
Report To:	Education & Communities Committee	Date:	08 May 2018
Report By:	Head of Environmental & Public Protection and Head of Inclusive Education, Culture & Communities	Report No:	EDCOM/51/18/HS
Contact Officer:	Hugh Scott Service Manager: Community Learning & Development, Community Safety & Resilience and Sport	Contact No:	01475 715450
Subject:	Our Digital Rights – 5Rights for Children & Young People		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Education and Communities Committee on the “Our Digital Rights” report in relation to how best we can realise the rights of children and young people in the digital world.
- 1.2 To seek approval to take forward the framework and for Community Learning & Development to implement some of the relevant recommendations from the report and become one of the first Local Authorities in Scotland to sign up and endorse the framework.

2.0 SUMMARY

- 2.1 Commissioned by the Cabinet Secretary for Culture, Tourism and External Affairs, the 5Rights Youth Commission was launched in February 2016 by the Scottish Government in partnership with Young Scot and 5Rights. The aim of the commission was to gather insights, ideas and recommendations from across Scotland on “how Scotland can become a nation which realises the rights of children and young people in the digital world”.
- 2.2 5Rights is a UK-wide initiative that is aimed at enabling children and young people to access the digital world creatively, knowledgeably and fearlessly. 5Rights promotes a positive and holistic rights-based approach that looks not only at internet safety but at literacy and empowerment for children and young people under a single framework. Since 2015, Young Scot has been the lead partner for 5Rights in Scotland and has raised awareness about the framework and has encouraged the consideration of young people’s rights as a top priority in the design, provision and consumption of technology.
- 2.3 The key aim of the framework is for all children and young people to become empowered in the digital world with the same rights as they enjoy offline. The 5Rights framework focusses on 5 key areas namely, Right to Remove, Right to Know, Right to Safety and Support, Right to Informed Conscious Use and Right to Digital Literacy.
- 2.4 The framework has suggested a number of recommendations to consider and it is our intention as a local authority to consider these recommendations and phase them in gradually as and when appropriate following consultation and engagement with young people.
- 2.5 The initial proposal would be to consider recommendation 1.5 which calls for “local authorities, schools and youth work services to support young people in influencing our communities

around digital skills, experiences and rights” (See Appendix 1 – Our Digital Rights Report).

- 2.6 The 5Rights Coalition is a broad coalition of organisations and leaders representing every element of civil society, who are committed to creating a digital world that young people can access creatively, knowledgeably and fearlessly. At the time of writing, there are over 150 3rd Sector organisations, private sector firms and businesses signed up as supporters and if approved, Inverclyde Council would become one of first local authorities to endorse the framework.
- 2.7 As 2018 is the National Year of Young People, this report and implementing the recommendations form part of our local action plan for the YoYP and contribute to several key themes for the National YoYP outcomes. Furthermore, they contribute to the upcoming Children’s Rights Report agenda in relation to empowering young people and its links to the UNCRC. The Children’s Rights Report is due to published in 2020.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Committee:

- Notes the content of this report and the associated attachments
- Endorses the framework and agrees for officers to develop an action plan to implement relevant recommendations
- Agrees that Inverclyde Council becomes a “5Rights signatory” joining other organisations to pledge our support for the realisation of children and young people’s rights in the digital world.

Martin McNab
Head of Environment &
Public Protection

Grant McGovern
Head of Inclusive Education,
Culture & Communities

4.0 BACKGROUND

- 4.1 5Rights is a UK-wide Initiative that is aimed at enabling children and young people to access the digital world creatively, knowledgably, and fearlessly. Founded by Baroness Beeban Kidron, a member of the House of Lords, 5Rights promotes a positive and holistic rights-based approach that looks not only at internet safety, but literacy and empowerment for children and young people under a single framework.
- 4.2 Since April 2015, Young Scot (the National Youth Agency for Scotland), has been the lead strategic partner for 5Rights in Scotland. The focus to date has been on raising awareness about the 5Rights framework across Scotland and to encourage the consideration of rights as a top priority in the design, provision and consumption of technology.
- 4.3 Ratified by all eligible states, with the exception of the USA, the UNCRC is the most widely ratifies international human rights treaty in history. All individual states have the responsibility to uphold the 54 articles for children and young people under the age of 18. This framework contextualises these rights for digital technologies, and expresses them in 5 clear and indivisible principles.
- 4.4 In Scotland, a 5Rights Youth Commission was established to gather insights, ideas and recommendations on how Scotland could become a nation which realises the rights of children and young people in the digital world. Children and young people from across Scotland, aged 14-21 and from 12 different Local Authority areas, joined forces to create the Youth Commission and contributed significantly to the report that is attached to this paper. They examined evidence with industry experts, attended conferences and events, took part in debates and consulted with their peers from across Scotland.
- 4.5 The report outlines the 5Rights Framework for children and young people namely – Right to Remove, Right to Know, Right to Safety and Support, Right to Informed and Conscious Use and Right to Digital Literacy. It also details a list of recommendations for Government (National and Local), Schools, Youth Workers, Education and Businesses.
- 4.6 Inverclyde Community Learning & Development Youth Work Services are keen to support children and young people to implement relevant recommendations where appropriate. There are a number of recommendations directed at young people and youth workers and following approval, we hope to develop a plan to implement relevant recommendations locally to support the implementation of the framework. Furthermore, if approved, Inverclyde Council would become a “5Rights signatory” joining other organisations to pledge our support for the realisation of children and young people’s rights in the digital world.

5.0 IMPLICATIONS

5.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments
N/A					

Legal

5.2 None.

Human Resources

5.3 None.

Equalities

5.4 None.

Repopulation

5.5 None.

6.0 CONSULTATIONS

6.1 Consultations have taken place with the Children's Rights Officer and ICT.

7.0 BACKGROUND PAPERS

7.1 5Rights Our Digital Reports Report to Scottish Government May 2017.

The 5Rights Youth Commission's Final Report to the Scottish Government May 2017

Our *Digital* Rights

How Scotland can realise the rights of children and young people in the digital world





Contents

Foreword	4
Meet the 5Rights Youth Commission	5
Introduction	6
The 5Rights Framework	10
Recommendation Summary	12
Overview of Activity	18
Rights and Responsibilities	20
Barriers Identified	22
Recommendations	26
Next Steps	36
National Peer Survey	37
Acknowledgements	39

Foreword

FOREWORD FROM THE SCOTTISH GOVERNMENT



Mark McDonald
Minister for Childcare
and Early Years



Fiona Hyslop,
Cabinet Secretary for Culture,
Tourism and External Affairs

We would like to thank the Youth Commissioners for their dedication and hard work to produce this insightful and timely report. We have been delighted to receive so many enthusiastic and innovative contributions from the Youth Commissioners on how Scotland can become a nation which truly realises the digital rights of children and young people.

In our National Action Plan on Internet Safety for Children and Young People we set out a number of actions for the Scottish Government and partners. Priorities include promoting children and young people's rights and responsibilities in the online world. This report marks the beginning of that journey.

The report acknowledges the importance of the issues faced by today's digital society and we will work with our partners to use the upcoming Year of Young People as a platform to promote 5Rights. All sectors now need to work together to embed the 5Rights principles into the DNA of our digital world to ensure people are safe, well informed, and equipped to shape and create the democracy of tomorrow.

FOREWORD FROM FIVERIGHTS FOUNDER



Baroness Beeban Kidron
OBE

As the founder of 5Rights I was invited to the launch of the Young Scot Youth Commission, where the Commissioners set out their ambitious program "to secure Scotland as the first country in the world committed to delivering the established rights of children on and offline equally" - it was a touching and inspiring moment.

The Commissioners have used the last year to learn, to challenge, and to come up with a set of clear and bold recommendations. It is very articulate and makes a powerful argument for co-creating policy with young people. I admire the Scottish Government for supporting the Commission and I hope it is brave enough to adopt their recommendations, it would be a powerful call to arms for other nations to tackle the clear need of children and young people to have a single set of rights and societal rules that flow seamlessly on and offline. The Commissioners "hope for a rights-respecting digital world" - they should not have to 'hope' - it is their right and our duty.

I want to take this opportunity to thank each of the Commissioners for their extraordinary work and all at Young Scot who facilitated it. All of us at 5Rights are proud to be associated with this report.

Meet the 5Rights Youth Commission



Jonas Black, 16, East Renfrewshire

'Without young people enjoying these rights they have no ability to get the very most out of the internet on which we all depend.'



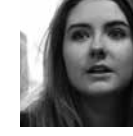
Miranda Cook, 18, Fife

'It's imperative that [young people] are listened to before our lack of representation comes back to haunt us in the form of insufficient protection of our online rights.'



Dan Dickson, 17, Edinburgh

'I have and will always see our digital world as a place for connection and community, this project has strengthened that.'



Rachael Ford, 17, South Lanarkshire

'I imagine that the digital world in the 22nd century will be advanced, brilliant and safe for all children to use effectively and creatively.'



Saul Forrester, 15, Fife

'Most [adults portray the online world] as a big, bad and scary place, where everyone is a bad person - when honestly you can meet some amazing people.'



Ruairaidh Galbraith, 15, Na h-Eileanan Siar

'I feel the work we have done has been very progressive in improving people's experiences in the digital world.'



Aneesah Javed, 22, Dundee

'As a future primary teacher, I would love the opportunity to make the digital space more accessible, safe and engaging for children and young people.'



Jade 'Dev' Kornish, 16, Glasgow

'The digital world is so important to this generation and future generations which is why 5Rights is essential.'



Emma McFarlane, 17, North Lanarkshire

'Participating in this project has helped me come out of my comfort zone and participate in activities such as public speaking.'



Rory McLaren, 16, Fife

'I believe that when young people collate all their ideas, something amazing can happen.'



Raysa Momboka, 23, Glasgow

'As a deaf young person digital rights are really important to me; I use digital methods of communication a lot in my daily life.'



Ibrahim Naizam, 17, East Renfrewshire

'My view on the digital world has changed and I am now more aware of what I'm agreeing to and how companies use my data.'



Tristan Nunn, 17, Stirling

'A chance to have the opinions of people my age broadcasted through places other than social media.'



Louise Sloan, 20, East Ayrshire

'It's great to use our mind and explore our imagination to create something new, something better and strong for young people.'



Olivia Stobart, 16, Edinburgh

'I think it is great that there is an opportunity for young people to make a difference to the lives of so many other young Scots.'



Jude Thomas, 17, Fife

'5Rights has been a great chance for me to actually do something about the inequality that I had seen online.'



Rowan Watkins, 16, Argyll and Bute

'I think it is important that the views of young people like me are heard when rules and decisions are made which affect the way young people like me live our lives.'



Isla Whateley, 20, Edinburgh

'I wanted to make a real change to the lives of children and young people in today's digital world.'



Bethany Wilson, 16, Aberdeenshire

'Joining the youth commission has made me feel more empowered to make a difference to the life experiences of my generation.'

Introduction

The rights of children and young people are already embedded in different international treaties and within the existing laws of many countries. Most notably they are enshrined in the United Nations Convention on the Rights of the Child (UNCRC). Having ratified to the convention since 1990, our governments in Scotland and the UK are accountable for its realisation in our lives. The world around us might change and advance at an incredible pace, but our values and principles stay, and the protection of our rights remains as crucial as ever.



This report is a culmination of our exploration in how Scotland can realise our rights as young people in the digital world, through the gathering of broad and diverse evidence from a wide range of experts and sources, innovative creation of ideas, and careful reflection on the impact of our solutions. During the course of our investigation, we deepened our understanding around digital issues, widened our knowledge around how our rights can be recognised, and had our own beliefs and perceptions about the digital world challenged. We hope that this report shows the wealth of sources that have influenced our thinking, and the passion and hopes we have for a rights-respecting digital world.

The common theme that has emerged, is the need to stop looking at the digital and analogue world in different lights. This is why we have called our report '**Our Digital Rights**', with the word 'digital' scored out. The offline and online worlds are two equal and intertwined aspects of our lives. Our rights are still our rights whether we are on social media or out on the streets; we are still young people that need support and empowerment whether we are on our smartphone or in the classroom. We learnt during our investigation that, for us to understand the world around us, our digital literacy is very much part of our general literacy. Building cyber resilience, is very much part of building our resilience against all risks. Our digital life is really just our life – and our digital rights are not digital at all, they are simply our existing rights as young people.



Rights and responsibilities go hand in hand, and the rights of children and young people are the responsibilities of everyone – including ourselves as young people. We should take the lead in making sure our rights are realised, but we also need actions from our parents, carers, schools, youth workers, industry, and government. It is not a young person's sole fault that they have had negative experiences online, and adequate support for us does not come only from home or school. We see this as our starting point for a rights-respecting digital world, and we hope that our recommendations can inspire you to take steps into realising our rights in your own work and capacity, and share this responsibility with us in creating a digital world that upholds our rights as its priority.

Our digital life is really just our life – and our digital rights are not digital at all, they are simply our existing rights as young people.

5RIGHTS AND THE UNCRC

5Rights is a UK-wide initiative that is aimed at enabling children and young people to access the digital world creatively, knowledgeably, and fearlessly. Founded by Baroness Beeban Kidron, a member of the House of Lords, 5Rights promotes a positive and holistic rights-based approach that looks not only at internet safety, but literacy and empowerment for children and young people under a single framework. Since April 2015, Young Scot has been the lead strategic partner for 5Rights in Scotland. The focus has been to raise awareness about the 5Rights framework across Scotland, and to encourage the consideration of our rights as top priority in the design, provision and consumption of technology.

Ratified by all eligible states, with the exception of the United States of America, the UNCRC is the most widely ratified international human rights treaty in history. All individual states have the responsibility to uphold all 54 articles for their under-18 citizens. The 5Rights framework contextualises these rights for digital technologies, and expresses them in five clear and indivisible principles.

PROJECT BACKGROUND

Commissioned by the Cabinet Secretary for Culture, Tourism and External Affairs, Fiona Hyslop MSP, the 5Rights Youth Commission was launched in February 2016 by Aileen Campbell MSP on behalf of the Scottish Government - in partnership with Young Scot and 5Rights - to gather insights, ideas and recommendations from all across Scotland, on 'how Scotland can become a nation which realises the rights of children and young people in the digital world'.

As a group that represents the views of young people in Scotland, the 5Rights Youth Commission is truly diverse. It is made up of 19 young people aged 14 to 21, from across 12 different local authority areas in Scotland - covering areas from the central belt to Aberdeenshire, Argyll and Bute, and Na h-Eileanan Siar. We also have a wide diversity of backgrounds, experiences and abilities. While we all have a different take on the digital world, together we are devoted to making sure all children and young people are empowered in the digital world by the same rights that we already enjoy offline.

With over 2000 collective volunteer hours committed to the project, we have looked worldwide for evidence and insights about our digital world - from examining evidence with industry experts, to attending conferences, exhibitions, debates, and speaking to other young people.



10 //



The 5Rights Framework

RIGHT TO REMOVE

UNCRC Article 16 (right to privacy); Article 12 (respect for the views of the child)

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

'Sometimes I regret what I post online and wish there was some easy way to make it disappear ¹.'

RIGHT TO KNOW

UNCRC Article 16 (right to privacy); Article 17 (access to information from the media)

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.

'We should know who is holding and profiting from our information ¹.'

RIGHT TO SAFETY AND SUPPORT

UNCRC Article 3 (best interests of the child); Article 19 (protection from violence); Article 24 (health and health services)

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.

'There is too much emphasis on what is illegal and not enough about what is unpleasant or distressing ¹.'

RIGHT TO INFORMED AND CONSCIOUS USE

UNCRC Article 13 (freedom of expression); Article 15 (freedom of association); Article 36 (protection from exploitation)

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.

'Unless we understand the technologies we use daily we can't control how they make us behave ¹.'

RIGHT TO DIGITAL LITERACY

UNCRC Article 28 (right to education); Article 29 (goals of education); Article 42 (knowledge of rights)

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.

'We need to be taught the skills to use digital technologies effectively ¹.'

¹Definitions and quotes from young people taken from the 5Rights Framework website. <http://5rightsframework.com/the-5-rights/5rights-by-young-people.html>

12 //

Recommendation Summary



Throughout the investigation, it became increasingly apparent to us that the digital world is highly complex. There are many layers of operations that are constantly changing with the advancement of technology, but are never transparent to users. It is also a place where different people have very different expectations, perspectives and views on its operations, and find it difficult to agree on how to move forward ethically. Ultimately, the fundamental issue remains that the Internet was never designed to be used by young people from the very beginning. 'We are however confident that it is never too late to respond and rectify, and we encourage everyone – industry, public services, third sector organisations, parents and carers, schools, educators and youth workers, children and young people – to take on the shared responsibility of realising our rights in the digital world.

We want everyone to see beyond the divide between online and offline, and rethink and redesign the participation, provision and protection of young people in the digital world - starting from the rights that we are already promised. It is a shared responsibility and a shared outcome that benefits not only young people; we envision a world where parents, carers and families across different generations are confident with technology, and can build trusting and open relationships with their young person around their digital use. We want schools, teachers and youth workers to feel empowered around up-to-date technology, and see relevance between what they are teaching and the evolving world that we inhabit. We also want organisations, especially those in the technology industry, to be knowledgeable of young people's rights, and feel powerful in supporting us to exercise them.



From what we have seen and heard in our evidence sessions with experts, industry conferences, and from young people across Scotland, there is still much to be done in raising awareness around our rights. As much as we have been central to the direction and delivery of this 12 month investigation, we hope that young people's views and ideas continue to be central to the implementation of our recommendations, and together create a digital world to which we are empowered to access creatively, knowledgeably, and fearlessly.

We want schools, teachers and youth workers to feel empowered around up-to-date technology, and see relevance between what they are teaching and the evolving world that we inhabit.

Theme 1: Perceptions and understanding around young people's rights and digital experiences

1.1 We call for integrated tools within digital services and platforms that can empower young people. Particularly to support self-managed usage and promote wellbeing.

RIGHT TO INFORMED & CONSCIOUS USE

UNCRC Art. 3 (best interests of the child), Art. 24 (right to health and health services), Art. 36 (protection from exploitation)

BUSINESSES

1.2 We call for a dedicated Young Digital Champions programme to peer educate on digital literacy and citizenship.

RIGHT TO SAFETY & SUPPORT

UNCRC Art. 3 (best interests of the child), Art. 12 (respect for the views of the child), Art. 13 (freedom of expression), Art. 15 (freedom of association), Art. 19 (protection from violence), Art. 36 (protection from exploitation)

YOUNG PEOPLE

1.3 We call for the incorporation of 5Rights into the UNICEF Rights Respecting Schools Award.

ALL 5RIGHTS

UNCRC Art. 3 (best interests of the child), Art. 4 (protection of rights), Art. 42 (knowledge of rights)

SCHOOLS, EDUCATORS AND YOUTH WORKERS

1.4 We call for the establishment of a Digital Rights Respecting Businesses Award.

ALL 5RIGHTS

UNCRC Art. 3 (best interests of the child), Art. 4 (protection of rights), Art. 42 (knowledge of rights)

BUSINESSES

1.5 We call for local authorities, schools and youth work services to support young people in influencing our communities around digital skills, experiences and rights.

ALL 5RIGHTS

UNCRC Art. 15 (freedom of association), Art. 18 (parental responsibilities), Art. 28 (right to education), Art. 29 (goals of education), Art. 42 (knowledge of rights)

YOUNG PEOPLE, PARENTS & CARERS

1.6 We call for the co-production of rights-based resources for parents and carers about how they can support and empower us in the digital world at different ages.

ALL 5RIGHTS

UNCRC Art. 3 (best interests of the child), Art. 4 (protection of rights), Art. 18 (parental responsibilities), Art. 42 (knowledge of rights)

YOUNG PEOPLE, PARENTS & CARERS

1.7 We want Scotland to be a world leader in engaging with young people in all decision-making processes about the digital world. We believe that it should be a condition to business investments, funding, and grants.

ALL 5RIGHTS

UNCRC Art. 3 (best interests of the child), Art. 4 (protection of rights), Art. 12 (respect for the views of the child)

BUSINESSES, GOVERNMENT



Theme 2: Inequality in the Digital World

2.1 We call for the Scottish Government and local authorities to prioritise technology school, library and youth work spending, and to relax content filters and firewalls.

RIGHT TO INFORMED & CONSCIOUS USE

RIGHT TO DIGITAL LITERACY

UNCRC Art. 4 (protection of rights), Art. 17 (right to access information), Art. 27 (right to adequate standard of living), Art. 29 (goals of education), Art. 31 (right to leisure)

GOVERNMENT, SCHOOLS, EDUCATION AND YOUTH WORKERS

2.2 We call for greater internet access in rural areas of Scotland.

ALL 5RIGHTS

UNCRC Art. 12 (respect for the views of the child), Art. 17 (right to access information), Art. 27 (right to adequate standard of living)

GOVERNMENT, BUSINESSES

2.3 We call for free WiFi in public and outdoor spaces across Scotland which also complies with our recommendations around data (3.1 and 3.2).

ALL 5RIGHTS

UNCRC Art. 12 (respect for the views of the child), Art. 17 (right to access information), Art. 27 (right to adequate standard of living)

GOVERNMENT, BUSINESSES

Theme 3: Data collection and commercial use

3.1 We call for all private, public or third sector organisations to establish and follow an agreed set of writing guidelines for Terms & Conditions and Privacy Policies.

RIGHT TO KNOW

UNCRC Art. 2 (right to non-discrimination), Art. 17 (right to access information), Art. 23 (right of children with disabilities), Art. 36 (protection from exploitation)

GOVERNMENT, BUSINESSES

3.2 We want to limit the unnecessary collection and use of young people's data, and be offered options to opt-in and customise our consent.

RIGHT TO KNOW

UNCRC Art. 3 (best interests of the child), Art. 12 (respect for the views of the child), Art. 16 (right to privacy), Art. 36 (protection from exploitation)

GOVERNMENT, BUSINESSES



Theme 4: Quality of education and support in Schools and Youth Work

4.1 We call for future curriculum reviews in all subject areas to be co-designed with young people, and also with the industry.

RIGHT TO DIGITAL LITERACY

UNCRC Art. 3 (best interests of the child), Art. 4 (protection of rights), Art. 12 (respect for the views of the child), Art. 29 (goals of education)

YOUNG PEOPLE, SCHOOLS, EDUCATORS
& YOUTH WORKERS, GOVERNMENT

4.2 We call for digital literacy to be integrated in all subject areas, and for it to link with career advice and wellbeing.

RIGHT TO DIGITAL LITERACY

UNCRC Art. 3 (best interests of the child), Art. 29 (goals of education)

SCHOOLS, EDUCATORS AND YOUTH WORKERS,
GOVERNMENT

4.3 We want to see closer links between industry and education, to provide young people with better context for their learning and to mentor educators around technology and rights.

RIGHT TO DIGITAL LITERACY

UNCRC Art. 29 (goals of education)

BUSINESSES, SCHOOLS, EDUCATORS AND
YOUTH WORKERS, GOVERNMENT

4.4 We want to see the initiatives that encourage girls in tech to be more integrated into the core school curriculum and environment.

RIGHT TO DIGITAL LITERACY

UNCRC Art. 3 (best interests of the child), Art. 29 (goals of education)

SCHOOLS, EDUCATORS AND YOUTH WORKERS,
GOVERNMENT

Theme 5: Cyber Resilience

5.1 We call for a centralised point online for young people to review their digital footprints – using the data that we have already shared constructively and positively.

RIGHT TO REMOVE

UNCRC Art. 16 (right to privacy)

BUSINESSES

5.2 We call for the use of the Young Scot National Entitlement Card as a secure way of age verification in the digital world.

RIGHT TO SAFETY & SUPPORT

UNCRC Art. 1 (definition of the child), Art. 17 (access to information from the media)

GOVERNMENT

5.3 We want to see a more inclusive definition of 'cyber resilience', and better education and awareness raising.

RIGHT TO SAFETY & SUPPORT

UNCRC Art. 19 (protection from violence), Art. 29 (goals of education)

SCHOOLS, EDUCATORS AND YOUTH WORKERS,
GOVERNMENT

5.4 We would like to see clearer definitions of cybercrime and reportable offences online, and support for harms that are not illegal.

RIGHT TO SAFETY & SUPPORT

UNCRC Art. 19 (protection from violence), Art. 29 (goals of education)

SCHOOLS, EDUCATORS AND YOUTH WORKERS,
GOVERNMENT

Full details of all recommendations can be seen on page 26.

Overview of Activity

Our work within the 5Rights Youth Commission was supported by Young Scot's innovative co-design methodology, which involves young people systematically co-creating, co-producing, co-designing and co-delivering solutions. Young people are involved much earlier in the decision making process through a highly participative approach, developing informed insights, ideas, recommendations and solutions for policy and practice.

The Young Scot co-design process enables young people and organisations to explore insights and experiences, and develop ideas together.

EXPLORE

February 2016 – August 2016 (with revisits to this stage when gaps in information were identified)

We focused on building our knowledge about the digital world and its deeper issues through gathering and questioning evidence from young people and industry experts. We also challenged our own perceptions and assumptions about the digital world, by immersing ourselves in the research.

Specific activities include:

- ▶ National peer survey
- ▶ Informal conversations with peers, family, friends and local community
- ▶ Scoping media activity on young people's interaction's and the digital world
- ▶ Focus group activities with young people across 10 regions in Scotland, as part of the Discovering Digital World Roadshow

- ▶ Presenting and attending the Scottish Learning Festival – gathering insights and experiences from audience and exhibitors
- ▶ Attending the Dare to be Digital Festival – interviewing and gathering evidence from game developers
- ▶ Evidence sessions with experts and professionals in cyber security, education, disability services, digital cultures, mental health, online advertising, children's rights, addiction, and digital literacy initiatives
- ▶ Interviewing and visiting headquarters of tech giants including Twitter, Facebook and Google
- ▶ Action learning by participating in a series of hackathon events to create digital solutions for social causes – to understand the process of digital product development
- ▶ Action learning by participating in a workshop on ethical hacking
- ▶ Attending debates at the Just Festival on freedom of speech and loneliness in modern society
- ▶ Attending the Edinburgh Digital Entertainment Festival to gain insights of and experience the latest technological trends

- ▶ Attending the Scotsoft Developers Conference to gain insights in the workings and trends of the industry
- ▶ Attending the Social Media and Mental Health event hosted by Twitter
- ▶ Compiling research and statistics on the current landscape of the digital world for young people

CREATING

August 2016 – October 2016

Using what we learned in the Explore stage, we identified the current barriers for our rights in the digital world. This stage was all about generating innovative solutions to tackle these barriers.

Specific activities included:

- ▶ Considering motives of different users, influencers and contributors in the digital world
- ▶ Defining the responsibility of each influencer to uphold each of the 5Rights, through profiling and using the ISM tool² to consider their influences
- ▶ Creating innovative solutions through storyboarding and role playing

REFLECTING & SHARING

November 2016 – January 2017

In a process that alternated between reflecting and creating, we evaluated and refined our ideas on their future impact and sustainability. Through opportunities to share our work, we also encouraged our recommendations and ideas to be challenged.

Specific activities included:

- ▶ Building a vision of the ideal rights-respecting digital world for young people through scenario exercises
- ▶ Submitting evidence to the House of Lords' enquiry on Children and the Internet
- ▶ Feeding into the Scottish Government's Action Plan on Internet Safety for Children and Young People
- ▶ Contributing to the curriculum review process by Education Scotland on the new experiences and outcomes for Technologies

² <http://www.gov.scot/Publications/2013/06/8511>

- ▶ Presenting findings and progress to Baroness Beeban Kidron in the House of Lords
- ▶ Participating in the planning and delivery of the Scottish Leaders Forum event around digital
- ▶ Presenting at the Youthlink Members Network and Digital Youth Network
- ▶ Presenting at events under the Digital Champions Development Programme by the Scottish Government, engaging with public service leaders

RECOMMENDING

February 2017 – March 2017

In this final stage we produced influential solutions, and disseminated our findings through delivering a robust report.

Specific activities included:

- ▶ Creating the final written report on recommendations and findings



20 //

Rights and Responsibilities

The realisation of young people's rights relies on the commitment and concerted efforts by everyone. We all have a vital role to play.

YOUNG PEOPLE

Young people are sometimes called 'Digital Natives' because we have grown up in the digital age, but it is a term imposed on us by adults. This doesn't necessarily mean we automatically acquire all of the skills required to navigate the digital world. This is why young people must be fully engaged in all learning opportunities. We must be curious, and open to knowledge and new ideas.

By being good listeners, who can express our ideas, feelings and thoughts confidently and openly, we can also provide greater support for each other. It is vital that we have respect for others and a great understanding and compassion for others' experiences in the digital world. We also have to accept responsibility for the mistakes and misconducts that we knowingly commit.

Technology can be addictive - many games and apps have features that constantly attract and keep our attention. It can be difficult to withdraw. We must also be self-aware and be able to recognise when we should disengage.

We hope that young people know what our rights are and how to exercise those rights. We also hope that we are aware how we can control our data and the consequences of our actions online.

THE SCOTTISH GOVERNMENT

We see the responsibilities of our government lie in policymaking, and the public awareness of young people's rights across Scotland and wider afield.

Our government should take on a rights-based approach across all policies and public services - including education, learning and the school curriculum. Regulations and policies around cyber should also centre on quality and accessible support for those who seek it.

It is vital that the government uses their influence throughout Scotland, and on the private and third sector, to inspire the same rights-based approach in all behaviours, products and services that have young people as their intended or unintended users or stakeholders. Increasing the public awareness around the general rights of children and young people, is also something that is needed to make sure our rights are respected in Scotland - regardless of the context.

In informing policies, the government has the responsibility to hear directly from young people - rather than merely via those who work with young people, such as our teachers or youth workers. It is important that policy changes reflect our actual experiences and needs, rather than the assumptions of the adults around us.

THE UK GOVERNMENT

The responsibilities of the UK government are similar to those for the Scottish Government, namely in taking on a young people's rights-based approach to policymaking, and in raising awareness to the wider public. Our rights should be centre to the consideration and deliberation around issues such as data protection and surveillance. The UK governments should also use their cross-sector and global influence, to promote 'young people's rights by design'.

SCHOOLS, EDUCATORS AND YOUTH WORKERS

Schools, educators and youth workers play a fundamental role in realising young people's rights in the digital world - this applies not only to those who teach Computing Science. Because technology is becoming more increasingly used across every subject, it is essential that we can be equipped with the appropriate and up-to-date tools.

We recognise the schools, youth work services and other informal learning settings face many challenges in terms of technology - often restricted by resources, for example - but the right of young people to a full education, including about the digital world, should not be compromised. Digital literacy is very much a part of general literacy, with as high a priority as English and Maths. The quality of the teaching should reflect this. Above all, it is vital that teaching and support staff are knowledgeable about the digital world, and feel confident to help and support young people. Within informal learning, this equal status of digital and general literacy should also be upheld, and support for young people should always start from the consideration of our rights.

Digital literacy is very much a part of general literacy, with as high a priority as English and Maths. The quality of the teaching should reflect this.

BUSINESSES

Regardless of the type of product or services you might be providing, we encourage all companies to take on a rights-based approach to their design - setting the standard for their industry and leading by example.

While we understand that profit has to be made somewhere, and that competition with other companies can be a huge factor, we believe that businesses should be primarily driven by ethics, and the pursuit of building healthier relationships with their customers - which can in turn create a larger user base. By being transparent about their practices, and explaining them in simpler terms, customers can be more confident about what they are signing up to.

Companies should also be keen to seek customers' feedback and respond promptly to data deletion requests. After all we all have the right to remove and withdraw. We understand that this is not always possible, but if companies can be more transparent and give meaningful reasons for such decisions, this can help to create a healthy, trusting relationship between the companies and their customers.

PARENTS AND CARERS

Parents and carers provide the primary care for young people, and play a key role in supporting and encouraging their child to stay safe - helping them when necessary and directing them to more appropriate help when required.

Parents and carers also have the ability to inspire young people. Not only around behaviours based on what they are currently doing themselves, but also a forward-looking attitude in adapting and developing in the constantly changing digital world. They should encourage young people to interact with new technology, whether within or outwith the home environment. Where they might not be familiar with the new technology themselves, parents and carers should have the confidence to talk to us with open mind and trust - to inspire us and be inspired by us.

It is paramount that parents and carers understand and respect the rights of their child in their own behaviours, and are able to support their child to get to know and exercise their rights - be it offline or online.

Barriers Identified

Throughout the 12-month investigation, we have identified the following barriers in five main areas:

Theme 1:

Young people's rights and digital experiences

This area deals with society's knowledge of young people's rights (UNCRC), their importance and the need for them to be upheld. It also deals with how our experiences in the digital world are perceived.

BARRIER 1

Young people can be seen as easy targets by corporations – and are sometimes treated as such.

Young people, with our maturity still developing, can be particularly vulnerable. We are susceptible to peer pressure, and we can be innocent or naive when it comes to understanding the consequences of ulterior motives of others. Many things we come across in the digital world are not what they seem. For example, the data that we sign away to companies is really to generate income via advertising for the service provider.

Addictive games have been designed to retain our attention. Our survey revealed that 51% of young people found it difficult to live without their tech, with 41% of young people who have less than eight hours of sleep at night saying their device affects their sleep. We recognise that revenue has to be generated from somewhere, but it shouldn't be at the expense of our vulnerabilities or developing knowledge.

BARRIER 2

Peer pressure, especially around social media use.

Young people are under pressure to keep up with our friends online, participate and stay constantly engaged on social media and messaging. This can feel like social media controls us and we can't log off if we want to, in case we might miss something, or people might get worried because we're not online. This is affecting our wellbeing – 41% of young people answering our survey said their device(s) affected their sleep, and our education – according to NASUWT 46% of teachers say young people are distracted in class because of devices. Other pressures include body image issues, impact on mental health, pressure to achieve lifestyle perfection, pressure to consume or share inappropriate content, or pressure to bully or target others.

BARRIER 3

Lack of awareness about young people's rights in the digital world.

Children and young people's rights are protected by the UNCRC online and offline. The problem is young people and the adults in our lives don't know about our rights and how they apply, especially in the digital world. 41% of young people who took our 5Rights survey said they didn't know whether our rights were protected online. According to the Make Our Rights Reality report by Just Rights in 2014, 65% of British young people believed that the government doesn't want us to know about our rights and entitlements, as it allows the burden on the government to be reduced. This makes us feel like things are being hidden from us on and offline. If we don't know what we're entitled to, what can we do when things go wrong?



BARRIER 4

Lack of understanding about young people's experiences online. This makes it hard to seek support.

This barrier is particularly relevant to the primary supporters of young people. The lack of understanding and misinterpretation of the digital world can stop us from sharing our experiences about the online world as the adults around us may blame us for using digital media in the first place, or they misunderstand it altogether.

Example headlines:

- ▶ 'I couldn't save my child from being killed by an online predator' – The Guardian
- ▶ 'One in three children send naked selfies online because parents let them 'roam free' on the internet' – The Telegraph
- ▶ 'Partygoers Snapchatted sex attack on teen in Stirling' – Daily Mail

Much of teachers', youth workers', parents' and carers' perceptions of the digital world are based on the headlines and stereotypes described by the media. With often negative stories and extreme cases reported, it comes with little surprise that the adults who provide us with support might have some very negative perceptions towards the digital world to begin with, which might undermine our actual experiences and feelings.

Theme 2: Inequality in the Digital World

Many kinds of inequalities exist in our world, which inhibit the recognition of our rights as young people. In the digital context some of these inequalities are extensions of the ones from the analogue world, others are new challenges that call for new ways of tackling them.

BARRIER 1

Access to technology is not always equal for all young people – content restrictions, financial restrictions, disability.

Not all young people have the same access to the internet, this can be due to a variety of factors – for example, disability and accessibility, income, parental restrictions.

This can lead to young people being or feeling disadvantaged as we are not getting the same digital experience as our peers, missing out on opportunities and socialisation with friends and communities. This disproportionately affects people with disabilities in Britain, 25% have never used the internet, compared to 10.2% of the population in total (National Statistics 2016). However, statistics relating to Scotland are difficult to find, and we believe there is an opportunity for more research into this.

Our survey has shown that 59% of parents and carers have at some point tried to limit the amount of time young people spend online while 38% have limited the platforms/websites young people access. Without proper access to the internet young people's right to engage in the digital world isn't met and affects their access to opportunities and resources.



Theme 3: Data collection and commercial use

Data is the currency of the digital world. It is the focus of our right to know, which states that we have the right to know who has our data, what it is being used for and whether it is shared by others through copying, selling or trading.

BARRIER 1

Terms & Conditions are designed to discourage you from reading or understanding its terms.

From the evidence we gathered across 10 regions in Scotland during the Discovering Digital World Roadshow, we are not surprised to find that 83% of them have confessed to lying about having read the terms and conditions before signing up to a service online. Terms and conditions are often long, and packed full of legal jargons that don't mean much to most adults- let alone young people. 75% of whom answered our survey said they would read the terms and conditions, if only they were shorter and easier to read.

After all, these are formal agreements between the user and the service providers. How are we supposed to understand its consequences, when it's not clear to us what we have signed up for in the first place?



BARRIER 2

The issues around data are highly complex. Young people can feel a lack of overall control of their personal data, but are at risk of being excluded in the digital world if they do not consent to its collection or use.

In a world where it is free to use social media, free to access information, and free to consume media content - the data we sign away or leave behind becomes currency. With 96% of 13 to 18-year-olds and 78% of those under 13 in Britain on at least one social media network³, young people as a demographic are sharing a shocking amount of their data online. Our phone is constantly communicating our physical location, with cookies and online trackers following our digital locations. There's huge profit to be made in sharing this data for advertisement - an industry that is expected to be worth more than \$187 billion by 2019⁴.

While 67% of young people who responded to our survey felt they knew what their information and data could be used for, 55% of them expressed their concern about it. The big tech companies that we have spoken to (Twitter, Facebook, Google) told us they take our safety very seriously, but our right to privacy and meaningful control over the voluntary and involuntary sharing of our data must also be considered.

Personal data protection is not a mandatory part of the curriculum, despite the fact it affects all of us. Even though the Scottish Government is considering cyber resilience a priority through the Cyber Resilience Strategy, and education has been highlighted as a key priority within the Strategy, we feel that there could be more focus around the specific needs and experiences of young people. Lack of tailored provision paired with our lack of understanding of terms and conditions, means there is little to inform young people about what our data is being used for. This proposes risk to young people's safety and privacy.

Data that is currently accessible to our service provider is also accessible to the government. The Investigatory Powers Act forces internet service providers to store our browser history and identities of those we have communicated with, for up to a year. In the context of young peoples' rights, the UNCRC states that every young person has the right to privacy (Article 16). Although we recognise that the government's motivation is to protect young people. Any surveillance tactics should take our right into consideration while also accounting for our developing maturity.

³ <http://www.bbc.co.uk/news/education-35524429>
⁴ <http://www.zdnet.com/article/big-data-analytics-expected-to-be-187-billion-market-in-2019/>

Theme 4: Quality of education and support in schools and youth work

This area deals with how our education is delivered, as well as the quality of support we receive from our learning environment. This is relevant to our right to safety and support, as well as our right to digital literacy.

BARRIER 1

Gaps in education for young people in digital media - internet safety, cyber resilience, digital literacy.

We believe that young people can be provided with a more comprehensive education around their use of digital media. While there is currently a lot of emphasis around the practical and specific use of technology, there is not enough focus within schools and informal learning settings around our well-being in its use. It is important that we are equipped with the tools and skills to navigate ourselves positively in the digital world and to build resilience.

We see this as the responsibility not just within technology subjects, but for every subject. The use of technology is now common in virtually every subject and is something that should be integrated across all curricula, and supported by teachers or youth workers in informal learning settings across all subjects.

The education of technology is of course also related to the resources available to the teachers, youth workers and schools, but the quality of the teaching and support should not be compromised - especially for young people who are in informal educational settings.

BARRIER 2

Lack of knowledge and confidence amongst teaching staff to support young people in digital issues and learnings.

Digital media is becoming more and more integrated in our learning and in the curriculum so it is vital that this barrier must be tackled, not only by technologies teachers or youth workers specialised in technologies, but across the whole curriculum.

This affects us as it means that teachers, youth workers and educators are often unable to give us advice, or support us so that we can safely use digital media. The label that we have been given, 'digital natives', refers only to the age that we have been born into, but not necessarily the skills that we have been given. This impacts every right in the 5Rights framework - if you are not properly educated on usage of the digital world, you cannot exercise your digital rights.

During our investigation, we gave an interactive seminar to attendees at the Scottish Learning Festival where most of our audience were teachers, youth workers and educators. During our discussions with the audience, attendees told us that students are not taught about the digital world from a young enough age, and that they cannot get ahead of the technology children are using. This showed that not only is this a barrier that we as young people have identified, but it is one that teachers and youth workers have identified to us.

Theme 5: Cyber Resilience

Cyber resilience is about how we can protect ourselves in the digital world, and recover from malicious activities. For young people, it covers a wide spectrum of threats - from data breaches and hacking, to those of more personal nature such as grooming and stalking.

BARRIER 1

Your data is never fully deleted. Digital footprints are left everywhere.

A digital footprint is the name for the trail in the online world which is left behind when you share updates, post pictures, or check into places via social media. It is easy to tarnish your reputation - whether among friends, or professionally - with a few simple clicks. If you are unaware of what you're posting, or where your information is going, it can really impact your life both online and off; high profile cases such as Mhairi Black MP and her tweets as a teenager, with the public uproar surrounding that serves as a compelling example of the kind of legacy that a young person's digital footprint can leave behind.

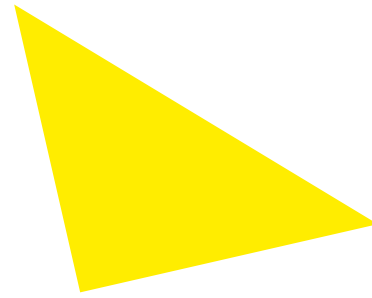
BARRIER 2

Cybercrime can be seen as easier to commit and get away with.

Cybercrimes can come in all shapes, forms and natures. They all impact us in different ways - some such as harassment, grooming and stalking affect us directly and personally, potentially even causing physical harm. Others are more impersonal, perhaps we don't even notice that we have fallen victims to: hacking, phishing and fraud, to name but a few.

The victim can be made even more vulnerable by the anonymous nature of some of these crimes, making a person's overall experience online rather intimidating. Those who feel threatened and wish to report might feel they are not able to if they aren't even sure who it is that has committed an offence against them. In the same vein, the ability to hide behind the veil of anonymity can also act as an incentive for those who intend to commit crime, as they might feel their identity cannot be unveiled.

Our inability to recognise when something should be reported, or who to, can inhibit our access to safety and support - meaning our right to safety and right to be protected from harm cannot be realised (UNCRC Article 19).



Recommendations

Theme 1:

Perceptions and understanding around young people's rights and digital experiences

1.1 We call for integrated tools within digital services and platforms that can empower young people. Particularly to support self-managed usage and promote wellbeing.

We recognise there are existing applications that help empower self-managed use - Forest, Offtime and Mindspace for example - but it is imperative that these tools are integrated within digital platforms, allowing everyone, not just young people, to be aware of our use and be supported to disengage when we want to.

A great example of this is YouTube Kids, which includes a timer to limit how much time can be spent on the app. There is also Tumblr, which has a daily post limit - currently at 250 posts per day. This not only helps combat spam, but gives the user some time off after excessive use. These integrated tools directly support our Right to Informed and Conscious Use - our aim here is not to reduce or restrict access, but rather to increase awareness and inform our decisions.

1.2 We call for a dedicated Young Digital Champions programme to peer educate on digital literacy and citizenship.

Youth leaders can be particularly helpful around digital literacy and digital citizenship. Young people tend to feel more comfortable around others of the same age, which can allow a more open exchange of experiences that young people can relate to and build upon. This kind of peer support, with many successful examples across Scotland including the Corner (in Dundee, around health and wellbeing), No Knives Better Lives (across Scotland, around knife crime) and Beyond Gender

(in Edinburgh, around gender identity) can be incredibly effective, allowing young people to tackle uncomfortable or challenging topics in a free and friendly manner.

We envision this digital youth forum to exist in both online and offline capacities, accessible to 11-18 year-olds. In its online form, it is a peer support network for young people, where they can gather and openly share thoughts, experiences, and support for each other - particularly around their rights online.

Discussions online can then be continued and explored further via face-to-face meetups, led by Young Digital Champions based in their local area, who are given regular training, support and guidance to educate other young people around specific issues on digital literacy and digital citizenship. This will also include our rights as young people online, and how we can respect each other's rights. We particularly encourage the use of the DQ (digital intelligence) curriculum⁵ set out by the DQ Institute⁶, which proposes that education around digital citizenship should include skills around privacy management, critical thinking, digital footprints, digital empathy, cyber security management, cyberbullying management, screen time management, and digital citizen identity.

⁵ <https://www.dqinstitute.org/what-is-dq/#curriculum>
⁶ <https://www.dqinstitute.org>

1.3 We call for the incorporation of 5Rights into the UNICEF Rights Respecting Schools Award.

With over 4000 schools across the UK currently working towards the UNICEF Rights Respecting Schools Award, the RRSA is a prestigious badge of honour for schools in recognising their pupils' rights as children and young people. Currently the requirements and expected outcomes for the award focus on the school ethos and curriculum - we would like to see school's digital policies and activities to be taken into account more explicitly by UNICEF. We feel that there can be more emphasis on the unchangeable status of the UNCRC across the digital and physical contexts, and that there is no reason for schools not to display their commitments to the UNCRC in the digital context also.

1.4 We call for the establishment of a Digital Rights Respecting Businesses Award.

In our conversations with software developers and educational technology companies at the Scottish Learning Festival and ScotSoft Conference, we were shocked to discover that many had never heard of the UNCRC - even though some are already providing products that are designed for children and young people. This raises serious concern over the understanding, perception, and attitude of young people's rights in the wider society.

From our discussions with Twitter, Facebook, and Google, although a lot of work is being done around safety and data privacy - mentions of young people's rights in general were limited. Where our rights are mentioned, in schools for example, they are rarely talked about in the digital context. We believe that to raise more awareness around young people's rights, we should follow the examples of UNICEF Rights Respecting Schools Award, Investor in People, and the Stonewall Workplace Equality Index. There should be a dedicated award to encourage the recognition of young people's rights in the services and products provided by businesses and organisations.

The aim for the Award is to encourage a shift in perception about our digital experiences, which can in turn give us greater options for support if our rights are infringed. To ensure quality and consistency in the assessment for the Award, and that the awarded organisations continue to uphold their rights respecting values, it demands an in-depth and robust auditing process that calls for resources and expertise

beyond normal voluntary capacity. For this reason, we believe this recommendation will require the support of a dedicated charity to manage the Award's operations, and also to promote young people's rights in the private sector.

1.5 We call for local authorities, schools and youth work services to support young people in influencing our communities around digital skills, experiences and rights.

During our project, we had the privilege to speak to and influence educators, youth workers, public service leaders and tech industry professionals on the importance of our digital rights and experiences. We hope that one legacy of our project is that all young people can have a similar level of influence on these matters within their own communities.

There is a role for young people to become leaders in our community, by influencing across generations how to use tech effectively, promoting its benefits, and raising awareness of everyone's rights in the digital world. In supporting our community to better understand the digital world, they can in turn provide better support for us. The areas that we have identified for specific focus include:

- ▶ General digital literacy
- ▶ Use of social media
- ▶ Personal cyber resilience
- ▶ Digital social skills and social norms

We hope that, by emphasising that the digital world is not entirely separate from the physical world and destigmatising its negativity, that we can build confidence in everyone to embrace the benefits that it brings.



1.6 We call for the co-production of rights-based resources for parents and carers about how they can support and empower us in the digital world at different ages.

Parents and carers play an integral role in guiding their child, but often they can do with some guidance themselves, on how to keep themselves involved in their child's online presence, stay on top of the trends in the digital world, and gain reassurance over their child's safety without infringing their rights.

We recognise that there is already a plethora of resources available for parents and carers – both online and offline – about internet safety. However, rarely are these written from a young people's rights-based perspective, and too often they are written with a focus on child protection, which can undermine young people's needs to be empowered. Our activities online are not always about protection, and support doesn't just come in the form of safety. Existing resources should make explicit references to young people's rights, and new ones should be designed from a rights-based perspective to promote the same approach to parents and carers.

Ultimately, young people want to build trusting relationships with those who can provide us with support. We discourage methods such as monitoring or access restrictions, as these heavily impact on our Right to Privacy and undermines the trust between us and our parents or carers. These methods also put too much reliance and emphasis on the technology itself – we want parenting and caring to be done in person, not via technology. Although online support can play a strong role and is preferred in certain situations, it is through face-to-face conversations, listening, and contact that we can build mutual understanding and trust – which goes in both directions.

Parents and carers play an integral role in guiding their child, but often they can do with some guidance themselves.



We would like to see these resources co-designed with parents, carers, and young people, and we suggest that it can be done as part of the intergenerational workshop from our recommendations. We feel it is vital that these resources are driven by young people's perspectives of the digital world, and that they should include positive stories about our digital experiences to inspire our parents and carers.

1.7 We want Scotland to be a world leader in engaging with young people in all decision-making processes about the digital world. We believe that it should be a condition to business investments, funding and grants.

Policy, products, and services intended for young people should involve genuine engagement with its target audience during its design, development and testing stages – the earlier on in the process the better. The goal is not to produce products and services that are simply designed for the users, but with the users. We understand that money is the motivation behind most business decisions, so we want to see business investors and funders such as Scottish Enterprise and Creative Scotland to make co-production and user-led design a condition to their investments. We want to promote rights respecting products and services by design, right from the very beginning. This co-design approach, as modelled by us, underlines the importance of Article 12 of the UNCRC: our right to express our views, feelings and wishes in all matters affecting us, and to have our views considered and taken seriously.

Theme 2: Inequality in the digital world

2.1 We call for the Scottish Government and local authorities to prioritise technology in school, library and youth work service spending, and to relax content filters and firewalls.

Regardless of social status, ability, or home situation, all young people deserve the right to the same level of engagement with the digital world. As most young people are in education, we see opportunities for schools and other educational institutions to be at the forefront of tackling this inequality. By levelling access to technology, we are also levelling access to opportunities – giving everyone the same chance to succeed and creating a positive future for them.

A key factor is the equipment and resources available in schools and informal learning settings, which is why we urge local authorities to prioritise technology in school spending. This is the first step in widening access to technology. For those in informal learning settings, this responsibility for ensuring equal access falls with the youth work service provider. In all cases, technology should be easily accessible via public services such as the library.

Equal access is just as much about educational use as it is about recreational use. Although the school or educational service provider can often provide the means to connect, content is blocked as they are considered non-educational or potentially harmful. Often these restrictions are broad and keyword-based, which can cause perfectly innocent contents to be caught up in the filter. As well as having the right to be educated about navigating ourselves safely online, we also have the right to access information and to play. While we recognise that there is a safety issue involved here, these access restrictions can be made more flexible, by allowing wider non-educational access during break times and before and after school. This would take into considerations those whose only access to the internet is within school, youth work services or public services.

2.2 We call for greater internet access in rural areas of Scotland.

In rural areas of Scotland where broadband often does not reach, it can be difficult to gain access to the internet, which closes off opportunities for those in the areas. We recognise that the Scottish Government is already working to improve the infrastructure, and we would like to reiterate its importance and priority in tackling inequality for young people.

2.3 We call for free WiFi in public and outdoor space across Scotland which also complies with our recommendations around data (3.1 and 3.2).

To make the internet truly accessible for all, we need to make sure that it is financially accessible so that young people from all financial backgrounds can have equal opportunities to the internet. As a first step, we would like to see further roll-out of the free public outdoor WiFi service, similar to that already implemented in the Edinburgh City Centre, to cover parks and street corners in all city or town centres and high streets in Scotland. This should also cover areas such as libraries, sports centres, museums, schools, hospitals, and other public buildings. We would also like to see free public internet access available on all public transports across Scotland, including buses, taxis, trains, and subway – as well as in their terminals and stations. This provides a baseline for internet access for all, regardless of their ability to afford it in their home.

We ask that these free internet access services to also comply with our recommendations around data – namely that they do not collect unnecessary data from our usage, and that we are given opt-in options for how we want our data to be used.

Theme 3:

Data collection and commercial use

3.1 We call for all private, public and third sector organisations to establish and follow an agreed set of writing guidelines for Terms & Conditions and Privacy Policies.

Terms and Conditions and Privacy Policies shouldn't be a barrier to the proper and informed use of a service. Rather, these documents should support and facilitate it.

5RIGHTS YOUTH COMMISSION'S GUIDELINES FOR TERMS & CONDITIONS

- ▶ **Co-production:** Where possible, these documents should be co-designed with the target audience and people with disabilities to ensure accessibility and inclusion.
- ▶ **Presentation:** terms and conditions should be displayed to the user in a readable format – rather than merely as a link above the 'I agree' box.
- ▶ **Summary:** A mandatory summary, of no longer than 300 words and in plain English, about the key information and facts of the terms at beginning of the document for easy access.
- ▶ **Interaction:** The use of interactive elements and aids, such as video and visuals, to explain the more complex or abstract ideas.
- ▶ **Language:** Language should be pitched at the youngest target audience - where the target audience is 13 years of age or over, the language used should be suitable for the average reading ability of a 13 year old.
- ▶ **Jargons:** The minimal use of legal or technical jargon, particularly when a service is targeted at a young audience.
- ▶ **Format:** These documents should take into account the specific challenges for those with learning difficulties, such as dyslexia. Dyslexia-friendly formats include (taken from Dyslexia Scotland's resource 'Dyslexia-friendly formats'⁷):

⁷ http://www.dyslexiascotland.org.uk/sites/default/files/library/dyslexia_friendly_formats.pdf

We call for a set of strict guidelines for documents such as terms and conditions and privacy policies, which can form part of the requirements for our recommendation for the Rights Respecting Businesses Award. These include the following:

ADVICE FROM DYSLEXIA SCOTLAND

1. Avoid black text on a white background and light text on a dark background
2. Use text at font size 12 or above
3. Use fonts which are clear, rounded and have a space between letters – for example Century Gothic, Arial, Verdana, and Tahoma – and are fully accessibility compliant
4. Use 1.5 or double line spacing
5. Use lower case rather than capital letters
6. Use numbers or bullet points rather than a continuous prose
7. Use text boxes, borders or bold text for headings or to highlight important text
8. Avoid underlining and italics
9. Colour-code text
10. Sentences and written instructions should be short and simple
11. Keep paragraphs short
12. Avoid too much text on the page



3.2 We want to limit the unnecessary collection and use of young people's data, and be offered options to opt-in and customise our consent.

This recommendation deals more specifically with issues around sensitive data, which includes the user's ethnicity, their faith, political opinions, any physical or mental health condition and sexuality⁸. In the case of social media, this type of sensitive data is often generated after signup and the user's agreement to its terms and conditions. Rarely is there warning to the user just how 'sensitive' their data has become, and that regardless of sensitivity it is still included in the consent to access and collect that they have already given to the service provider.

Data is required to create services that are interactive, adaptive and flexible. However, not all data is relevant or necessary to the service, and it is often collected primarily for profit. We call for greater enforcement of the protections within the Data Protection Act, which states:

"Personal data shall be processed fairly and lawfully if it is not processed for profit...Data also cannot be processed unless the individual rights and freedoms of the data subject are protected." Essentially, data cannot be collected if its sole purpose is to be profited from – especially when at the time of signup it would have been impossible for us to foresee what sort of data we will be generating, and allowing collection, on the service.

By limiting the unnecessary collection and use of our data, we want to see that instead of being given a single box to sign away all of our data, we can be given more options. We want to be able to customise what type of data we are happy to consent and for what purposes we are happy for it to be used. This customisation of consent is particularly important for data not essential to the running of the service, and even if we choose not to consent for some of our data, we should still be allowed full access to the service. At signup, all of these consent options should be set as opted-out by default, so as not to assume our full consent as many existing services do currently.

⁸ Data Protection Act (1998), Part 1, Chapter 2 'Sensitive personal data'.

Theme 4: Quality of education and support in schools and youth work

4.1 We call for future curriculum reviews in all subject areas to be co-designed with young people, and also with the industry.

An updated curriculum will prepare young people for the future and allow them to conquer the digital world with confidence and enthusiasm. This creates a new era of digitally literate young people with the digital knowledge to apply themselves to new roles in life. This recommendation applies not only to the Technologies and Computing Science curriculums, but across all subjects because we believe digital literacy should be integrated in all subject areas. We will explain this idea in further detail under recommendation 4.2.

The fast pace of the digital world means that the curriculum will have to be kept up to date rather frequently and we believe young people can play a key role in informing adults in this process across all subject areas. By involving young people as early on as possible in the design of the curriculum, we can have our voices and needs heard and addressed directly. Where possible, this should also involve the industry to ensure the skills that we are taught meet the needs and expectations of our future employers.

We recognise that the Scottish Government is already doing work around a similar area by working closely with school inspectors⁹, but we would like to see these deliberations being led by young people.

⁹ National Action Plan on Internet Safety for Children and Young People

4.2 We call for digital literacy to be integrated in all subject areas, and for it to link with career advice and wellbeing.

Our right to digital literacy underpins every right within the 5Rights framework – without appropriate education it would be difficult for us to understand why we might not want to upload something in the first place (right to remove), or the true value of our data (right to know). It therefore covers not only our practical skills, but our physical wellbeing (right to informed and conscious use), emotional wellbeing (right to safety and support), and social skills.

We proactively engaged with Education Scotland during our investigation, having held evidence sessions with them and fed directly into their curriculum review for Technologies. In the evidence they shared with us, we learnt that digital literacy will be introduced to the Technologies curriculum, covering areas such as using digital products to achieve a purposeful outcome, searching and managing information responsibly, and cyber resilience and internet safety. We welcome this introduction, but also want to see this integrated into the curriculum across all subject areas. The skills within digital literacy are broad – to fully capture its real breadth, we need a more consensus approach from teachers and youth workers across all areas to make sure every aspect is delivered and supported.

One example is the Health and Wellbeing curriculum, which in its current form has no mention of digital or technology. During our evidence session with See Me, Respect Me and Aye Mind, we examined the impact that technology use can have on our mental health – and the need for schools and youth work services to support us. With mental health issues such as social media stress and body image anxiety described as ‘our generation’s epidemic’¹⁰ by the Scottish Youth Parliament, there’s no denying that our wellbeing when using technology should be regarded with the same priority as sexual health education and substance misuse education. Topics such as how we can be more aware and in control of our usage, and how we can be more resilient to issues such as body image, FOMO (the fear of missing out), and managing online relationships, have great impact on our everyday life and should very much be part of our curriculum.

¹⁰ http://www.heraldscotland.com/news/education/14695524.School_pressure_social_media_stress_body_image_anxiety_Teen_Scotland_in_meltdown/#gallery1

4.3 We want to see closer links between industry and education, to provide young people with better context for their learning and to mentor educators around technology and rights.

We acknowledge the great work that is already being done by educators, and understands the challenges facing them – and with this recommendation we aim to support educators via the closer ties with industry experts while providing young people with more contextualised learning. To develop, we recommend that school, youth work services and industry work closer together to explore options for positive role modelling opportunities for young people. The aim for this is not to seek career options or advice from these experts, but rather - through more exposure to the diversity of real life applications, young people can understand the practical implications of what they are learning and be nurtured to advance in STEM subjects whilst tackling the ‘nerdy’ stigmas that exist around them. Specifically it is important to harness this to change gender stereotypes, and through these two-way links there are also opportunities for both the pupils and the industry to gain greater understanding of young people’s rights in the digital world.

There is also potential for a mentoring scheme between educators and industry experts, to give teachers and youth workers, too, a better understanding of the context of their teaching. This can also help teacher and youth workers build confidence in the ever changing world of tech.

Many of the industry experts have a great depth of knowledge and experiences that they can share with young people. Aside from inviting them into schools as external visitors, we believe they can also play an integral part in the core teaching within schools and informal learning settings. Current regulations require them to study for a teaching degree before they would be allowed to teach – but having a teaching degree doesn’t necessarily guarantee that the teaching is up-to-date and relevant. We believe that as part of the efforts to build closer links between the industry, schools and youth work services, there should also be a wider review of how best to support these experts to transition to teaching.

4.4 We want to see the initiatives that encourage girls in tech to be more integrated into the core school curriculum and environment.

Many organisations and initiatives, such as Equate Scotland, Girl Geek Scotland and Girls into Digital World, have been created by experts to raise awareness about the deficiency of females in the tech industry. We recognise much is already being done in Scotland to remove gender stereotypes in tech and support young women’s right to digital literacy - widening access to the more advanced digital skills.

We also understand that many of these initiatives operate in the form of extra-curricular activities, which tend to attract girls who are already interested in technology. We believe there is still room in the curriculum and within the school environment, to embed and integrate the good work that is already being done by these organisations so that it reaches out to even more girls, and to support the universality of young people’s right to digital literacy.



Theme 5: Cyber Resilience

5.1 We call for a centralised point online for young people to review their digital footprints – using the data that we have already shared constructively and positively.

It is easy to lose track of the data and content that we upload or post online – a photo that we posted several years ago, a rarely used account that we have completely forgotten about, comments and statuses left by others about us. If we could be provided with a tool that could help us review what we have left behind across the web, then it would also enable us to curate our digital footprints and exercise our right to remove.

During our evidence session with the Data Lab, we examined how data can be used for good - and we believe this is an area where the data that we have already shared can be put to good use. We want to see the development of a one-stop online platform, which pulls together all of the trails and footprints that we leave behind all over the internet. This includes the content that we create ourselves, the data that services generate about us, and content that others create about us. This data is already available for others to see elsewhere on the internet, but collating everything into one place can better inform us and encourage us to think how we want to be represented online.

To take this forward, we would like to investigate, through the links that we have established with the tech industry and data specialists such as the Data Lab, the technical specifications for such a platform.

5.2 We call for the use of the Young Scot National Entitlement Card as a secure way of age verification in the digital world.

With approximately 653,031 cardholders, the Young Scot National Entitlement Card is available for free to everyone aged 11-25 living in Scotland. We can already use the card to prove our age in shops and on public transports because it is part of the PASS Scheme. In much the same way that we want to prove we are under a certain age to gain access to discounts and opportunities, we believe there is a need for it in the online world also – an example would be the peer-to-peer forum mentioned in our recommendations, to ensure that certain spaces, opportunities, services, and of course protection, are only accessible to young people.

Since the card already exists as a legal form of age verification in the offline world, we want to see funding and resources to go into developing the technology for it to be used as age verification in the online world also.



5.3 We want to see a more inclusive definition of 'cyber resilience', and better education and awareness raising.

We recognise the work that has already been done by the Scottish Government around cyber security and resilience. The Cyber Resilience Strategy published in November 2015 sets a solid framework for how Scotland as a nation can become more resilient against cybercrimes. However, we have found only three mentions of children and young people in the report, and we find its overall tone to be aimed more towards businesses and industry, focusing mainly on data breaches, hacking, and computer viruses. We believe the strategy would have been even more inclusive, had young people been part of its development. It very rightly points out that education and awareness raising plays an integral part in the strategy, but education on how to recover from personal crimes such as grooming, stalking, and online threats, are just as important as those mentioned in the report.

According to our survey, only 7.1% of young people named scams, hacking and frauds as the single biggest threat to young people in the digital world – but 50.2% of young people identified anonymity and targeting as our biggest threat. It is vital that young people's concern is responded to accordingly, and that we are educated about the breadth of the different kinds of cybercrimes as well as how and where we can seek support.

5.4 We would like to see clearer definitions of cybercrime and reportable offences online, and support for harms that are not illegal.

Police Scotland very rightly emphasises that 'if it's illegal offline it is illegal online'¹¹, with examples including the posting of contents that promote crime or violence, threats, blackmail or extortion – but it is never too prudent to provide some more specific and clearer definitions and examples, especially when it comes to informing young people, and empowering them to report and seek help.

We believe that young people can be made more aware of the types of things they see online that they should or can report, and the investigative process and consequences that will follow. Not only will the education around this increase our confidence in seeking support, it can also act as a deterrent against committing these offences ourselves.

For the harm that we come across in the digital world that is not reportable to the police, we should also be taught who we can go to for support, and the strategies in coping with online nuisance.

It is easy to lose track of the data and content that we upload or post online – a photo that we posted several years ago, a rarely used account

¹¹ <http://www.scotland.police.uk/keep-safe/keep-secure-online/>



Next Steps

In May 2017, we presented our recommendations and findings to the Scottish Government.

We are now looking forward to progressing to see what would be possible, in terms of the impact of our report and for young people to continue being the steering force behind these recommendations and their implementation. We are keen to hear what you think of our work, of the recommendations we have put forward, and of our rights as young people in the digital world.

We are also keen for you to become a 5Rights signatory, to join the 5Rights Coalition of organisations and individuals who have pledged their support for the realisation of children and young people's rights in the digital world. It is an invitation to build each of the 5Rights principles into your own behaviours, and to create a better and more empowering digital world for us.

► [Join us at 5rightsframework.com/sign-up.html](http://5rightsframework.com/sign-up.html)

If you would like to help or support us in bringing our vision for a rights-respecting digital world for young people into reality, we want to hear from you:

- Visit us on the web at www.young.scot/5Rights
- Call us on 0131 313 2488
- Email us at 5Rights@young.scot
- Tweet us with [#5RightsYC](https://twitter.com/5RightsYC)

National Peer Survey

1st SIMD2016 Quintile	2nd SIMD2016 Quintile	3rd SIMD2016 Quintile	4th SIMD2016 Quintile	5th SIMD2016 Quintile
19.3%	20.8%	18.8%	19.6%	21.5%

Age Unknown	Age 10 & under	Age 11	Age 12	Age 13	Age 14	Age 15	Age 16	Age 17	Age 18	Age 19
0.6%	0.2%	6.8%	15.7%	9.8%	9.6%	20.8%	20.8%	20.8%	20.8%	11.4%

We asked 1675 young people (under 18), from all 32 council areas in Scotland, about their digital experiences.



OUR RIGHTS ONLINE

- ▶ **40.6%** do not know if their rights are being observed in the digital world
- ▶ **30.5%** said some of their rights are being observed, with **11.3%** who said all of their rights are being observed
- ▶ **14.7%** believed few of their rights are being observed, with only **2.9%** who said none of their rights are being observed

IMPACT OF TECH USE

- ▶ **67.5%** of young people sleep for less than 8 hours a night on average
- ▶ Of those who sleep for less than 8 hours a night, **41.2%** feels their device affects their sleep
- ▶ **51%** agreed or strongly agreed that they find it difficult to live their life without their devices
- ▶ 69% believe that some technology products and services have been designed to be addictive
- ▶ Although the majority (**52.9%**) don't feel that they would be missing out on things if they weren't always available online
- ▶ **44.9%** don't know if their wellbeing is taken into account by technology or social media companies. **36%** said it isn't, with only **18%** believe that it is

ACCESS & RESTRICTION

- ▶ **58.9%** of young people said their parents or carers had tried to limit the amount of time they spend on the Internet
- ▶ Only **37.6%** of young people said their parents or carers had tried to limit the kind of websites they use on the Internet
- ▶ The most popular website to be banned by parents and carers is Facebook (**54.4%**)
- ▶ The majority (**63.1%**) of young people don't believe that age restriction is an effective means of protection from harmful content

SAFETY & SUPPORT

- ▶ According to **52.1%** of young people, the biggest threat in the digital world for young people is anonymity, bullying and targeting – this encompasses bullying online, trolling, grooming, and other targeted exploitations caused by anonymous contacts.
- ▶ **47.1%** of young people said they have come across anything that has upset them online
- ▶ **76.9%** of young people who have come across something that has upset them online, have not sought support
- ▶ Of those who did seek support, **55.9%** went to their parents or carers (another **16.9%** went to their wider family), followed by **20.3%** who went to their school or teacher.
- ▶ **59%** of young people has experienced, or known someone else who has, bullying behaviour online
- ▶ **90.1%** said they have never purposefully targeted someone negatively online – although **5.7%** admitted that they have
- ▶ **60.8%** of young people feel that the advice they have received from their parents/carers or school about online safety is between somewhat relevant and very relevant

DATA CONTROL

- ▶ The majority (**68.9%**) feel that they have enough control over the privacy of their social media accounts
- ▶ Most (**68.9%**) also recognised that delete doesn't always mean delete
- ▶ **67.4%** said they were aware what their information and data could be used for by others
- ▶ Most of the young people who responded weren't especially concerned about their data - **67%** felt somewhere between neutral to somewhat concerned about what their information and data can be used for
- ▶ **74.9%** said they would read terms and conditions if they were shorter or easier to read and understand

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EVIDENCE

Over 2000 young people
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Caroline Millin and Harry Kinmonth, Facebook
Katie O'Donovan, Google
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Sean Kornish, JPMorgan Chase
Dr Greg Singh, University of Stirling
Emma Whitelock, Lead Scotland
Kirsty McFaul, Education Scotland
Laura Sharpe, See Me
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Roman Popat, The Data Lab

SUPPORT

Sheldon Paquin, Science Museum (London)
Scottish National Portrait Gallery
Dare to Be Digital
Just Festival
Edinburgh Digital Entertainment Festival
Youthlink Scotland
Scottish Learning Festival
Scottish Leaders Forum
ScotlandIS
Holyrood Communications
Product Forge
Children in Scotland
SPEN (Scottish Peer Education Network)
Who Cares? Scotland
LGBT Youth Scotland
National Deaf Children's Society
Sense Scotland
Girlguiding Scotland
Scouts Scotland
The Boys' Brigade Scotland
RNIB Scotland

TRAINING

Scott Liddell, Sky
Mel Sherwood, Grow Your Potential

5RIGHTS COALITION

The 5Rights Coalition is a broad coalition of organisations and leaders representing every element of civil society, who are committed to create a digital world that young people can access creatively, knowledgeably, and fearlessly. We invite you to join us, and start embedding our rights into the digital world: beginning with your own organisation.



Signatories in Scotland include (at time of writing):



FOR FULL LIST OF SIGNATORIES, PLEASE VISIT 5RIGHTSFRAMEWORK.COM/SIGNATORIES.HTML

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