



Digital, Culture, Media and Sport Committee

Oral evidence: Influencer culture, HC 258

Tuesday 14 September 2021

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Members present: Julian Knight (Chair); Kevin Brennan; Steve Brine; Alex Davies-Jones; Clive Efford; Julie Elliott; Damian Green; John Nicolson; Giles Watling; Mrs Heather Wheeler.

Questions 81 - 192

Witnesses

I: Amy Hart, content creator, activist and former “Love Island” contestant; and Nicole Ocran, Co-Founder, The Creator Union.

II: Amy Bryant-Jeffries, Head of Partnerships, Gleam Futures; Professor Brooke Erin Duffy, Associate Professor, Cornell University; and Ben Jeffries, Chief Executive and Co-Founder, Influencer.com.



Examination of witnesses

Witnesses: Amy Hart and Nicole Ocran.

Q81 **Chair:** This is the Digital, Culture, Media and Sport Committee and our latest panel on influencer culture. We are joined on our first panel this morning by Amy Hart, content creator, activist and former “Love Island” contestant, and Nicole Ocran, co-founder, The Creator Union. Amy and Nicole, good morning and thank you for joining us. Before we go on to our first questions, Amy, would you introduce yourself and what you do and anything you want to point out to the Committee?

Amy Hart: I used to be an air hostess, which is why I am very involved in the unions because when I was there I was a big union girl. Then I went on a show called “Love Island” where I went in with 3,000 followers and came out with 1.1 million followers overnight. It is quite life changing, suddenly going from nobody knowing what you are doing to everyone knowing what you are doing. I got involved especially with politics during the pandemic. A lot of my friends are in the theatre industry and the aviation industry, so I tried to get involved that way.

Chair: Thank you. Nicole?

Nicole Ocran: I am a number of many things but I am also a content creator. I started off as a blogger. I started my blog in 2017 after being made redundant from my job. I was part of the NUJ union there. I also host a podcast and I am currently in the process of writing a book. During the pandemic I co-founded The Creator Union with my colleague Kat Molesworth to advocate for digital creators working online.

Q82 **Alex Davies-Jones:** Thank you both for joining us this morning. Amy, I will come to you first. How has the role of influencer changed since you started being managed by a talent agency?

Amy Hart: I think there is so much negativity, especially during the pandemic for obvious reasons. One bad apple can sometimes spoil the bunch and some influencers maybe didn’t behave properly during the pandemic. It is a form of advertising and there is so much negativity around it as a job. People say to me, “My children want to be influencers and I tell them, no, they need a proper job.” If your child said to you, “I want to work in advertising,” you would say that is great, that is amazing.

People need to realise that it is a real job and I didn’t realise how hard it was to be an influencer until I was one. I used to think it wasn’t a proper job either, and it really is, especially being a content creator. I probably wouldn’t say I am a content creator. I am not clever enough or techie enough or creative enough to be a content creator. These people are so clever—the ideas they come up with; the way they can edit things. I have to pay people to do that for me because I can’t do it, so I really admire them.



Q83 Alex Davies-Jones: You mentioned you came out of “Love Island” with 1.1 million followers, going in with only 3,000 followers. At what point did you gain representation and support to help you to navigate through social media? Was it instantaneous or did you have to find that yourself?

Amy Hart: I was quite lucky. I basically told one of my friends they had to become an agent—had to leave TV producing and become an agent; had to be my agent. I find it quite hard to trust outside people, so I wanted someone I could trust, and I am very lucky with that. We learnt the industry of social media together but especially with what you do in The Creator Union. I was very lucky in that I had that blast of followers straightaway, so I had my representation. People who are growing organically and coming up through the ranks might not have representation, so they are at risk of being taken advantage of by brands. I know girls who have quite a good following on Instagram and they do a lot of work for free to impress brands. These brands are worth billions of pounds and can pay their influencers, but they choose not to because they know they can get away with not paying.

Q84 Alex Davies-Jones: You also mentioned that you are an activist. You talk about some of the difficult topics that some influencers may not want to dive into. You recently opened up about taking the decision to freeze your eggs, and I commend you for that. I have been really open with my fertility journey and that must have been really hard for you to do. How have you coped with the backlash you have had, if you have had any, from speaking out about politics or your own fertility? Have you been supported by the social media platforms when you receive that negativity online?

Amy Hart: I am quite—not desensitised to the whole thing. I remember in “Love Island” we had a producer come in and say to us, “Would you like to have a conversation about politics?” and three of the other Islanders said, “No, I’ve been told not to,” whereas me and one other said, “All right, we’ll do it,” and then it was, “There is not enough of you now.” I have always thought I would rather lose followers by being open about what I believe in and what I care about than just keeping it impartial and having more followers. I do get backlash when I talk about things. On egg freezing I didn’t really. Egg freezing is more people just being nosy and saying, “Why are you doing that? You are so young” and I am like, “Do you want me to go through my family medical history with you? No, you’re a random, a follower”.

I am a bit desensitised, but the networks are not supportive enough when it comes to trolling. I have reported some messages before and they come back and say, “We have looked at it and it doesn’t break community guidelines.” I am like, “Look at that message, this barrage of messages that someone has sent me.”

Chair: When you say “networks”, do you mean social media platforms?



Amy Hart: Sorry, social media networks, yes. "You look at this barrage of messages someone has sent me before 7 o'clock in the morning telling me about how much they hate me, how awful I am, why everyone hates me, how ugly I am, from a fake account as well—a trolling account; a burner account—and you are telling me that doesn't break the policy?"

Q85 **Alex Davies-Jones:** Talk us through when you do report it. What happens? Is it resolved quickly when they have taken things down or not?

Amy Hart: They don't take things down. I delete a lot of things. I have my comment filters on as well. There are tools you can use. For example, there are comment filters and you can have words. I have "fat", "ugly". I have different names from "Love Island", people saying, "This person is better than you." I never see those comments because they say other people's opinion of you is none of your business, but it is on social media, apparently. I have those in place. I delete things, but you see the messages and I have probably stopped reporting them now because I know there is no point. The time it takes me to go through the process of doing, "Why are you reporting this message?" This reason, and then it comes back a couple of hours later with a notification saying, "We have checked it and it doesn't break community guidelines."

Q86 **Alex Davies-Jones:** I want to ask you a bit about "Love Island" because there have been well-documented cases in the media and allegations of not just "Love Island" but "X Factor", and other reality TV shows as well where they have not necessarily taken the welfare of contestants into account when they go on these shows and then they feel ill prepared when they leave the reality TV shows and come back into the real world. You have described the impact that has. It is instantaneous—everybody following you, everybody knowing who you are, and there is the impact that that could have on your mental health. Did you feel supported by "Love Island"—by ITV—once you left the show?

Amy Hart: I can only go on my personal experience, obviously, and I had an amazing experience. We had our welfare girls who were with us in the villa. They would come in every lunchtime and every dinnertime. That goes on and for 18 months they call you once a week, once a month, to check you are all right. If something big happens in the media like, sadly, when Caroline Flack passed away, we all got calls, "Just a reminder, these are the services that are available to you. How are you feeling?"

I had eight months of therapy paid for by ITV and that wasn't as soon as I came out of the villa. Because I was so busy, I thought, "I don't need this." Then I suddenly had a turning point where I just went—and I went back and said, "Can I have the therapy?", and the answer was, "Of course you can have the therapy as long as you need it." When I came to the end of my therapy journey the last thing my therapist said to me was, "This isn't the end. I think you are ready to go off and live your life and you need to go off and live your life, but the door is not closed and



any time you need therapy it will always be there from ITV." I am still friends with a lot of the producers. They always check in on you.

Q87 Alex Davies-Jones: Is there anything you would have liked to have seen to support you or the contestants—anything that you felt was missing or you would like to implement for future shows?

Amy Hart: I have asked if I can do this. I feel like they need a bit of a "Love Island" big sister to go in and say the things that nobody else can tell you, like if people send you a top don't put it on your Instagram because they will never then pay you to do it. When you come out everyone sends you all this stuff, so you start putting it everywhere and they are like, "No, you shouldn't do that." I always message people. For example, "Married at First Sight" is on at the moment and one of the girls is getting quite a lot of bad trolling, so I have been talking to her a lot. I said, "I am always here, even if you just need someone to vent to," because I know her friends and family are probably saying, "But you're in a really lucky position, just think how lucky you are to be where you are", whereas you sometimes need to go, "Yes, actually it is really awful but it will get better," and you need someone to understand. I would like to be that person for "Love Island", be the big sister when they come out.

Q88 Alex Davies-Jones: I suppose you could say that it is the role of the talent agencies, your agent or someone to do that role. Nicole, I will come to you on that point. How does The Creator Union work with these talent agencies and promoters, and what issues do the influencers face related to talent management if they get the wrong representation?

Nicole Ocran: That is a great question. Primarily, our initial goal is to be supportive of people who might not have management to lean on. I also have a manager. I work with a talent agency at the moment and I am lucky enough to have that support, but I remember what it was like when I didn't have that support and it is very much learning on the go. There is a lot of things about the industry, building relationships with brands or agencies or PRs. None of those things are available to you. You can't Google it. It is not something that you are taught and especially in the space that we work in there are a lot of things that are heavily implied but never said. As Amy was saying before, it is someone sending you something and you being really excited to share it, not knowing the implications of what that means under the Advertising Standards Authority guidelines about advertising, first of all, if you do decide to share it. It is whether those people expect you to post, and expect you to post about it regularly—all those things.

When you are green in the space and you don't know anything about what it means, you could also burn relationships really quickly without even realising it. From The Creator Union's perspective we are there to be able to advocate for people who are in that space, who are just coming up and are trying to learn about how to navigate this industry, because it is not anything that you can find. It is not readily available.



Alex Davies-Jones: How-to guides on how to do it.

Nicole Ocran: Yes, exactly.

Q89 **Chair:** Nicole, on that point, to expand it out, why a creator union and what has the interest been? On Amy's point about trolling, how do you see you helping influencers tackle that particular issue?

Nicole Ocran: Why The Creator Union? We have been working as influencers even before we knew the term "influencer" existed or even before it was a term. For the last 15 years people have been working online, working as freelancers in the creative industry, as freelance journalists or photographers. They all come under many different names and it is only now with the rise of social media that we have influencers as a job—as a career if you want to go down that path. We want to be able to provide support for people who are in need of advocating for better pay—for pay at all. Product as payment does not mean that you are going to be able to pay your rent, your bills or your mortgage with it. Even if you are getting paid, are you getting paid fairly?

I think a lot of the smaller influencers and content creators in the space would not have the tools or the backing of a larger group, like a union, to be able to advocate for appropriate pay, especially when it comes to things like copyright and image rights. If you are the content creator you own the copyright to the content that you create and it does not mean that the brand gets to use that as its advertising in perpetuity. Do you know what in perpetuity means? It is all of those things. There is a real lack of knowledge in this space because it is so new and people are excited and want to get going.

Q90 **Chair:** Your job is probably to dovetail agents to a degree with big influencers, but with those who don't have agents you are able to provide—

Nicole Ocran: Yes, those who don't have agents. Some might not want to have agents. Some may prefer our style, prefer our union. On your point about trolling, I think being able to be involved in something like this is so important for us as a union because from our perspective the platforms don't move fast enough. They don't move at all.

Q91 **Chair:** Do they recognise you?

Nicole Ocran: No, they don't know me.

Chair: I mean recognise your body.

Nicole Ocran: I haven't heard from them. I doubt it. I am sure they have seen the press coverage about it, but no one has ever reached out to me to say, "We would love to work with you." We have reached out to them, but we haven't heard back.

Q92 **Chair:** What is the response when you have reached out to them?



Nicole Ocran: We haven't heard anything back. I think the only platform we have heard back from was Pinterest who, from my perspective, tend to be the most open and transparent when it comes to how they work with creators. TikTok is quite good as well. At least you know the person who works for TikTok. Instagram, Facebook, Twitter—I have no idea who works there. Unless you are a friend of theirs or you know someone who knows someone, that is the only way you can get in touch with them.

Chair: Yes, I understand. Colleagues are going to be asking some further questions about the relationship between influencers and social media companies and how it is that some seem to have almost like case handlers to a certain degree while other people don't.

Q93 **Giles Watling:** Amy, on the back of what you were saying to Alex Davies-Jones just now—and we have dealt with online harms, which have many ramifications and particularly personal ramifications for people—if you were talking to, say, a young teenager, somebody following you, who had to deal with negative comments on social media, what would you say? How do you deal with that? It is a very personal thing. There are mental health issues here and young teenagers will listen to you more than anybody else probably, so it is terribly important that you balance that and I wondered what you would say.

Amy Hart: It is really hard. When I was talking to the girl from “Married at First Sight” every day I kept deleting the message because what can you say? Now I am two years in, so I have become a bit desensitised to it but I should not have to be desensitised to it. I think it is knowing your friends and family love you; these are random people online. Hurt people hurt people. What is going on in those people's lives? The ones I find the weirdest—because I am a bit nosy, if someone messages me and they say horrible things and they do it from their own account, I am straight on to Facebook to look at who they are, because obviously you can get more of their life from Facebook. I was getting trolled by nurses and people who have husbands and children. I think, “Do you go to dinner parties and tell your friends that you are trolling random 29 year-old girls that you don't know? Are you proud of it?”

I don't understand it, but I would say to them to use the block button. I say to a lot of people who are coming into the public eye fast, say “Love Island”, “Married at First Sight” and so on, “Have one of your friends logged into your account, get them to go through your DM requests and get rid of any that you don't need to see. You don't need to see them”. My best friend used to do that for me, so she would go through and delete lots of them, but now she is back at work two years on. It is a really difficult question and I am sorry I have not given you a really good answer. You have to just remember who you are and do these people actually matter.

Q94 **Giles Watling:** Would you say keep yourself once removed from it?



HOUSE OF COMMONS

Amy Hart: Yes, try to keep yourself removed. I always thought it was just people in the public eye that got trolled and then my cousin, who is 17, got tagged in a picture on Instagram. We were at a family dinner and she clicked on it and someone had put her on an account called “the ugliest girls on Instagram” and had tagged her. I was like, “You’re 17 years old,” and she was crying at the dinner table because of it and there is nothing you really can do.

This is why I think to have an account on Instagram you need to have identification. I know people say identification costs money. Everyone has a national insurance number and if you are under 16 and you don’t have one, your parents should have to put theirs. One of my death threats was traced back to a 13-year-old and you think if that is what they are doing at 13 in their bedroom at their mum and dad’s house, what are they going to do when they are 18 and they are out on their own. I think that is the issue. It is not really about how you deal with it; it is that everyone else needs to do their bit.

Q95 **Chair:** But, Amy, isn’t the fact that they have managed to trace the 13-year-old in question—and obviously we won’t be discussing any more on that because it is a matter of judicial practice—an indication that there is a system in place? There are many people who feel that having identification and allowing the likes of Instagram to have identification on their files and their servers could be a real intrusion but also potentially could be misused. This Committee has seen through Facebook over time exactly how it misuses data.

Amy Hart: Yes. I probably have not thought about that side. From my point of view, it is more about, “If you’re going to say these horrible things to me, at least front up and say who you are. Don’t do it from an account with a SpongeBob profile picture.” I can understand what you are saying. It is a double-edged sword, I think.

Q96 **Chair:** Before we move on, I want to play a little bit of devil’s advocate here to a certain degree. We had an influencer in our first panel who was talking about trolling and so on and the mental health damage that can ensue, which I completely understand. But to a certain extent, does this come with the territory? In the 1980s, long before you were born, the papers used to go through people’s bins. Just ask Elton John what horror he had to go through in his life due to press intrusion, and to a certain degree you have put yourself out there. First, how do you keep any part of yourself private and, secondly, isn’t this just part of the territory?

Amy Hart: It does come with the territory. I get that a lot, “You have put yourself forward for it, you have opened yourself up to this,” but you are quite naive before you go in. People say, “How can you even prepare for that instant everyone knowing who you are?” and I say I could sit down with the cast of “Love Island” before they go into the villa and explain to them exactly how it was for me and that still would not prepare them. You don’t know until—because all of that timing, it is when you leave, it is how you leave. I walked out of the villa and I left and there was 40



paparazzi and the entire British Airways cabin crew community and all my friends and family and people who had come back from holiday all at Gatwick airport. If I had left the night before, there wouldn't have been anyone there. It is all about timing. You do open yourself up to it but at the same time nobody deserves abuse. It does come with the territory but—I don't know, it is really hard.

Q97 Chair: Death threats don't come with any territory. I do get your point. That question does need to be asked, but you said that no one can be prepared for this as they go in. Is it not a really dangerous cocktail, therefore? You talked about the contestants in "Married at First Sight". As I understand it, effectively you walk up an aisle and you are dumped or not dumped at the aisle. That is how I understand it. When it comes to "Love Island" there were 53,000 complaints recently when they accepted a girl into the house who had trust issues and she said she had trust issues. Then they manufactured a scene in which they pretended, effectively, that her boyfriend was cheating on her in the other villa. That is cruelty, is it not? Therefore, isn't it that you are taking part in this and that however naive you may have been and how very switched on and together you are now and everything like that, at the same time you are part of this issue as well?

Amy Hart: You are right. I remember I heard this when I was watching "Love Island" in the dressing room, a sort of background conversation. I picked up on it, I don't know why, and they were talking about trolling. One of the girls said, "I say worse things to myself than anyone could ever say to me," and I have said, "I have had passengers shout at me in my face in the cabin before, no trolls are going to be horrible to me." It is a whole different ballgame, but you are right, we are sort of part of it, but at the same time you do know what you are signing up for in that it is a reality TV show—it is a structured reality show—and if it was boring nobody would watch it. You have to take that into account as well. I have had friends who have done shows like me say, "People keep coming up to me asking for pictures," and I am like, "They pretty much pay your wages because if they didn't follow you on Instagram, brands wouldn't work with you." It all comes into it, but I suppose we do—

Chair: Yes, but it is upping the ante all the time to a certain degree. The series of "Love Island" now is more—maybe the safeguards in place are greater but at the same time the storylines are more punchy and that can have quite an impact. Where does it stop? Where do we end in that regard? That is not really a question.

Q98 Steve Brine: It is an incredible coincidence that SpongeBob trolls you as well. I thought it was just me, Amy. Politicians do have some experience of it. I am interested to discuss how third parties work with you and how they post maybe as much as you and how they then influence popular culture, which you are most certainly part of. You are a content creator. Which part of it do you do yourself and which part of it do you have support with? In other words, do you post everything yourself?



Amy Hart: Yes, I post everything. I don't have anyone logged in to my account anymore. It is just me. I do the posting. It is quite stressful. I worked with William Hill during "Love Island" and I had to post a video. I was at a wedding where there was no signal. It was very stressful because I am at work and they have paid for a service so I am trying to get some signal to phone my agent to say, "Can you log on and post it? Here is my log-ins".

Things that I don't do myself are there is a new thing called Reels that started off on TikTok, which are little videos and they are very technical. It is things like jumping and being in a different outfit or doing this and a new outfit appearing and things like that. I can't do those, so I have someone who comes in and does those for me, but then my content is better. I am paying for that service but other brands will see the content I produce and I will get more jobs out of it. For example, I did one for a facial thing the other day—a little device that gives you a little spa at home. If I did it myself it would have been an awful video of the camera set up and me talking about it. I paid a friend of mine who started her own business during lockdown. She worked in events and was like, "What am I going to do now?" She managed to teach herself how to do all of this. She came down and we have voiceovers, transitions and all different things. It is amazing. She is so clever. It creates other jobs as well.

Q99 **Steve Brine:** The support is about production quality, not about what actually goes up. If you look back in the past, novelists were influencers. People who write autobiographies for people make their influence through their work, but you are saying that the creativity comes from you.

Amy Hart: When you work with a company you get a brief and it is what the content has to have. It will be the main talking points, they might have some in red that have to be talked about, and then you have a caption. It will either be they will write the caption for you, which I don't really like because you can tell that it is not me talking, or you write your own caption, but based on a list of bullet points and then they have to approve it. Everything goes back and forward. Instagram was called Instagram because it was supposed to be instant and it is really not. You film the content and you send it off. They come back and say, "I didn't like the inflection in your voice when you said that word, so can you refilm it?" So you get all dressed again and you film it again and you send it off again and it comes back and they say, "I don't quite like the background in that" so you do it again and then you send it off. You send off the caption and they say, "I don't like the caption. Can you reword that?" Okay, "This one?" "No, don't like that." "This one?" "Don't like that." "Okay, I'll post it next Wednesday." "Okay."

Steve Brine: That is fair enough. They are the client.

Amy Hart: Yes, it is fair enough, but what I am saying is it is the work that goes into it behind. People think that influencing is taking pictures of you with a product, hashtag ads. A lot of my friends take the mick out of hashtag ads, "Amy, swipe up a shop". It is my job.



Q100 **Steve Brine:** Do you need social media more than they need you, or is it the other way round?

Amy Hart: I think it is a balance. I don't know whether this is going to help later but I would be willing to pay to use the social media networks. I would be willing to pay to use Instagram in exchange for a fairer algorithm, dependent on how many followers you have. I am not saying that people with 10,000 followers should pay the same as me, but if you are a graphic designer you pay to use Photoshop, if you are an accountant you pay to use QuickBooks—other products are available—but I feel like to do my job properly I need a fair algorithm.

At the moment, if I post a post of me normally, just a picture that I have taken, it gets really good engagement. A hashtag ad, straightaway Instagram won't show it to as many people because, I get it, they are not making any money out of it. If I pay to sponsor my posts they will show it to more people. I think there needs to be that balance and we all need to work together more. I understand that they provide me the tools that I need to do my job and I would be willing to pay them for a fairer crack of the whip.

Q101 **Steve Brine:** Thanks. You mentioned Reels. At the moment, which is the best platform for reach? Which one should I check is on my 13 year-old's phone?

Amy Hart: Well, a 13-year-old? TikTok. I am quite old. All the comments on my TikTok say, "She looks like a history teacher". They all say that and they are like, "She is so old. Is she someone's mum?" because they are all 16 and under on TikTok. But Instagram is my main one that I use.

Q102 **Steve Brine:** Can I ask you about non-commercial posting, people who ask you to do stuff? For instance, as a former cancer Minister, with the tragic death of Sarah Harding a few weeks ago, were you contacted by Breast Cancer Now to post some stuff about that? That would, hopefully, lead to a greater awareness among young women of the touch, look, check process. Have you been contacted by any charities in the wake of that incident or others in non-commercial postings?

Amy Hart: I haven't been contacted by Breast Cancer Now, but I talked about the fact that my granny had Parkinson's, so I have worked a lot with the Parkinson's Disease Society. I work at my local foodbank every other Wednesday. I started it during lockdown and it is my favourite thing that I do. I love it, making all my new friends, so I talk about foodbanks a lot and other food poverty charities have come forward. I think charities know who to target based on what you talk about a lot.

Q103 **Steve Brine:** That came from you as opposed to people contacting you and saying, "You are an influencer, you have a big following. Could you help us?"

Amy Hart: Yes. I get contacted by a lot of charities. My dad said to me before I went into "Love Island", "We need to talk about charities." I was



like, "Okay." He said that celebrities get paid for charity work and I didn't know that and I thought that was disgusting. My dad said to me, "You will get so many charity requests, so let's pick the ones that matter the most to you and you do loads for them and you don't charge and they are the ones that you concentrate on rather than doing everything for everyone and spreading yourself too thin." I have my local children's hospice, my local cancer hospice, Parkinson's and the foodbank. They are the ones that I work with, but if a charity messaged me and said, "We are doing a campaign today, will you share it on Instagram?", of course I would, but I tend to try to—

Q104 **Steve Brine:** I think your dad gave you good advice. You mentioned about you walking out of "Love Island", and its impact and the people at the airport, and that if you had done it the day before or the day after, it would have been different. Was walking out good for your career and, therefore, was it part of the plan?

Amy Hart: It wasn't part of the plan. I planned to go and fall in love and I did, and it went really wrong and that is why I walked out. I have grown up in the theatre industry, so I am very dramatic anyway and I didn't realise how dramatic my leaving was until the music goes on and the slow mo goes on as well. My plan was to go in and just be me the whole time—if I am happy be happy; if I am sad be sad. I woke up and I said that morning, "I am ready to meet someone new now," and I went and sat by the pool, and I was looking round and I thought, "I am not going to meet anyone else in here, I just want to go home to my mum actually." I went and told the producers I wanted to leave and then I said, "But I want to do it my way." I thought people would say I was stupid for giving up the opportunity. I didn't realise.

The thing about "Love Island", and people slag it off a lot, is that it is modern dating. The messages I get from people—and people who are watching it now; especially during lockdown, people were watching it on Britbox and things—say, "I have just gone through a breakup and seeing you say, 'If you love someone, you need to let them go.'" I know you are all going to think, "You were in there for four weeks, how can you fall in love?" But you were together 24/7, so you do. I think people resonate with it and one thing I love about social media is being able to connect with people, and especially with my egg freezing as well. People were sending me stories and saying to me, "Because you said that, I realised that my mum went through the menopause at 40 as well, so I have had my tests done and now I am going to freeze my eggs, so thank you." I then think, "I've done that for someone".

Q105 **Steve Brine:** I am glad you mentioned the theatre. What is your favourite line from "Back to the Future" and would you recommend going to see the musical to a fan who has rather enjoyed that film over the years?

Amy Hart: I interviewed Christopher Lloyd last night.



Steve Brine: I saw it on your Twitter, yes.

Amy Hart: The musical is amazing. I won't give it away, but the effects, and how they do it—you have to go, if you love it. I have never seen the film; I have only been on the ride at Universal. I loved it, so you must go and see.

Steve Brine: It is just a shame Michael J. Fox wasn't there. Thank you very much.

Chair: That ends the episode of "Front Row".

Q106 **Damian Green:** Nicole, you are obviously in the process of setting up and registering The Creator Union. How are you going to determine who is eligible to be in it or how do you determine that?

Nicole Ocran: At the moment we are planning a tiered membership model, but determining who can join it is very much if you are someone who earns your living off social media or you are a podcaster, a freelance creative. In my view there are no set guidelines apart from that. I know there are various other types of unions out there. For example, if you are a photographer you can work with one of the freelance photography unions that exist out there. However, I think ours is unique in the sense that if you have built your audience, your community, found yourself making money and building your career from social media in particular, that is the main—

Damian Green: That will be at the heart of it.

Nicole Ocran: Yes, that is the heart of it, I guess.

Q107 **Damian Green:** I ask because clearly at the edges of social media there will be people who you might not want. There are people who make money on social media preaching hate, pumping out fake news, that kind of thing. Are you going to have a filter mechanism?

Nicole Ocran: I don't know what the mechanism would look like but, yes, I can imagine that we would be—it would go against our ethos, mine and my co-founder, of everything that we do. We have noticed that black and brown, LGBTQIA, disabled creators are the ones who lose out the most when it comes to working in this space, like in most industries that exist. It mirrors that, so they are our priority when it comes to the reason why we are unionising in the first place. Yes, there will be checks in place.

Q108 **Damian Green:** Topically, the debate about OnlyFans and things like that—people selling sex on social media—do they qualify for membership?

Nicole Ocran: It is a good question, and one I have not actually thought of until now. I don't know, is my answer to that. I don't know.

Q109 **Damian Green:** Okay. I will let you go away and think about that. Sorry to create difficulties for you.



HOUSE OF COMMONS

You have talked about some of the organisations and you are not getting much response from them. I have sat representing the British Government opposite Google and the vibe from the other side of the table was, "We are bigger than you. Why should we care about the British Government?" Google eventually backed down a bit on that issue, but nevertheless some of them are the most powerful people in the world. They are more powerful than most national governments' regulators and so on. How are you going to make them take any notice of you?

Nicole Ocran: This is a question that Amy touched on before but, like I said, we have been online for—we are the early adopters of the internet and I think without these users people would not be watching. Especially here in the UK we have some of the OG YouTubers before people were even on YouTube watching it and making careers out of it. People like Zoe Sugg, Alfie Deyes, Caspar Lee, who founded Influencer, were online creating content before they could even get paid for it. To not recognise them and not recognise the impact that content creators and influencers have as a cultural zeitgeist—they also create the conversation around what is important and what should be being talked about, what should be shared and what you should advocate for, for example—is only going to do them a disservice. Those platforms did not exist for ever, so it will only be a matter of time until something new comes along.

Q110 **Damian Green:** That is the platforms. What about the brands? Are you getting any kind of positive response from them?

Nicole Ocran: There have been a couple who have reached out to me personally and I am sure have reached out to my colleague, but for the most part they are silent watchers. They are silently watching, waiting until we are registered to see what happens. I think a lot of them get by on the fact that people are relatively naive when it comes to working with them. They get by on the fact that people are grateful to be even in contact with some of their favourite brands. I have had people reach out to me—back when Topshop was not part of ASOS—who said, "Topshop has reached out to me. This is the best day of my life. What can I even say to them? They want to send me something. Do I just say yes because it is Topshop?"

I am hoping that over time people are more discerning about how they work together but I get the excitement that is involved. I understand as someone who has been there before how enticing it all is when people are suddenly paying attention to you, similar to what Amy was saying about "Love Island". You are a bit like, "Okay, what do I do? I should say yes because otherwise if I say no I'll probably never hear from them again". I think they lean on the fact that they can find another you.

Q111 **Damian Green:** Is that the case, Amy? You have been through that but you started already famous because of "Love Island".

Nicole Ocran: There are two routes to being an influencer. There is the celebrity route. There is something that feels not necessarily



instantaneous but it feels very big. When you are organically creating content online—maybe you have a blog, a newsletter or you have started YouTube or whatever—there is quite a slow burn in bringing people in and making them pay attention to what you are doing, whereas being on TV or in film or having a song out, for example, is a different route.

Q112 Damian Green: Amy, do people who have not gone through the celebrity route, doing it from the bottom up, approach you and ask for advice?

Amy Hart: No. It is really weird. People who have really honed their craft and grown organically are so talented at doing it in the minefield that is social media. What I would love from the union—and obviously I love unions, I was a member for 10 years and I was very sad when I had to leave because I lost my job—is a standardised pricing structure. The thing that we struggle with is when brands come to you and say, “How much for this?” “I don’t know, how much are you willing to pay?” What I would love is a standardised pricing structure based on how many followers you have and what your engagement is.

Nicole Ocran: That is the whole reason why pricing is so difficult. For someone like Amy who has over a million followers and someone like me who has 28,000 followers, there is already going to be a difference there, but they want to pay someone like Amy and they also want the rights to her image and they want to put it on a billboard. There is a completely different price for something like that versus just for posting something on social media. But often when it comes to those negotiations and owning the content and owning her image, for example, you don’t know that they can then put her face on a billboard some day and that is when it becomes tricky. You don’t know that they will use her face on a Facebook ad for the next month until someone screenshots it and sends it through, “We have seen you on this Topshop ad. Did you know that you were doing that?” and you are not getting paid for that. There is such a lack of knowledge around that and that is where people are losing out.

Q113 Chair: Taking that point a bit further, Amy, not just brands using your image without permission but have you also had scams and things like that, misinformation maybe, using your image?

Amy Hart: Not really. I have had people, aesthetic companies that do Botox and fillers—I have had a little bit of Botox on my head and that is it—use a picture of me in the beach hut on “Love Island”, so with no makeup on a flipped camera at 8 o’clock in the morning, up against a photo of me from a photo shoot where I have had my makeup professionally done.

Chair: Before and after.

Amy Hart: Yes, before and after and saying, “As you can see here, Amy has had cheek fillers, she has had jaw fillers. She has had a tip lift on her nose. She has had this done. She has had it done here. If you want it done the same as her you can—”



Q114 **Chair:** Is this a legitimate company?

Amy Hart: A legitimate company. I had to do this whole thing of, "Here is a picture of me 12 hours before that one was taken. As you can see, my face looks completely different because I had my makeup done by a specialist effects makeup artist".

Q115 **Chair:** This company had not actually performed any of these things on you at all?

Amy Hart: No, because I have not had any of it. I was like, "No. 1, I haven't had any of it; and, No. 2, I have never heard of this business". Luckily I had a friend who knew the owner, so I said, "You need to message her and tell her to take that down now otherwise I am going to post it on my Instagram," which is a bit mean but I am like, "Don't say you have done things that you haven't".

Nicole Ocran: Also Instagram does not have a one-click copyright claim. That is Amy's image. That is an image of you and you can't report that and nothing will happen to that business with them just using it. They think because it is on Instagram they can take it and use it to advertise their business, to earn money for their business and, once again, you lose out. You can't even make a copyright claim. YouTube is pretty hot on it but that is mostly—

Q116 **Chair:** Yes, they are quite hot on it, but they have a model where they pay influencers, don't they?

Nicole Ocran: Yes, they do have a model where they are paying.

Q117 **Giles Watling:** It is interesting, British Actors' Equity was formed as a professional association and when I joined it in the late 1960s it was a closed shop and you could not perform anywhere unless you were a member of Equity and it was really hard to become a member of Equity. Then in the early 1980s it became open so you could perform—you did not have to be a member of Equity—and that weakened it. This is really for Nicole. Where is your muscle going to come from? For instance, in Germany YouTube refused to negotiate with unions and that was the end of that. How are you going to enforce things? Are you going to go down the Equity route? You started with the Creator Guild, which has now closed down because it was not being effective. How are you going to be effective as The Creator Union?

Nicole Ocran: The Creator Guild was not us but I remember that and I have heard of it. My view on it, as I mentioned before, is there is so much value in what we do collectively. I think that without us on the platforms themselves—this all comes down to the idea of strength in numbers but I think that without content creators on these platforms it means that a lot of the users will drop off. That is my feeling in general. I am not opposed to strike action and things like that, so I think that those are the ways that we can be effective. It is opportunities like this and conversations like this where we are able to talk to Government officials,



HOUSE OF COMMONS

and advocate and push for better protections, not only for us but for brands and for platforms as well.

The industry is valued at \$4.8 billion. I am assuming that a lot of people at the top are enjoying a lot of that money, but it is a space that I am assuming that they want to continue growing annually. At the end of the day, fair working conditions for all of us is going to be beneficial. My feeling on muscle is strength in numbers.

Q118 Giles Watling: Those are very laudable aims, but you still have the issue of some of the more popular influencers who might not be interested, and there are cases where they won't. How are you encouraging them to come on board with your union?

Nicole Ocran: I know that there are going to be people like Amy out there who have been in unions before or who have family members who have been in unions and who understand the value of collective bargaining. There will be people who are not interested at all and that is absolutely fine. They might even share that it exists, which would be great for us but that is also okay. I don't think that just relying on a celebrity name or a high-profile influencer should be the way that we start the union. It has always been about advocating for the smaller content creator and will continue to be that for now.

Q119 Giles Watling: Have you had experience of major influencers wanting to help those lower down the ladder and wanting to get involved?

Nicole Ocran: Yes, and I can give an example more recently with everything that was going on with Black Lives Matter being part of the public conversation on Instagram in particular and on social media. I had a number of what you would call higher profile influencers reach out to me with what they could do to support—to amplify—black and brown voices, things like that. That was more me sharing that. These are the types of people, the types of content creators and influencers who would be involved in a union like this. That support was there and was freely given. Obviously, that time has passed now or at least part of the conversation on social media although it is still ongoing.

Q120 Giles Watling: I understand you are in the process of registering. When are you going to wave the flag?

Nicole Ocran: When are we going to wave the flag? Soon. I am hoping by the end of the year but it is a lot of work. I don't think people know how much work it is. I am sure you guys know but—

Q121 Giles Watling: I think you have some issues to face but good luck with it. Do you think influencers are paid a fair wage for their work on the whole or is it just the top 1% getting everything?

Nicole Ocran: It is a great question. I think the perception is that influencers get paid a lot because of how everything looks aesthetically. It is the same way that people think everyone in fashion gets paid a lot



because they look nice. Fairly and consistently? I would say no. There is a small minority that gets paid a lot and well, but on the whole the majority of people, your average person with a blog or sharing not necessarily organically but trying to get paid after having shared products organically for many years, are the ones who are not being paid.

Q122 **Giles Watling:** Is part of the problem that just to be an influencer you have to make it look sparkly and lovely, even when it isn't?

Nicole Ocran: Yes, you have to make it look good. Yes, exactly, you have to make it look good even when it is not.

Q123 **Giles Watling:** You put up this facade and people are going to believe that and that is why you get that problem. I get that. Going back to that 1%, whatever percentage, that is paid very well, are you accessing them, are you in touch with them? I know Amy is.

Nicole Ocran: Yes, absolutely. We are in touch with them and they know that we exist for sure and we have heard from them that they are excited about it, because that wasn't something that they had when they just started.

Q124 **Giles Watling:** Are you in touch with other unions? Do you speak to Equity?

Nicole Ocran: Yes, we do.

Q125 **Giles Watling:** There is a lot of crossover and one wonders why—

Nicole Ocran: Why we haven't joined another union?

Giles Watling: Correct. Why don't the influencers become part of Equity?

Nicole Ocran: I think it was mainly because we felt that although our issues have a lot of crossover with unions like TUC, who we have spoken to before—we are working with essentially a union adviser. We wanted to make sure that the issues that we talk about that are very social media specific are able to be highlighted and prioritised. That is why we wanted to go off on our own.

Q126 **Giles Watling:** You are narrowing the field but, of course, in America you know that people are going with SAG, the Screen Actors Guild?

Nicole Ocran: Yes, I am aware of it.

Q127 **Giles Watling:** This one is really for Amy and how you deal with things. When you get contracts, are they easy to understand? Can you work with that, or do you need to take in advice the whole time?

Amy Hart: I am very lucky that I have an agent, who is amazing, and she reads them all for me and she will say, "I'm not sure about this." With the fair pay thing, like with everything in life everyone wants something for nothing, and a lot of the time it is whoever speaks first who loses. "What would your fee be for this list of two grid posts, three



lots of stories and two Reels?" "What is in your budget?" "Well, no, how much—" and it just goes back and forth and it is basically whoever speaks first loses because the other one will come back and say—

Q128 **Giles Watling:** Do you go to people like Nicole for advice?

Amy Hart: No, but I would. This is the thing, I am sat here listening to you speak, very inspired. When I worked at British Airways, you would get the call from crew control and they would say, "You need to go and do this flight," and you would go, "That is definitely not legal." "It is legal." "It is definitely not legal." You would call the union and they would say, "That is not legal," and that would be the clout behind you. Having a second pair of eyes just to glance over that contract and say, "Have you thought about the fact that they will use your picture?"—what you were saying about using the images afterwards, I had never thought about that until you said that.

Giles Watling: Well, perhaps we have started something here today.

Nicole Ocran: Yes.

Amy Hart: For me, sometimes the contracts have little sneaky bits in them and I sometimes think when they send you a 10-page contract they think you are not going to read it. That is when I am like, "Right, let's do it." My "Love Island" contract was 36 pages and I was on holiday, so I was reading one page at a time, "I have digested that. That is all okay. Next page."

Q129 **Giles Watling:** That is a piece of advice you would pass on to other would-be influencers—read the contract?

Amy Hart: Yes, definitely. Also remember: know your worth and add tax, as they say. Remember, these companies—these big fashion companies, especially—that are happy to gift you dresses in exchange for you posting are billion-dollar companies.

Nicole Ocran: The person sending you the dress is getting paid a salary, yes, of course.

Giles Watling: I understand. Thank you.

Q130 **Chair:** Did ITV give you any access to legal counsel when you were looking through those 36 pages?

Amy Hart: No.

Q131 **Chair:** Do you think they should?

Amy Hart: Potentially. My dad sent mine to—you were not allowed to tell anyone either. He said, "I've got a contract for you to look through," and his solicitor said, "Okay." He said, "I didn't expect it to be a 'Love Island' contract." Everyone got their family solicitors to look through and other people were like, "Do you have a family solicitor?"



Chair: He didn't think it was for your dad, though?

Amy Hart: No.

Q132 **Chair:** Nicole, what would an influencer strike look like?

Nicole Ocran: I have often dreamed of this day. No, I don't. I think it is funny, because we kind of saw one on Blackout Tuesday during Black Lives Matter. The sentiment behind that was twofold in raising awareness on an issue, but also trying to amplify the voices of people who you don't normally hear from very often. I think it looks very similar to those things, being someone who primarily does that work online—that kind of very digital style of strike action. My main feeling is that there are so many other ways for us to be able to push for the things that we need. Being able to have any access and communication to the platforms themselves is the main thing for me really.

Amy Hart: Going back to having access to people, ITV has a contact at Instagram because they have to get everyone blue ticks to verify their accounts because they are representing the show. When I came out I was like, "I didn't know anything about Instagram really. I just use it for my friends at the moment and now I have all these followers." They said, "Here is the email address of our contact at Instagram. Email them. I am sure you can go in and speak to them. I am sure they will have you in to speak to them". I emailed and emailed and emailed, and I think they need an outreach team of some sort to help people.

Nicole Ocran: I know for a fact they have the creators team.

Chair: To help people like you?

Amy Hart: To help everyone. Nobody seems to know what the algorithm does.

Nicole Ocran: I don't think anyone does.

Amy Hart: But why make our lives harder?

Nicole Ocran: They don't want to give those things away to us.

Amy Hart: I understand that they don't make the money out of—you have me, Instagram and the brand. The money goes from the brand to me. I use Instagram to get that money. Instagram don't get any of that money and I understand that that must be really irritating, so for that reason I would be happy to pay to use them.

Nicole Ocran: But they do get billions of dollars of advertisers on Facebook. They do get paid.

Chair: YouTube's model, of course, is very different.

Q133 **Mrs Wheeler:** Ladies, thank you very much for joining us this morning. I am quite interested in this idea about whether there ought to be pay transparency, but we are moving on. We are calling influencers as



HOUSE OF COMMONS

marketing and advertising. I heard your line about if your child said she wants to be an influencer. I would have pooh-poohed that before, but if she said she wanted to go into advertising, brilliant. That is a very good analogy and that has slightly woken me up to it all, to be honest. Can there be pay transparency for an influencer?

Amy Hart: Even with my close friends who are also influencers, we would never, ever discuss how much you get paid for a job because everyone is different, and everyone's engagement is different. That is why I think there should be a price guideline, especially to support smaller creators—obviously of any age—because they do not know how much they should be charging.

Nicole Ocran: I am definitely an advocate of a base level of charging for a space. For example, there is a base rate to charge for a billboard, which again is not a great example. As Amy was saying, there are so many other elements involved because of who you are and because of what your image then means not only on your own page, but other pages as well, and the association of your name with that brand. There is a value there.

I totally understand when you reach a celebrity level not wanting there to be a lot of transparency about that. There are competitors and all these other things. I do think for smaller content creators—again, people who are starting off or who are relatively green and are still struggling to get paid—knowing that you always charge £100 for an Instagram post, for example, and having that information readily available to you is valuable because you know, “Okay, that is the industry standard so I can start from there. I can price upwards because I do incredible film work,” or if you are an incredible photographer or if you only do illustrations so you want to charge X, Y, Z on top of that.

Amy Hart: We started off with me with a rate card: this is how much an Instagram post is; this is how much an Instagram story is. You learn very quickly. I have been offered a hell of a lot of money to promote diet products, but a lot of my followers are 13, 14 or 15. I did a little meet and greet after “Love Island” at the Theatre Café and it was all teenage girls. Their mums had taken a day off work and brought them down, paid for the train, paid for food in London, and to me I owe it to the mums and the dads—because they support their kids in supporting me—and the guardians to be a good person and not to try to flog shots that are going to make you lose 7 pounds in a week to their children.

I get offered all the money in the world to do that and I would not, but if a small company comes to me and says, “I have started doing this business, it is my passion, but I can only pay you this much,” and I like the product, then of course I will do it for that. That is why, with the transparency, everything is different depending on who the brand is.

Q134 **Mrs Wheeler:** Moving on, if we cannot get to a stage of pay transparency, would you ever find that there was undercutting going on?



Maybe a brand is talking to you and to somebody else at the same time and they are willing to do it for a lower price. It is human nature but would the union help with that or not at all?

Amy Hart: Everyone is so different with their insights as well. I have 1.1 million followers but my engagement is very different and someone who—my account is very broad. Obviously, people followed me because of “Love Island” whereas if you are a fitness account, for example, everyone that follows you is following you for workouts and recipes. Everyone who follows you loves all of your content. Whereas with me some people like the musical stuff, some people like the fashion stuff—it is all a bit different. People would probably get the same money as me with less followers because their engagement is higher.

Nicole Ocran: It is hard to compare those two styles but, again, it is up to the brand or whoever is engaging with you, or wanting to work with you, to know exactly why it is that they want to come to you. You will want to come to Amy for very specific reasons versus why you would want to come to me for very different reasons. That is my feeling, but it is a tricky balance to strike. As Amy was saying about the rate card, I think that is valuable knowledge for everybody to know and it is valuable knowledge for people to know what they could be being paid and could have been paid before.

They are conversations I have had with my friends many times about different jobs. “I have been approached about this. Has anyone else been approached about that, too?”—that kind of thing.

Q135 **Julie Elliott:** Good morning. This is fascinating. I spent decades of my life before coming here as a full-time trade union official and I have never heard anything as complicated as this. I do not have a clue how we would actually bring in pay rates in this world. The one thing I would say is read contracts. Do not sign anything in any world, in any job, if you do not understand it. If you are an individual member of one of the bigger trade unions you can get free legal advice on contracts. That is my two penn’orth trade union advice.

You have talked about standardised pricing and pay rates and things like that but, moving on, you are not employees, so I am struggling around some of this. The evidence of pay inequality is clearly there and I am particularly interested in whether there is any evidence of pay inequality by gender, by race, by some of the other measures in this area. Are you aware of any measures on that?

Nicole Ocran: It has all been anecdotal and one of the things we are trying to work on right now—we have spoken to the influencer team about this, too—is trying to put a survey together to get the actual quantitative data around it. The evidence that myself and my colleague have heard, but also with accounts like Influencer Pay Gap that are online on Instagram right now—there is another one but I cannot say it, it is called FU Pay Me—those are where you read the stories and are able to



HOUSE OF COMMONS

compare what, for example, a white influencer against a black influencer had been paid, what the highest they have been paid is, lowest and so on. It is all anecdotal and it is not through—

Q136 **Julie Elliott:** There is no proper evidence of what anybody is being paid, whether there are gaps?

Nicole Ocran: Yes, it would have to be all individual case-by-case—

Q137 **Julie Elliott:** That is all very worrying. If we look at wider employment rights—and as I say you are not employees, so I am not sure how this all works—how are things that are very mainstream in the normal workplace—paternity leave, maternity leave—managed in the influencer community, if at all?

Amy Hart: Ashley James—I know she won't mind me mentioning her—was filming content three or four days after she had her baby, because you are self-employed.

Nicole Ocran: One of our members, Alex Stedman, started the blog called The Frugality many years ago. She used to work for *Red Magazine*. She had a baby and more recently had another baby. She just saved her own personal savings to be able to take some semblance of a maternity leave. Again, the same with my other friend, Liv; she has also saved money to be able to do so.

Q138 **Julie Elliott:** What you are describing is everybody is self-employed, nobody has any employment rights, and basically you just have to get on with it if you have children?

Nicole Ocran: Yes, basically.

Amy Hart: On the flip side, and it sounds really crass, if you have a baby it opens you up to working with different brands and it changes the trajectory of your influencing, because then you are getting the pram brands, the baby food brands and the bottle brands working with you as well. I know Ashley gets a lot of messages saying, "Why is all you post about your baby now?" She says, "I am sharing my life with you and baby is my life now".

Q139 **Julie Elliott:** But if you have a bad pregnancy and you are not well through your pregnancy—

Nicole Ocran: Yes, there are so many influencers who are mums and parents who have shared that—shared those struggles, and shared miscarriages and things.

Q140 **Julie Elliott:** Just moving on from that, some self-employed people take out insurance for these kind of things. Is there any structure of that in your world, or is that not talked about?

Nicole Ocran: There are some insurance that exists, and there are some pensions for freelancers that exist. We would love to partner with some of those people because I think, again, those are the fears. I am technically



old for this space—I am 33—so thinking about pensions is important. Should I have a child one day, those things are relevant to me. I know that I am not the only person thinking about those things. Absolutely, at the moment it is very much just get on with it. Why the union as a resource is so impactful is if you just google those things they are difficult to find in terms of what you can do as a self-employed person.

Q141 John Nicolson: Thank you very much for joining us. Nicole, I will continue the line of questioning from my colleague Julie. Do you think there is a danger among social media influencers that there is a reinforcement of stereotypical standards of glamour or beauty? Are the big companies, for example, approaching folk who are LGBT or disabled people, and encouraging them and investing in their brands?

Nicole Ocran: That is such a great question; I am glad you asked it. It is twofold because, especially in the space that I work in and started out in in fashion in particular, as a person who is a size 16-18, it is very hard to find brands who even carry the size and the style that I want to wear. There is that, but people who are LGBTQIA, for example, only get approached during times like Pride every year. All of a sudden it is a mad scramble, “Who are the influencers that we can work with again?” At that same time you also get straight people working during that time wearing Pride merchandise, which does not make sense.

A few of the disabled influencers I know find it extremely hard to find work, but when they do, and it is good work, they do not get the support that they need by brands by all of a sudden being the face on their account. They are subject to trolling. Anyone who looks different is subject to trolling. There is little to no brand support and we have spoken about the lack of support on the platforms—Instagram in particular, because that is where most of us are at the moment.

Q142 John Nicolson: I have noticed lots of advertisers are now using gay people. You just see little flashing images, for lots of companies—big mainstream companies. They are almost always couples; they are always good looking and white. It seems as if gay people are okay as long as they are coupled, partnered up, pretty and white.

Nicole Ocran: Yes, if you don’t look threatening or if you are not fat.

John Nicolson: No piercings, no tattoos—nothing that would scare the horses.

Nicole Ocran: Yes, exactly. If you look like you are fitting in to traditional gender roles or if you fall under those norms, then you are more likely to be celebrated. If you are not and you do get chosen to be part of those bigger campaigns—things that more mainstream audiences will see—then you will be absolutely destroyed online with the level of trolling that you will get from people who do not necessarily normally come across people who look like you.

Q143 John Nicolson: There is an argument, of course, that gay kids sitting at



home watching that campaign think it does get better. I notice there are lots of gay influencers who are there talking about their lives, aren't they? But they are impossibly glamorous lives—they never get beaten up, do they, in the stories that they tell? They are always having a good time, they always have accepting parents. It is a bit of a fantasy; it is not the lived reality of most LGBT people.

Nicole Ocran: I would not say I am part of the community, but I will say as someone who watches a lot of different stories from different people across the myriad of influencers that exist on Instagram, YouTube and so on, the value in seeing people who are different to you and people who are like you is huge.

Like I said, I am 33. I didn't have those things when I was a kid. As someone who is half-Asian, I did not see anyone who looked like me on TV that I could relate to, or had my family, for example. Some of social media has that tinge of glamour and superficiality to it, but the core of it has always been—for me and what I have noticed—people sharing their lives authentically.

Q144 **John Nicolson:** I am older than 33. I know it is surprising but it is true. I only had John Inman to look up to. Believe me; that did not make my heart leap as a gay child.

Amy, you talked earlier on about trolling. Some of the stories you told were absolutely appalling, with death threats—I know, as the Chair said, we cannot talk specifically about that because we have no idea what stage that is at legally. Who are these awful people who are sending you abuse simply because you recommend products and talk about your life?

Amy Hart: I have screenshots of messages; I could read you one I got the other day. This is from someone, not from a private account—I have forwarded them—

Chair: Just as long as you do not reveal the name.

Amy Hart: No, I won't. Where are they? "Your new fella will need therapy to deal with you and your neediness, I hope he runs for the hills, he needs to get gone. Poor guy dealing with your 'beep' fake teeth, fake boobs, fake personality. He deserves to know what a psycho you are. You're bat 'beep' crazy and a loose cannon. Make sure this idiot gets gone. The state of this 'beep'. Get her peroxide fake veneers gone. She's a fake 'beep' and she needs to get gone. Dirty 'beep' 'beep' herself off, get some respect, you dirty 'beep'. Look at the state of you. Absolutely waste of organs, stopping plugging you silly, fake 'beep'. You look plastic, fake as 'beep', doll-like and plastic." I sent this to my boyfriend and he was like, "Tell her I said—" and I said, "No, let's not get into that." That is someone who is not from a trolling account; that is someone who had pictures of their child—they have a six year-old daughter. That is someone who is quite happy to say that.



HOUSE OF COMMONS

You get that. You get a lot of middle-aged women, like my mum's age, who again have husbands, children. I think, "Do you go to dinner parties and tell people that you do this?" Young children. Some of the most awful messages I have had—you look on their profile and it is, "Year 7, love my friends".

One thing, though, and it is a me problem this bit, and I know I do it. Before I have been trolled by people and I reply and say, "Why do you think you can say that to me?" "Oh, I didn't mean it, it is just I know celebrities only reply to horrible messages rather than nice ones." It is because if you get 100 comments, 99 will be nice but it will be that one horrible one that you remember. I probably could have recited that without even reading it. You remember that one horrible one and that is the one that gets you.

Q145 John Nicolson: We are doing a separate inquiry into online harms and we are going to produce a report about that. Why do you think the social media companies do so little to protect people? It is not just somebody in a position of influence; it is other people. It is kids as well who are getting horribly bullied at school. We know there is a problem with kids self-harming because of the abuse that they get online. Why do the social media companies not care about this?

Amy Hart: It is this free speech issue. I have always said if someone wants to say to me, "I don't like you because you have done this," I can deal with it, if you have a reason. But just saying horrible things like that, I don't think that counts as free speech, that is just being nasty. I don't know why they do not do more.

Q146 John Nicolson: There is a problem, for example, with people with epilepsy. Some bizarre and wicked folk are sending folk with epilepsy flashing images in order to trigger seizures. We are going to try to get that made illegal. If someone were to rush up and punch you in the street, a lot of people would surround you and help you, and the police would chase the person concerned, but if it is online you do not get that.

If we can do anything here as a Committee with the social media companies to help to reduce or eliminate the trolling, what do you think it should be? What would you like us to do?

Amy Hart: Everyone can do their bit, from people online—don't be nasty—to the Committee putting pressure on the social media networks to do more. Maybe one of the reasons they do not do it is because if they banned everyone who was nasty, they would lose a lot of their users.

John Nicolson: That is a very depressing thought.

Amy Hart: What I am saying is if they banned every account that sent horrible messages, they would lose a load of their users, so maybe that is why they don't do more.

John Nicolson: I see. So hit them in their pocketbooks.



Amy Hart: Yes.

Nicole Ocran: I think that is why they do not do anything: because it will cost them so much to be able to monitor that many people. That is why they have only just put the hidden words thing into place in the last month. That is a relatively new feature.

Amy Hart: With people being accountable and—

Nicole Ocran: They do not want to be held accountable.

Amy Hart: With the people who did the racist trolling of the footballers, obviously people found them very quickly and showed employers: “You employ this person, are they really a good advocate for your business?” That needs to happen more as well, being accountable and people’s bosses knowing.

Q147 **John Nicolson:** In conclusion—I have said this before—I was called a greasy bender on Twitter, which is obviously not a compliment. I reported it several times to Twitter, and it responded saying that this did not violate its community standards. It clearly does in black and white in their terms of engagement.

Amy Hart: One of the worst things was I had a friend of mine who is gay do an Instagram Live with me, so a split screen, and that was one of the worst occasions.

Nicole Ocran: That is the worst thing you can do for trolling.

Amy Hart: I was literally nearly in tears at the end and I phoned him and said, “I’m sorry it was my followers that have done that,” and then I put a thing out saying, “The trolling my friend has just had on that Instagram Live—if you are a follower of mine and you are posting that, please unfollow me because I don’t want you to follow me and I don’t want you to be part of my online community, because you are not”.

John Nicolson: Thank you, both.

Q148 **Clive Efford:** Following on from John Nicolson’s questions there about the amount of trolling there is, is there any evidence in your experience that perhaps the negative publicity that social media networks generate—the stories around trolling and everything else—means they are missing out, because people are staying away from it, or is it so much a part of life that it is a win-win for them whether they deal with it or not?

Amy Hart: I think it gives it oxygen. If there is an article, say, Twitter reacts to this happening and they screenshot and show all the tweets, and it gives it oxygen and then horrible people go, “My tweet was on there, they showed it”. For example, I am so glad this year on “Love Island” they did not do the Twitter challenge. They used to do a challenge where they would have the Twitter handles and they would have people’s names covered up and you had to guess who the tweets were about.



HOUSE OF COMMONS

That made people be more controversial on Twitter in the hope that they might be included on TV to 8 million people for the challenge.

Q149 **Kevin Brennan:** Thank you both for appearing before us this morning. Amy, thank you for all of the work you did with the BA flight attendants in that campaign, because that is a very skilled, predominantly female workforce that is certainly undervalued. BA treated you and your colleagues appallingly throughout all of that.

If I could talk a little bit about children and influencer culture, you said a couple of very interesting things earlier on. You said that you would refuse to plug dietary products to teenage girls in particular. You also said that having a baby opened you up to different brands. Are there some people who are influencers who would do those things—who would try to plug these products to children? Are you suggesting there are some who might even go so far as to have a baby in order to become a more lucrative influencer?

Nicole Ocran: I am sure that they do, yes.

Amy Hart: Which bit? Having a baby?

Nicole Ocran: We already know that there are influencers who promote any kind of dietary product. That might be something that is part of their brand or something that they are happy to be paid for, because they know that they pay a lot. They will also get a lot of trolling from that as well because—

Amy Hart: They turn the comments off. If you are doing a job where you have to turn the comments off in your post because you know you are going to get so much backlash, is it really worth the money?

Nicole Ocran: Clearly it is.

Amy Hart: Clearly it is, but for me my integrity is more important.

Q150 **Kevin Brennan:** Amy, clearly you are someone who does bring some values and some thoughts to the ethics of this when you are deciding what jobs to take and so on. I did not think that you were suggesting that some people would necessarily go to the lengths of having a baby in order to become a more successful influencer. However, aren't there ethical questions about the use of children in influencing? Do you have any thoughts or views on that?

In our last session one of the witnesses said that in the UK one of the more unique features is the prevalence of children in the influencer industry, including family influencer units—I think was the phrase they used—and mummy parent influencers. To go back to what you said earlier on, it seems to me that you are just identifying something that is perhaps quite a powerful part of the culture. What do you think of that ethically?



Amy Hart: Given they are in America, but I follow these families on YouTube and I am fascinated by them. They have 16 children and nine children. That is how they make their money. Their household income is their YouTube channel and they film their kids when they go to A&E when they fall over; they film their kids when their kids are crying; they do videos about how their kids are being bullied at school. It does not sit well with me. People do use their children to sell things and use their children to make money.

Q151 **Kevin Brennan:** From a public policy perspective, do you think the Government should do something about that?

Nicole Ocran: There are definitely child labour laws that exist in this country and there are protections around children if they are child actors and things like that. As far as I am aware there are no real protections around them in things like social media—how they feature and how often they feature.

I used to work for Disney as a contractor, working in the talent space, and it was something that we were quite hot on because if a child is featuring on a parent's Instagram, for example, every single day that would be someone that we would avoid working with because the view is that this is all that child does. Are they in school? You are not sure. You are not sure if they are being pulled out of school to do a job. There is no way of knowing, you just have to rely on the parent.

Amy Hart: You would hope that when parents get an influencing job that involves their children, like for Hasbro toys or something, they would put that money in an account so that when the child is 18, it is his.

A lot of celebrities—I understand it is also because they are susceptible to kidnap threats as well—do cover their children's faces with emojis or just the back of the head. I know a lot of people in normal life now have also started doing that because it is not their children's choice. One of my friends, for example, did their kid's bedroom up the other day and someone said, "Can we get a reaction video?" They said, "We have decided to stop showing the kids' faces on Facebook now. We will have the archive and in 10 years' time if they want us to share it all, we can do, but that will be their choice".

Q152 **Kevin Brennan:** I think what you are saying, without putting words in your mouth, is it is possible that one of this Committee's recommendations ought to be to get the Government to look at things like the laws that apply to child actors, to take Giles's profession, where there are quite strict limits about how much time children can work if they are appearing in a film or in a stage play. There ought to be some legal parameters about the work, which is what this is. This is their child labour that is generating income to the family, so that is the definition of labour. Also, whose labour is it? Who owns the resources as a result of that? How many hours should they be allowed to work or be exposed to this and so on? Should there not be regulation around this from



HOUSE OF COMMONS

Government?

Amy Hart: There should be. It is a psychological thing as well. When I was a kid, I would come home from school, sit on the sofa, watch TV and then go to ballet. I can't imagine doing a whole day at school, coming home and my mum saying, "Right, it is time to film and if you don't want to film we can't pay our mortgage and we can't buy food".

Nicole Ocran: It is even when you are not even of school age; it is when you are younger as well. Like you were saying, you would like to think that the money is going in a particular way or—

Q153 **Kevin Brennan:** There is a very long list of former child actors whose stories have not ended well because of some of these pressures and so on. It is a very valid point.

On the other side of it—just briefly as we are running rather late—which is the consumption side, what should be done about children who are watching influencers, and watching videos, social media and so on. Let's be clear: this is a very addictive technology, isn't it? If you really want to see an agitated young person, take their phone off them and see what happens. You might as well have taken crack away from them in terms of the physical reaction to removing their phone from them. It is extremely addictive and we know potentially damaging. In public policy terms, what do you think the Government should do about that, if anything?

Amy Hart: I think there need to be more checks. Allegedly, you have to be 13 to use all social networks, but there are a lot of people under 13 on Instagram and TikTok. TikTok has started banning accounts of under-16s, I believe, which is good.

I did a question box on my Instagram the other day, just like, "Any questions?", and someone said, "Diet tips for 13 year-olds?" I messaged her and said, "Hi, just enjoy your life. Please just enjoy your life, you are 13". That comes from seeing influencers talking about what they eat in a day. I have done those things before and I never thought about it. People say, "Can you do what you eat in a day?" and you think, "Of course I will; this is what I have eaten today". You do not think about the girl who follows you who is recovering from an eating disorder, who has watched that and that is very triggering because she has spent her whole life counting calories and now the influencer she follows is counting calories.

It is such a minefield, but I don't know what the answer is. I don't know whether you could have controls. Again, this is a lot of money to put in, if Instagram vets people—if their account is suitable; and if their ethos is suitable for under-16s or under-18s, and if you are under 16 you cannot follow that person and so on.

Nicole Ocran: YouTube does that, but I don't think Instagram does.

Kevin Brennan: There would have to be some kind of age verification involved in that approach.



Amy Hart: They need to ban things like Skinny Coffee, Boombod—all these different diet supplements, because they do not work. We all know they do not work, so why let people sell them and advertise them online?

Q154 **Kevin Brennan:** I suppose there have always been influencers. When I was 13 it was David Bowie, “Top of the Pops” and the occasional magazine rather than just the ubiquity and the sheer addictiveness of this technology.

The last thing I will say is that when I was, many years ago, a children’s Minister, we did an early investigation with Dr Tanya Byron into the whole issue of social media and its impact on children. The overwhelming conclusion—in those days it was Bebo; I do not know if you have heard of that—was if you take the analogy of a swimming pool: at the end of the day you can put up all the signs you want and you can put a fence around the swimming pool, but the most important thing is to learn how to swim. Ultimately, isn’t the most important thing that the Government and public policymakers can do is to ensure that children have the tools and the resilience to navigate this shark-infested swimming pool?

Nicole Ocran: Yes.

Amy Hart: Yes.

Q155 **Chair:** With age verification, social media companies under the new online harms legislation are being asked effectively to consider age verification and age assurance, and they should strengthen up the requirements of that. Do you think that in any way goes far enough?

Amy Hart: All it is is, “What is your date of birth?” So you say, “My date of birth is this”; “Okay, thank you”. That is all it is. I was on Bebo before I was 13, I will admit, and then it was just you worked out what your date of birth was to be 13. There was a time when Facebook first came around and everyone’s ages would be wrong on Facebook because they were trying to get on there before they were 13, and you could not go on and change your date of birth. Again, I do not know what the answer is.

A lot of it is with the parents as well. My mum and dad would never, ever—I had a phone but I had to give it to mum and dad at night and my aunties and uncles did the same thing with my cousins. It was like, “You have a phone, I know the password and I can look through it whenever I want and that is the deal.” People say, “That is their privacy.” Not if they are sending hate messages. On that Instagram Live I was talking about, a lady messaged me and said, “I am really sorry, I was watching it downstairs and I saw my son comment something. I have gone upstairs and I have taken his phone away from him and I am really sorry that my son has done that. We have not brought him up like that”. It does need to be two-step verification in that a child’s account is maybe an offset of their parents’ account. I do not know.

Q156 **Chair:** You mentioned in the *PoliticsHome* piece that social media influencing is part of the advertising sector and people need to realise



that. What are the implications of that from your perspective?

Amy Hart: A little bit more respect. Like you say, influencers have always been around—the Princess Diana haircut, for example, or the Spice Girls’ platform trainers. They have always been around; it is just now a proper industry. It needs more support. “Influencer” is a bit of a dirty word because people think that all we do is go on holiday. My local paper did an article about eight influencers from Sussex. There were comments underneath, from people who are friends of friends, saying, “I would be absolutely devastated if my child ever wanted to become an influencer.” I can take my nan and grandad to the most amazing places. I have taken my friends to amazing places. I support charities. I get higher platforms for charities that I support. I can talk about issues, for example fertility and inequality within IVF. I would never have that platform if I was not an influencer. As long as you use it for good, people need to respect it more.

Q157 **Chair:** I agree we should have more respect, but what about responsibility? If you were in the offline world, say, 20 years ago, there were very strict rules over advertising—very strict rules indeed in what you could and could not do.

Amy Hart: There still are. There is the ASA and I have had an e-mail from the ASA. You have ads where people pay you; you have gifts where people give you things where there is no obligation, and then you have affiliates, which is where you get a commission. I received an e-mail saying, “No, for an affiliate you need to put ‘ad’ because you are making money from it,” even though the company have not paid you. I see people posting things all the time that are definitely an ad and they have not put that. Maybe the ASA needs to crack down a bit more.

Q158 **Chair:** How can they do that? There is so much of this going on and they have such limited resources. The legislation is obviously quite old. We are charged to look at that as well as part of our inquiry.

Do you have any thoughts in terms of what they need to do, how legislation needs to be shaped in order to give the ASA more power to its elbow effectively, to ensure that there is a level playing field out there?

Amy Hart: Maybe stricter fines. It is not just ads editing. The hashtag #edited was talked about a long time ago. The reason that these 13 year-olds are messaging me asking for diet tips is because all they see is perfect bodies that have been edited in apps like Photoshop and so on. That needs to be declared. I do not know how you would police that because how do you know if something has been edited, but that needs to be policed.

Chair: Amy and Nicole, thank you very much for your evidence today. We are going to conclude this first session. We will take a short adjournment while we set up our online second session.



Examination of witnesses

Witnesses: Amy Bryant-Jeffries, Professor Brooke Erin Duffy and Ben Jeffries.

Q159 **Chair:** This is the Digital, Culture, Media and Sport Committee and our hearing into influencer culture. This is our second panel of the day, and we are joined virtually by Amy Bryant-Jeffries, head of partnerships at Gleam Futures, Professor Brooke Erin Duffy, associate professor at Cornell University, and Ben Jeffries, the CEO and co-founder, Influencer.com.

Amy, Brooke and Ben, thank you very much for joining us this morning—by about five minutes in the UK.

Amy Bryant-Jeffries: Thanks for having us.

Professor Duffy: Thank you very much.

Chair: Our first question is going to come from Damian Green.

Q160 **Damian Green:** Good morning, everyone. I know you were listening into the session we have just heard and part of it is about transparency of what people are seeing—that they know what they are seeing. Specifically around the adverts, or whatever we want to call them, that influencers use, do you think that the labelling of that paid-for content and other transactional relationships is sufficiently transparent at the moment? Do the users know what they are getting? We will start with Brooke first.

Professor Duffy: No, I do not think that transparency is nearly what it should be, and considering the fact that I have been duped and clicked on things that I assume are organic content when they really are sponsored, it is incredibly hard to police. The influencer industry runs on this much vaunted ideal of authenticity and authenticity is communicated as, “I am promoting something that I love.” The entire idea of promoting something you love is contradicted when you label it “sponsored post” or when you label it “paid promotion” and so on.

On the advertising side, there is a very keen interest in ensuring that content is not sponsored. Because the influencer industry is so sprawling, because there are so many players, there are so many levels, there are so many organisations, it is hard to ensure any consistency even if you have something like the ASA that is policing regulation. There is a lack of transparency on the side of audiences. Do they know something is paid? Do they know the behind-the-scenes deal that the influencer or content creator has been involved in? There is also the lack of transparency, as we heard in the first panel, among influencers themselves, where the system of payment is so profoundly lopsided that it is hard to get to any sort of standardisation.

Finally, the issue of transparency is thinking about the lack of communication between the platforms and the influencers themselves. I



HOUSE OF COMMONS

would say transparency is a key problem when thinking about how to redress the inequalities in the influencer market.

Damian Green: Thank you. Ben, do you agree?

Ben Jeffries: I probably have a slightly different perspective to that. I would say on the amount of regulation, there is certainly a lot of it. For example, the ASA has a ruling about having #ad at the start of all your content when you are posting on social media. On top of that, a lot of the social networks have a paid partnership tool. Instagram has it when you are about to do a post; you can select whether it is a paid partnership. YouTube has it just before you are doing an ad and so does TikTok. All the social networks have these in place.

The guidance is there, but do people follow it? That is the question. The ASA has to rely on self-regulation because, to Brooke's point, there is so much content out there that it is not something that can be so easily monitored. To Amy's comments earlier on the previous panel, it is very difficult to distinguish whether someone is being paid for a piece of content because people do like to talk about their favourite brands. If I go and get my coffee, I like to post it on Instagram and things like that. Who knows if I am getting paid for that or if I am just posting it because of my love of coffee?

There is a lot of regulation out there but the difficulty is in enforcing it. The ASA has quite recently tried to ramp the regulation up or the enforcement of the regulation up by posting what is like a naughty list, so to speak, where they basically have a list of creators who regularly go against regulation, in the hope that this would prevent brands from wanting to work with those creators. At Influencer.com we are essentially the middle person in the process, working between brands and creators, and often in contracts that we have with the brands they will put that burden on to us to make sure that all the regulations are in place. We will, of course, in our contracts with the creators ensure that the creators must include all the regulations. We try our best on brand partnerships. I know other companies do. I know Amy at Gleam would say the exact same as me here. There are some creators out there who do not have representation and perhaps see all these rules and see it as far too many, and perhaps they just do not follow them because of that.

Q161 **Damian Green:** Amy, you were quite in favour of the ASA in Gleam's written evidence, so do you broadly think the system could work?

Amy Bryant-Jeffries: Yes, the ASA has done a good job with creating clear guidelines in a user-friendly format for creators and the people around them who help create those brand partnerships and commercial opportunities. Where you have talent who are either managed or have that expertise around them and that support around them, they do follow those guidelines. But, as Ben said, there are so many creators and essentially influencers out there—we are looking at 15 million globally now—that keeping on top of that and policing it is quite difficult.



The ASA has come a long way in continuing to develop those guidelines and is calling people out for misuse of the guidelines or not using them at all in order to help to better educate everybody within the industry. There needs to be a little bit more clarity on the different forms of commercial partnerships that creators enter into with brands, and I think that the amount that you have to disclose can almost muddy the waters in some respects. You have partnerships with brands, where brands pay talent to create content and post it on their social media platform. You also have gifted relationships, where brands gift talent products to post on their social media platforms, but we always say as a business that we would never guarantee that unless it is a paid partnership. There are also affiliate models, so a talent will be paid a commission of any sales they drive as a result of posting products on their social media. There are numerous other avenues in which a talent can partner with a brand.

The problem is if you label every single piece of content as an ad it then does not become clear exactly when a talent has been paid to create that content. While we have come a long way, potentially there is a bit more clarity to be had around what those partnerships exactly look like and the level of paid within that.

Ben Jeffries: Just to add on to what Amy said there, it is worth noting that over in the States the FTC, when it regulates, can rely on just the paid partnerships tool, whereas the ASA will require us to go one step further over here in the UK. It does say that the paid partnership tools are not enough and the disclosure of #ad at the start of a content is also required. I would say that the UK is leading the way with regards to disclosure, it is just the difficulty of enforcing it with the lack of fines for creators who are not following the guidelines.

Q162 **Damian Green:** What needs to be done to make the relationship more transparent? I get the point there are different ways of being paid effectively. If I understood Amy's last point, she says some of them clearly need to register and some maybe who do not. Would it not be simpler just to say if you as an influencer are in a commercial relationship of any kind with anyone, then anyone watching you needs to know that when you are talking about that brand you are in it for the money? Is that broadly speaking not what we need?

Amy Bryant-Jeffries: That is exactly what happens at the moment. If a talent is in a commercial partnership with a brand, they absolutely have to disclose it. The problem comes when a lot of the content that the talent create is editorial, but within that editorial content they were likely to have been gifted products in the same way that a magazine will write features and articles that might include products within them that the brands have gifted to them to feature. For example, it might be a beauty feature and it will be the top 10 products of that month. A creator on social media will do exactly the same thing, but be asked to disclose that as either ad or gifted. There is not enough clarity around those gifting



partnerships where they are creating editorial content and what they should be saying.

According to guidelines they should just put “ad” on gifted content, on affiliate content, on paid partnership content. With the amount of content they create the likelihood is that something will be gifted or have an affiliate or will be a paid partnership. That could mean that a talent would put “ad” on absolutely everything that they post and you are not getting that clarity on what has been paid for and is under some sort of control of the brand.

Q163 **Damian Green:** What do you think needs to change?

Amy Bryant-Jeffries: There needs to be a bit more clarity on those different forms of partnerships and how they should be disclosed. At the moment there is not one universal way of doing it and that means it is sometimes unclear. I will say that the guidelines have gone a long way to achieve this; I think it is just a slight tweak of the guidelines.

Q164 **Damian Green:** Brooke, do you agree with that—it just needs a slight tweak?

Professor Duffy: The lack of consistency is the main concern here and there is also the level of inconsistency of the language used as well as where people are required to disclose. If an influencer has on their website, at some point in their bio, that some of the things that they may be posting about are paid promotions, that is very different from the example used earlier of having #ad at the beginning of a post. The language used is different and that allows a widespread variety in how people understand it.

I know we are here to talk about the content creator and influencer side, but I think there is also a lack of education among consumers with understanding what these various disclosures mean. Because there are so many systems of payment, to Amy’s point, is this a subscription, is this a paid partnership, or is the entire post paid? It is narrowing down on the language used and having a level of consistency that is not just on the creator side but also the platform and finally the advertiser brand side.

Q165 **Mrs Wheeler:** Thank you very much for joining us today. We apologise that we ran over late on the first session.

I am interested in the possibilities of whether—I suppose this is Amy and Ben—you have witnessed pay gaps in influencer pay when it comes to marketing, particularly if you have seen that, if the sources of inequality are based on class, race and gender? Do you have comments on that, please? If you do not, that is great.

Ben Jeffries: Influencer pay gap is a very big topic at the moment. There is a page on Instagram—I think Nicole brought it up earlier—called Influencer Pay Gap where it brings to attention the prices for different



HOUSE OF COMMONS

creators. The difficulty comes in the fact that there is so much pricing complexity into a post. They mentioned earlier there is so much in it to do with reusage, how long the reusage is going to be and where it is going to be seen. Is that advert that is the greatest post on social media then going to appear on a billboard or on a website? There is a lot of pricing that goes into this, which perhaps is not always seen on the face of agreeing a contract.

It is very difficult to have a rate card-based pricing system across the industry because ultimately, these creators are actual people. The creators can essentially charge how much they want to charge. There is not necessarily that consistent pricing across the industry, but ultimately brands come to businesses like Influencer.com to be able to get that level of pricing consistency. When brands come to us, we would sell a campaign based on the overall number of impressions, on the overall number of posts or clicks, or even on sales. Where we have to come in is we have to take a median average across the group and then it is up to us to negotiate prices individually with the creators, understanding from their perspective how much they want to charge, and then see how we can work that into the budgets that we have agreed with the brands.

Amy Bryant-Jeffries: As Ben said, pricing of paid-for content is very tricky in the sense that as a management business the way that we do it is not just based on followings or impressions or engagement. We are not paying for someone's time or profile down to data alone. This is where there can be some differentiations within the market. For example, we cost talent base rates based on their following and on their engagement as a baseline matrix, but then also on the profile that they have online, in the media and publicly. We also base it on their potency, so how good they are at converting. A lot of brands are targeted on conversion and sales and clicks when it comes to influencer marketing, but not all talent are able to drive sales. Some of them are good at driving brand awareness and their association with a campaign is more valuable than the clicks that they drive. It also comes down to demand. Some talent are in demand for doing three to five brand partnerships a week, and there are some that only do one a month. There are so many different variables that essentially decide what that talent's fee is going to be.

As an example of that, just to put it into context, Amy, who you had on earlier, came off "Love Island" with a million followers. At that moment in time, her profile was very, very high. She is in the public eye, she is across the press, and she has come out of a TV show where you have millions and millions of viewers—far beyond the 1 million that she comes out with. You might have a social media talent who has built and grown their following online and they have 1 million followers, but their profile is far lower than Amy's because they have not had that public positioning.

What that means is Amy's fees are going to be so much higher if she is associated with a brand on paid advertising, on TV, and even in paid media behind her content and pushing it out to an audience that is bigger



HOUSE OF COMMONS

than what she currently has. That is going to be far more valuable and her fee is going to be way higher than someone who has 1 million followers and does not have that profile.

Professor Duffy: I appreciate this question and want to follow up on what Amy and Ben added. I have been interviewing influencers and content creators since around 2012-13 and I have found that the influencer economy is incredibly lopsided. The introductory panel had the example of Amy. This is someone who has built an incredible following and so came into this with the time, energy and resources to get paid tremendous amounts. There is this myth of overnight success in the social media economy where you start creating content and then next day you have 1 million followers and brands are tracking you down.

Consistently, I have heard that women creators of colour and the LGBTQ community have a hard time securing the same level of brand sponsorships and brand deals, and when they do they are very much from products that fetishize particular consumer groups. Women of colour say that black hair products are reaching out to them whereas more mainstream brands tend to ignore them. Women in particular have long been marginalised within feminised industries and the influencer industry is very feminised. It is considered frivolous and unimportant despite the incredible labour that these individuals are doing.

The lopsided nature of the influencer economy is a key issue. To Ben's point about the lack of consistency, if we are thinking about a traditional media industry, if an advertiser wants to run an ad in a print magazine, they go, they look at the media kit, there is a consistent rate card, but there is no consistency and so influencers are constantly sharing knowledge among themselves trying to find out, "How much did you get paid?" They are using the crowd source site like Influencer Pay Gap that we heard about earlier.

It behoves advertisers to partner with anyone who is willing to work for free and what it boils down to is the level of exploitation. While we hear the success stories of people like Amy, there are legions of content creators who are not receiving compensation for the work they do.

Q166 **John Nicolson:** Can I follow up on the questions from the professor there with you, Ms Bryant-Jeffries, first of all? How do you choose influencers?

Amy Bryant-Jeffries: That is a very good question, so—

John Nicolson: Thank you, keep chatting to me.

Amy Bryant-Jeffries: —happily we have a managed roster of talent who we provide 360 degree talent management to in exactly the same way you would with, say, celebrities. Just to give you some context here, we put long-term strategies in place for all of our talent and that can be everything from a charity partnership through to who their long-term brand partners are going to be, or whether they want in the long term to



HOUSE OF COMMONS

publish a book, create a product range or launch a brand, so our job is to essentially fulfil all of that for them.

When we are looking to bring talent on to the roster, we look at how much they are growing on social media and what their engagement is like. Do they have a strong community around them and, if so, who is that community? Do they fill a gap that we do not currently have on the roster? Do we see that they have a long-term opportunity in any of those different revenue streams for—

Q167 **John Nicolson:** How many do you have?

Amy Bryant-Jeffries: We have 60 on the managed roster in the UK.

Q168 **John Nicolson:** What percentage of them are white?

Amy Bryant-Jeffries: It is quite a strong percentage. At the moment we have 14% from under-represented communities. It is not good enough and I will admit that. We are aiming to have at least 21% as a bare minimum.

John Nicolson: So, the 14% includes black minority ethnic and LGBT people.

Amy Bryant-Jeffries: Yes, correct.

Q169 **John Nicolson:** Do you have any disabled influencers?

Amy Bryant-Jeffries: Not at the moment, but it is something that we are looking at and we are in discussion with a few.

Q170 **John Nicolson:** That is really striking when you look at those percentages—not a single disabled person in the whole of your roster. It says quite a lot, doesn't it, about the look and the image that you are seeking to portray?

Amy Bryant-Jeffries: I think it says a lot about the state of the industry as a whole, to be honest, and—

John Nicolson: But you are not bound by that. You can change it if you want.

Amy Bryant-Jeffries: Yes, absolutely, and it is something that we are definitely looking at.

John Nicolson: Why haven't you hitherto?

Amy Bryant-Jeffries: A good question. We have always struggled to find really strong talent with longevity within that space, but I also think—

Q171 **John Nicolson:** Are you telling us that you struggle to find gay or black people who are influencers?

Amy Bryant-Jeffries: No, not at all. I think—



John Nicolson: Isn't that just what you said, it is a struggle?

Amy Bryant-Jeffries: It is a struggle because a lot of talent within under-represented groups are not profiled enough on social media, so we have to do a lot of trawling of the platforms to find talent that we believe are great content creators and can turn this into something commercial, and we will support that sort of talent as much as we possibly can. We have some creators on our roster—

Q172 **John Nicolson:** You are not supporting them because, by your own admission, you do not have enough of them. Doesn't this just point to an incredible level of superficiality in your business?

Amy Bryant-Jeffries: I would hope not. I think we have some great talent here from under-represented groups on our roster. We don't want to be superficial at all. We want to represent people who are from different cultural backgrounds, who are values led and stand for strong values, who campaign for certain issues as well. This is not just about—

Q173 **John Nicolson:** You just have not found them yet. Can I turn to you, Ben Jeffries? Same question: how many people do you have on your roster?

Ben Jeffries: We work differently to Amy. Amy has managed talent on the Gleam roster. We work on the brand side, so we would work with a brand to organise its influencer strategy from start to finish. That may involve different events across the year where we would run various influencer campaigns from start to finish.

With all of our brand collaborations that we do with the brands there are always short lists. What that means is that when we are selecting which creators to work with the brands, we will represent short lists based on what the brand requirements are.

First and foremost, I mentioned the strategy, and brands have different strategy goals when running influencer marketing campaigns. They have awareness campaigns, consideration campaigns and conversion campaigns, so different creators and influencers specialise in their audiences being able to interact differently. Some are able to deliver high impressions. Some are in—

Q174 **John Nicolson:** How often does a brand come to you and say, "You know what, this is an appallingly superficial industry. We want to do something a little bit different. Let's work with people who aren't stereotypes"?

Ben Jeffries: I think Black Lives Matter last year was a real wake-up call for the whole industry—the advertising industry in general—and we have certainly had brands ever since then requiring short lists, as an example, match representation of the country—

John Nicolson: How many brands have come to you and said this?



HOUSE OF COMMONS

Ben Jeffries: Predominantly, most brands that we work with. We just don't work with the brands themselves directly. We also work with the agency holding group. To take one agency holding group as an example, Ogilvie, they require it as a part of our contract that all of the relationships that we have with our creators are represented when we are representing short lists of the actual general population, so brands are seeing this as an issue. Brands are saying that they want to do much more. It is something that the industry has certainly woken up to and we are all trying to progress this issue because we do see it as an issue.

Q175 **John Nicolson:** Professor Brooke Erin Duffy, I think what we have just heard demonstrates entirely the point that you were making a few moments ago, which is that it is a superficial industry that talks the talk but ultimately, as we heard from Amy Bryant-Jeffries, has an appalling under-representation of minority groups.

Professor Duffy: Yes. We have seen this for the past 15 years. There is a notion of the internet, and social media in particular, as democratising creative labour, and democratising marketing and advertising, but I think in many ways what we see is the perpetuation of long-standing inequalities and stereotypes. On the part of brands there is risk involved in partnering with marginalised communities, even though they are drawing so much attention to platforms and they are garnering huge audiences. There is still a lack of visibility, so brands are not willing to pay them.

Q176 **John Nicolson:** How do you change that? I was saying to a previous witness, on the previous hearing that we had, that I see more gay people appearing in advertising, for example, but they do still conform to certain very narrow stereotypes. They are handsome men. They're young men. They are quite often in relationships. They are often portrayed as couples. It is an improvement, but it is still totally unrealistic as far as society is concerned and it will trigger all the same anxieties I imagine among young gay men as these images do among women, for example, that they have to be thin. They are disproportionately blonde. They are Caucasian. It is the same thing.

Professor Duffy: It is the same, absolutely. If you look at many of the lists of the top influencers, they look very much to the prototype of Hollywood celebrities from 50 years ago. Of course, there are exceptions and the exceptions get touted in the media, but I think this ignores the realities. As to the question of how you address that, so much of this, of course, falls back on to everything else, which is these are structural issues so women, creators of colour, in a lot of ways are not able to draw the same audiences. As we have just heard, audiences and having the metrics are a necessity for getting access to talent agencies and, more importantly, to join brands.

A brand isn't going to work with you. The first question they ask is, "What's your engagement? What are your metrics?" So, there is the structural level but also thinking about how we can push or encourage



advertisers to be more willing to partner with marginalised creators. I don't know if you followed the case of TikTok and its treatment of black creators, but these are the people who are drawing the audiences and drawing the engagement to the platforms, but they are not getting the same level of appreciation and recognition as more mainstream creators.

Q177 **Chair:** Thank you very much. How do influencers earn money outside of their relationships with advertisers, Professor?

Professor Duffy: It is a very piecemeal industry. I think in a lot of ways we can compare influencers to gig workers. I have noticed that Ben, Amy and I all tend to use the term "creators" because I think "influencers" is a denigrated term, but whether we want to call them influencers or content creators or media personalities, drawing on income streams the one we think about most often is paid partnerships from brands.

In a lot of ways, they are scraping together everything from consulting gigs to writing, freelancing and getting gifted products—which again does not pay in terms of compensation; it is just a mere product placement—to some of them having subscription services and some of them having paid newsletters. Therefore, they really are pulling together these various jobs, so influencers or independent contractors are freelancers and they are essentially gig workers. Those at the top of the hierarchy are much more likely to draw from one or two income streams, so that would be again the advertising, paid brand deal, but the reality is I think a lot of them are drawing on various jobs, so to speak.

The other element of it is—thinking about their roles across platforms—I would say even a few years ago the majority of content creators found success on YouTube or Instagram, or they were getting success on Twitter, and that was what their following was. Now, because the platform ecology is so precarious, I find that influencers and creators feel the need to have a brand presence across platforms. Essentially, that is three or four jobs themselves, because they have to manage the brand partnerships and audiences on TikTok and on Instagram and on YouTube. Facebook is now trying to invest in their creators' network, so it is variegated but also this amounts to many of them having three, four or five jobs.

Q178 **Chair:** Professor Duffy, very briefly, how are influencers monitored for misinformation?

Professor Duffy: In terms of the content they create?

Chair: Yes.

Professor Duffy: The platforms themselves have in the past few years tried to police their content more, so that boils down to a combination of human content moderators, where there are people behind the scenes in these gruelling conditions that are monitoring the content, or much more often algorithms are monitoring their content. Algorithms will flag certain words and—



Q179 **Chair:** We understand how social media platforms do monitor those, but is there no sort of ecosystem that exists in terms of trying to tackle misinformation? What I am saying basically, effectively, is do influencers to a degree also police themselves or have other influencers police them?

Professor Duffy: I think they police themselves but audiences do also police them, and this can often boil down to—as we heard in the first panel—negativity and critical blowback. There is a line between misinformation and the views and perspectives they are sharing that amounts to critical blowback, which ends up boiling down to pay harassment and negativity. Of course, the whole idea of accountability is very fraught but I think we see it in the influencer economy.

I have talked to a number of influencers who say they have no interest in getting involved in political conversations. They say that is outside their wheelhouse, understandably. But audiences come to them and expect them to have a political view, essentially, that traps them in this double bind where they are expected to comment on political issues, the contemporary challenges of life and what we would label news, and information. At the same time, if they stray too far in one way or another, audiences will respond negatively and brands are less willing to work with them, understandably, because it poses a risk if you are partnering with a creator and they say something you did not anticipate.

Chair: Yes, brand contamination is the issue there, isn't it?

Professor Duffy: Yes.

Q180 **Chair:** Just on that particular point as well, Amy and Ben, because you were nodding away, Ben, at some of the points that the professor was making, in terms of advertisers policing this space, is that an ideal situation that basically the market decides? To a degree we also have social media companies monitoring disinformation, but that seems to be very patchy and also tends to be mostly focused on the very biggest platforms—those with resources. Is this something that we can just rely on effectively for the market to do within the social media influencer space?

Ben Jeffries: We have definitely seen things evolve over the last 20 years, especially since I suppose the influence of the marketing industry came about, because the influence of the marketing industry isn't just about content creators on social media, it is also about celebrities, for example.

The control used to lie, for example, in celebrities. It used to be that, as an example, Paris Hilton would say something and people would then go out and buy it. Now the power does lie in the hands of the consumers. This is seen more and more prominently based on trends. For example, when lockdown hit, consumers went to creators because they wanted real relatable content. People wanted real people. They wanted real conversation. It was a break from the news, which unfortunately was



HOUSE OF COMMONS

very negative at the time. People would go to these creatives for their source of information.

The reason I bring that up is because people will go and swiftly move on if they are not finding interesting content. It is key that the consumers do hold the power. Then ultimately brands need to see that because, when the brands are doing campaigns, they need to see how their brand is perceived in the eyes of the consumer, not how they are telling people their brand is perceived.

That is really where the power and influence of marketing has come to fruition because they have a number of creators helping to build that conversation about their brand on social media to help that ripple effect. If other people are talking about their brand in a certain way, ultimately brands work with creators as opposed to just putting ads on TV, just putting ads elsewhere because they are those real related people who set off those waves of conversation.

Chair: Amy, do you have anything to add?

Amy Bryant-Jeffries: I completely agree with Ben there. I think that creators have a real role to play in the sense that they do have authenticity and relevancy, and wider consumer audiences feel like they can relate to them. They will look to them for guidance and advice on anything that is happening in our culture today, because ultimately they trust their voice and opinion over perhaps some of the bigger voices in the country. That relationship is absolutely key but it has to be very carefully used in a sense. Yes, the role of creators almost then becomes more than just that.

I guess the superficial element that Ben referred to earlier is actually they are real people. They are sharing their real thoughts, advice and guidance, and if they have a role as a key opinion leader, they need to be well informed and have information to hand. I think that there is a slight issue in that they sometimes feel that they can't say the right information because they don't know what it is, even though their audience is looking to them for guidance.

There needs to be a real recognition of the role that creators do play and their importance in people's lives in terms of going to them for all that information, and how we are informing our creators and key opinion leaders in that sense—

Q181 **Chair:** The misinformation may not just be the fact that they are deliberately misleading. Effectively, they may not be certain of the facts. They may be basically just riffing on a particular subject.

Amy Bryant-Jeffries: Yes. Our advice to the talent on our roster is always to not communicate anything that they are not 100% sure of, and to always guide people towards factual resources and information rather than pretend to know all of that information themselves. Obviously, they are well within their rights to provide a performance and a view but,



ultimately, if they want to guide their audiences towards more information and they have resources at hand to be able to do that, that is always our advice to them.

Q182 **Chair:** How do you support talent that is being trolled?

Amy Bryant-Jeffries: It happens a lot and obviously you heard from Amy earlier how traumatic it can be for talent. We try to put a team in place to help talent through that, whether that is having somebody who, as Amy said, checks their direct messages. A lot of this kind of trolling is very private, so it is harder to be controlled and monitored by the platforms as such. Some of our talent do have personal assistants who work with them to make sure that all of those blocks are in place and that they check comments and DMs to make sure that the talent don't see it and are not affected by it.

However, they are always heavily affected by it so we have a preferred list of therapists and counsellors who can help our talent. We always advise all of our talent to have somebody who they can speak to professionally, because you never know when something is going to happen and when you will be trolled, and you want to be prepared for that situation and—

Q183 **Chair:** It does seem to be a very strange world in which you have a list of therapists when you start a particular job and occupation handed to you in that regard.

Amy Bryant-Jeffries: I think what these guys do is so unique. I guess the way that culture, the internet and social media has evolved does mean that there has to be a particular specialism in this, because what they deal with day to day is not what your average person on the street will deal with day to day. Yes, it is probably something that has become a specialism within the last decade, I would say.

It is about social media, but it is also therapists and counsellors who have experience in dealing with entertainment and high-profile people because, while trolling exists online today, celebrities and well-known people from culture before the internet existed would have been harassed in some form. It is a continuation of that but with this whole added layer of the internet and social media.

Q184 **Chair:** Ben, what Amy has outlined there seems to be degrees of best practice in terms of supporting your clients, supporting talent and so on. Does there need to be effectively a code within your industry in order to ensure that people within it do offer access to this support and have certain templates that they can put in place?

Ben Jeffries: That is a really interesting idea. I would like to add, on top of what Amy has just said, that Gleam Futures does have a fantastic reputation for supporting its talent. I suppose that is why it has such a large register of influencer talent, because a lot of the earlier talent who first launched, which were mentioned by both Amy and Nicole, like the



HOUSE OF COMMONS

Alfie Deyes, the Zoe Suggs, the Caspars—the first sort of influencers in the country—were all part of Gleam and they were able to help nurture them. I do think the talent managers—mentioning Gleam as one example here—do a lot to support the talent.

In terms of what else can be done, in relation to your question, there are charities out there, such as YoungMinds, who do offer a lot of support. CALM as well offers fantastic support. A lot of these creators rise to fame very, very quickly and it is not something that they are used to. They can rise to popularity overnight and they can be inundated with messages and trolls, which can have this effect on them. They do suddenly have this fame and there does need to be this support. There are charities that offer it but there could definitely be more done.

I know that the social networks are all building out bigger creator solutions teams, from Instagram to TikTok to Snap to LinkedIn and YouTube. They are building out these creator solutions teams to help offer support to talent as well. Obviously, there could be more done in helping to stamp out the other side—stamping out where the trolling does occur.

Em Sheldon—part of the same inquiry but on the previous session—mentioned quite a lot about how she was trolled and there are certain sites out there that have not been taken down, essentially like an honesty box where people can be open and just send out hate without signing their names to it. That creates a big problem there. If we can do more to stamp that out, then we can do more as an industry to help the overall industry.

Q185 Chair: You anticipated my next question to a certain extent: how do we tackle the cross-platform nature of these ills? I have read a lot of things like, “We must do something, we must stamp out” and so on, but short on actual detail of how exactly you would try to curtail this sort of harmful content across platforms.

Ben Jeffries: There is essentially so much to do. It is a situation where, because there is so much, obviously the social networks themselves can only commit in their eyes a certain amount of resource to certain elements. Instagram has come a long way, although it is still not doing enough, but it has come a long way to introducing those control monitors. It was brought up earlier that TikTok has banned people under 13, which is similar to Instagram, but then it has also gone further and prevented people under 16 even receiving messages. People under 16 can only have private profiles. So, the social networks are doing things, but the pace of this industry is requiring them to almost move faster to be able to have full control over it.

Q186 Mrs Wheeler: Ben, I am going to ask you a really cheeky question. You are a business influencer, we understand, who connects brands and content creators with one another for a fee to both parties. How much do you charge and what value do you bring to your clients?



Ben Jeffries: The answer I would give to how much we charge is: how long is a piece of string? Ultimately, an influencer collaboration can be very, very wide open. The way we work with brands is we tend to organise their annual strategies. We will work with the likes of Ocado, Alibaba—sorry if I am not allowed to mention brand names but I have done it now. We will work with them to organise different strategies for campaigns.

Campaigns can range anywhere from £50,000 all the way up to your eight-figure deals, where this is the amount that is being spent on influencer collaborations. Obviously, that would not just be for one creator. That would be for tens if not hundreds of creators in some instances for how campaigns are actually run.

Q187 **Mrs Wheeler:** How do you end up deciding what you are going to charge regarding the talent?

Ben Jeffries: It is the talent who ultimately set their own fees because the talent say to us, "This is how much I would like to charge for, say, one post, three stories, and this is how much I would charge for the usage," because, ultimately, they are either a sole trader or they may be represented by an agent who gives them advice. We cannot really dictate a price to the brand. It is like seeing two different graphic designers and telling a graphic designer, "This is how much we are going to pay." The graphic designer will say, "Unfortunately, this is my rate." It is really down to the creator to set their own prices. We can give budget indications but it does come down to the creator.

I think what we are seeing more and more in the influencer marketing industry is not so much the one-off transactions between the creator and the brand. What we are seeing is much more the ambassador-led partnerships, where creators and the brands are signing up for year-long contracts. We have even seen quite recently—I am not sure if you saw on the news but Molly-Mae, who is also from "Love Island", became a creative director of PrettyLittleThing as a brand.

I thought that was really exciting because it is inspiring for youngsters who can then see that becoming an influencer isn't just about being an influencer. It can also lead to further jobs down the line. I guess that notes to Amy's point on the panel before, where she said, "If I said I was an influencer as a job versus if I said I work in advertising you might have two different perspectives on me". Whereas, I guess, Molly-Mae has just done the impossible and crossed over those lines, which is really inspiring.

Q188 **Mrs Wheeler:** That is helpful because what I am struggling with here is: why are you any different from a talent management or an agency that would be doing this sort of thing?

Ben Jeffries: Yes, a really good question. Where we come into play is around three key elements. For us, the strategy piece is massive because



we understand, from the experience that we have over our campaigns, what can deliver the highest impressions, what can deliver the highest views and what can deliver the sales. We can guarantee those metrics to our clients, before we have even selected influencers, based on what we have done in the past. We can help them to understand making brands go viral.

Data does play a huge part, and that is probably the second piece: data and insights. The reason why that is important is because you need to know which creators on a per creator basis can work on which different elements, so our clients don't have to do trial and error. We have done the trial and error with our own experience, so strategy, insights and then also where it comes into play is our partnerships.

We are a global marketing partner of the likes of Facebook, Instagram and TikTok, so we can work closely with them to have early access to their own data, which comes in the fashion of what is called an API where, essentially, the creators give us their data through these APIs into our platform. Then on top of that we have our own technology, which essentially helps the scalability and live results.

Sorry, that was quite a long-winded answer but I am happy to go into any of those key pillars if required.

Mrs Wheeler: No, you are not blinding us with science but you are a very creative young man. Thank you very much indeed.

Q189 **Kevin Brennan:** I think from what you are saying you did watch the earlier session. I asked some questions then about children. Do each of the witnesses have any thoughts on that area? As people have said, in a sense this is a branch of advertising, or sometimes entertainment. Children have worked in both those fields for many years, and there are regulations around how they work and how they are used. Do you think there is a need for this area to be looked at in relation to influencer culture and what the people you work with or study all do? Perhaps to make it easier, should I start with you, Professor Duffy?

Professor Duffy: Yes, I think your comment gets to the issue of the lack of regulation and support and the fact that, in traditional media industries in the US and Hollywood, there is a robust union system to support child actors. Because of the slow pace of change there is not the same level of regulation. It is very hard to find any mechanisms of support.

The "kidfluencer" term is booming. I know in the US there are camps that people can send their kids to to become influencers or creators, and there are whole family networks. A lot of people find this is a way to allow their kids to pursue this next generation of career stardom, but children don't understand the implications of selling products. I interviewed one creator who was a mommy blogger and she said that each day her kids didn't understand why they were wearing OshKosh B'gosh and it was like, "This is how our family gets paid."



Thinking about the implications for children but also the audiences of these, who is watching these kid influencers? It is probably not parents. It is young kids. The young kids are watching this and traditional—again this is my experience in the US—public broadcasting has standards so that children audiences are only exposed to so many minutes in a commercial hour. If young kids are in front of YouTube there is no form of regulation. We have these two sides where the children and kid influencers are not protected and don't understand the importance of this in terms of the wider social—

Q190 **Kevin Brennan:** I understood completely. In a sense, what you are describing is a sort of modern version of sending your child up a chimney or down a mine to exploit their labour when they don't really have any say in it. Whereas, although it is unlikely that there will be the physical health consequences, there could well be significant mental health consequences in the long term from doing so. Would you agree with that, Amy?

Amy Bryant-Jeffries: Yes, definitely. I think this is an area that absolutely needs more guidance. I think most people in our industry would welcome that.

As a business, just to give some context as to what we do, with any of our talent who have children and who do feature children within their editorial content—and by “editorial” I mean content that isn't paid for by a brand or external party—if they are working with a brand on a partnership and the brand wants the children in the content, we always say, “No, that isn't something that we could guarantee. That is down to the parent and the child and whatever happens on the day.” We ensure that is very clearly understood up front.

Q191 **Kevin Brennan:** Do you have any rules about where the money goes, when the parent gets paid if they are featuring their children?

Amy Bryant-Jeffries: We don't. That comes down to the parent themselves and the decision that they make. The parents are paid directly as the talent and if they decide that they would like to pay the child—

Q192 **Kevin Brennan:** Have you ever felt that any of your clients were exploiting their children and, if you did, what would you do about it?

Amy Bryant-Jeffries: No. If we did, as with any issue that arises, we would have a very serious conversation with our talent about it, discuss it with them and give them our view and our guidance. Then, ultimately, it comes down to the decision of the parent. However, if there was a situation in which we did not agree with the way that a talent was behaving, whether that is as a parent with their children or perhaps views that they share online about other issues, we would absolutely reconsider whether we keep them on the roster.

Kevin Brennan: Okay. Ben, can I come to you finally on this?



HOUSE OF COMMONS

Ben Jeffries: Yes, absolutely. I think a country that is leading the way—just to give an example—is France on the kid influencer rules. France recently introduced legislation where it is much tighter on what age of creators can actually charge out for posts. This is determined by how long these kids are spending on social media. They introduced these rules back in October last year and I think, as a whole, we can do much more. We can learn from other countries. We don't need to rewrite the rulebook, so to speak. We can learn from what they are doing.

For us, for an influencer, if we are working with any families as well, it has to be the parents who sign the agreements. It cannot be any kids under the age of 18 who sign these agreements. We work with a big educational platform called Quizlet. Essentially, we help it market its educational platform and we do use study influencers, but they tend to be creators aged between 18 and 24 who are at university.

Basically, to wrap up what I was just saying, there can be more that can be done. The power currently lies with the parents, but we should make much tighter regulation.

Kevin Brennan: You would support something similar to what they have done in France in the UK?

Ben Jeffries: Absolutely.

Chair: Thank you. That concludes our session. Thank you very much, Amy, Professor Brooke and Ben for your evidence today.