connected games*. University of Toronto Press; Beauvais, M., Grimes, S.M., Jayemanne, D., Giddings, S. (2022). Children's Privacy and Video Games: Comments on Commercial Surveillance. *Response to the US Federal Trade Commission's advance notice of proposed rulemaking on commercial surveillance and data security (ANPR R111004)* (Washington, DC). https://doi.org/10.31235/osf.io/sdzua

[12] Livingstone & Stoilova, 2021; El-Asam, A., Lane, R., Pearson, K., & Katz, A. (2023). The 'Glaring Gap': Practitioner experiences of integrating the digital lives of vulnerable young people into practice in England. *Information, Communication & Society, 26*(6), 1122–1142. https://doi.org/10.1080/1369118X.2021.1991976

[13] Vissenberg, J., d'Haenens, L., & Livingstone, S. (2022). Digital Literacy and Online Resilience as Facilitators of Young People's Well-Being? *European Psychologist, 27*(2), 76–85. https://doi.org/10.1027/1016-9040/a000478

[14] Livingstone & Stoilova, 2021; Livingstone, S., Mascheroni, G., & Stoilova, M. (2023). The outcomes of gaining digital skills for young people's lives and wellbeing: A systematic evidence review. *New Media & Society, 25*(5), 1176–1202. https://doi.org/10.1177/14614448211043189

Encountering and managing risk online can have benefits for children.[15] Research shows that children build resilience when they learn to navigate online risks,[16] much like the way they do in the physical environment.[17]

Experts emphasize the value of risk management for children's healthy development.[18] In this literature, risks are defined as challenges and uncertainties within the environment that a child is both able to recognize and manage by choosing her level of engagement with it. A hazard, on the other hand, is a danger in the environment that a child does not have the capacity to recognize or respond to.[19] Play scholars and advocates have called for children's physical play environments to be designed in ways that encourage children to engage in risk management, while being as free as possible from hazards.[20]

How do we support children to build resilience by engaging in healthy risk management online? And how do we design the digital environment to be free from hazards (risks that children cannot easily recognize, respond to, and resist)? Qualitative research conducted with students in years five to eight in New Zealand shows that children have high levels of awareness of many of the risks they encounter online.[21] In particular, study participants demonstrated a strong awareness of bullying, privacy violations, and exposure to explicit or harmful content.[22] This is consistent with findings from the 2021 international consultation with (n = 709) children and young people aged 9 to 22 from 27 countries around the world that informed the drafting of the GC25.[23] In this consultation, children and young people

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[15] Hammond, S. P., Polizzi, G., Duddy, C., Bennett-Grant, Y., & Bartholomew, K. J. (2024). Children's, parents' and educators' understandings and experiences of digital resilience: A systematic review and meta-ethnography. *New Media & Society, 26*(5), 3018–3042. https://doi.org/10.1177/14614448241232065

[16] Sage, M., Randolph, K., Fitch, D., & Sage, T. (2021). Internet Use and Resilience in Adolescents: A Systematic Review. *Research on Social Work Practice, 31*(2), 171–179. https://doi.org/10.1177/1049731520967409

[17] Beaulieu, E., & Beno, S. (2024). Healthy childhood development through outdoor risky play: Navigating the balance with injury prevention. *Paediatrics & Child Health, 29*(4), 255–261. https://doi.org/10.1093/pch/pxae016

[18] Brown, F. (2002). *Playwork: Theory and Practice*. Open University Press; Brussoni, M., Olsen, L. L., Pike, I., & Sleet, D. A. (2012). Risky Play and Children's Safety: Balancing Priorities for Optimal Child Development. *International Journal of Environmental Research and Public Health, 9*(9), 3134–3148. https://doi.org/10.3390/ijerph9093134

[19] Canadian Public Health Association. (2025). Risk, Hazard, and Play: What are Risks and Hazards? https://www.cpha.ca/risk-hazard-and-play-what-are-risks-and-hazards

[20] Sandester, E. (2019). Spaces for risky play and learning risk management. European Commission. https://school-education.ec.europa.eu/en/discover/expert-views/spaces-risky-play-and-learning-risk-management; Brussoni, M., Ishikawa, T., Brunelle, S., & Herrington, S. (2017). Landscapes for play: Effects of an intervention to promote nature-based risky play in early childhood centres. *Journal of Environmental Psychology, 54*, 139–150. https://doi.org/10.1016/j.jenvp.2017.11.001;

[21] Huber-Koizumi, N., & Brown, C. (2024). Youth Digital Wellbeing Research Report. https://www.digitalwaitaha.org.nz/research

[22] Ibid

[23] Third, A., & Moody, L. (2021). *Our rights in the digital world: A report on the children's consultations to inform UNCRC General Comment 25*. 5Rights Foundation. https://5rightsfoundation.com/wp-content/uploads/2024/09/OurRIghtsinaDigitalWorld-FullReport.pdf

voiced their concerns about specific risks online, including privacy threats (both from commercial and institutional entities and parents/caregivers), misinformation, predators, bullying, and inappropriate and violent content.

Participants in the consultation expressed their desires for a safer digital environment, in which they have more opportunities and options for managing risks and more access to support for handling them both from digital service providers and parents/caregivers.[24] For example, participants called for child-appropriate information and transparency regarding data collection practices; help managing misinformation; safety from strangers and predators, especially in the context of geolocation; and greater protections and support for victims of bullying and inappropriate content. Underpinning these concerns and desires was a shared belief that digital participation is a right that children and young people are entitled to.

2. *Designing a safer digital environment for children*

Both regulation and education are needed to fulfil children's needs and desires for a safer digital environment. Interventions for online harm should be evidence-based and acknowledge the variation and context-dependent nature of children's experiences online.

Blanket age restrictions and bans in the digital environment are inconsistent with current research on the impacts of digital technology use on children and young people's health and wellbeing, which shows that outcomes are highly variable and depend on children's individual characteristics, as well as the nature, purpose, and surrounding context of their use.[25] For example, research on parental control systems in digital games and devices shows that they often go unused due to inadequate customization options and lack of relevance to the needs and practices of individual children and their families.[26]

Indeed, the UN Convention on the Rights of the Child confirms that children's skills and stage of development (or evolving capacities as per article 5 UNCRC) are also key factors shaping their online experiences, and thus, numeric age alone is not an adequate indicator of what online experiences are appropriate for a child.

Design interventions for addressing online harms to children should be aligned with the following key aims:

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[24] Ibid.

[25] Odgers, C. L., & Jensen, M. R. (2020). Annual Research Review: Adolescent mental health in the digital age: facts, fears, and future directions. Journal of Child Psychology and Psychiatry, 61(3), 336–348. https://doi.org/10.1111/jcpp.13190; The U.S. Surgeon's General Advisory. (2023). *Social Media and Youth Mental Health*. https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf

[26] Grimes, S.M. & McNair, R. (2025). Parental controls on children's tech devices are out of touch with child's play. The Conversation, July 6. https://theconversation.com/parental-controls-on-childrens-tech-devices-are-out-of-touch-with-childs-play-257874

1. **Support children's agency and rights** in the digital environment through the design of platforms and services that (a) provide broader protections from prominent risks while avoiding arbitrary restrictions to children's participation in digital society and (b) enable meaningful customization of features (such as reporting systems, content filters, and safety settings) that align with children's best interests, developmental needs, and right to be heard.

Recommended resource: Designing for Children's Rights Guide

2. **Preserve children's right to privacy** through regulation that (a) limits or restricts digital practices that can threaten their privacy and best interests, such as targeted advertising, nudging, information filtering, and profiling and (b) ensures that children are provided information about available privacy settings and data processing that is accessible, developmentally appropriate, and concise.

Recommended resource: The UK Information Commissioner's Office Children's Code

3. **Encouraging healthy risk management** online through the design of platforms and services and educational initiatives for children and parents/caregivers that (a) build digital literacies, skills, self-regulation, and critical thinking and (b) prompt open dialogue, trust, and shared strategies for managing risk across all 4Cs.

Recommended resource: The ARC Centre of Excellence for the Digital Child

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