



Protecting Vulnerable Youth from Pornography

A submission from the Association for Reformed Political Action (ARPA) Canada

to

The Standing Committee on Public Safety and National Security

Regarding

Bill S-210, An Act to restrict young persons' online access to sexually explicit material

March 18, 2024

Pornography has existed for millennia. But the sheer amount of content, increase in violent content, and ease of access via the internet are unique to modern society. The impact of pornography on Canadian youth necessitates action from the federal government. We thank the members of this Committee for the opportunity to provide a written brief. ARPA Canada supports Bill S-210.

The Problem of Pornography

ARPA Canada believes that God created every human being in his image.¹ As such, every person possesses inherent and inalienable dignity. Pornography objectifies human bodies, exploits vulnerable people, sexualizes children, and causes familial, social, and community harm. The pervasiveness and effects of pornography today are unprecedented because of the advent of photo, video, digital technologies, the internet, and AI which make pornography easy to create, share, and access anonymously.² Canadian governments and law enforcement must do more to ensure the pornography industry stops exploiting vulnerable people, particularly young children.

Pornography consumption can lead to compulsive behaviour and addiction, with measurable physiological and neurological harms. Research by Dr. Norman Doidge shows that sexual preferences are malleable. When pornography connects torture and sexual arousal, for example, that visual connection “can cause previously unrelated neurons within the brain to

¹ Genesis 1:27.

² K. Doran, “Industry Size, Measurement and Social Costs” in *The Social Costs of Pornography: A Collection of Papers*, eds. James R. Stoner, Jr., and Donna M. Hughes (Princeton: Witherspoon Institute, 2010), 187-190. Morgan Bennett, “[The New Narcotic](#)” Public Discourse, Oct. 9, 2013.

learn to ‘fire’ in tandem so that the next time around, physical torture actually does trigger sexual arousal in the brain ... [Pornography] literally changes the physical matter within the brain so that new neurological pathways require pornographic material in order to trigger the desired reward sensation.”³ As another researcher put it, “[N]eurological research has revealed that the effect of internet pornography on the human brain is just as potent—if not more so—than addictive chemical substances such as cocaine or heroin.”⁴

Habitual pornography users become less excited by the same type of images and often need more extreme images or narratives to continue to satisfy their desires.⁵ Pornography is now increasingly dominated by violent, degrading, and deviant themes.⁶ This contributes to negative views and objectification of women.⁷ Pornography mainstreams sexual violence by making it both common and “consensual” and so changes the way men and women interact.⁸ Researchers note that “increasing numbers of men are being found guilty of violence against women where pornography consumption was implicated. Literature linking pornography use to sexual offending, sexual aggression and abuse is now strong.”⁹ For example, nearly 24% of adult American women report feeling fear during intimacy due to porn-inspired choking.¹⁰

Harvard law professor Catharine MacKinnon argues that “nothing else does what pornography does ... What pornography does, it does in the real world, not only in the mind.”¹¹ Pornography publicizes actual sex acts, many of them degrading or violent. Consuming pornography changes consumers’ perceptions and attitudes.¹² The harm to children, who are increasingly exposed to pornography at younger ages, necessitates restrictions on underage access to online porn.

Pornography and Minors

The scope of Bill S-210 is limited to children’s access to online pornography. A recent survey commissioned by the United Kingdom’s Age-verification Regulator revealed that 51% of 11- to 13-year-olds reported that they had seen pornography, with over 60% of these saying it was

³ Bennett, “The New Narcotic.” For the study Bennett cites, see Norman Doidge, “Acquiring Tastes and Loves: What Neuroplasticity Teaches Us About Sexual Attraction and Love” in *The Social Costs of Pornography: A Collection of Papers*, eds. James R. Stoner, Jr., and Donna M. Hughes (Princeton: Witherspoon Institute, 2010), 21-56.

⁴ Bennett, “The New Narcotic.”

⁵ Edward Donnerstein, Daniel Linz, and Steen Penrod, *The Question of Pornography: Research Findings and Policy Implications* (New York: Free Press, 1987), 29. See also Doidge, “Acquiring Tastes and Loves,” 32.

⁶ Doidge, “Acquiring Tastes and Loves,” 30.

⁷ John D. Foubert et al., “Pornography and Sexual Violence,” in *Handbook of Sexual Assault and Sexual Assault Prevention*, William T. O’Donohue and Paul A. Schewe, eds., (Switzerland: Springer Nature Switzerland, 2019), 116.

⁸ Foubert et al., “Pornography and Sexual Violence,” 116.

⁹ Mary Sharpe and Darryl Mead, “[Problematic Pornography Use](#): Legal and Health Policy Considerations,” *Curr Addict Rep* 8(4), 2021: 556-567.

¹⁰ Debby Herbenick et al., “[Feeling Scared During Sex](#): Findings from a U.S. Probability Sample of Women and Men Ages 14 to 60,” *Journal of Sex & Marital Therapy* 45(5), 424-439.

¹¹ Catharine A. MacKinnon, *Only Words* (Cambridge, MA: Harvard University Press, 1993), 15.

¹² MacKinnon, *Only Words*, 15-20.

unintentional. Some children had seen pornography as early as age seven or eight.¹³ A report by the Children’s Commissioner in the UK found that 79% of 18–21-year-olds had seen violent pornography before the age of 18.¹⁴ Evidence suggests that consumption of pornography is related to harmful attitudes towards women and girls, sexual coercion and aggression, and an increased likelihood of engaging in risky sexual behaviour.¹⁵

A 2021 study found that one in eight porn videos shown to first-time users on the home pages of mainstream porn sites feature sexual violence.¹⁶ Children increasingly see pornography as sex education, and think that it is a realistic depiction of what sex is.¹⁷ For example, 44% of boys between the ages of 11 and 16 who viewed pornography said that it gave them ideas of sex acts they wanted to try.¹⁸ There has also been a disturbing rise in sexual violence against children, committed by children. A survey of grade 10 high school students found that exposure to pornography is linked with dating violence and sexual aggression. Boys exposed to violent pornography were 2-3 times more likely to perpetrate teen dating violence, while girls were 1.5 times more likely to do so than girls who were not exposed to violent pornography.¹⁹ Another study found that the majority (76.7% for males and 70.1% for females) of sexual abuse and assault of children in the US is perpetrated by other young people.²⁰ Further, a study of youth ages 10 to 15 found that intentional exposure to X-rated material predicted a 6-fold increase in sexually aggressive behaviour.²¹ The use of sexually explicit materials also has developmental effects on behavioral, cognitive, and emotional well-being.²²

International Age-Verification

Exposure to pornography harms the sexual and psycho-social development of children and youth while also increasing risk to those the young viewers interact with. Several jurisdictions

¹³ [“Children see pornography as young as seven, new report finds,”](#) *British Board of Film Classification (BBFC)*, Sept. 26, 2019.

¹⁴ [“A lot of it is actually just abuse:”](#) Young people and pornography,” *Children’s Commissioner*, January 2023, 5.

¹⁵ [“A lot of it is actually just abuse,”](#) 15.

¹⁶ Fiona Vera-Gray et al., [“Sexual violence as a sexual script in mainstream online pornography,”](#) *The British Journal of Criminology* 61(5), 2021.

¹⁷ Elena Martellozzo et al., [“I wasn’t sure it was normal to watch it”](#): A quantitative and qualitative examination of the impact of online pornography on the values, attitudes, beliefs and behaviours of children and young people,” *Children’s Commissioner*, May, 2017. See also Emily F. Rothman et al., [“The Prevalence of Using Pornography For Information About How to Have Sex: Findings from a Nationally Representative Survey of U.S. Adolescents and Young Adults,”](#) *Archives of Sexual Behavior* 50, 2021.

¹⁸ Martellozzo et al., [“I wasn’t sure it was normal to watch it.”](#)

¹⁹ Whitney L. Rostad et al., [“The Association Between Exposure to Violent Pornography and Teen Dating Violence in Grade 10 High School Students,”](#) *Archives of Sexual Behavior* 48, 2019.

²⁰ Ateret Gewirtz-Meydan and David Finkelhor, [“Sexual Abuse and Assault in a Large National Sample of Children and Adolescents,”](#) *Child Maltreatment* 25(2), 2020.

²¹ Michele L. Ybarra et al., [“X-rated material and perpetration of sexually aggressive behavior among children and adolescents: is there a link?”](#) *Aggressive Behavior* 37(1), 2011.

²² Goran Koletić, [“Longitudinal associations between the use of sexually explicit material and adolescents’ attitudes and behaviors: A narrative review of studies,”](#) *Journal of Adolescence* 57, 2017. See also Goran Koletić, Taylor Kohut, and Aleksandar Štulhofer, [“Associations between adolescents’ use of sexually explicit material and risky sexual behavior: A longitudinal assessment,”](#) *PLoS ONE* 14(6), 2019.

have taken significant steps towards preventing minors from having easy access to sexually explicit content online. In 2013, British Prime Minister David Cameron addressed the issue of online pornography, stating, “I feel profoundly as a politician, and as a father, that the time for action has come. This is, quite simply, about how we protect our children and their innocence.”²³ Plans to pass legislation were initially dropped in favour of regulation.²⁴ However, the U.K. recently took steps to improve protection of children and adults online through its Online Safety Bill (2023), which made social media companies more responsible for users’ safety, particularly pertaining to removing illegal content, and preventing children from accessing age-inappropriate content.²⁵ Further, the U.K. government recently launched an investigation into barriers to enforcement and gaps that allow exploitation to take place online.²⁶

France’s Minister for Digital Affairs said, “2023 is the end of access to pornographic sites for our children.”²⁷ The government is mandating age-verification through a digital certificate where users prove their age through a trusted third party and are provided with a token that confirms their age and can be used anonymously.²⁸ Germany has also implemented age-verification measures, recently seeking to block access to Canadian pornography sites for failure to comply.²⁹

The Council of Europe also recognizes the harm of childhood exposure to pornography and has recommended that member states support age verification tools.³⁰ The Council notes a variety of options for age-verification, but emphasizes that “enforcement must ‘have teeth’ and be very swiftly implemented.”³¹ The report concludes by saying that combatting childhood exposure to pornography “needs to become a priority for society as a whole, with media acting responsibly, and with governments being held accountable for what they do to address this concern.”³²

Several U.S. states have implemented age verification laws and several more are in the process of doing so. Since Louisiana passed age-verification legislation in 2023, traffic to Pornhub dropped by 80 percent. In response to legislation in some states, Pornhub chose to stop

²³ [“Online pornography to be blocked by default, PM announces,”](#) *BBC News*, July 22, 2013.

²⁴ Rory Cellan-Jones, [“UK’s controversial ‘porn blocker’ plan dropped,”](#) *BBC*, Oct. 16, 2019.

²⁵ UK Parliament, [A Bill to make provision for and in connection with the regulation by OFCOM of certain internet services; for and in connection with communications offences; and for connected purposes.](#)

²⁶ [“Pornography review launched to ensure strongest safeguards,”](#) UK Department for Science, Innovation and Technology, Ministry of Justice, July 3, 2023.

²⁷ David Mouriquand, [“Pornography in France: A new initiative to block access for minors,”](#) *EuroNews*, Feb. 6, 2023.

²⁸ Laura Kayali, [“No porn, no Instagram for kids: France doubles down on age verification,”](#) *Politico*, Feb. 15, 2023

²⁹ Marie Woolf, [“Germany prepares to pull Canadian porn sites over refusal to verify viewers are over 18,”](#) *The Globe and Mail*, Sept. 12, 2023.

³⁰ The Council of Europe is Europe’s largest human rights organization, with 47 member states. See Council of Europe, Parliamentary Assembly, [“For an assessment of the means and provisions to combat children’s exposure to pornographic content,”](#) 2.

³¹ Council of Europe, Parliamentary Assembly, [“For an assessment of the means and provisions to combat children’s exposure to pornographic content,”](#) 10.

³² Council of Europe, Parliamentary Assembly, [“For an assessment of the means and provisions to combat children’s exposure to pornographic content,”](#) 14.

operating in those areas.³³ While age-verification measures are relatively new, early reports indicate some effectiveness in curbing online pornography consumption.

Privacy

One argument commonly used against age-verification is the importance of privacy for users. Bill S-210 does not prescribe how age-verification will be done. Nor does it designate a particular enforcement authority.

Age-verification processes may make it less convenient for adult users to access pornography sites. In addition, depending on the mechanism used, a person may be required to provide personal information. There are many online services and transactions today where users are required to verify their age or identity. If a person chooses not to share personal information, they can also choose not to access pornography.

There are several ways to implement age-verification and respect privacy concerns. One such method is third-party verification, whereby users are verified by a third-party and receive a digital token that they can then present to any restricted site.³⁴ This approach is used in France.³⁵ The third-party that issues proof of age does not know where an online token will be used. When the token is presented to a restricted site, the site owners do not know the person's identity. A survey of French citizens revealed a 74% approval of such an approach.³⁶

In the United Kingdom, third-party Ofcom is responsible for implementing the government's recent Online Safety Act. Ofcom lists multiple age-verification methods that are highly effective, including requirements for data protection. At the same time, Ofcom rejects weaker age-verification methods including self-declaration, online payment methods other than credit cards, or general disclaimers or warnings.³⁷ Other jurisdictions have chosen instead to require users to upload identification. In Louisiana, for example, websites that have at least one third of their content as pornography must verify the user's age through ID or other proof of age.³⁸ In ARPA's view, this one-third of content rule is unnecessary. Age verification can be required for access to any website that regularly or continuously hosts pornographic content. Age verification requirements may also incentivize companies to ensure their websites do not host pornographic content, or that any pornographic content that gets posted on their platform is swiftly removed.

³³ Marc Novicoff, "[A Simple Law is Doing the Impossible](#). It's Making the Online Porn Industry Retreat," *Politico*, Aug. 8, 2023.

³⁴ For an example of a possible age-verification process, see "[This simple tech solution will protect kids from porn](#)," *Connecting to Protect*, which proposes a one-time age-verification, after which the user can access age-restricted sites through the use of a "Digital Token."

³⁵ Frank Hersey, "[Double anonymity to bring age verification to porn and social media in France](#)," *Biometric*, Feb. 20, 2023.

³⁶ Laura Ceci, "[French opinion on porn websites access with double anonymity system 2023](#)," *Statista*, Jan. 16, 2024.

³⁷ "[Implementing the Online Safety Act](#): Protecting children from online pornography," *Ofcom*.

³⁸ Jonathan Franklin, "[Looking to watch porn in Louisiana? Expect to hand over your ID](#)," *NPR*, Jan. 5, 2023.

A Note on Bill C-63

Prior the introduction of Bill C-63, the government opposed Bill S-210, arguing that the *Online Harms Act* would make an age-verification law unnecessary. In its current form, however, the *Online Harms Act* does nothing to directly restrict minors' access to pornography. It requires operators to consider 'age-appropriate design' but does not clarify what that would look like. Either way, age-appropriate design would not effectively limit youth exposure to pornography. As such, Bill S-210 is essential legislation whether or not the *Online Harms Act* comes into effect.

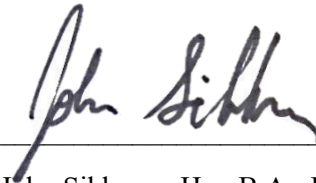
Recommendation # 1

ARPA Canada recommends that this Committee support the passage of Bill S-210. The seriousness of pornography's impacts on young Canadians necessitates effective age-verification legislation.

Respectfully submitted on behalf of ARPA Canada,



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