

Speaker's Conference

Oral evidence: Speaker's Conference on the security of candidates, MPs and elections, HC 570

Tuesday 9 September 2025

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Members present: Sir Mark Tami; Mr Clive Betts; Dr Rupa Huq; Leigh Ingham; Jessica Morden; John Slinger; Sammy Wilson.

In the absence of the Chair, Sir Mark Tami took the Chair.

Questions 391-404

Witnesses

I: Kanishka Narayan, Parliamentary Under-Secretary of State, Department for Science, Innovation and Technology; and Talitha Rowland, Director for Security and Online Harms, Department for Science, Innovation and Technology.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]

Examination of witnesses

Witnesses: Kanishka Narayan and Talitha Rowland.

Q391 Chair: Welcome, Minister, to your new post. We are sorry to drop you in the deep end so early on, but I am sure you are ready with your new brief. We have some questions we want to concentrate on, but if you feel you can add further information in writing, we would obviously welcome that as well.

Could you introduce yourself for the record? You might also want to say a few words before we set the questions loose on you. And welcome to Talitha—I am sorry, it was very rude of me not to welcome you as well.

Kanishka Narayan: Thank you, Chair. As you know, I am the Member of Parliament for Vale of Glamorgan, and now a freshly appointed Parliamentary Under-Secretary of State at the Department for Science, Innovation and Technology. I am very keen to address what is, I think, a theme of personal experience for each of us in Parliament, but also a theme that strikes at the very heart of democratic integrity. So, I am delighted that this is my first parliamentary engagement, with you in the Chair.

Chair: Thank you very much. Our first question, on powers, implementation and enforcement, is from Jess.

Q392 Jessica Morden: Welcome to Talitha, and congratulations on your new job, Minister. We recently heard evidence from Ofcom and, in the three days you have had to look at things, we wondered whether you were satisfied with their interpretation of their powers under the Online Safety Act, and what impact you thought it would have on platform behaviour and user experience.

Kanishka Narayan: Thank you for that question. The starting point for me is to recognise the sheer volume and intensity of challenge that a number of colleagues have experienced across the House when it comes to online experiences for politicians.

On the question of Ofcom's implementation of the Online Safety Act and its powers, I would say two broad things. The first is that the Online Safety Act is extremely permissive in terms of the powers the regulator has, both to investigate and then to very materially enforce, and I can go into detail if that is needed.

The second thing that is apparent to me is that it is worth distinguishing between different categories of harms, in particular. That is because, in the context of illegal harms, there is a very clear legal provision, and the implementation of that has been started already—as of this year—by Ofcom.

The primary challenge, from the number of anecdotes that I have heard, and in some cases experienced, has been in the context of legal and

harmful areas of our experiences. There, it is a genuine challenge to get the balance right between making sure we are assured on the regulator, and particularly the platforms, doing everything, but also on maintaining freedom of expression, which is a duty that the platforms have under the Act.

In broad-brush terms, I feel that the Online Safety Act is hugely permissive in terms of the regulator's ability to put platforms under investigation, but also to enforce very robustly.

Q393 Jessica Morden: Do you think Ofcom will have the resources to do this properly, given the huge disparity between the resources of the huge tech companies and Ofcom itself?

Kanishka Narayan: It is an ongoing question. When I was a member of staff at the Labour party working on the Online Safety Bill a few years ago, this was a very material question. There were two things that struck me at the time, both of which are even more relevant now. First, there was a very material commitment, fiscally, to Ofcom's expansion. Indeed, if I am right, the team has very significantly expanded. Secondly, the possibilities for the use of modern technology, in particular automation and AI, in regulatory enforcement, investigation and spotting of challenges is even greater still. I am sure that I will delve into greater detail on Ofcom's overarching resourcing but, on those two counts, I feel relatively assured.

Chair: Thank you.

Q394 Sammy Wilson: Ofcom does not have the power to remove harmful content; it is really up to the companies to do that. Does that not leave a huge gap in the regulation? We have heard evidence that when people have complained to the companies, nothing has happened. They simply delay removing this stuff, or say it is okay to leave it. Should Ofcom not have the ability to step in where it is seen that harm is being done and companies are not taking action?

Kanishka Narayan: The primary thing I would say is that the companies have a very strict duty under the Act, especially around illegal harms, and Ofcom has extremely robust powers to take enforcement action against those companies that are not complying with their new duties and protecting users from harm. To give you a specific sense of it, companies can now be fined up to £18 million or 10% of their qualifying worldwide revenue, whichever of those two figures is greater. There is clearly pressure in particular on tech company executives, who have to take the law seriously, not least the prevention of harm to children. Criminal action can now be taken against senior managers, which has been a very significant expansion of the powers that the regulator has to act, and Ofcom can hold providers criminally liable if they fail to comply. The penalties are very stark. The penalty for a number of these offences is up to two years in prison, a fine or both. Ofcom can also require payment providers, advertisers and internet service providers to stop working with a site.

Let me step back and answer your overarching question. The intent,



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purpose and motivation of the Act—certainly in its Bill form, when I was working on it—was always to create a proportionate, risk-based system where the regulator had very strong investigative and enforcement powers, but where the duty of care was fundamentally felt with force by the platforms themselves, which are in a position to be able to act very promptly, and where, in the absence of that prompt action, regulatory action would be taken against the platforms. The construction of that system, conceptually and practically, is largely robust. The question is about instances when it comes to legal enforcement. If there are any such instances, Ofcom is the appropriate regulatory authority with the powers and resources to enforce them.

Chair: I think that leads us to Leigh's question. I do not think that many members of the Committee were impressed with the platforms, when we received evidence from them, about how seriously they took enforcement or how fearful they were of it.

Q395 **Leigh Ingham:** Congratulations, Minister. It is nice to have you before us. As the Chair alluded to, the majority of us were not particularly impressed with the response of the companies when they were sat before us. The Online Safety Act is new, and its impact is yet to be fully assessed, but if we are not able to remove the harmful content that needs to be removed, which is our experience to date, how far are the Government willing to go to allow for greater legislation? What will that look like, and what is being considered?

Kanishka Narayan: I will take a deeper look at the engagement the Committee has had with the platforms and try to make sure that, where there are deficiencies, we are very much focused on them. It is day two on the job for me and for the Secretary of State, but there is an underlying principle consistent across the changes, which is that the Government are totally focused on doing whatever it takes to make sure that online experiences are balancing appropriately prevention of harm and appropriate free expression and speech.

There are a couple of things I would say on this topic. First, in the category of illegal harms, there is now a very clear regulatory system of a duty of care that the platforms have, investigative powers that the regulator has, and then on enforcement. If there are any omissions of action there, a very robust position of enforcement is possible. If there are still deficiencies, they appear to be in the implementation of enforcement, and I would be happy to take a look at any instances later.

In the category of legal but harmful content, there is a much deeper challenge, which is that it is hard to get the right regulatory balance between free expression and appropriate harm prevention. In that area, I have to be honest, the overarching approach of the Act has always been to focus a bit more on user empowerment, and in part on transparency. In particular, that is very much the case for the larger potential category 1 providers.



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There is a broader thing there, which is that the deficiencies in that category, which are the hardest to judge, are in part down to a societal and systemic issue of media literacy, online hygiene and engagement with social media. As I said at the very outset, I will happily take a look at the deficiencies you have described, but the approach has to be very different depending on whether it falls on the level of illegality, where there is a robust regime already, or legality, where there is a much more blurred picture.

Talitha Rowland: One other set of duties that relate to legal content for those categorised services is the consistent enforcement of their terms of service. As you say, I think people's experience is often that a company will say that a certain type of content is not allowed, but they do not always consistently take action on it. Those duties are not yet enforced; that is part of phase 3, which is coming down the line. That is an attempt—along with the other things that the Minister mentioned—to address that issue in a way that balances it with exactly those freedom of expression concerns.

Q396 Dr Huq: Congratulations—I know everyone is saying that, and it is a cliché, but it is brilliant to have fresh young blood in this Department, and someone with such a good record on these matters. We know that since this Act came into force, and following Ofcom's enforcement of the new law, VPN searches have gone through the ceiling. Do you think that kind of circumvention undermines the effectiveness of the age-related provisions of this Act, if people are bypassing them?

Kanishka Narayan: First, I express my gratitude for the note of congratulation—being described as fresh young blood places a great burden on me to make sure I live up to that standard, so I will try to do that, despite my greying hair.

On the particular question of VPN usage, I am happy to come back after having looked at the descriptive evidence on the scale of it. Obviously, anecdotally, I have seen what I know my hon. Friend is describing in the public domain, but it would be premature for me to associate and attribute that to a clear relationship just yet, having not seen the aggregate evidence on it.

More broadly, the protection of children is an area of extreme focus for the Government. My hon. Friend will have seen, no doubt, that the Secretary of State's primary thing this week has been to make sure that we are now categorising self-harm—for children, but primarily also for adults—as a priority offence. There is a clear focus on making sure that the first of the two duties that the Ofcom team has been focused on implementing is the protection of children. I am happy to go and take a look at whether there are other areas where the regulatory action can more appropriately deal with it. We have a shared sense of outcome, and if there is a sense that particular channels are not allowing that outcome, then I am happy to take a look.



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Talitha Rowland: We are monitoring the situation with VPNs closely with Ofcom, and as you say, it is early days. It is a breach of Ofcom's codes for a service to advertise a VPN as a way of circumventing that. If someone is advertising a VPN to children as a way of circumventing it, that is a breach of the codes and Ofcom can take action. As the Minister says, it something we will want to watch carefully.

Two things have struck us as we have been thinking about this. First, the majority of children tell us that they do not go looking for this content; they have stumbled across pornography, suicide, self-harm and really terrible content. VPNs therefore do not come into play there. Where some of the harms are most stark is with the really young children, who, again, are probably less likely to be downloading VPNs. We do not want to minimise it. We want to look at it, but the Act brings in important protections. We are confident it is having an impact particularly for those younger children who do not go looking for that content, but stumble upon it.

Q397 Dr Huq: Is there a danger that this sort of technology can move faster than the statute trying to regulate it—for example, if people are thinking of more clever ways to get round it?

Kanishka Narayan: My overarching comment on that would be that it has always been a fundamental challenge with technology regulation as a whole. One of the reasons for the move towards the construct of the Online Safety Act being a more duty-based and risk-based approach, focused on platform duties and with investigative and enforcement powers, was precisely to look at the overarching effect of what the platforms were doing, rather than to be very technology-specific in the regulation of it.

That is some assurance, but I know that point is a really important one, not least because parity across the regulator and platforms and technological access is a really important part of effective enforcement as well.

Talitha Rowland: It is designed to be technology-neutral and to iterate, so that Ofcom can update, and it has already started a consultation on the next iteration of their code. It is designed to iterate and strengthen as the evidence base and technology move on. But it will not capture everything, as the Minister says, and I am sure Ministers will want to look at that.

Chair: Thank you. Can we move on to the subject of parliamentary scrutiny? I will bring John in here.

Q398 John Slinger: Thanks, Chair. And congratulations, Minister, on your appointment. The Science, Innovation and Technology Committee of the Commons and the Lords' Communications and Digital Committee have both expressed concern about how your Department is scrutinising the Act. Do you have any thoughts about how parliamentary scrutiny of the Act could be facilitated as the Act is implemented?



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Kanishka Narayan: If there are any complaints about the Department's scrutiny, I am very happy to take a look at them. On day two, I hope that my hon. Friend would think it premature to accuse the Secretary of State and I of having been complicit in that—

John Slinger: Absolutely.

Kanishka Narayan: So, we are very happy to take a look, and I know that my hon. Friend will be assured of my motivation and commitment in doing so.

When it comes to the question of parliamentary scrutiny, there are two things, one retrospective and one prospective. Retrospectively, I remember having been outlasted in my tenure in working for the Labour party on the Bill at the time, and I know that a number of others have also been over the long passage of the Online Safety Bill and ultimately Act. This is a pretty long, pretty intensive and pretty rigorous bit of parliamentary scrutiny. I know that some members of the Speaker's Conference group were also very much involved in that process in a robust way.

During the passage of the legislation, Ofcom was given a particular legislative timeline to publish codes of practice; it has since done so. The Secretary of State obviously has a very particular role in the scrutiny, and through the Secretary of State, Parliament has oversight of Ofcom's fulfilment of the duty. Ofcom, of course, is an independent regulator, held to account by Parliament as well.

That is the kind of retrospective and prospective picture. But where Parliament feels that it ought to exercise greater or specific scrutiny of Ofcom and the Act more generally, of course I would particularly welcome that, too.

Chair: Thank you very much. Now we are going to look at Government ambition, and Clive has something that he wants to raise.

Q399 **Mr Betts:** I appreciate, Minister, that you have probably not quite got your head around all the details of what is required here—it is quite a complicated subject, as we on this Committee have found out as well—but there is just the issue of the attitude of the social media companies. They sent a couple of representatives—two or three representatives—to give evidence to us. Shall we say that they did not immediately show enthusiasm for the task in hand? They were not coming to say, "Yes. We see this as a real problem—abuse and improper posting of content online." They tried to use every excuse as to why they were doing everything they needed to do and said nothing really needed to change. That is not acceptable, is it?

Kanishka Narayan: On my part, I certainly take this issue very seriously and I am very keen, as I mentioned previously, on making sure that I look even more deeply at your particular complaints.

Broadly speaking, the Act places a very intensive set of responsibilities on the social media platforms. When it comes to the question of illegal harms,



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there is a very strict legal duty and, if that duty is not being complied with, there are very clear investigative and enforcement powers, and we should look at Ofcom's fulfilment of those powers.

On the question of this wider set of abuse that I know Members have also brought up, both to me and here in the Committee, that is an area where we need to make sure that where the terms of service of platforms have been set out, they are consistently enforced. If there are shortcomings in that, I know that Ofcom is working on the implementation and phase 3 of the process to make sure that that category is captured as well.

However, the overarching view here is that, certainly on my part and the Department's part, the question of abuse that you have raised is a question that we are taking very seriously. I am keen, in what happens to be weekly or bi-weekly engagement with the companies on this theme by the Department, that we enforce a similar consistency of outlook there as well.

Q400 Mr Betts: You mentioned the words "duty of care", I think, with regard to the social media platforms and the providers. Is there not a problem there? We have our commission here looking at these matters. They send things to a number of relatively junior officers, who cannot actually promise to do anything, because they do not have the power. In the States, the President and vice-president click their fingers and Mark and Elon would rush out there—at least, Elon used to—to explain how they will do everything to ensure freedom of speech on social media platforms and stop this attempt to close down practices that we find unacceptable. The leaders of these platforms—Meta, X—get that pressure about a different approach to the issues, and in this country we have junior officers coming to talk to us. Are the Government going to step in and fill that void at some point?

Kanishka Narayan: One of the things I find in the social media context is that there is a lot of noise in the entire debate. To cut through it, there are two very basic principles. The first is that the Online Safety Act ensures that illegal behaviour offline is also illegal behaviour online, and the platforms have a legal duty to comply with that. The second thing, in particular in relation to the United States, is that I was very heartened to see that keeping children safe online is a priority that is as important to the United States as it is to the UK. I welcomed the President recognising this in his joint interview with the Prime Minister in July. I am sure that other participants are contributing to the noise, but to me, both the fundamental legality of where we are and that clear statement of principle from the US Administration mean that we have a clear path on working together to tackle this.

Q401 Mr Betts: Minister, that was a good attempt to deflect the question on to children, but we are not dealing specifically with that issue here, although it is really important. We are dealing with the abuse that public figures get online—sometimes horrible, racist abuse. We had examples of it when the social media platforms were here. We had examples of the police taking action and prosecuting, but the social media companies would not even



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agree to give the police the names of the people who were posting online. That is just an attitude of looking for excuses not to do things. Is it not the Government's job to challenge the social media companies about their whole attitude and culture, and try to get a change there? Without that, Ofcom, for all its powers, is going to struggle, isn't it?

Kanishka Narayan: The reason I raised the question of child protection and illegality was that those are the two areas where Ofcom has started to implement the Online Safety Act. The area that one might describe as legal but harmful content is one that has not yet been implemented, so it would be premature to comment on the quality of that implementation. The broad point that you and other hon. Members are making is a really important one, and I agree that the volume of abuse that so many of us have faced—I know that many in this room have faced it for a much deeper and longer duration—has been completely unacceptable.

What I am really concerned about is the particular point raised about potential illegal behaviour and non-compliance even in those circumstances. Those are very clearly subject to the Act's duties, and if that is happening, then of course I, the Department and others will be raising it.

The thing I would say more broadly is simply this. The question of the abuse of public officials often strays into the realm of legal but harmful content, where there is a legitimate debate about balancing the appropriate level of harm prevention with free speech and expression. But where there is a claim of illegal behaviour not being enforced, that is a razor-sharp focus for us.

Q402 **Mr Betts:** In the area we just talked about, of things that may not be illegal—although some of it probably is—and the general abuse and harm done on social media, there is a conflict with free speech and people's right to abuse others, if you call that a right. On that, is there not a difference in cultural thinking between the United States and Europe generally—not just the UK? I wonder how far our Government are going to go, with other countries in Europe, to put forward a different view from that of the social media companies, so they do not think that the current US Administration's view of free speech is one that is acceptable here.

Kanishka Narayan: The realm we are talking about now is largely a realm of norms and conventions, which of course have to be grounded in our core British values. The broad position I would take is that we are now talking less about the legal and regulatory intervention context and more about what we are clearly aspiring to do as a Government, which is to be common sense and grounded in British-specific values when we are talking about what is acceptable and appropriate behaviour. That is separate from the question of regulatory enforcement, and that is the key distinction I would draw.

In the realm of legal but harmful content, regulatory enforcement is the really tricky thing. Of course, grounding our sense of what is appropriate and what is common-sense and decent behaviour online, is a particular

thing rooted in our values; I and others in Government will continue to ensure that we are making that point actively, because it is a wider systemic thing rather than a specific regulatory one.

Q403 Dr Huq: Do you think the way the debate around this Bill has turned quite polarised and opportunistic, with people jumping on it in a culture wars way, might damage public trust in online regulation? What do you think we can do to help the public to understand that there is a very sensible rationale behind these reforms, when people such as Nigel Farage are saying it is an attack on free speech, but there are really solid reasons for it?

Kanishka Narayan: I really appreciate that question, because there is a pretty central political challenge on this theme and I know concerns about it are shared across the House. There are two things that come to my mind. The first is the thing I try to do in this wider debate, which is to start and ground the conversation in very particular human experiences that have really stuck in my mind. Many of us will know the experience of Ian Russell, Molly's family and the Molly Rose Foundation, who have been such strong champions for the Online Safety Bill and Act.

What we are really talking about here is stopping children being abused and experiencing the worst possible excesses of online engagement. We are talking about behaviour that is already illegal offline now being made illegal online, with thresholds for abuse and harassment being met in terms of illegality. If you think about any of those individual experiences of either child abuse or harassment, and you think about illegal conduct, it would be astonishing to me if anyone made the point that we should not stop those in offline behaviour. That is precisely what the Act is doing online. The challenge comes elsewhere, in the realm of legal but harmful, but the starting point for me is to ground the trade-offs in human stories, because there is a clear set of experiences that people have had that motivated the Act.

Secondly, we need to be honest about trade-offs here; particularly in the realm of legal but harmful content, there are trade-offs. The primary thing I would say there is that confecting grievance by claiming that people are being arrested under a particular Act when that is not the case is not the appropriate or mature way to drive the trade-offs into a realm of deeper public understanding and appropriate action, but honest appreciation of the trade-offs is. Putting the human experience first and foremost, and being honest and up-front about the legitimate trade-offs, are the two main lessons that I carry in mind.

Q404 John Slinger: When we had the Ofcom officials giving evidence before the Committee recently, one aspect of their work was looking at the tools that social media companies are developing and could potentially deploy. Those included allowing users to stipulate whether or not they would allow anonymous accounts, for example, to comment on their pages. In the context of threats against and abuse of elected officials, one thing that we raised with them subsequently was whether, perhaps, one of those tools could be afforded to elected officials, whereby elected officials would be



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able to stipulate that, if a user wants to comment on their pages, they would receive a nudge warning message that just said, "You are about to comment on the page of an elected official. Please consider what you say, because the following rules and laws apply," and so on.

As I understand it, that cannot be done within existing legislation, but would you care to comment on whether you would be interested in looking at providing such tools to elected officials so that they can wilfully state that they want users to be subject to some kind of warning, just to turn the temperature down a little bit and prevent some of the harmful and aggressive behaviour?

Kanishka Narayan: That is an incredibly thoughtful line of inquiry, especially when it comes to legal and harmful content. The Secretary of State put out a statement on strategic priorities in May this year, and embedding safety by design was an important principle as part of that. Especially on legal but harmful content, if the trade-offs that people often experience between protecting freedom of speech and protecting people from harm were to be made in law, they could be overcome in some part through thoughtful product design and empowering users. I will be very happy to take a look at that as well; I think it is a fruitful line of inquiry.

Chair: Thank you both very much for today. We may well write to you to clarify a few things or raise a few more issues, but thank you. That is the end of the public session.