



Consell  
de l'Audiovisual  
de Catalunya

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## **REPORT 128/2020**

Content Department

Barcelona, 26 October 2020

# **Child access to online pornography**

## 1. Purpose of the report

This report aims to analyse systems to prevent children accessing online pornography on video-sharing platforms or websites where the audiovisual content is presented in a similar way to on-demand audiovisual media services.

## 2. Regulatory issues

On-demand audiovisual media services are regulated by Article 6a(1) of the new Audiovisual Media Services Directive,<sup>1</sup> which states that Member States shall take "appropriate measures" to prevent minors from accessing content offered by audiovisual media service providers under their jurisdiction which may impair their physical, mental or moral development:

“Member States shall take appropriate measures to ensure that audiovisual media services provided by media service providers under their jurisdiction which may impair the physical, mental or moral development of minors are only made available in such a way as to ensure that minors will not normally hear or see them. Such measures may include selecting the time of the broadcast, age verification tools or other technical measures. They shall be proportionate to the potential harm of the programme.”

It also sets out that for the most harmful content, which includes pornography, the measures must be much stricter:

“The most harmful content, such as gratuitous violence and pornography, shall be subject to the strictest measures.”

Article 28b extends the provisions of Article 6a(1) to video-sharing platforms:

“[...]” Member States shall ensure that video-sharing platform providers under their jurisdiction take appropriate measures to protect:

- (a) minors from programmes, user-generated videos and audiovisual commercial communications which may impair their physical, mental or moral development in accordance with Article 6a(1);”

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<sup>1</sup> Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services.

According to the Directive, a dissociable section of a service with the same essential purpose as a platform is also deemed to be a video-sharing service: offering user-generated programmes and videos to inform, entertain and educate, over which the platform has organisational but no editorial responsibility.

### **3. Methodology**

#### **3.1 Sample universe**

The report examines if age verification mechanisms for pornography are in place on the platforms and social networks YouTube, Facebook, Instagram, TikTok and Twitter as well as on websites where the audiovisual content is presented in a similar way to on-demand audiovisual media services and where the main aim is to offer video clips under a range of categories to be watched on demand.

#### **3.2 Sample**

The content search was carried out between 23 September and 2 October 2020.

#### **3.3 Search system and criteria**

The content analysed in this report was found by:

- a) Searching for words and expressions on Google and the specific search engines on the platforms and social networks analysed.
- b) Suggested websites based on keyword search results.

#### **3.4 Definition of pornography**

'Pornography' is defined as follows:

Audiovisual content with sexual subject matter in which:

- a) there is explicit and repeated portrayal of and reference to sexual acts,  
and
- b) display of genitals or masturbatory practices
- c) in a narrative context for the purpose of sexual arousal
- d) and that may entail an economic activity.

#### 4. Conclusions

This report examines whether children and adolescents can access online audiovisual pornography without age verification systems on video-sharing services and websites.

The search results for the term "porno", a slang word that children are familiar with, shows how easily such content can be found. Of the top 50 results, 86% are websites that offer audiovisual content with pornography. None of these websites has age verification systems.

With regard to the main **platforms and social networks**, we analysed ten Twitter profiles containing audiovisual content with pornography, none of which use age verification to prevent child access. Most (99%) of the online pornography videos analysed are preceded by a caution message about "sensitive" content using a social network functionality, although this does not prevent access to that content. It is important to note that the minimum age to have a Twitter account is 13.

We found no audiovisual pornography accessible to minors on YouTube or on public profiles on Facebook, Instagram or TikTok.

We also selected **40 websites** as a sample for analysis, which essentially provide pornographic videos in various thematic categories. All claim to contain thousands (or millions) of videos. Although there are over a billion visits a month to some of these websites, there are no figures on how many of these might be children.

All of these websites offer pornographic content without user registration or any other effective age verification system. A mere 10% ask if the user is an adult, but there is no real filter: you simply have to answer "yes" to gain access. A further 32.5% also display caution messages regarding adult content, although most are barely visible on the screen and shown after access.

Moreover, 50% of these websites include audiovisual content of sexual acts without consent, sometimes presented as something that women want. This is evident in some of the video categories and tags ("forced gang bang, abused, forced, group rape") and the names of videos ("She ends up liking rape!!; abuse, violence and broken holes" and "Drunk schoolgirl falls asleep at a party and is sexually abused"). Furthermore, almost all contain degrading terms for women, such as slut, bitch, dumb, whore and bimbo.

This content can be freely accessed without age verification.

In sum, numerous pornography websites can be found including content that normalises inequality and sexist violence, even though they are fictional depictions.

Children and adolescents can access such content that may impair their development without access checks or age verification systems.

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