



**Baroness Floella Benjamin, DBE DL**  
benjaminf@parliament.uk

Rt Hon Boris Johnson MP  
The Prime Minister  
10 Downing Street  
London  
SW1A 2AA

7th May 2021

Dear Prime Minister,

We write as a group of concerned women's organisations, headteachers, children's charities and parliamentarians to call on you to urgently implement Part 3 of the Digital Economy Act as an interim measure to help protect women and children between now and when your promised Online Harms legislation is in place.

The last two months have raised very serious concerns about the safety of women and children in relation to incidence of sexual violence. While it is too early to talk in depth about what happened to Sarah Everard, it is clear from the outpouring of stories from women across the country following her death that a very large proportion of attacks on women are sexually motivated. We have also witnessed the impact of the 'Everyone's Invited' web site<sup>i</sup> with over 10,000 rape culture testimonies and revelations about its impact on children through the recent Centre for Social Justice report.<sup>ii</sup>

In this context, given the growing body of research (including research commissioned by the Government<sup>iii</sup>) demonstrating a clear association between pornography consumption and a higher incidence of violence against women and girls, the failure to implement Part 3, in the absence of alternative protections, has become unsustainable. Had the Government implemented Part 3 of the Digital Economy Act as planned at the end of 2019, then women today would be protected from the intimidating and degrading environment fostered by web sites showing violent and illegal 'extreme pornography'. Moreover, all under 18s would be protected from accessing pornography through the provision of robust statutory age verification in line with your seminal 2015 Conservative Election manifesto commitment.

The Government has provided three reasons for not implementing Part 3: concerns about social media, the advent of DNS over HTTPS (DoH) and the time it would take to find a new regulator. We would argue strongly – for reasons set out below – that none of these provides justification for not implementing Part 3.

**The provision of protection for women and children is not simply important from 2024. That will be too late for some women and children. We implore you to please re-designate the BBFC and move immediately to implement Part 3 as an interim measure, so women and children can enjoy the vital protections it affords in the second half of 2021, in 2022 and in 2023. The additional protections provided through the Online Harms regime can be added when they are ready.**

London  
SW1A 0PW

Yours sincerely,

Baroness Floella Benjamin, DBE

Margot James, Former Minister of Digital

Ioannis Dekas, Father and claimant in the Judicial Review of the Government's Non-implementation of Part 3 of the Digital Economy Act, mandating age verification of pornographic web sites.

Ava Vakil, Student Campaigner and claimant in the Judicial Review of the Government's Non-implementation of Part 3 of the Digital Economy Act, mandating age verification of pornographic web sites.

Michael Tunks, Senior Policy Manager, Internet Watch Foundation

Javed Khan, CEO, Barnardos

Patricia Durr, CEO ECPAT UK

Kathy Evans, CEO, Children England

Deborah Dennis, CEO, Lucy Faithfull Foundation

Carolyn Bunting, CEO, Internet Matters

Jonathan Baggaley, CEO, PSHE Association

Dr Eunice Lumsden, Associate Professor Uni of Northampton

Anne Campbell, CEO, Embrace Child Victims of Crime

John Carr OBE

Farah Nazeer, CEO, Women's Aid Federation of England

Vanessa Morse, CEO, CEASE UK

Iain Henderson, CEO, Naked Truth

Helena Croft, Director of StreetlightUK

Professor Kathleen Richardson, Founder and CEO of CASR

Anthea Sully, Chief Executive, White Ribbon

Helen Johnson, Chair of SASE

Janice Williams, Chair, Object

Laura Bloomer, CEO, Backed Technologies

Dr. Sasha Rakoff, CEO, Not Buying It!

Anna Fisher, Chair, Nordic Model Now

Dr Joe Spence - Master Dulwich College

Kirsty Von Malaise - Head King Edward VI High School for Girls

Donna Stevens, CEO, The Girls' Schools Association

Geoff Barton, General Secretary, the Association of School and College Leaders

Robin Fletcher, CEO, the Boarding Schools' Association

John Edward, Director, the Scottish Council of Independent Schools

Clive Rickart, CEO, the Society of Heads

Rudolf Elliott Lockhart, CEO, Independent Schools Association

Emma Verrier, CEO, the Welsh Independent Schools Council

Lord MacKay of Clashfern

Lord McColl of Dulwich

Lord Griffiths of Bury Port

Lord McNally

Baroness Kramer

Lord Clement-Jones

Lord Bradshaw

Lord Foster Lord Wallace of Saltaire

Baroness Harris of Richmond

Baroness Massey

Baroness Walmsley

Lord Alderdice

Lord Alton of Liverpool

Baroness O'Loan

Lord Morrow  
Lord Stunell  
Lord Storey  
Baroness Thornhill  
Lord Oates  
Baroness Bonham-Carter  
Baroness Ludford  
Baroness Uddin  
Baroness Parminter  
Baroness Hussein-Ece  
Lord Beith  
Baroness Greender  
Lord Browne of Belmont

cc: Rt Hon Oliver Dowden MP, Secretary of State for Culture Media and Sport

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### **Our Response to the Government's Justification for not implementing Part 3**

First, the Government has pointed out that Part 3 does not address pornography on social media. We welcome the fact that the Online Harms regime will, but it is not ready. In this context it is obviously better to provide the protections that Parliament has afforded in relation to pornographic web sites now, and to add in additional protections in relation to social media when they are ready.

Second, some opponents of the measure have questioned whether IP blocking will work as DNS over HTTPS (DoH) becomes more commonplace. In the first instance, while current DNS based blocking methods used by ISPs may need updating, DOH does not completely disguise the sites being accessed so they can still be blocked. In the second instance, if it is going to become a significant problem this will not become clear for several years and, here, we are talking about interim protection over the next 3 years. Finally, IP blocking is just one of four enforcement mechanisms in the Act. Even if it did not work there would still be the other 3!

Third, the Government has said that it does not want the British Board of Film Classification (the BBFC) to be the regulator and that it would take a long time to select a new regulator and re-develop all the guidance and secondary legislation for another regulator. We are sure there are reasons for thinking that the Office of Communications (OFCOM) might be a better regulator than the BBFC. However, if the BBFC was re-designated as regulator, it would not be necessary to develop new guidance and new regulations, so Part 3 could be providing women and children with meaningful protections in the second half of 2021. The Government must ask whether its preference for OFCOM justifies leaving women and children without the protection of Part 3 in the absence of the promised Online Harms regime until 2024? We would strongly suggest not. It is self-evidently better for women and children to enjoy the protections afforded by Part 3 in relation to pornographic web sites at a time when the Online Harms regime is not ready, than for these protections to be denied them.

<sup>i</sup> <https://www.everonesinvited.uk/>

<sup>ii</sup> <https://www.centreforsocialjustice.org.uk/wp-content/uploads/2021/03/CSJJ8804-Unsafe-Children-210325-WEB.pdf> p. 23

<sup>iii</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/952526/The\\_Relationship\\_between\\_Pornography\\_use\\_and\\_Harmful\\_Sexual\\_Attitudes\\_and\\_Behaviours-literature\\_review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952526/The_Relationship_between_Pornography_use_and_Harmful_Sexual_Attitudes_and_Behaviours-literature_review.pdf) and [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/952525/The\\_Relationship\\_between\\_Pornography\\_use\\_and\\_Harmful\\_Sexual\\_Behaviours.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952525/The_Relationship_between_Pornography_use_and_Harmful_Sexual_Behaviours.pdf)