

BASIC DETAILS

Consultation title: Ofcom's strategy and priorities for the promotion of media literacy

To: Sara Winter, Contents and Standards, Ofcom

Name of respondent: Barney McNeany, Chief Officer and Assistant Commissioner, Northern Ireland Commissioner for Children and Young People

CONFIDENTIALITY

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Introduction:

The Northern Ireland Commissioner for Children and Young People's role is defined in the legislation setting up the Office – The Commissioner for Children and Young People (Northern Ireland) Order 2003. The Commissioner's principal aim is described in the legislation as "to safeguard and promote the rights and best interests of children and young persons".

The Commissioner is required to report to the Assembly and Parliament about his work and how the budget is spent.

While the detailed powers are set out in the legislation they can be grouped under three main areas of work:

Promoting children's rights – the Commissioner will be guided by the UN Convention on the Rights of the Child an international agreement setting out how children should be treated and the rights that they have. The Commissioner hopes to develop lots of fun ways of communicating with young people and encouraging their participation in decisions.

Complaints and Legal action – the Commissioner can deal with individual complaints from children and young people, or their parents/guardians about government services like education, health, adoption and fostering, youth justice, road safety – indeed any service that impacts on those under 18¹. The Commissioner has to take account of any existing complaints mechanism first. Where appropriate the Commissioner can start or take over legal proceedings on behalf of a child or young person if a general principle is at stake

Research and Inquiries – the Commissioner wants his Office to base all its work on helping children and young people on thorough research. The Commissioner will be working with universities and other agencies to achieve this. The Commissioner has the power to undertake general inquiries into issues where he believes children are being adversely affected. This may be an informal inquiry or more formal with the powers of the High Court to summons witnesses, obtain documents and enter premises. He can also respond to request from the Assembly and Parliament to look at issues. The Commissioner is also required to review the ways that those providing services for children listen to complaints and take account of children's views.

The Commissioner has organised his office into three divisions dealing with these areas of work, supported by an operations division dealing with strategy and administration. This response has been prepared by the Communications and Participation Division, on behalf of the Commissioner.

¹ The Commissioner can also help those with a disability, and those leaving care, up to the age of 21.

This response has been prepared under the area of work that commits the Commissioner to promoting children's rights (see above). We believe that media literate children and young people can better engage in the process of understanding and acting upon their rights in an increasingly complex media world.

The Commissioner asserts that the growing prevalence of cross-platform media (for example TV programmes with web links, interactive digital TV, PDA and mobile access to information, print outlets with web sites) means that a media literate population is vital for a nation that aspires to meet the requirements of the UN Convention on the Rights of the Child. This equally applies to children and young people, their parents/guardians/carers and those that legislate for children and young people.

Principles

The Northern Ireland Commissioner for Children and Young People has been guided in this response by the relevant Articles of the UN Convention on the Rights of the Child.

The Commissioner believes these to be:

- Article 13
- Article 14
- Article 17
- Article 18
- Article 28 - Para 1, 1(d) and 3
- Article 31

Details of the Articles are included in Annex One. However, this is not an exhaustive list of the articles relevant to this consultation as the principles of UN Convention on the Rights of the Child can be aspired to more completely by a media literate population of Children and Young People.

It should be noted that the guiding principle of the Commissioner is that ***children and young people should be involved in decisions that affect their lives.*** The Commissioner urges Ofcom to consider applying this principle to all its consultations and actions that may arise from those consultations.

We are returning this consultation response ahead of the stated deadline to encourage Ofcom to consider directly consulting children and young people on its contents.

Question 1: What is your view of Ofcom's proposed definition of media literacy?

1. The definition as outlined by Ofcom provides a useful guide to what can be defined as media literacy. The definition, however, does not provide any graduations. For example a media literate person may be able to view a web site, as stated in Section 2, Paragraph 15, but they may not be able to create web pages or video material. The Commissioner does not wish to have a key stage system for measuring media literacy, but instead recommends a format that would allow children and young people to self assess. **The Commissioner urges Ofcom to produce the definition of media literacy in a tabular format that provides users with an easily-understood way of assessing their own media literacy.**
2. The Commissioner believes that Ofcom can have a powerful influencing voice with legislators in encouraging the adoption of pathways to media literacy among children and young people and adults. In Northern Ireland we believe that media literacy should be promoted by all departments of government, but especially by the Department for Education Northern Ireland, the Department for Employment and Learning Northern Ireland, and the Department of Culture, Arts and Leisure. The Commissioner believes that Ofcom should seek to lobby for a common format of qualifications/attainments that relates directly to the definition of a media literate person. In addition it should lobby for all relevant government departments to achieve a level of media literacy that allows them to interact appropriately to the standard currently achieved by many children and young people. **The Commissioner urges Ofcom to actively engage Government to produce a Northern Ireland strategy for media literacy.**
3. The definition as set out in the Ofcom consultation document does not take adequate account of cross-platform interactions. For example the ability to jump from television viewing to interactive TV usage such as the “Red Button” option available on many digital viewing platforms. The Commissioner also notes that many media outlets actively promote the access of information through offline linkages. For example print magazines aimed at children and young people encourage the use of their web sites, while television programmes for children and young people all have associated web sites. The Commissioner also asks Ofcom to note the increasing prevalence of cross-platform media outlets that may not be directly associated with Ofcom’s work, such as computer/console games that have multi-user options via adsl broadband links, but still impact on how a child or young person is media literate. For example the recent announcement of the abuse of Gaming Open Market² is an example of

² See <http://news.bbc.co.uk/1/hi/technology/2207229.stm> for media story

how there is a cross-over between areas that can entail risk³ without the appropriate level of media literacy. **The Commissioner urges Ofcom to consider including wider channels of media within its definition, including online gaming and cross-promotion on television of other media.**

4. Media literacy definitions need to also take more account of the impact of emerging technologies, especially in mobile telephony. The ability to use mobile devices to access information, interact with individuals/organisations, make purchases and 'chat' via SMS and MMS (text messages and multi media messages) could be argued as one of the key media literacy challenges for device manufacturers. At the same time only a media literate population can decipher the complex patterns of usage, cost and risks that come from the growing prevalence of mobile devices (for example the risks associated from use of camera/video phones in terms of privacy and criminal activity). **The Commissioner urges Ofcom to develop a forum for various strands of the media industry to consider how media literacy can be incorporated into emerging technologies to make sure children and young people are made aware of the risks.**

Question 2: What do you consider to be the key role/s of media literacy in the UK?

1. The Northern Ireland Commissioner for Children and Young People believes that media literacy is key to achieving Article 13⁴ of the UN Convention on the Rights of the Child as this Article specifically aspires for children have the freedom to "seek, receive and impart information and ideas of all kinds...through any other media of the child's choice". **The Commissioner urges Ofcom to include these freedoms within any future commitment to media literacy.**
2. As stated above (see Principles) media literacy is a key part in enabling children and young people to understand their rights, and to take an active part in the decisions that affect their lives. This principal can be appreciated within the context of Articles 14, 17, and 18 of the UN Convention on the Rights of the Child. **The Commissioner urges Ofcom to undertake bespoke research on the impact of the various media on children and young people's ability to understand their rights and participate in decisions that affect their lives.**

³ "The ability of a child or teen to comprehend whether and how they are being marketed to, moreover, is fundamentally challenged by the very characteristics of the interactive digital environment, in which the 'word from our sponsor' — no longer segregated in discrete 30- and 60-second segments — is woven into the very media fabric." – Centre for Digital Democracy, response to Federal Trade Commission in the US

⁴ See Annex One for full wording of Article 13 of the UN Convention on the Rights of the Child.

3. The Commissioner believes that media literate children and young people are equipped to assess the risks in interacting via existing and emerging media channels, such as chat rooms, video phones, downloadable features etc. All media can potentially pose some risk to a child or young person if content is inappropriate. A media literate person can assess such content. The work of the Internet Watch Foundation (www.iwf.org.uk) towards protecting young people from inappropriate content is a good example of how media literacy, when promoted appropriately, can enable children and young people, their parents/guardians/carers and those that legislate for children and young people to assess risk and take steps to reduce risk. **The Commissioner urges Ofcom to seek ways to promote risk reduction to children and young people via improved media literacy.**

Question 3: Do you agree that each of the 3 proposed strands of work (Research, Connecting, Partnering & Signposting and Labelling) address an important element of the media literacy landscape?

1. The Northern Ireland Commissioner for Children and Young People believes that the proposed strands of work can only be fully informed through the involvement of children and young people. This is for two reasons: firstly they are key consumers/users of new and emerging technologies; and secondly children and young people will develop into the next group of adult users of emerging technologies. Furthermore children and young people should be involved in providing their input on media literacy. **The Commissioner urges Ofcom to make sure that children and young people provide direct active input to any research in order to help develop media literacy, and not just through consultation with representative organisations.**
2. The Commissioner believes that the research as described in the Ofcom consultation document needs to take more account of children and young people as producers of content. At the present time there are a number of innovative schemes allowing children and young people to publish online⁵. With greater access to broadband technologies, image editing and video editing software and 3G Mobile access devices children and young people themselves are likely to become producers of ever more content rich sites that could become de facto personal television output via the web. **The Commissioner urges Ofcom to research ways that children and young people can achieve enhanced media literacy as producers of personal content.**
3. The Commissioner notes that children and young people are using chat rooms and Instant Messaging as ways of communicating. While there have been acknowledged risks to children and young people in the use of such technologies, they continue to be used. In particular children and

⁵ BBC News Report on how 7-year-olds are producing web logs:
<http://news.bbc.co.uk/1/hi/magazine/3804773.stm>

young people are using added features such as voice chat, exchange of images, file exchange et cetera. As commercial Instant Messaging packages, as promoted by AOL, MSN, Yahoo and ICQ evolve and integrate with PC operating systems and mail systems, the opportunity for children and young people to use these as content rich sources combined with the potential for further development of Voice Over the Internet Protocol (VOIP) as a means of telephone conversation. **The Commissioner urges Ofcom to consider ways in which it can research use of alternative media channels such as Instant Messaging as part of its investigation of media literacy.**

4. The Commissioner welcomes the commitments outlined in the Ofcom consultation document under Connecting, Partnering and Signposting, however, notes the lack of reference to direct input from children and young people (Partnering, Page 10, paragraph 53). **The Commissioner believes that children and young people are amongst the most important stakeholders in developing media literacy. The Commissioner urges appropriate representation from children and young people on any partnerships.**
5. The Commissioner welcomes the proposal to create of a web-based or digital television 'portal' to facilitate work on signposting. However, the Commissioner is concerned that the proposed portal may not engage the parental audiences as described in the consultation document (Signposting, Page 11, Paragraph 56). **The Commissioner urges Ofcom to develop a communications strategy in all parts of the United Kingdom to make sure that parents/guardians/carers access this portal.**
6. Ofcom rightly identifies the profusion of content sources in its section on Labelling. The Commissioner, however, notes that the non-geographic nature of much content in an emerging media landscape, and therefore labelling may not be able to be bound by national, supranational and international regulation. Under Article 17 (a)⁶ of the UN Convention on the Rights of the Child the right is asserted for states to encourage "dissemination information and material of social and cultural benefit to the child". The Commissioner notes that such positive material can be best accessed by children and young people if it is appropriately labelled. Therefore any labelling should not only take account of risk management of access to inappropriate content, but the reinforcement of positive information. **The Commissioner urges Ofcom to actively develop Labelling as a positive step towards protection and to provide guidance on how individuals can be becomes 'active' viewers.**
7. The Commissioner welcomes the commitment of Ofcom to work with the industry towards the development of common labeling content scheme with the industry. We note also the reference to the uniform classification system as developed by the Netherlands Broadcasting Corporation. The Commissioner notes comments by the British Board of Film Classification

⁶ See Annex One for the full text of Article 17 (a)

(BBFC)⁷ on viewers' desire for more detailed descriptions such as information on frequency and intensity. **The Commissioner urges Ofcom to work with the industry on adopting common labelling with Plain English definitions for all labelling guidance.**

Question 4: Are there any specific areas which you consider to be a priority that we have not considered here as part of our early media literacy work?

1. The Commissioner urges greater emphasis on direct consultation with children and young people.

Question 5: What do you think are the types and levels of media literacy skills necessary to enable citizen-consumers to effectively manage and enjoy the opportunities offered by new communication technologies? How do these differ for particular sectors of society?

1. The Commissioner believes that media literacy must be included in the appropriate educational environment to enable children and young people to become active citizens through participation in the decisions that affect their lives. It is, at this time, difficult to provide a prescriptive formula for defining the types and levels of media literacy. **The Commissioner urges Ofcom to work with the Department of Education and Department for Employment and Learning to assess how these can be best integrated into the current curriculum and lifelong learning courses.**
2. The Commissioner believes that children and young people present a different challenge in assessing media literacy skills, especially younger children; as there is currently such widespread cross-platform promotion, with all children's TV programmes now having accompanying web sites - often with additional content such as games and shopping facilities for branded merchandise. **The Commissioner urges Ofcom to specifically address media skills literacy among the parents of very young children.**

Question 6: What do you see as being the key barriers to achieving appropriate levels of media literacy in the UK?

1. The Commissioner, while acknowledging there is no current specific research in this area that he is aware of, believes that the key barriers to achieving appropriate levels of media literacy among children and young people may include:

⁷ Sense & Sensibilities: Public Opinion & the BBFC Guidelines, September 2000

- Social exclusion;⁸
- Low levels of educational attainment in certain electoral wards;⁹
- High levels of illiteracy and innumeracy within Northern Ireland; and,
- Access to clear information.

Question 7: Should any of the following groups with potentially particular needs in relation to media literacy feature as a priority for Ofcom's work in media literacy and why?

- Vulnerable children
- Vulnerable adults
- Disabled people
- Elderly people
- People on low income
- People in different parts of UK
- People from different ethnic communities
- People living in Rural areas
- People living in Urban areas

1. The Commissioner believes that children and young people, who make up more than a quarter of Northern Ireland's population¹⁰, should be a priority group. Within that wider group vulnerable children and children living in areas of deprivation should be priorities.
2. The Commissioner believes that as Northern Ireland Children and Young People can receive media outlets from extra-territorial sources, consideration must be given to how this impacts on Northern Ireland children and young people's media literacy.

Question 8: Are there any other areas in which you feel that Ofcom should be conducting research in order to inform its media literacy work?

1. The Commissioner, as stated in previous responses, is keen to make sure that children and young people are fully involved, and that media literacy work should take account of the provisions of the UN Convention on the Rights of the Child.

⁸ Northern Ireland Civic Forum report "Towards Social Inclusion" 2002

⁹ Northern Ireland Civic Forum report "Can Do Better -Lifelong Learning Strategy" 2002

¹⁰ Northern Ireland Census 2001 Population Report and Mid-Year Estimates – Northern Ireland Statistics and Research Agency 2003

Question 9: What are the key initiatives, projects or resources that Ofcom should have regard to in promoting media literacy?

1. The Commissioner is currently developing the involvement of children and young people in his work, through the creation of a youth panel. A similar panel supported the creation of the post of the Commissioner including his appointment, specification for the office of the Commissioner, design of his web site and other key areas. The Office of the First Minister/Deputy First Minister's Children and Young People Unit (Northern Ireland) has also used a youth panel to help formulate its 10-year strategy for children and young people. The Commissioner urges Ofcom to have regard to this type of model for the involvement children and young people both as a means to help shape developments and as a distinctive audience for media literacy.

Question 10: Do you support the need for a common labelling system for audiovisual content?

The Commissioner supports the need for a common labelling system, if it takes account of the needs of children and young people, and adopts Plain English standards. **The Commissioner urges the immediate development communications strategy in support of such a labelling system to include children and young people amongst its key target groups.**

Annex One: Articles of the UN Convention on the Rights of the Child as they relate to media literacy.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(d) Make educational and vocational information and guidance available and accessible to all children;

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.