We live in an age, when most children have access to the internet before they learn to read. This has a huge impact on their development and opens the way for abuse from the very beginning. Therefore, this needs to be addressed.

Internet is undoubtedly a place that has many positive aspects. Thanks to its creation, access to knowledge and people from all around the world is much easier than in the past. However, there is also full of inappropriate content for children and one of the biggest threats is in our opinion, easy access to pornography. Children can and do access it wherever and whenever they want, even without their parents' knowledge.

The problem of minors' access to pornographic content and regular use of pornography concerns an increasingly wide group of young people all over the world. Statistics presented by various research centers show that not only has the number of regular users of pornography increased in recent years, but the age of contact with this type of material has fallen sharply.

**Data and statistics**

The opinion literature emphasises that 'pornography is a visual representation of sexuality that distorts perceptions of the nature of marital relationships. Pornography changes both attitudes and sexual behaviour. It is a major threat to marriage, to the family, to children and to individual happiness. By destroying marriage, it is at the same time one of the factors destroying the social order. Sociologists, clinical psychologists and biologists have begun to explain some of the social and psychological effects of pornography use, and neuroscientists are discovering and describing the biological mechanisms through which pornography exerts its powerful negative influence[[1]](#footnote-1).

In Poland, the average age at which children first saw pornographic content is less than 11 years old, while among older adolescents it is 12 years old[[2]](#footnote-2). Furthermore, almost one in five respondents was under the age of 10 when they first saw pornographic content. They were primarily helped by a smartphone with internet access (35.1%).

Older respondents had seen sexual content in the past week (34.1%) or month (14.8%). One in seven (15.7%) 12- and 14-year-olds said they had seen pornographic content in the week before the survey and one in nine (10.4%) in the previous month. Almost one in eleven 12- and 14-year-olds had last seen pornographic content when they were around 10 years old, and one in six of the older respondents were under the age of six when they last encountered this type of material[[3]](#footnote-3).

Responses to questions asking students to estimate the popularity and viewing of sexual content among their class peers show that only one in three (33.6%) teenagers do not reach out at all. There is less interest in pornographic material among 12- and 14-year-olds (40.5%) than among 16-year-olds, where only one in five does not watch this type of content (19.7%). Very intensive contact with pornography is declared by older survey participants. One in five respondents indicated that their male or female colleagues view such content on the Internet several times a day (20.6%) or several times a week (20.9%). In the case of younger respondents, one in eight has daily contact with sexual material, while one in nine 12- and 14-year-olds has contact with sexual material several times a week.

Parents are aware of the dangers of children's exposure to pornographic content. This is confirmed by the fact that 42.2% of the children and teenagers surveyed said that their parents forbid them from viewing such material. However, one in four respondents (23.9%) indicated unequivocally that their parents had never articulated such a prohibition[[4]](#footnote-4).

Research shows that Pornography causes addiction similar to drug addiction and damages brain function. It is also said to reduce the coherence of the frontal lobes of the brain, interfering with the ability to think logically and make rational decisions, as well as reducing self-control and rational evaluation of facts. These effects affect both children and adults[[5]](#footnote-5). It is also pointed out that pornography addiction in children and adolescents occurs much more quickly than in adults, because the brain during this period is very plastic and still developing[[6]](#footnote-6).

On 18 June 2018, the problem was officially identified by the World Health Organisation (WHO), which has placed compulsive sexual behaviour disorder (CSD) in the new, updated International Statistical Classification of Diseases and Health Problems (ICD-11) under a separate number 6C726[[7]](#footnote-7). The new classification was adopted on 25 May 2019 by the World Health Assembly and came into force on 1 January 2022[[8]](#footnote-8).

Moreover, the research, published on 14 April 2017 in the prestigious scientific journal Neuropsychopharmacology, indicates that what we see in the brain of compulsive pornography users is exactly the same mechanism that we see, for example, in gambling addiction or substance addiction. It is a mechanism of increased reactivity of the reward system to stimuli that are associated with, for example, the use of pornography[[9]](#footnote-9).

**Pornography a global issue – practical recommendations**

Both parental and community education efforts are very important to prevent access to and prevalence of pornographic content among children and adolescents. Nevertheless, the scale of the phenomenon and its consequences have brought the issue into the public debate at both regional, national and even international level.

Lawyers of the Ordo Iuris Institute have been working for several years to introduce effective protection for children from access to pornography. Recently, the Institute's experts prepared a report on possible directions for the protection of minors from access to pornographic content on the Internet, based on the example of selected Western countries[[10]](#footnote-10).

**Poland**

In October 2022, the government (Ministry of Digitalisation) presented a draft law on the protection of minors from access to inappropriate content on the internet (UD 451), after undertaking interrupted work. The draft provides for the obligation of internet providers to introduce a mechanism for blocking pornographic content activated at the request of subscribers (adults, including parents).

The draft mainly defined:

1) Internet providers' obligations related to restricting subscribers' access to pornographic content on the Internet;

2) Internet providers' information obligations related to protecting subscribers and underage end-users from accessing pornographic content on the Internet;

Operators under it would be obliged to provide a simple-to-use filter to block pornographic content, while the law was intended to guarantee free access to it. Disabling the service requires confirmation of the subscriber's identity to prevent a child from disabling the service - without the parent's knowledge. Confirmation of identity is possible through the use of, for example, an established password[[11]](#footnote-11).

**United Kingdom**

On 8 February 2022, on the occasion of Safer Internet Day, UK Under-Secretary of State for Technology and the Digital Economy Chris Philp announced that the Online Safety Bill would force sites providing pornographic content to prevent minors from accessing it, including through age verification technology. He stressed that the new measures in the Bill go further than the existing safeguards under the Act by covering all websites offering online pornography. According to the ministry, thanks to these measures, children will be better protected from online pornography

It also cites the findings of a 2020 study that at least 51% of UK children aged 11-13 had viewed pornographic content, of which 61% said they had viewed it unintentionally. It also recognised that while 47% of teenagers aged 16-17 had viewed pornography on websites, up to 63% had viewed it on social media[[12]](#footnote-12).

The first reading of the Online Safety Bill took place on 17 March 2022 and the second reading on 19 April 2022.[[13]](#footnote-13) The final project is available here: <https://bills.parliament.uk/bills/3137>

**France**

In July 2020, the French President signed a law allowing the public administration to block access to pornographic sites that make their material available without age verification[[14]](#footnote-14). In October 2021, the decree implementing this law came into force.

In December 2021 the CSA announced that access to the five largest porn sites (PornHub, xHamster, xVideos, XNXX, Tukif) will be top-down blocked on French territory if they do not introduce effective age verification mechanisms for users as required by law by the end of 2021[[15]](#footnote-15). As of 1 January 2022, the CSA was incorporated into a new entity: The Authority for the Regulation of Audiovisual and Digital Communications (Autorité de Régulation de la Communication audiovisuelle et numérique, ARCOM), which, on 8 March 2022, using its new powers, took the five largest pornographic sites in France to the Court of Justice in Paris[[16]](#footnote-16).

1. Patrick F. Fagan, *Wpływ pornografii na jednostkę, małżeństwo, rodzinę i społeczeństwo*, <https://studylibpl.com/doc/1395440/wp%C5%82yw-pornografii-najednostk%C4%99--ma%C5%82%C5%BCe%C5%84stwo--rodzin%C4%99-i-wsp> (access: 22.04.2024). [↑](#footnote-ref-1)
2. *Nastolatki wobec pornografii cyfrowej. Trajektorie użytkowania,* <https://www.nask.pl/pl/raporty/raporty/5077,Raport-Nastolatki-wobec-pornografii-cyfrowej.html>, p. 15 (access: 22.04.2024) [↑](#footnote-ref-2)
3. *Ibidem*, p. 18. [↑](#footnote-ref-3)
4. *Ibidem*, p. 37. [↑](#footnote-ref-4)
5. Zdrowotne, społeczne i ekonomiczne skutki konsumpcji pornografii, <https://www.edukacja-zdrowotna.pl/wp-content/uploads/2019/10/Zdrowotne_spo%C5%82eczne_i_ekonomiczne_skutki_konsumpcji_pornografii.pdf> (access: 22.04.2024). [↑](#footnote-ref-5)
6. Ibidem. [↑](#footnote-ref-6)
7. *6C72 Compulsive sexual behaviour disorder*, [https://icd.who.int/browse11/lm/en#/http%3a%2f%2fid.who.int%2ficd%2fentity%2f1630268048](https://icd.who.int/browse11/lm/en" \l "/http%3a%2f%2fid.who.int%2ficd%2fentity%2f1630268048) (access: 22.04.2024). [↑](#footnote-ref-7)
8. *WHO’s new International Classification of Diseases (ICD-11) comes into effect,* https://www.who.int/news/item/11-02-2022-who-s-new-international-classification-of-diseases-(icd-11)- comes-into-effect (access: 22.04.2024). [↑](#footnote-ref-8)
9. M. Gola et al., *Can Pornography be Addictive? An fMRI Study of Men Seeking Treatment for Problematic Pornography Use*, „Neuropsychopharmacology”, <https://www.nature.com/articles/npp201778> (access: 22.04.2024). [↑](#footnote-ref-9)
10. N. Bernaciak, R. Dorosiński, *Możliwe kierunki ochrony małoletnich przed dostępem do treści pornograficznych w Internecie na przykładzie wybranych państw zachodnich*, <https://ordoiuris.pl/sites/default/files/inline-files/Ochrona_przed_pornografia%CC%A8_-_wybrane_pan%CC%81stwa.pdf> (access: 22.04.2024). [↑](#footnote-ref-10)
11. *Sam zdecydujesz czy włączyć dziecku blokadę dostępu do nieodpowiednich treści – RM przyjęła kierunkowo projekt ustawy*, <https://www.gov.pl/web/cyfryzacja/sam-zdecydujesz-czy-wlaczyc-dziecku-blokade-dostepu-do-nieodpowiednich-tresci--rm-przyjela-kierunkowo-projekt-ustawy> (access: 22.04.2024). [↑](#footnote-ref-11)
12. *World-leading measures to protect children from accessing pornography online*, <https://www.gov.uk/government/news/world-leading-measures-to-protect-children-from-accessingpornography-online> (access: 22.04.2024). [↑](#footnote-ref-12)
13. *Online Safety Bill Government Bill Originated in the House of Commons*, Sessions 2021-22, 2022-23, <https://bills.parliament.uk/bills/3137> (access: 22.04.2024). [↑](#footnote-ref-13)
14. *Loi n° 2020-936 du 30 juillet 2020 visant à protéger les victimes de violences conjugales,* <https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000041502001/> (access: 22.04.2024). [↑](#footnote-ref-14)
15. *Contrôle de l'âge des mineurs : cinq sites mis en demeure de mettre en place des dispositifs adaptés pour répondre à leurs obligations légales*, <https://www.csa.fr/Informer/Toutes-les-actualites/Actualites/Controlede-l-age-des-mineurs-cinq-sites-mis-en-demeure-de-mettre-en-place-des-dispositifs-adaptes-pour-repondre-aleurs-obligations-legales>, (access: 22.04.2024); *Plusieurs sites pornos pourraient être bloqués en France ce 28 décembre*, <https://www.ouest-france.fr/high-tech/internet/plusieurs-sites-pornos-pourraient-etre-bloques-en-france-ce28-decembre-b4be03e4-6709-11ec-88ac-a9002872352f> (access: 22.04.2024). [↑](#footnote-ref-15)
16. *Accès des mineurs aux sites pornographiques : Saisine du président du tribunal judiciaire de Paris*, <https://www.arcom.fr/larcom/presse/acces-des-mineurs-aux-sites-pornographiques-saisine-du-president-dutribunal-judiciaire-de-paris> (access: 22.04.2024). [↑](#footnote-ref-16)