



Select Committee on Communications and Digital

Corrected oral evidence: Freedom of expression online

Tuesday 9 March 2021

3 pm

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Members present: Lord Gilbert of Panteg (The Chair); Baroness Bull; Baroness Buscombe; Viscount Colville of Culross; Baroness Featherstone; Baroness Grender; Lord Griffiths of Burry Port; Lord Lipsey; Lord McInnes of Kilwinning; Baroness Rebuck; Lord Stevenson of Balmacara; Lord Vaizey of Didcot; The Lord Bishop of Worcester.

Evidence Session No. 15

Virtual Proceeding

Questions 132 - 138

Witnesses

[I](#): Graham Linehan, Television Writer; Helen Staniland, Software Developer.

USE OF THE TRANSCRIPT

This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Graham Linehan and Helen Staniland.

Q132 **The Chair:** Thank you to Graham Linehan, a television writer, and Helen Staniland, a software developer, for agreeing to speak to the committee. Graham and Helen, a transcript will be taken and the session will be broadcast live. Our witnesses, who have been banned from Twitter, will be asked to share their thoughts on content moderation. The purpose of this session is not to come to a judgment on Mr Linehan's or Ms Staniland's actions online; nor is it to come to a view on transgender issues. It is to hear from those who have personal experience of what they feel is the threat to freedom of expression online. Hearing from people with such a perspective is essential to this inquiry and we have ensured that a range of opinions have been heard across panels.

I remind all participants in today's session that, under the House's *sub judice* resolution, live or imminent court cases should not be referred to. I also ask participants to avoid naming individuals involved in online discussions.

Mr Linehan and Ms Staniland, thank you very much for appearing before the committee today. We have four main areas of questioning. I will start by getting an understanding of what we mean by freedom of expression and the extent to which it should be restrained in broad terms. Then we will discuss your own experience of content moderation, online behaviour and the role of education and behaviour protocols. After that, we will explore the difference between online and offline behaviour. Finally, we will look at aspects of public policy relating to proposed online harms legislation.

Can I start by exploring what we mean by freedom of expression? In written and oral evidence to this inquiry, many witnesses have argued that the right to freedom of expression should be unfettered. It should be a right to say anything that is legal. At the start of this inquiry, that was a position that I had a great deal of sympathy with. Nobody has a right not to be offended; you can always hit the block button. Many, though, say that they can see the case for further but very limited restrictions on freedom of expression online, but they should only apply in those cases where expressing something may give rise to immediate physical harm to others, so the restrictions should be limited in that one very specific sense.

Others go further and, particularly in relation to platforms, think a much lower barrier should apply, in that content that is likely to cause emotional or psychological harm to others should be banned or its reach restricted. Can we start by discussing that? At this stage, in very general terms, where do you think the line should be drawn?

Helen Staniland: Thank you very much for the opportunity to speak today. Like you, I have actually moved my position slightly. Being a woman online, I fully understand how words are used to try to silence women. I have been subject to rape threats or simple low-level sexual

harassment. I used to be far more conservative in what I think should be allowed, but having been part of a fight where I have been vilified for talking, and finally suspended from Twitter for what I believe is simple political advocacy for women, I can now see that this is an incredibly complex area. Getting the balance right is very difficult.

The goal in society is to maximise freedom of expression across all groups. We need restrictions to prevent people being silenced because of the atmosphere they are in, but we also have to be extremely careful that these restrictions do not themselves become another way of silencing people.

Graham Linehan: I could not really say it better than Helen there. I am not so much an expert on solutions to the problems that are arising now because of social media. We sometimes look at it through a lens that fails to take into account the huge societal changes that social media has already wrought. These need to be addressed as well, in addressing freedom of speech online. At the moment, my big concern and worry is that women's rights are essentially seen as transphobic. Twitter, Facebook and even Mumsnet are getting people banned and shutting down a discussion that is absolutely essential. That is where I would stand on that issue.

The Chair: Let us explore that a bit further. You talked about the climate that social media has created, which has changed things. It clearly has. Let us look at that a little more. The recent TV drama "It's a Sin", about AIDS in the 1980s, attracted huge audiences. I should say, for full disclosure, that I am a gay man, but this drama has been praised by and made an impact on people from all backgrounds.

"It's a Sin" showed that the reason why young people could not come out as gay was because of a climate created by other people exercising their right of freedom of expression to attack homosexuality and condemn the way they led their lives. Gay people were told that they lived in a cesspit of their own making, they were paedophiles and they deserved everything they got. In exercising their right to express themselves freely, some people were creating a climate in which gay people could not express themselves in that most fundamental way of just being who they were. They were driven into the closet and died lonely deaths.

To your point, let us imagine that social media had existed in the 1980s and freedom of expression online was the subject before us. To be absolutely clear, I am not asking you to accept a parallel with the debate about trans rights now. I am trying to find an example of an issue that existed pre-social media and thinking about how social media rules might apply now. This is an area where my thinking has developed during the inquiry and I would be interested in your thoughts. Do you see that there are two aspects to freedom of expression at play here, the right of any individual to speak freely and express themselves within the law, and the right of an individual to enjoy a climate where they can freely express who they are? What are your thoughts on that?

Helen Staniland: This is a very complex issue and it is definitely a balance of rights. I would go even further actually. You also need to strike a balance with people politically advocating for their own rights, where it might infringe on or come into conflict with that other group. There are things you can say under the terms of political advocacy that you might not say to an individual person. That is not very well moderated at all in society at large and on social media.

The Chair: That is very interesting.

Graham Linehan: It is a very interesting question, in the sense that what you are describing, people not being allowed to be themselves and so on, is exactly what is happening to feminists and lesbians at the moment. I do not know if you remember, but a few years ago the Pride march in London was disrupted by a group of lesbians. They laid down in front of the march and stopped it. The reason they did this was that there was simply no other way of getting their message out.

This is complete desperation and an incredibly brave thing to do for those women, but there is really nothing else they can do. They have tried everything. They have tried discussing it with LGBT leaders and no one is taking them seriously. Everyone is dismissing their concerns. The real parallel that you are talking about is not with trans people, but with women and lesbians at the moment. At the moment, they have to be anonymous or their employer will be targeted. You have seen what has been happening to academics and people in all different walks of life. Their concerns and worries are completely valid and they should not be frightened to put their name to them.

The Chair: I want to come back to Helen on this, because she said something quite interesting. The point I am getting at is that there is a bit of difference between whether you are generally advocating a point and whether you are engaging with somebody online. You would have thought that, for example, the kind of offensive comment I described is certainly something that social media companies would be perfectly justified in preventing a user from targeting at an individual.

Helen Staniland: Yes. There are easy and difficult examples. If you look at Twitter's examples of content moderation, they are quite straightforward. However, when it moderates and bans people, especially women, the tweets that it bans them for are not anywhere near as straightforward as that. For example, I advocate for women's sex-based rights. I think that women should be free to play sport and undress away from people who were born male. Some people believe that the line should be drawn at gender identity. However, it is very difficult for me to advocate for this, because anything I say in this area gets called transphobic. Having been called transphobic, I used to get mass reported all the time. Again, there needs to be a balance and an understanding that people are able, or should be allowed, to advocate in their own political interests without being silenced by cries of "hate" and "bigot".

The Chair: We will come back to this. We are talking about behaviour rather than advocacy and argument. It is about the appropriate way in which things are expressed on social media and to different types of

audiences.

Q133 Baroness Buscombe: My question gets a little more granular in relation to the limits of rights to freedom of expression online. I want to ask for your view on the Law Commission's consultation on criminalising communications that are "likely to cause emotional or psychological harm". Before I ask you, it is important for viewers and listeners to know that we have rights that are protected by the Human Rights Act and by Article 10 of the ECHR, the European Convention on Human Rights. They are also protected under common law. Article 10 is incredibly broad in what it encompasses, in terms of caveats for what is criminal, what is not, what is allowable and what is not. That is why the Law Commission has carried out this consultation. It has not reported yet, but it would be really interesting to know whether you think its reference to being "likely to cause emotional or psychological harm" is helpful and sufficiently broad, or maybe too subjective.

Graham Linehan: It is difficult, because what is considered psychological harm by at least two younger generations at the moment is something a bit like stating biological facts. The statement is not very helpful, in the sense that what is considered psychologically harmful will change completely from person to person. May I read out a statement that explains my background and where I am coming from on this?

The Chair: In the next question we want to ask about your experiences. That is the point at which you can speak from your own experiences.

Graham Linehan: On the psychological harm thing, I will give you an example. Twitter's terms and conditions say that you are not allowed to reduce people "to their genitalia". A Canadian feminist, Meghan Murphy, was talking about a trans-identified male, who was suing immigrant women of colour because they would not perform cosmetic services on his genitalia. She said the words "it's him". This was at a time when he was going under a male and a female name, and she said, "It's him". Twitter used that moment, "it's him", to ban her completely from the platform. This person is still on Twitter and still filing these cases against these women.

Again and again, you will see a similar thing play out. Women are trying to talk about their sex-based rights and are consistently being banned, whereas men are sending death threats and rape threats. Even blue tick accounts, which are the verified accounts on Twitter of people who have some sort of profile, are saying these disgusting, terrible things and they do not get banned. The problem is the opaque nature of Twitter.

Baroness Buscombe: I was going to ask about the definition by the Law Commission. Are you suggesting, Graham, that that is really not going to help? I think that is what you are saying. It is not really a solution in terms of how you sensibly, if that is the right word, limit freedom of expression.

Graham Linehan: Yes, it may not be. Mores change and what is acceptable one moment is not the next. I grew up in the time of Mary Whitehouse, but it was not until this year that an episode of my show

“The IT Crowd” was banned on Channel 4. It is because the current generation, the generation coming up, is extremely censorious, very oversensitive and simply cannot deal with certain jokes, principles or ideas. Just because those generations have that, it does not mean they should be imposing it on the rest of us.

Baroness Buscombe: That is very helpful. In a sense, it is about whether the legislation ever keeps up with the cultural mores, which is a perennial problem for a lot of issues. Helen, what are your thoughts on the Law Commission’s proposal?

Helen Staniland: It is very key to consider who gets to define what psychological harm is. It is so important. I can see that this will absolutely be used as a tool of the powerful to silence the weak. On top of that, what are the fallouts of somebody being banned from social media because somebody has accused them of causing psychological harm? For women on Twitter, being banned, especially in lockdown, is very isolating. I know women who have suffered very badly with their mental health, due to suddenly, from being in an atmosphere where they have support and can talk to other people, being completely cut off and not allowed back on for the rest of their lives. Remember, for the rest of their lives these women are no longer allowed to communicate with their friends and networks. That can cause immense psychological harm. You also have to think of what happens when somebody is accused of psychological harm.

Baroness Buscombe: Thank you both very much. That is very helpful. I think we will hear more about the fact that it is for life and so on when we ask about the appeals process.

The Chair: Before we move on, I will come back to Helen on a point she made there. The difficulty is defining psychological harm. It seems to me that you are not for one moment relaxed about people suffering psychological harm and you clearly understand that it is an issue, but you ask, “Who defines psychological harm?” That is clearly important. Is the answer to that not that expert psychologists define behaviour that is likely to cause psychological harm and then we all go with it?

Helen Staniland: I have not seen it written down. That is an excellent start, yes. That is a much better start than allowing people themselves, or advocacy groups maybe, to say, “We believe that somebody saying this to us is psychological harm”. That would be an excellent starting point, but the conversation should be had. It should be extremely clear and there should not be that much room for subjectivity in it. When it is subjective, I have come to understand that all these things can be used as a tool by the powerful to silence the weak.

Q134 **Lord McInnes of Kilwinning:** Inevitably, we have considered policies on moderation and appeals a lot during this inquiry. We would like to learn today of your experience and what you felt about the transparency and fairness of Twitter’s moderation policy and the appeals process you entered. Helen, could you let us know your views on the process of both moderation and appeal?

Helen Staniland: Twitter is one of the most powerful technology companies in the world and its appeals process is incredibly poor. It is very poorly done. It must be purposeful, in that they do not really want people to appeal. It is difficult for them and costly. The appeals process is dreadful. You are banned and given an email saying, "This is what you are banned for". This is very important: women are being banned for hateful content, and it has the word "hate" in it. This is a very damaging accusation that Twitter is making, so you really want to be able to address this and ask, "Can you explain to me what it is? How have you come to the conclusion that what I have said about, say, single-sex spaces is actually hateful?"

I do not even know whether your appeal goes to a person, because you get the same answer back each time. I have appealed this one five times now, and I have had exactly the same answer back each time. There is a process that people have heard about from word of mouth, where you can go via the Better Business Bureau in America. It can supposedly get a person on it. Some people have had success appealing through the Better Business Bureau. It shows that there is a bit of "who you know" going on there as well, but, for most normal or ordinary people, once you have been banned, that is it, and for life. Not only will I never get my Twitter account back; I am never allowed another Twitter account, ever. I am banned from the public square for the rest of my life.

Lord McInnes of Kilwinning: The transparency around that process was purely an email then.

Helen Staniland: Yes.

Lord McInnes of Kilwinning: In your examination of the Twitter policies thereafter, you had access to those. You mentioned before that the examples they use tend to be quite clear cut.

Helen Staniland: Yes, absolutely. The hateful content focuses largely on incitement of violence, threats and attacks. I do not believe that asking a question, whether male-born people should have access to women's changing rooms, is in any way incitement of violence, a threat or an attack. That is what Twitter has put it under and that is it. There is no comeback.

Lord McInnes of Kilwinning: That was the argument you used in your five appeals, then.

Helen Staniland: Yes. I have tried a number of different arguments, but each time it has fallen on deaf ears.

Lord McInnes of Kilwinning: Have you considered using the Better Business Bureau?

Helen Staniland: I have been through the Better Business Bureau and that was also denied.

Lord McInnes of Kilwinning: Graham, what is your own experience?

Graham Linehan: I used the Better Business Bureau. While I was involved in this, I heard from a man who was banned at the same time

as I was, Stuart Campbell, who does the website Wings Over Scotland. We were told that the orders to ban me and him came at the same time and came from the London office. When questioned about it, they said, "They are not getting back on again". I found this out after I had sent my appeal. It was a purely political decision to get rid of me.

Lord McInnes of Kilwinning: In terms of transparency, apart from that hearsay, you have not heard anything further than emails that may be automated or not.

Graham Linehan: No, nothing at all. They gave the *Guardian* a quote about why I was banned, but they did not tell me, and the *Guardian* did not ask me for a quote on that story either.

Lord McInnes of Kilwinning: The public affairs office of Twitter commented to newspapers.

Graham Linehan: Yes. As Helen says, it is a way of reinforcing the image of you as hateful. I was told that I was misusing the platform because I had a number of Twitter accounts, one of which had been dormant for over seven years. Another was one I used to do memes and stuff with. There is no such provision in Twitter's rules. You are allowed to have different accounts but, for some reason, it was decided that this was somehow nefarious and used to paint a picture of me.

Lord McInnes of Kilwinning: When you were banned, it was on the basis of systematic use of Twitter, rather than specific examples, or were you never clear on that?

Graham Linehan: I was never clear on it. My last tweet—I think they sent me a screenshot of it—was when I said, "Men aren't women". That was the statement I made: "Men aren't women tho". That is what I was covering in my opening statement, which I would still like to read.

Lord McInnes of Kilwinning: There would be a real lack of transparency, then.

Graham Linehan: There is no transparency. Even when you are not banned, there are certain things they do to try to limit the reach that feminists and their allies have on Twitter, including de-boosting and shadow banning. When people share my blog online, it comes up under a thing saying something like, "This is sensitive content. Are you sure you want to open it?" I cannot remember the exact wording. There is a number of different things they use to suppress the voices of women on the platform. How those things are applied is a complete mystery.

Lord McInnes of Kilwinning: There is no clarity over de-amplification policies or your accounts and former tweets being in any way highlighted.

Graham Linehan: Yes.

Helen Staniland: Not only is the appeals process untransparent; it is completely opaque as to how people actually get banned. We do not know what the rules on mass reporting are, but certainly I was targeted for mass reporting, with people calling for others to report me. I must

have asked the question I was banned for a thousand or so times, and I was never banned for it, but then at one point I simply was banned for it. It is completely untransparent and yet there are still tweets there. I have examples. I will not show them here; I will send them to you later. They are actually advocating gun violence against women. These tweets were reported and Twitter has come back saying, "No, there is no violation of the rules here".

Lord McInnes of Kilwinning: There is obviously a tension between what is a public square and what is a business. How do you feel the balance should be, in terms of policy and appeal process, between the two?

Graham Linehan: It just needs to be absolutely clear. This is not my statement, but this is one tweet. The account had 10,000 followers and this was the tweet it was banned for. It was a reply to someone in a conversation and it said, "Male and female are biological sexes. We are talking specifically about biological sex and not gender. And I don't know any actual women who are offended by the word 'female'. Some men who want to be thought of as women get mad about being reminded biological sex is real". That woman had 10,000 followers and has been banned for life. When people are actually writing, they do not know what will get them banned or not. It seems clear to us that, when certain feminist accounts get over a certain number, they become a target. They are often removed, one way or another. It is totally opaque and they can do whatever they like.

Lord McInnes of Kilwinning: I suppose, if it is purely a private business, as opposed to a public square, it is capable of doing that.

Helen Staniland: When Twitter first started, it was okay. It was a private small business and it needed to set its own rules, because at that point we did not even really know what it was. We did not know what Twitter could necessarily do. As time has gone on, Twitter has, pretty much of necessity, become the monopoly. Social media is a monopoly, because everyone wants to go where their friends are. Politicians are on there; advocacy groups are on there. It is no longer appropriate to ban people. There should be proportionate punishments. I do not think banning women for the rest of their lives is at all proportionate.

We need data from Twitter to see who is reporting and what is being reported. We need clarity over the rules. We need independent adjudication for banning, so that people can go. We also need clarity on who is on the panels making the rules. Transparency is key.

Q135 **The Chair:** That is really useful and helpful, because these are the issues we are trying to get at and you have made some useful points. We have quite a lot of further questions we would like you to help us with. Graham, I note that there is something you want to say. Do you want to address a couple of issues to the committee? Make it as brief as you can, though, because we want to come back and ask you some more questions about these issues that you have already been helpful with.

Graham Linehan: I will do my very best to rattle through it. I am a writer. I have written several comedy programmes, the most famous of which is probably "Father Ted", but I would ask you today to briefly take me seriously, because I believe the stakes could not be higher. Almost four years ago, I saw that feminists were being bullied, harassed and silenced for standing up for their rights and their children's rights. I decided to use my platform on Twitter to bring attention to what seemed to be an all-out assault on women, their words, their dignity and their safety. Also, I saw that vulnerable children were being fast-tracked on to a medical pathway that carried severe long-term implications.

My position is very simple. I believe everyone should be allowed to talk about these issues. In fact, I believe that it is a moral imperative that we do so. I am talking about such matters as the scandals at the Tavistock, the confusing and misleading advice that Stonewall has been providing to institutions all over the UK regarding the nature of the Equality Act, the issue of men in women's sports, women's prisons and their rape crisis centres, the destruction of basic safeguarding principles that has led to all this and the silencing and abuse of feminists, doctors, teachers, academics and writers, anyone, in fact, who questioned the fashionable American orthodoxy of gender identity ideology.

For engaging in this debate, I have been the subject of a series of harassment campaigns, including vexatious legal actions, police visits, magazine articles misrepresenting my positions, threatening letters hand delivered to my home and my wife's business address being released online. Anything and everything has been tried to silence me and prevent people hearing the reasonable fears many women have about the impact of this ideology on their sex-based rights. I have also lost work. As a result of my sudden financial insecurity, my marriage was placed under such a severe strain that my wife and I finally agreed to separate.

Believe me, I would rather be writing a farce than living through one. This is a very dangerous farce, one in which children's health and happiness are gambled on an ideology that makes no sense and yet is zealously and obsessively policed by misogynistic activists on platforms that empower them, just as they disempower the women they abuse.

It is not just the platforms or their users that are preventing a debate. Around three years ago, I was among the initial signatories of a letter to Stonewall, asking it to help lower the toxicity of the conversation about sex and gender, and acknowledge the plurality of views on the subject. The letter was composed by Jonny Best, a gay man and long-time LGBT activist. A majority of those initial signatories were either gay, lesbian or trans. We wanted to see an end to women receiving death and rape threats for standing up for their sex-based rights. To that end, we asked Stonewall to commit to fostering an atmosphere of respectful debate, rather than demonising as transphobic those who wished to discuss or dissent from Stonewall's current policies.

Stonewall flatly refused this appeal within the day and continued to dishonestly frame women standing up for their rights as an attack on trans rights. The petition has since been signed by over 11,000 people,

many of them gay men and women, in despair of what is being done in their name. JK Rowling is only the latest and most high-profile figure to suffer the consequences of this fundamentalist view of the issue. The magazine *PinkNews*, which is partly funded by Google, ran 42 stories on her in a single week. That is six stories a day. There are thousands more women who are bullied, slandered and harassed into silence. These women, and they are mostly women, are not famous, and so are even more vulnerable to the smear campaigns and targeted harassment that JK Rowling and I endured.

To briefly pause here, does anyone know what JK Rowling said that was transphobic? Can anyone produce any transphobic statements by her? You cannot, because there are none. As a survivor of domestic abuse, she wrote movingly about the importance of single-sex spaces to vulnerable women and children. She complained about the erasure of the word "woman" in many areas of civic life and she pointed out, correctly in my view, that we are living through the most misogynistic period we have ever experienced. In place of evidence of her supposed transphobia, we have hundreds, if not thousands, of YouTube stars, Twitter trolls and mainstream media outlets, including the BBC, spreading a poisonous lie intended to blacken her name and serve as a warning to the women who might otherwise find the courage to echo her concerns.

This silencing of women was the main reason I entered this fight. I knew the subject of gender was fraught, but I am political by nature and could not remain quiet in the face of such vicious misogyny. I presumed that, when others saw what was happening, they too would speak up and we would be able to force the debate our opponents were so desperate to avoid. I now realise that I was up against a much bigger beast than I thought. These platforms shape the debate and declare you untouchable when you refuse to play by their rules.

The upshot is that many people presume that I am a bigot. These people also presume the same of JK Rowling and many other left-leaning, liberal and progressive women. If you believe that JK Rowling is transphobic, a woman who has devoted her work and much of her fortune to the vulnerable, the bullied, the forgotten and the abused, you are under a spell. If you believe that men can fairly compete against women in their sports, including contact sports, you are under a spell. If you believe that men will not go to the most extreme lengths to gain access to women and children, you are under a spell. If you believe that children as young as three years old can agree to a procedure that puts them on a medical pathway for life, arrests their natural puberty and has almost no scientific proof as to its efficacy as a treatment for dysphoria, you are under a spell.

Social media has created a through the looking glass world that is robbing everyone of their ability to think. My final statement on Twitter, the straw that broke the camel's back, was simply: "Men aren't women". A world where statements such as "men aren't women" are hate speech is a world on the brink of chaos. Feminists are just the canary in the coalmine in this upside-down world, where public discourse depends on

the whims of a small group of men in Silicon Valley. Gender identity ideology began in American universities and is uncritically disseminated by the popular media, but social media companies and their users are the enforcers.

People do not understand the extent to which they have been indoctrinated by this ideology. Women who oppose it are trying desperately to be heard. Helen is one example of thousands. I have heard from young lesbians who are frightened that their sexuality will have them labelled transphobic. I have heard from therapists unable to tell distraught children that their favourite author does not want them dead. I have heard from detransitioners who tell of young women being ruined by older men in trans youth groups.

The reason you have not heard the things I have heard is that the discourse is being shaped by trans rights activists. In place of reasoned arguments and democratic discussion, we have mantras such as “no debate” and “trans women are women”. We have policies passing by stealth. We have bogus statistics about trans murder epidemics and the unconscionable weaponizing of suicide for political ends. The discourse is broken, women’s rights are being stripped away, our children are not safe and we are not allowed to talk about it. Thank you. That is it.

The Chair: Thank you for that. We were discussing some really serious issues that get to the heart of this.

Graham Linehan: The point I wanted to put forward is that this is a wider problem than social media companies.

The Chair: I understand that.

Graham Linehan: It is also more mainstream media outlets—

The Chair: With all respect, this is an inquiry into freedom of expression online, at the end of which we make a series of specific public policy proposals. That is what I now want to return to. We are not here as a court of appeal to review any decisions that have been made by tech companies. We are here to think about how public policy in this area may develop. We are not Speakers’ Corner. You have made your point. If we can, we will return to our questions, because we were saying some interesting things.

Q136 **Viscount Colville of Culross:** This inquiry is looking at expression online. We have already asked you about your experiences of Twitter. We are looking at other platforms as well and the processes they are using for banning people. Facebook is obviously the biggest of the social media platforms. I think you both at times have been temporarily taken down from Facebook.

It is very interesting to know the granular detail of what happened to you. After all, we heard last week from Alan Rusbridger, who is on the Facebook Oversight Board. You say these rules are being made by faceless men in Silicon Valley. Actually, they were both men and women and we know their names. They are making the rules, so we are told, for the oversight board. Helen, could you explain to me in granular detail the

process that happened at Facebook when you had a post taken down?

Helen Staniland: I am afraid I very rarely use Facebook. I only use it to catch up with my schoolfriends and I have not had a post taken down. I will say this. People use your banning from one platform to try to get you banned from other platforms. I have seen this in Graham's case and with a couple of other friends. People said they were banned for hate from Twitter and wrote to other platforms saying, "Why are you platforming these people? It should not be allowed". That is all I have.

Viscount Colville of Culross: Graham, you actually have had your posts taken down from Facebook.

Graham Linehan: Yes, it happens to me once a month.

Viscount Colville of Culross: Will you explain the process to me? That is what we are very interested in. What happened initially when your post was taken down? Were you notified of it being taken down?

Graham Linehan: Like Helen, I do not really use Facebook a lot. It is a kind of lifeboat after Twitter, which I occasionally dip into. All that happens is, when you try to do something, you get a little announcement saying that you have been banned for 30 days.

Viscount Colville of Culross: Have you tried to appeal against that process?

Graham Linehan: No. As I say, I do not really care about Facebook, so I never appeal. I thought, "Great, a good excuse not to use Facebook for 30 days".

Helen Staniland: In some cases, a 30-day ban is a far more proportionate response. Sorry to go back to Twitter, but it is my experience. On Twitter, you can get a 12-hour ban or a seven-day ban, and then you are banned for life.

Graham Linehan: In right-wing dictatorships, they would often pick political enemies up off the street before an important vote and put them somewhere safe where they could not vote or participate in the political life of the country. That is essentially what is happening when you get a 30-day ban. For 30 days, you are being told that you may not participate in the political life of the country. I do not want to go into the granular details of my last ban, but it was a mildly fruity, rude point about a certain problem, the proliferation of pornography, that I think is having a terrible effect on the country. That was banned. I know that the reason it was banned is not that it was offensive. It is that there are people watching my account and they try to spot anything they can use to keep me quiet.

Viscount Colville of Culross: Graham, you say that Facebook is not particularly interesting or important to you. However, Facebook is the biggest social media platform in the world, so it is obviously very important to 2.5 billion users. We are looking at the power of that platform. I am hoping that, as somebody who has experienced that, you will be able to talk to us. You have not done the appeals process yourself but Facebook says that it is responding to the lack of transparency that

both of you have spoken about. It has set up this oversight board. We know who the members of that oversight board are and their rulings are published. As I said, Alan Rusbridger came before us last week. Is that not a way to go forward, in order to bring transparency to other platforms as well?

Graham Linehan: Yes. It would be nice if I was able, for instance, as a highly controversial figure, to inform someone, "You will get people mass reporting me". I know that the Chair has received hundreds of letters accusing me of all sorts of things this week. It would be nice if, with this, I was able to warn you and say, "You are going to be getting a lot of letters that say I am the worst thing that ever happened". I cannot do that to social networks because, again, it is so opaque and hard to get to speak to someone. What you described sounds great. That is all I would like.

To go back to Twitter for a second, this thing it has in its terms and conditions, that you are not allowed to reduce people "to their genitalia", is a way of simply forcing people to not tell the truth. It is forcing people to lie. There is something very broken at the heart of Twitter. That needs to be addressed before you can address panels and so on that sort out the problem. It is right at the root of Twitter's terms and conditions.

Viscount Colville of Culross: Maybe we can talk about Twitter in our report. Facebook particularly publishes what its content moderation and appeal policies are. There is that transparency in there. Is that what you are saying you want to see happening across the piece with platforms?

Graham Linehan: I would also like to be able to challenge them. The tweet I just read out to you is simply a list of biological facts. There was nothing in it that was aggressive or rude. There was no misgendering. There was nothing in it that could be seen as controversial, and yet that woman, her 10,000 followers, her networks, her support groups, are just gone like that because Twitter arbitrarily decided that it did not like her. That is the thing I am most worried about.

Viscount Colville of Culross: So, what would you like to do when you think mass reporting is going to be happening?

Graham Linehan: It would be nice to say, "Hey, I am not a bigot. The things I am saying are perfectly reasonable". Everything I have said to you today is essentially what I believe. I think it is what the vast majority of people in this country believe and yet I am considered a Nazi by these social media platforms that do everything they can to keep me off.

Viscount Colville of Culross: There is another platform that you have also been banned from, Medium. Was that experience different from what happened at Facebook and Twitter? It is quite a thing to be banned by three separate platforms, all of which have different policies and still came to the same conclusion.

Graham Linehan: Medium is a part of Twitter, so it had the same thing. I think I have all my Medium pieces. I also have my Twitter archive. Someone warned me just before I got taken down that it looked likely

that they were going to come for me, so I downloaded my whole Twitter history. I can send that to anyone there to run a search on keywords, to see whether they can find any abusive statements or anything like that. I stand by everything I did on those platforms. All I have ever done is argue for women's rights. I argue that they are being stripped away at the moment. Medium does not like it; Twitter does not like it; Instagram does not like it; Facebook does not like it. None of them likes women, or their allies, standing up for their rights.

Viscount Colville of Culross: The fact that so many of those platforms have come to the same conclusion seems to be extraordinary if you have done nothing to harass people.

Graham Linehan: You are doing exactly what those I call the enforcers, the users on Twitter, do. You are using the fact that I have been banned as evidence. It is the same as JK Rowling. The idea that JK Rowling is transphobic or a bigot is like a bit of mind control that has spread all over the world. Most people assume it is true. Have you ever seen one transphobic statement from her? There has never been anything and yet she is absolutely vilified. A poster was taken down in Edinburgh train station saying, "I love JK Rowling", because it was considered hate speech. This is what is happening. You have to understand.

Another thing to bear in mind is that the percentage of trans-identified employees at Silicon Valley companies is a complete reversal of the amount of trans-identified people you find in real life. It is a political and ideological movement, masquerading as a minority group.

Viscount Colville of Culross: I am interested in the way the tech platforms are responding to that. After all, that is what our report is going to have to look at. Surely, these are private companies and so they should be allowed to set their own terms and conditions for the users online.

Graham Linehan: I read you out a tweet there that the woman is banned for. There was nothing in it. She did not break any of the rules that I can see. All she said was that male and female are different. Gender and sex are different. Some trans-identified men get annoyed when you remind them that biological sex is real. How on earth is that a banning offence?

Viscount Colville of Culross: They clearly did think you had broken their rules.

Graham Linehan: No, I am talking about Tibby, this girl who was banned.

Viscount Colville of Culross: Well, they thought they had broken these rules. Is your concern that there is not enough transparency in what those rules are or how they are enforced across the piece?

Graham Linehan: Yes, exactly. Meghan Murphy was banned for a historical thing she did. They went back to find a tweet that she tweeted before they changed the terms and conditions, and banned her for that tweet. Something to compare it to is Trump. When Trump was President

and making Twitter millions and billions of pounds, he broke the terms and conditions a hundred thousand times, every time he tweeted. He threatened violence against people and they never banned him. They only banned him when he was losing power and they thought he had outlived his usefulness. It is that kind of arbitrary decision.

I do not really care about Trump. I am delighted to see him not tweeting any more because his tweets were so incendiary and horrible, and have got a lot of people into terrible trouble. Feminists should be allowed to talk about their sex-based rights. It is not transphobic that we want to talk about them.

Helen Staniland: You said that surely the tech companies should be allowed to set their terms and conditions. I am not at all sure that they should be—maybe at the beginning. I think Twitter is one of the smaller platforms and it has 350 million users, 16 million users in Britain. They have a moral responsibility to be fair. I am not at all certain that we should be looking to tech companies in Silicon Valley or wherever, in being able to set their own terms and conditions, as the arbiters of free speech of people in the UK. However, I understand that it is a difficult thing to wrest away from them. If we have transparency and clarity, with data about mass reporting, who is reporting what and how the decisions are taken, at least we have some knowledge that maybe things are fair.

The Chair: Graham, I do not know whether it is reassuring to you, but I actually received only about six emails in the run-up to this meeting, although the committee may have received a few more. It was not an email version of a Twitterstorm, although I completely acknowledge that people feel very strongly about this issue.

Q137 **The Lord Bishop of Worcester:** Thank you both very much indeed for your evidence so far, which has been really helpful. I want to broaden things out a bit to think about online versus offline behaviour in general. This is not suggesting anything personal, but it is alleged that people are inclined to behave worse online than they are in person. Do you think that is true and, if so, why?

Helen Staniland: If you spend any time at all on Twitter, it is very clear that people can be a worse version of themselves. In large part, this is because Twitter allows anonymity. You can set up as many accounts as you want, unless you have been banned. You can set up as many accounts as you like and be as anonymous as you like. You can send pretty much whatever you like. If you have a small account that you have set up in order just to be abusive towards somebody, you can.

Further to that, there are still things that people would say to me with their full name there, even from verified accounts. This is in part because of the mob mentality. You are there and you are egged on, because there are hundreds of people saying the same thing as you. It is righteousness, isn't it? You feel that you are right. Also, Twitter rewards you for "likes".

Honestly, people seem to like watching people be bullied. I am afraid that this seems to be part of human nature. Twitter has allowed this to

happen. If you are in school, in your street or in work, you have a range of opinions around you and that moderates you to some extent. You are aware that maybe your opinion is not what the masses believe. On Twitter, you are able to gravitate towards everyone who thinks the same. You can be led into a false sense of belief that you are absolutely right.

Graham Linehan: I was definitely in that group that Helen describes before I entered into the gender debate. I feel like I was too fond of every political opinion that crossed my head. I had to start questioning things I had been told. When I saw the lies about people such as JK Rowling and groups such as the LGB Alliance, I realised I might have been lied to all this time. I realised that the people I trusted, the people whose opinions I was perhaps echoing, were just like everybody else. They perhaps did not have a clue what they were talking about. Funnily enough, the only thing that I am proud of on Twitter, in terms of my activity on that site, is the gender critical debate. It is the only time when I was really going against the grain.

It is definitely a problem. We are still not really used to the fact that this is a massive change that the human race is going through. We have developed what you could almost call a form of telekinesis, where we can tune into the thoughts of someone on the other side of the world. We need to be able to inoculate ourselves against ideas that may seem attractive but are often complete nonsense. If we do not do that, this current wave of hate against feminists is going to be the first of many of these types of things. We still feel like we have a handle on this new technology, but I do not think we do at all. It is not just a question of sorting that out with the tech companies. It is a question of sorting that out between ourselves, as human beings.

The Chair: That is very useful.

Q138 **Lord Griffiths of Burry Port:** Thank you for the helpful way you have enabled us to see clearly some of the things you have been through, in order to arrive where you are now. As far as Helen is concerned, to hear someone with an accent roughly from where I come from has been particularly nice. What public pressure can be put on, or where can we look to, to find a proper enforcement regarding what we might all agree are wrong things in the area we are looking at?

The police come to mind here. The role of the police over the last 20 years also perhaps needs looking at, at some stage. At one point the committee was told that enforcing laws online is beyond the police's capacity. At another time we heard from the Centre for Policy Studies that better police enforcement of the existing law was preferable to a new regime in which the regulator would largely rely on the platforms for enforcement. We want more from the police; the police cannot do it.

Do you have any ideas in this area as to how to see the laws of the land enforced? There is a supplementary question, which we do not have time for, about logging people who come vaguely near that, which is held on the record for a considerable amount of time. Clearly, if laws are broken,

they have to be enforced. Would you have any views about the police's role?

The Chair: Give very brief responses, if you would, and then write to us if you wish to add anything further. We will be happy to receive that.

Graham Linehan: If you do not mind, Helen, I have actual experience of this because the police were called on me. That is another charge against me. I tweeted a link to a Sky News interview between a gender-critical woman and a trans rights activist. The trans rights activist did not like the fact that I tweeted the link, because he was humiliated in the interview. The next day the police came and knocked on my door. At the moment, what is in danger of happening is that not only are these activists empowered on social media, but in this particular case they have the police acting as their reputation management team. I do not know about any solutions to this problem, but that is where it is at the moment, that we can have these vexatious reports.

The Chair: Helen, do you have any solutions?

Helen Staniland: Just as the banks got independent regulation and changed out of all proportion, which worked very well, I would set up a regulatory body for this. It is too big to just hand over to the police. The police have a role in actual things that have broken the law, but we are talking about a lot more here. I personally would look to a regulatory body with transparency and accountability to enforce moderation.

The Chair: I am afraid we need to draw this session to a close. The discussion we have had today is really important, because soon the Government will be introducing online harms legislation, which is going to try to balance a duty of care for platforms towards their users with a requirement for them to have regard to free speech.

It is clear from today's session that that is an incredibly difficult balance to draw, but we have explored some of the questions of detail that this committee will be considering and taking further evidence on from witnesses. We would welcome correspondence from anyone who is following the work of this committee to help us in our deliberations. I thank Graham Linehan and Helen Staniland for their evidence today. They are difficult issues, but we appreciate the time that you have given us.