

THE CONTENT CODE

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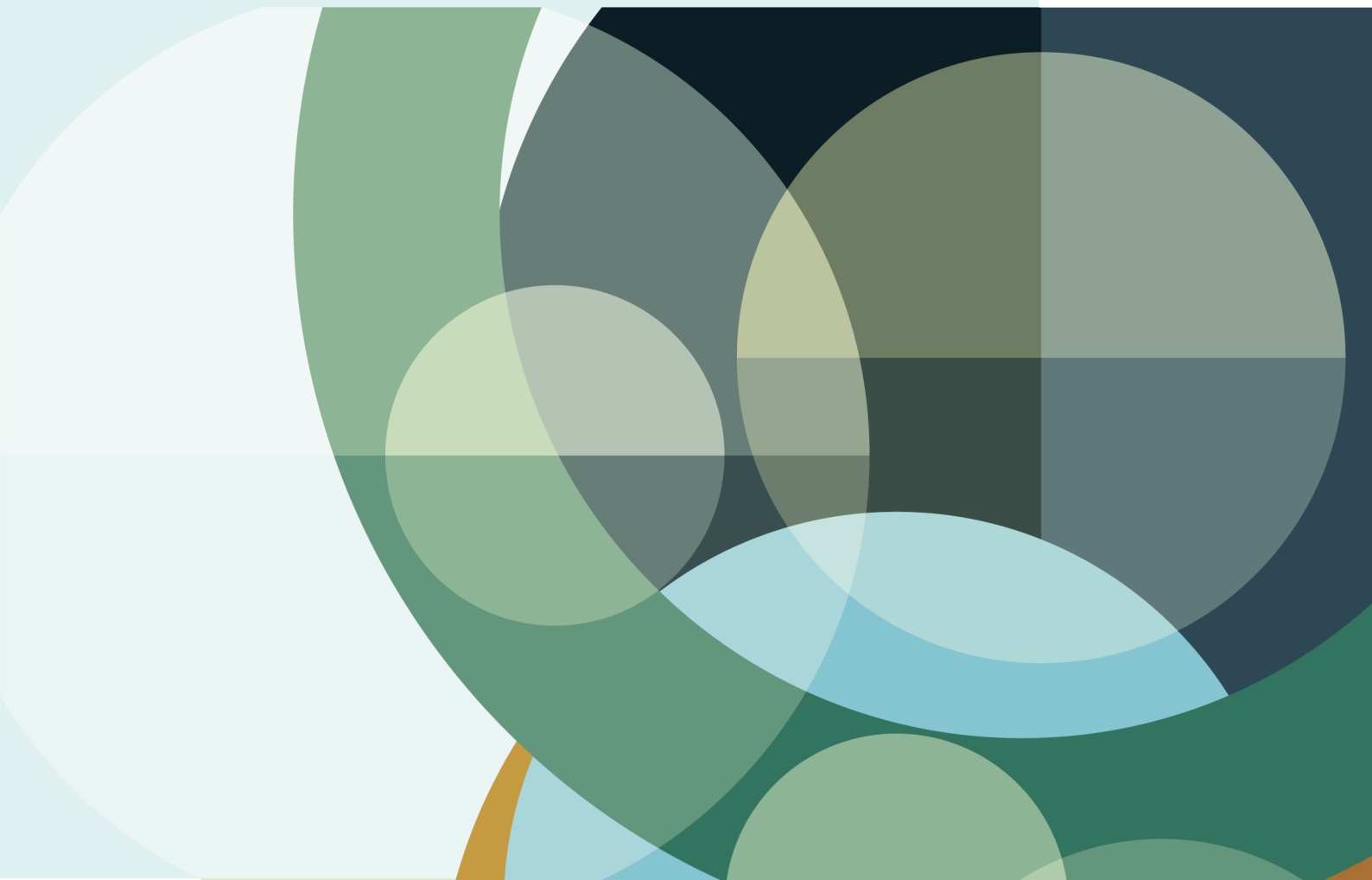


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THE CONTENT CODE

The Content Code is designed in harmony with the rise of an advanced digital media ecosystem, with emerging international best practices in policy and regulation, and with the goal of dynamic technology engagement by Jamaican citizens so they may play their part in advancing the welfare of the whole human race.

Though no longer fully applicable in an era of mobile, interactive, on-demand media consumption, the Children's Code for Programming provides an adaptable framework for the digitized environment. A revised, user-friendly tool is presented, transferable across platforms, and benchmarked against current rating systems.

This revised Code provides platform-agnostic stipulations of practice for providers of content and providers of content services (both referred to below as 'providers'), including but not restricted to free-to-air and subscription-based programming, on-demand content, regulated online user-to-user services, and online search services, as well as gaming, video and streaming platforms and devices. Providers of content and content services have a duty of care to ensure that their products and services are in the user's best interests and that where risks or harms are possible as a result of engaging with those contents, appropriate protections are available to safeguard the wellbeing of the user. Providers of content and content services with users based in Jamaica will operate within the guidelines of this Code and any applicable legislative arrangements unless granted exemptions.

Entities expected to have a particular interest or responsibility regarding each Code item are identified.

Additionally, the UN Convention on the Rights of the Child provides three guiding principles for understanding child rights - protection, provision, and participation - and one or more of these principles are cited for anchoring each Code item in an ideal that already enjoys a measure of consensus in the society.

¹Content provider: an individual or organization that creates, develops and disseminates content via the internet for commercial or non-commercial purposes to a user or market (eg., Quite Perry, TVJ, Al Jazeera, China Central Television).

²Provider of content services: an internet, telecoms, or broadband service which permits users to create, upload or share content that can be accessed by other users (eg., Digicel, Verizon, TMobile, YouTube).

Accuracy

Providers must ensure that content on their platforms and devices is free from misinformation, disinformation, and mal-information. Providers are required to implement technological and other forms of gatekeeping or surveillance to ensure that content traversing their systems are accurate in the public's interest.

Providers must ensure that information that is false but shared without intent to create harm, that is, *misinformation*, be corrected and an apology must be made swiftly and with appropriate frequency or proximate to the original time-band of the dissemination of erroneous content.

Providers that are demonstrated to be involved in *disinformation*, that is, the dissemination of information that is known to be false – shared intentionally to injure a person, group, organization, or country - shall be considered to be in breach of the terms of their service, and liable for action under the relevant legislation.

Providers that are demonstrated to be involved in *mal-information*, that is, the dissemination of information that is based on reality but intended to inflict harm on a person, social group, organization, or country, shall be considered to be in breach of the terms of their service, and liable for action under the relevant legislation.

Relevant entity: industry

Principle: protection

Advertising

Providers are required to ensure that filters and blocking features are used on all platforms and devices designed specifically for children as a market to ensure that inappropriate, disturbing, or harmful pop-up advertisements are barred from access by minors.

Providers must ensure that content designed for children as a market must not include advertising for foods high in fats, salt or sugar, or alcoholic beverages. Content designed for children must not contain advertising for gambling products or services.

Providers must ensure that food, food supplements, and health claim advertisements are substantiated by documentary evidence and/or that such advertisements are registered with the Advertising Authority or designated oversight organization. Advertisers are permitted to make factual statements about their products (regarding taste, smell, texture, etc.) and provide testimonials (“I used this product and loved it.” etc.). Advertisers cannot make misleading statements about products or services in their marketing content.

Providers are required to discourage advertising for which claims are not possible to prove or advertises that prey on gullible or vulnerable audience members or users. Advertisements that claim to predict the future, make dreams come true, solve all problems, break curses, banish evil spirits or improve health and/or love life should be avoided.

Providers must not advertise individual-use digital products for infants or toddlers (see Screen Time Guide). Screen-based digital products designed for young children must be marketed as co-use devices or platforms for simultaneous use by caregivers and children.

If ‘loot boxes’ or ‘pay-to-win’ features are embedded in platforms designed for use by children (for example, video games), such features should be explicitly stated in advertising messages about the product.

Relevant entity: industry

Principle: protection

Advisories

Providers are required to give information about the nature and amount of inappropriate material in content being disseminated on their platform (for example, video with flashing lights, video or audio with disturbing content such as screaming, explosions or gunshots, etc.). This is to facilitate adults and caregivers making informed choices about what their children should be exposed to or to forewarn users who may have sensitivities to certain kinds of content.

Advisories should be provided prior to the airing of scheduled programmes or, for online content, flagged with a notification or given a warning designation.

Relevant entity: industry

Principle: protection

Age appropriateness

Providers are required to assess whether their product or service can reasonably be expected to be used by children, and if so, the platform or content should be rated and designated based on age brackets and expected developmental attainments (see Rating Guide and Screen Time Guide).

Relevant entity: industry

Principle: protection and provision

Child Sexual Exploitation and Abuse Content

Providers have a duty of care to identify and remove child sexual exploitation or abuse-related (CSEA) content from their platforms (social media sites, apps, etc.) using technology-assisted systems or other mechanisms of platform monitoring.

Providers are prohibited from facilitating on their platforms contents related to online grooming (enticement, inducements to perform sexual acts), child sexual exploitation or abuse (sexual exploitation or abuse depicting children or including representations of children), or live-streams (real-time broadcasting via social media platforms, chat rooms, video apps, etc.) of child sexual abuse.

Providers are required to liaise with relevant agencies in the event of evidence of criminal dissemination of CSEA material from an identifiable source.

Relevant entity: industry, public agencies

Principle: protection

Decency

Providers must assess levels and types of violence, language, and sexual content and apply ratings based on the Rating Guide. Content attracting a rating of PG14 or higher should be flagged, filtered, or blocked if likely to be accessed by children or persons with vulnerabilities.

Providers should provide transparent user feedback mechanisms to allow people to recommend, query, or make complaints about content ratings on their platforms. Providers are encouraged to respond to queries efficiently and openly and liaise with the content regulator where necessary.

Relevant entity: industry, parents and guardians, children, public agencies

Principle: protection and participation

Discrimination

Providers should avoid the dissemination of content which promotes hate or incites violence against others based on race or ethnicity, colour, religion, sex or sexual orientation, political affiliation, or disability unless such details are essential to the format of the content (for example, a news item or public service announcement) and only if such details are shared in the public interest. Entertainment content containing such themes should be rated Adult or Not-for-transmission.

Relevant entity: all stakeholders

Principle: protection

Freedom of Information and Expression

Providers shall not hinder journalists, individuals, or interest groups from accessing, receiving, distributing, or disseminating information provided nor use of information accords with the relevant legislation.

Providers are required to facilitate the right to freedom of expression through media channels to support the goals of dialogue, development, and democracy.

Relevant entity: all stakeholders

Principle: protection, participation and provision

Immersion and Persuasive Tech

Providers must ensure that services and products permit frictionless exits from platforms, including auto-play settings defaulting to off, notifications and pings defaulting to off, timed disengagement windows, and streak breaks.

Providers are required to

- explicitly inform users when a persuasive design is embedded in platforms or devices,
- provide age-appropriate guidelines for the use of devices or platforms,
- include parental controls, and
- provide advisories for responsible technology use.

Providers must establish and implement Child Impact Assessments on services and products that can reasonably be expected to be used by children.

Relevant entity: industry

Principle: protection

Inclusion

Providers are required to enable all users, regardless of age, background, or competence, to have a human interface for customer-related queries.

Providers must ensure their operations include a right to redress for users that require resolutions to service-related or product-related complaints.

Providers should ensure that members of the society with unique needs are considered in their provision of services and content. Children, persons with disabilities, and the elderly should be facilitated to have a regular, structured forum to discuss their digital needs, successes, expectations, and concerns; and have those contributions considered in service delivery, policy and regulatory deliberations.

Relevant entity: industry, public agencies, children, persons with disabilities, senior citizens

Principle: participation and provision

Language Use

News media organizations must ensure that language forms (for example, Standard English, Patois, Spanish, French) are used appropriately and accurately, especially while disseminating information shared in the public interest. Should unintentional language misuse occur that may mislead or confuse audience members or users (for example, malapropisms, homonyms, and hyperbole), providers are required to issue a correction that corresponds with the gravity of the error.

Relevant entity: industry

Principle: provision

Parental Oversight

Parents and guardians must manage and monitor their child's engagement with media and seek interventions from public agencies if their child displays technology-use behaviours beyond their parental expertise.

Parents and guardians are expected to know and apply the screen time guidelines available in the Code for young children between age zero and five and guide digital media engagement of older children based on the child's cognitive, emotional, and social maturity.

Public agencies in the health and education sector have a duty of care to provide support to parents needing guidance or training in monitoring their child's digital media use

Relevant entity: parents and guardians, public agencies

Principle: participation, provision

Portrayals and Representation

Providers must portray victims of crime or trauma with sensitivity and dignity. Portrayals or representations of victims must not be done with voyeuristic or sensational intent (for example, with bodies, body parts or body fluids on display), in a way that heightens the grief or anguish of the victims or survivors, or in a way that objectifies human suffering or calamity.

Victims, family members, and survivors of misfortune should be allowed to grant informed consent before their images or representations (photographic, video or audio) are used in the content. If the victim is a minor, the child's image or representation (photographic, video or audio) should not be used in content for broadcast or dissemination without informed parental consent and the child's assent.

Providers must ensure that informed consent is granted by interviewees or informants regardless of the proposed format of use or platform of broadcast (whether for news, entertainment, features, free-to-air, online) regardless of age, background, sex, or education level the interviewee. Interviewees must be allowed to view and permit portions of content using their image or representation before broadcast or dissemination.

Parents and caregivers are discouraged from recording and sharing content about their children that can cause shame embarrassment, tarnish their child's reputation as members of the society or expose their child to harm from predators. Parents or caregivers who share sensitive information about their child that may create risk or harm will be liable for action under the relevant legislation.

Relevant entity: industry, parents and caregivers

Principle: protection

Privacy

Providers must collect only the minimum amount of data needed to provide the service for which the user is engaged on the platform or device.

Privacy information, terms, conditions, and community standards must be legible, understandable and presented prominently as well as suited to the age ranges of all potential readers of the information.

Privacy settings must be 'high-by-default' for all users, especially for services or products reasonably expected to be accessed by a child.

Connected toys and devices should be configured as privacy-by-design tools. Embedded data capture features must be explicitly outlined on the toy or device with opportunities to turn them off.

Relevant entity: industry

Principle: protection

Watershed

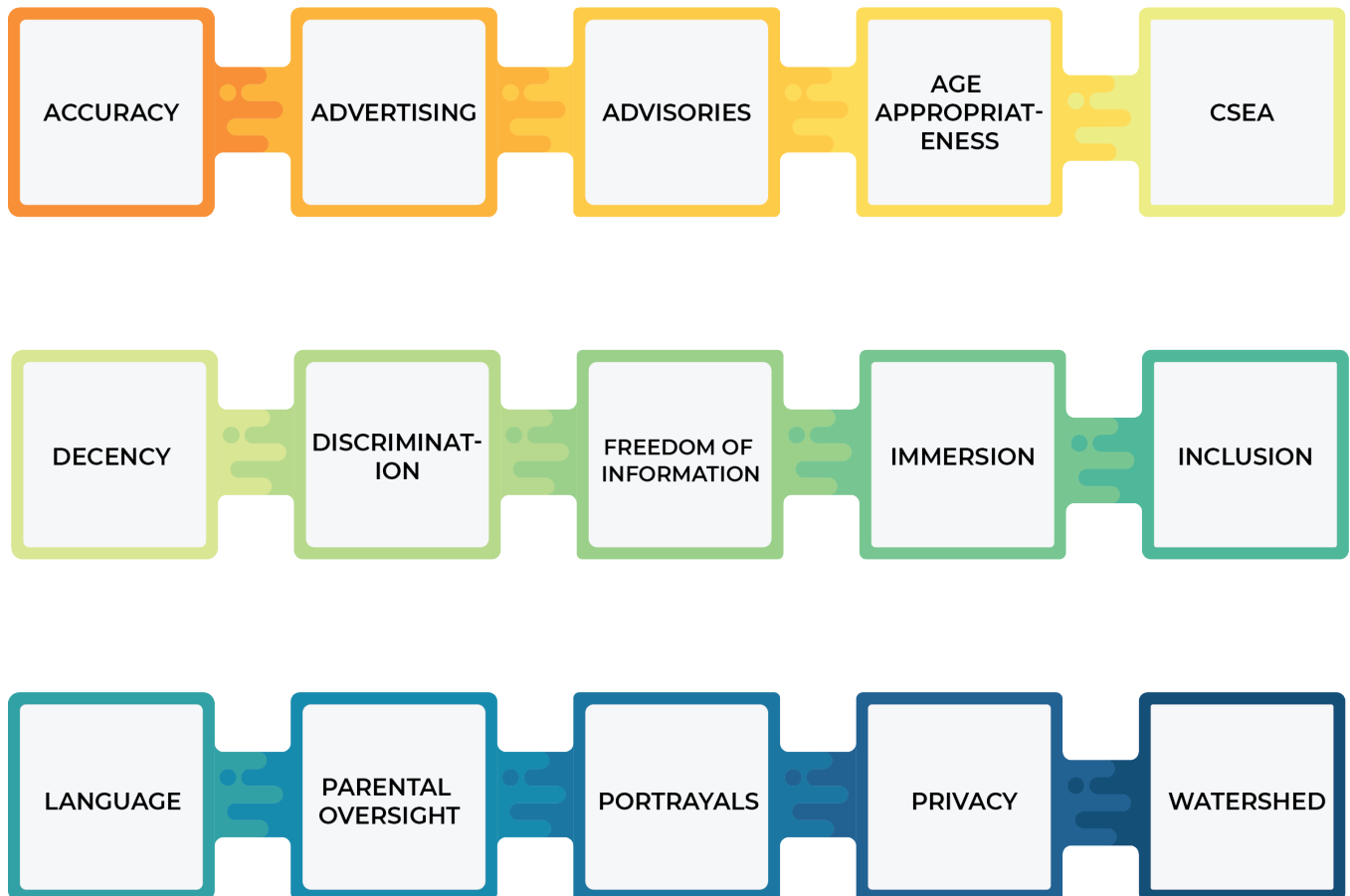
Providers using scheduled content delivery systems (for example, broadcast television and/or radio) must adhere to a watershed period on weekday evenings beginning at 9:00 pm and ending at 6:00 am. During the watershed period, content rated Adults may be broadcast. (See Rating Guide).

Providers using scheduled content delivery systems should be cognizant that younger audiences may still be around at 9:00 pm; a gradual shift to adult programming (from PG16 to Adult) is advised beginning at 9:00 pm rather than a sudden switch to mature content.

Relevant entity: industry

Principle: protection

Code Components - at a Glance



The Content Code in Brief

Accuracy

Providers of content must make sure material on their platforms is factual and free of intent to harm.

Advertising

Ads should be age-appropriate for the customer expected to receive them, factual regarding the product or possible experiences with the product, and free of unreasonable or unprovable claims.

Advisories

Providers must give advance notice about information containing problematic sounds or images, such as screaming, gunshots, or explosions.

Age appropriateness

Content that children may be exposed to should be rated using the rating and screen time guides.

Child Sexual Exploitation and Abuse Content

Providers must ensure that no material that abuses children is shared on their platforms and that evidence of such content found from an identifiable source is reported to relevant authorities.

Decency

Providers should assess levels and kinds of violence, language and sex in content and apply ratings using the Rating Guide.

Discrimination

Providers should avoid sharing content that promotes hate or incites violence against others if possible; where necessary, it should be rated Adult or Not-for-transmission based on the format of content.

Freedom of Information and Expression

People should be allowed to access, receive and share information within the bounds of the law and in support of democracy.

Immersion and Persuasive Tech

Providers must design platforms and devices to make it easy for users to take breaks and let users know when the technology has persuasive design embedded in it.

Inclusion

Providers should ensure that all users, regardless of age, background, or competence, can use their platform or service and be able to get help from somebody if needed.

Language Use

Providers should make the sure language used to share information is understandable and accurate.

Parental Oversight

Parents and guardians should ensure their child's media use is healthy and beneficial and get help from health or education professionals if they think their child has a technology-use problem.

Portrayals and Representation

Providers should ensure that victims of crime or trauma are portrayed with sensitivity and included in decisions regarding how their images are used in news stories.

Privacy

Providers should only collect the minimum amount of data from a user for a service or product.

Watershed

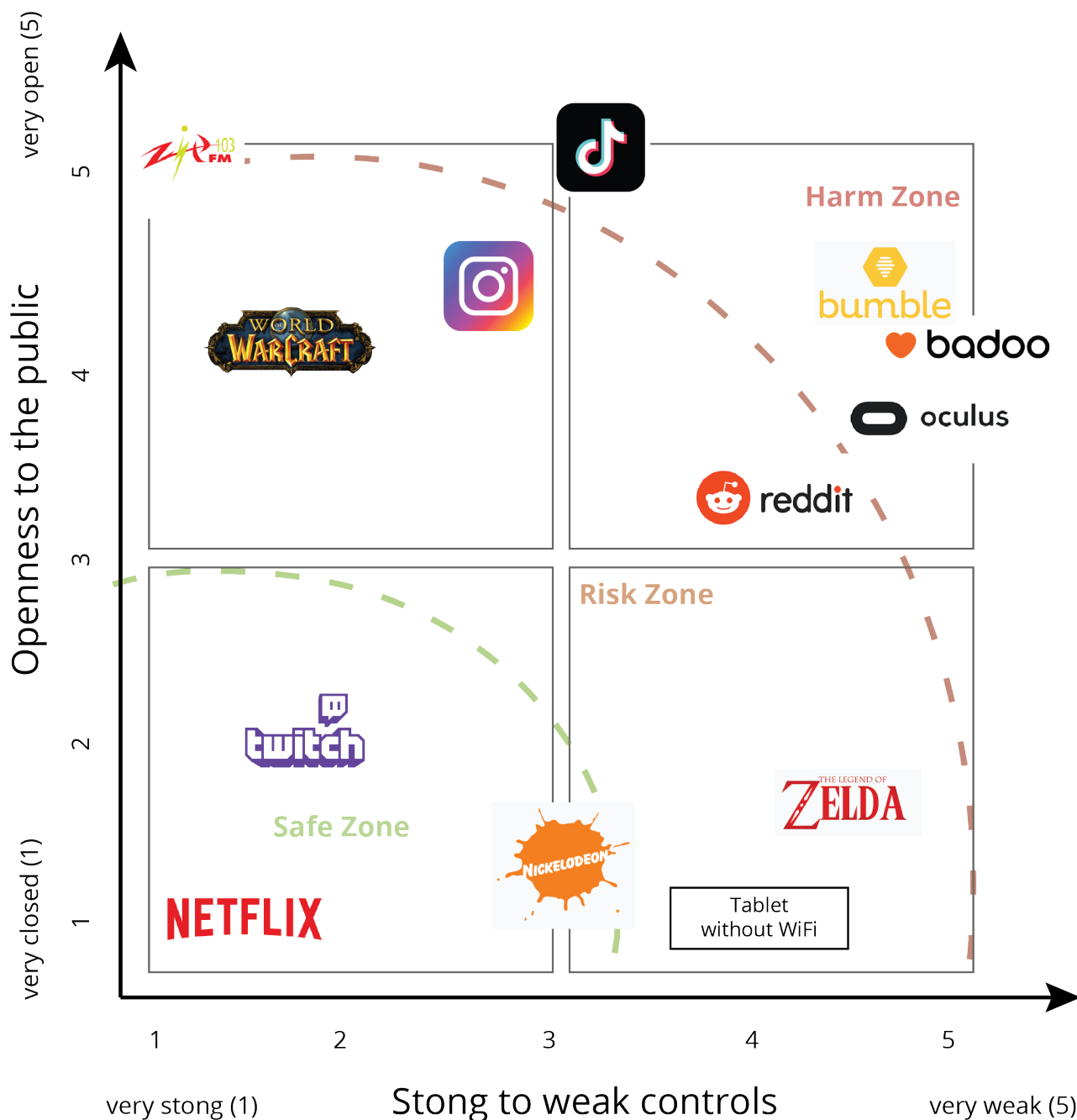
Providers providing scheduled broadcasts should adhere to a watershed period on weekdays between 9:00 pm and 6:00 am.

Table 1: Rating Guide for Content and Platforms			
New Rating	Previous Rating and Criteria***	Examples³	Netflix comparison
G	G	TBD	All, 7+
*PG14	PG (after 8:00 pm: V1+S1+L1)	"	13+
PG16	PG (at the onset of the watershed, 9:00 pm: V2+S2+L2)	"	16+
Adult	Adult (V3+S2+L2)	"	18+
**NFT	NFT (V4+S3+L3)	"	
<p>*PG: Parental Guidance **NFT: Not For Transmission ***Consult the Children's Code for Programming for details on criteria under each rating. https://www.broadcastingcommission.org/images/ChildrensCode_for_Programming.pdf</p>			

Table 2: Sedentary Screen Time Guidelines by Age (WHO*)			
Infants 0 to 1-year	Children 1-year-old	Children 2 years and older	Children 3 to 4 years old
0 minutes	0 minutes	No more than 60 minutes, with caregiver	No more than 60 minutes, with caregiver
<p>*World Health Organization (2019). Guidelines on physical activity, sedentary behaviour and sleep for children under 5 years of age. Geneva, Switzerland. https://apps.who.int/iris/bitstream/handle/10665/325147/WHO-NMH-PND-2019.4-eng.pdf</p>			

³ It is advised that examples of shows or games that correspond with the new rating scheme be identified in collaboration with the BCJ's media monitors or by using an automated content monitoring system rather than conducting an arbitrary selection of illustrations at this time.

Diagram 1: The 'Safe Media Use' Tool



This infographic is a conceptual tool to provide people with an easy guide to assess the safety/risk potential of a platform, device or kind of content. Parents, guardians or others wanting a quick mechanism to determine whether and how to allow a minor to engage with content or a platform can be guided by questions of privacy and control:

- Is this medium, platform or content designed for individual use at or after a point of engagement, or is it open to other users? If it is open use, how public is it?
- Does this medium, platform or content have ratings, scheduling requirements or parental controls that facilitate informed monitoring or use of the medium based on developmental appropriateness? If so, how strong are those controls?

The answers to these questions aren't always straightforward.

A tablet or laptop without WiFi capability, outfitted with only basic programs or apps that a parent or guardian has selected would be 'for individual users', in the strictest sense. However, many digital media experiences take place on shared devices, access the internet, and interact with other users. By design, social media sites facilitate communication with other users with varying openness. Furthermore, radio signals can be picked up by anyone with a receiver. Parents and guardians should assess the kind of online communities their children seek to participate in and the controls applied for access (for example, email address, password, age limits, whether links with other social networks is automatic).

"Safe zone media use" would represent media engagement that is subject to appropriate parental controls, with technological and/or human-driven features to manage content genres, duration and intensity of the media experience. "Harmful zone media use" would represent media engagement with weak or unmonitored entry requirements, indiscriminate as to who may participate on or access the platform, and with few features or structures to manage content genres, duration or intensity of the media experience.

In real life, media use safety or risk possibilities would probably not be at either extreme, but somewhere in the middle.

You can use the "Safe Media Use Tool" as a quick guide in assessing the safety/risk profile of a media experience your child may be having. (Descriptions of each medium and the assessment rubric are in the Appendix.)

Appendix

The “Safe Media Use Tool”

The forms of media selected for the tool are representative and non-exhaustive. Media were qualitatively ranked on the dual criteria of individual/public access and robust control/weak control. Because this is designed to be a platform-agnostic tool, the access dimension incorporated a range of considerations, including potential numbers of people using content, platform or medium simultaneously, boundedness or openness of user/audience communities and asynchronous nature of data-trace access after initial media use. The control dimension was evaluated based on ratings or filters that may be applied to the content or medium and the capacity to monitor or measure media engagement.

Two coders conducted analyses to derive conceptual rather than quantitative outcomes.

The media included in the infographic are described below.

Badoo: Requires an email login to gain access and create an account. However, because Badoo is a social network directed towards dating, it is very open for user interaction and not, in essence, child friendly.

Bumble: Requires an email login to gain access and create an account; it also has restrictions on what kind of media can be uploaded and what you can do with your account. However, because of Bumble’s social nature, it is very open for user interaction.

Instagram: Requires an email login to gain access and create an account, unless you have an existing Facebook account. It also has strict limits on what its users can post regarding nudity, violence, hate speech and other sensitive topics, and users can opt to have their accounts be private (only viewable by other accounts known to them). Because Instagram is a social media site, it is still an open interaction platform for those using it.

Netflix Kids: Requires a paid account to access content rated between TV - Y (Designed to be appropriate for all children) and TV-PG (Parental Guidance suggested). Netflix also allows parents to control the specifics of the available shows to any profile.

Nickelodeon: Is a television channel open to anyone that subscribes to media providers that carry it. It broadcasts mainly directed at children (children aged 2–17) and families. While it is open to public view, the shows carried on the network are intended to be family-friendly. Also, the shows of more adult nature are shown at times when the young viewership of the channel is not likely to be viewing (after 10:00 pm).

Oculus Quest 2: Is an “All in One” virtual reality headset. It allows users to connect to various apps, games and virtual environments of many different natures. It requires a Facebook account to register and to be connected to WiFi. The device is a console and, as such, can be used for many different things.

Reddit: Requires an email or Google account to sign in. It allows users to view and interact with online forums, blogs and communities. It by default blocks content containing nudity, and forums have rules about what can be posted there, which are enforced by moderators (Mods). The site is primarily user-driven (users and mods decide what can be posted in specific forums) and therefore allows for essentially rule-free interaction online, in some cases, with users in different parts of the world. Furthermore, the user can disable safeguards on what is shown.

Tablet without WiFi: Usually does not require any accounts to use, and it can be used with existing applications already installed on the device. Its connectivity is little to none, and the users can only interact with tools already present on the tablet.

The Legend of Zelda: Is a video game series available on a wide range of consoles. The game itself is a roleplaying game (RPG), which essentially means the user plays through the characters’ stories in the game. The series is single-player, meaning only one person can play at a time and is not connected to the internet. The game has different versions in the series but is mainly marketed and rated for children and young adults.

TikTok: This can be downloaded on smart devices (usually phones) and immediately accessed on the platform. The platform is video-based and allows users to upload and view uploaded short videos from other users. While the app has user terms of service barring overtly sexual content and hates speech, it tends to fall on the side of freedom of expression. It allows for chat conversations between users and comments on the videos posted.

Twitch: Allows users to watch streamed content from content creators and requires users to create an account using email login to interact (comment on streamed content) and stream content of their own. It has strict terms of service that bar sexual content, among other things, and the streamers (content creators) can get banned or punished for not adhering to the terms of service for the platform. The site allows for profanity but monitors streamers’ kind of music and media to ensure they do not breach the terms.

World of Warcraft: massively multiplayer online roleplaying game. It requires an email or Google account to sign in. and allows you to play and chat with users from around the world. It is open to anyone to play for ages 13+. It has safety measures such as profanity filters for chat messages and blocks users from sending personal information like their actual name and Facebook name tag. It also has extensive terms of service design to protect its player.

ZipFM is a free-to-air radio station that operates 24 hours per day. It abides by national media regulations requiring appropriate content for all audiences to be played by radio stations during peak listenership hours.

Other qualitative-type judgments that can guide media-use decisions:

- Has product warnings
- Is designed for children
- Has community guidelines
- Has age stipulations or guidelines
- Has “nudge-off”, exit features
- Has human interface
- Contains adult material