

Keeping kids safe online: The need for an independent regulator

Summary

Canada urgently needs comprehensive digital safety legislation that prioritizes the well-being of children and youth. Ensuring effective implementation of this legislation requires an independent regulator with the mandate, expertise, and enforcement powers to require online platforms and services to act responsibly and to operate in the best interests of children and youth.

Recommendation

The federal government must create an independent digital safety regulator with the mandate, expertise, and enforcement powers to ensure that online platforms and services are designed and operated in the best interests of children and youth.

The issue

Unhealthy screen use in children and youth

In an increasingly online world, a growing number of children and youth are spending significant amounts of time on screens. While Canadian guidelines for children and youth over 5 years of age recommend no more than 2 hours per day of recreational screen time, [81% of Canadian youth aged 12-17](#) report exceeding recommended limits, with [23% of Ontario students in grades 7 to 12](#) reporting five hours or more of daily social media use. Heavy or inappropriate screen use can [take time away from opportunities](#) to learn, play, sleep, and interact with family and friends, all experiences that support healthy brain development. Social media use has also been linked to [lower mental health](#), [body image issues](#), [online harassment](#), and [anxiety symptoms](#) in youth.

Digital platforms and services can encourage unhealthy screen use through excessive data surveillance and [persuasive platform design features](#) that maximize user engagement – including push notifications, autoplay, infinite scroll, reward systems, [dark patterns](#), and algorithms that continually deliver personalized content recommendations. While such features appeal to users of all ages, the developing minds of children and youth make them [particularly vulnerable](#) to immediate, attention-grabbing tactics.



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What needs to be done

A Canadian digital safety regulator

Canada must prioritize the rights and well-being of children and youth by establishing a comprehensive federal online safety framework that includes the creation of an independent regulator. Many jurisdictions worldwide (including the EU, the UK and Australia) have already established online safety legislation to hold digital platforms and services accountable and improve online safety for young people. The regulatory authorities in these jurisdictions protect children and youth with mandates that include: developing and enforcing standards and guidelines; supporting oversight, transparency and industry compliance; and enabling public education and research.

Canadians need a digital safety regulator that:

Upholds the rights of children and youth and recognizes their need for special protections

A digital safety regulator would uphold Canada's commitments under the [UN Convention on the Rights of the Child](#) to protect children's rights to privacy and healthy development, while advancing the [best interests of the child](#) in digital safety legislation. Establishing a duty of care for digital platforms and services to act responsibly is critical to ensuring that the design and use of these products recognizes the need for special protections for children and youth.

Focuses on platform design

Digital platforms and services are designed to [maximize engagement, time and attention](#), driving unhealthy screen use. A digital safety regulator could

enact and enforce platform design standards and guardrails that prioritize the health and well-being of children and youth online. They would also be able to adapt and respond to new and emerging technologies, including AI-driven services.

Aligns with international best practice

Canada can learn from international jurisdictions with existing online safety legislation. The EU's [Digital Services Act](#), which is monitored and enforced by the European Commission and national Digital Services Coordinators, provides insight into developing concrete monitoring and enforcement powers that ensure industry compliance. The UK's [Age-Appropriate Design Code](#) is an example of online safety legislation and enforcement mechanisms that prioritize children's physical and mental well-being. Aligning Canadian legislation with international models and emerging best practices will allow for consistent regulation between jurisdictions and increased pressure on digital platforms and services to uphold a duty of care and reduce online harms for children and youth.

Taking action

Canadian children and youth's health, development and well-being deserve to be prioritized over commercial self-interest. Federal leadership is urgently needed to respond to the health and developmental risks associated with the rising influence of powerful digital platforms and services that children and youth use daily. By enacting comprehensive digital safety legislation and establishing an independent regulator, Canada can bring about a fundamental shift to create a healthier and more positive digital environment for children, youth and families that supports their lifelong health and well-being.

For more information on the CHSU's digital health policy recommendations: [Advocacy Priorities.](#)



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