



Joint Committee on the Draft Online Safety Bill

Corrected oral evidence: Consideration of government's draft Online Safety Bill

Monday 13 September 2021

2.30 pm

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Members present: Damian Collins MP (The Chair); Debbie Abrahams MP; Lord Black of Brentwood; Lord Clement-Jones; Lord Gilbert of Panteg; Baroness Kidron; Lord Knight of Weymouth; John Nicolson MP; Dean Russell MP; Lord Stevenson of Balmacara; Suzanne Webb MP.

Evidence Session No. 2

Heard in Public

Questions 52 - 68

Witnesses

I: Clare Pelham, Chief Executive, Epilepsy Society; Matt Harrison, Public Affairs and Parliamentary Manager, Royal Mencap Society; Nina Jankowicz, Author and Global Fellow, Wilson Center; Izzy Wick, Director of UK Policy, 5Rights Foundation; Ian Russell, Chair of Trustees, Molly Rose Foundation.

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Examination of Witnesses

Clare Pelham, Matt Harrison, Nina Jankowicz, Izzy Wick and Ian Russell.

Q52 The Chair: Good afternoon and welcome to this further evidence session of the Joint Committee on the Draft Online Safety Bill. This session will be examining the difficult subject of harmful online content and how we can protect people from it. During our proceedings, we may be discussing the nature of this content in some detail. I advise everyone of this in the interests of their safety and emotional well-being, including those who may be watching our proceedings online. Please remember that, if you are affected by anything we discuss, you can access free 24/7 emotional support from the Samaritans. You can do this by telephoning 116 123 and by email at jo@samaritans.org. Many of the organisations giving evidence today also have help and support on their websites.

I would like to welcome all the witnesses for today's evidence session and, in particular, to address Ian Russell, chief executive of the Molly Rose Foundation. Obviously there are very particular circumstances that have led to the creation of the Molly Rose Foundation and led Ian to be an advocate on these issues. He is also constrained in what he can say today, in this evidence session, which he will explain to us. Ian, I know you have a short statement to the committee.

Ian Russell: Thank you. My youngest daughter died on 21 November 2017 and the inquest into Molly's death is still ongoing. I would like to thank Senior Coroner Andrew Walker for the diligence he has shown in his handling of her case.

From what I have heard, there is widespread hope that, for the sake of other young and vulnerable people, we all may learn as much as possible from the inquest. However, while the inquest continues, it would not be right for me to comment about it today, or indeed comment about anything that I have learned as a result of the inquest process, whether or not it is already in the public domain.

It is on that basis that I will be making contributions today. The evidence I will provide will be drawn from the work of the Molly Rose Foundation, a charity, as Damian has said, that we established after losing our adorable, seemingly forward-looking Molly. To summarise our charitable purposes, we aim to connect young people under the age of 25 who are suffering from depression or other mental illness that puts them at risk of suicide to the help and support they require.

Despite speaking only about what I have learned from the Molly Rose Foundation's work in this area, I believe the charity's conversations with other bereaved parents and our connections with many organisations that work to help prevent the suicide of young people will provide the committee with useful evidence for this vital legislation. I thank you for the opportunity to participate in this session.

The Chair: On behalf of everyone involved in today's hearing, I would like to express my utmost sympathy for the terrible loss you and your

family have experienced. I say that particularly as a father of a 14-year-old daughter myself. We look forward to hearing from you about the vital work of the foundation and your views on how we can make the internet a safer place for young people. We are very grateful to you and to all our witnesses for giving evidence to us today. As you set out, we have discussed with the members as well the constraints on the evidence you can give. We are grateful for you making the time to be with us here today in any case.

Before we start the questions, I know we have a declaration of interest from Baroness Kidron.

Baroness Kidron: I am chair of 5Rights Foundation, represented here by Izzy Wick. Also, I have no formal connection with the Molly Rose Foundation, but Ian and I have worked on many platforms before on behalf of children.

Q53 **The Chair:** Are there any other declarations that members may wish to make? In that case, we will start with the hearing. I would like to ask you all what your experience is of raising issues of harmful content, content that causes harm, with the tech companies. The premise of this Bill in many ways is that the existing complaints procedures do not work in the way they should and that the companies are not effective enough at moderating harmful content. If the procedures and processes were effective, we would not need to legislate to make it happen.

There is a deficiency here and I would be interested in your experience of working with the tech companies. Do you agree with the Government in the UK that we now require legislation to create a statutory process for regulating harmful content online?

Ian Russell: It is our experience that there is frustratingly limited success when harmful content is requested to be removed by the platforms, particularly in terms of self-harm and suicidal content. This is particularly stressful for families and friends who are bereaved by suicide. It seems to be only when either news stories break in a particularly public way, or perhaps regulations change, that the platforms respond. Perhaps the recent 2 September age-appropriate design code end of transition period is an example. In the run-up to that, there was a slew of changes of platform regulation that were, coincidentally or not, published at that time.

It has become our view, and increasingly so, that the corporate culture at these platforms needs to change. They need to be proactive, rather than reactive. After all, they have the resources and skills to do this, but it is so often done as an afterthought. They should live up to their words about taking online safety seriously and wanting to make their platforms safer.

Izzy Wick: Thank you for inviting me to give evidence today on behalf of the 5Rights Foundation. I agree with everything Ian just said. I would like to point out to the committee that it is astonishing how content that

infringes IP law is taken down within a matter of seconds or minutes. Compare that to content featuring extreme self-harm and suicide promotion; it can be a matter of days or weeks before it is responded to.

At 5Rights, we do not issue complaints directly to tech companies, but we hear regularly from parents and children about their efforts to get in touch with tech companies, and they are simply not responded to. What is really needed in this Bill is a mechanism by which Ofcom can investigate on behalf of children and represent individual children, as well as vulnerable groups, to advocate for their needs.

Could I make a broader point about content moderation, complaints processes and take-down? If we shift the focus up stream to address the systems and processes, we do not get into a place where we rely solely on content moderation. Let us not forget that content is uploaded in its billions every minute of every single day. The job of these companies to police that content is totally disproportionate when we could be focusing on those very systems and processes, the algorithms, the recommendation systems, the design features that create this risk, and spread and amplify harmful content and activity.

Nina Jankowicz: Thank you to this committee for your hard work. It is heartening to see these issues being addressed on this side of the Atlantic. In January, at the Wilson Center, we released a report called *Malign Creativity: How Gender, Sex, and Lies are Weaponized Against Women Online*. It is called *Malign Creativity*, because we found that abusers online, not just of women but of many marginalised and intersectional identities, are able to get around the existing rules and terms of service in order to continue to abuse their targets.

The social media platforms in many cases are aware of these types of workarounds, for instance using a picture that is poorly edited, changing the hash of that image by cropping it or changing it to a different colour, or perhaps making it into a gif, a moving image, in order to evade detection by the social media companies. They know that this is happening, but rather than create that hash-tracking database that we have seen with terrorist content, for instance, they seem to let content that is attacking women in particular slide.

I have heard in my work, through focus groups and interviews with journalists, academics, politicians and other women in public life, as well as normal women trying to make their voices heard, that technology companies are not doing their due diligence. We receive rape threats; we are told that these do not constitute a violation of terms of service. I myself have received threats that I would be taken care of in the streets or thrown into Guantanamo Bay, but that does not appear to be targeted harassment, according to these social platforms.

Honestly, it is a huge outlay of time and energy for people who are on the receiving end of abuse to report this stuff, to do the work of the platforms, these multibillion-dollar corporations, to report it, track it, organise it and make sure that, if we want to bring a legal case, we have

that evidence. It can be retraumatising and I am, frankly, tired of doing the work of the platforms for them. There has been a little movement recently, as folks like me have made more noise about this. Platforms have started to commit to more help on behalf of women in particular, but I have not seen a lot of material change.

The most important thing that can be done, which is addressed in this Bill through the Ofcom transparency reports, is reporting how many reports the platforms are receiving and what they are doing about them. Often, I report things that I never even hear back about, so that is a great starting point to understand exactly where this is going and what the platforms are doing about it. Are they taking any action? I have seen tonnes of content directed toward me that I know is not being taken care of, and I am one person. This experience, unfortunately, is very common for women in public life. It is simply the cost of doing business in today's internet environment. This Bill can absolutely address this lack of due diligence by the platforms.

Matt Harrison: Thank you for inviting us to give evidence today. We also welcome the Bill and think it is very much needed at this time. We have discussions with the social media platforms and they have been quite productive in those meetings. As witnesses have said before, that does not really translate to the day-to-day experience of users of those platforms.

A particular issue that we see is an inconsistent application of moderation of content. You could have a particular phrase or word used in one context and it is reported and deleted, but in another context, or in a slightly different post, tweet or whatever you want to say, it is allowed under the terms of service. I hope the Bill can tackle those inconsistencies and bring a standardised approach to how we deal with these online harms, especially for people who perhaps require a bit more assistance or find the process of trying to report or deal with social media companies incredibly difficult, inaccessible and quite stressful at times.

Clare Pelham: I would like to take a few seconds to say in plain language what I think you mean by online harms and what that means for people with epilepsy. People with epilepsy—that is 600,000 people, one in 100 of us, in the UK—are regularly targeted on social media with flashing images, which may, as I am sure the committee knows, cause a seizure. That is not just nothing. That means that you can be standing in the coffee shop, glancing at your phone, with a scalding cup of hot coffee in your hand, and you can have a seizure. These are targeted attacks. They are deliberate and hate-filled crimes and we wish the Bill to make them explicitly so.

In terms of trying to raise this issue with the social media companies, in May 2020 the Epilepsy Society was targeted with hundreds and hundreds of these attacks. These criminals, as I would call them, tend to focus on social media users who use the word "epilepsy" in their posts or talk about seizures in their messaging. We have needed to employ one person full time for the last 18 months on reporting and taking down these

messages to protect people with epilepsy. We are not a massively wealthy charity. That is a significant investment of time and resources for us, and it does not begin to touch the surface when it comes to protecting people from seeing these messages.

As you might imagine, we raised with social media companies the possibility that we were perhaps doing their work for them. We asked if they might contribute a little. I want to be fair: in the last 18 months, Twitter has given us £7,500 towards us cleansing its platform of these messages. It is an ongoing issue and we feel like we are swimming against the tide with them.

The Chair: Clare, do the social media companies recognise the harm that can be caused by this content being shared? Do they recognise this as content that they should be proactively looking to act against and close down the accounts of people who are persistent offenders?

Clare Pelham: I would like to be fair and say that, before this attack happened in May last year, they possibly did not. It is not well known. Many people are genuinely horrified to find how frequent it is, but there is not a scintilla of doubt now that they know. We are in contact with every platform, if not every day, certainly every week. We have given regular interviews on every news broadcaster, on television and on radio. There is absolutely no doubt.

The response, when it comes, tends to be ponderous. Every time this image is viewed, there is a potential threat to the life and livelihood of the person with epilepsy who views it. To give one small example, if you have epilepsy and you work in a nearby market town, should you have one seizure as a result of seeing a flashing image on social media, you lose your driving licence for a year. That might mean that you lose your job and your livelihood. This is not nothing. Even if you do not have a catastrophic accident, scald yourself, fall over, break your bones, hurt your head and give yourself concussion, you might lose your job. We feel that we cannot hesitate in taking down these images.

The Chair: So I am clear, in your experience how are these images being targeted at people with epilepsy?

Clare Pelham: They tend to be the work of concerted gangs. We know this because, when they see the result of their flashing images, they send each other celebratory messages, which say, "One down, so many more to go"—that sort of thing. This is absolutely ghastly to say. I would like to say that the Epilepsy Society has a helpline, and we are more than happy to talk to anyone who is upset by hearing this. They focus on key words. They are obviously using some sort of patterning device that enables them to focus on words such as "epilepsy", "seizure", "epilepsy meds", in order to target vulnerable users.

The Chair: The reason I ask is that, on certain platforms, I would imagine you might need to use some of the systems the platform has created itself, or makes available to advertisers, to target people in that

kind of a way. If you were going to use Facebook to target people with certain characteristics, would you be doing that using some of the systems the company itself has created to aid advertisers?

Clare Pelham: I cannot be sure, but, from observation, they appear to be technically very sophisticated people and well able to use cutting-edge technology to concert their activities and focus on the most vulnerable users. It is very hard to be sure, but we have the impression that it is international. They are working through different time zones, so it literally goes on all day and all night.

Q54 **The Chair:** I am sure other members of the committee will want to come back on that. Izzy Wick, you mentioned systems. Over the last few years, parliamentary inquiries have spent a lot of time talking about companies such as YouTube and Facebook. The younger audiences are not on Facebook; they are on TikTok, Instagram, Snapchat and elsewhere. What concerns do you have about the way those platforms work and, in particular, functions such as For You on TikTok, which is purely a data aggregation tool to target people with content, even if they are not following the people who created that content?

Izzy Wick: That is absolutely right. We know from speaking with children and young people that the harms they experience online are extensive and wide ranging. They can be extreme, from exposure to self-harm and suicide content, violent sexual pornography and unsolicited contact with adults they do not know, right the way through to more insidious harms that might build up over time—the constant nudges and pushes to engage in certain behaviours, or microtransactions and in-game purchases nudging them to buy loot boxes. There are also things such as algorithmic bias and age-inappropriate advertising.

There is no time this afternoon to cover the full range of harms that children experience, but I would like to stress that they are ubiquitous and systemic. I am not talking about a few platforms, a handful of bad actors or even a few pieces of content that have slipped through the moderation net. The scale at which children experience harm online is because of the systems and processes that are designed to extend engagement in order to maximise reach and activity at any cost, including the safety and well-being of children.

By systems and processes I mean things like hovering over an image, the algorithms, the recommendation systems, or even just clicking on something that then determines what you see on your For You page or your homepage. These are all designed to meet commercial objectives.

I have brought with me today for each committee member a copy of our recent *Pathways* report, which illustrates those pathways to harm and exactly how those automated processes lead to quite extreme risks for children. I would encourage each committee member to look from page 16 onwards, which I should warn features some very distressing images, but they illustrate just how quickly these accounts can be inundated with a deluge of harmful content and activity.

There is a 15-year-old girl who, within days of setting up her account, is sent deep into a rabbit hole of thinpiration and unrealistic body ideals. There is a 14-year-old boy who is sent numerous sexually explicit messages from unknown adults. These are just snapshots. We know from DCMS's own research that 80% of six to 12 year-olds have experienced some kind of harmful content online. Half of 13 to 17 year-olds believe they have seen something in the last three months that constitutes illegal content.

No environment can be 100% risk free. We want to make sure that, rather than creating a walled garden for children, we are doing everything we can and taking every available opportunity to prevent risk. If the Bill is going to deliver for children, it needs to focus on those systems and processes that create risk.

Q55 The Chair: Finally from me to Nina, last week the committee discussed racist abuse online, particularly in the context of football. One of the issues we discovered there was the extent to which hate speech is normalised. Do you think there is a growing problem of the hate speech directed towards women, outright misogyny, becoming normalised through its use on social media and becoming something that, as things currently stand, people are basically told they have to accept if they have any kind of public or prominent position? It is obviously totally unacceptable, but it seems to be something that no real control is being brought over.

Nina Jankowicz: Being a woman online is an inherently dangerous act. That is the long and short of it. It does not matter what you do. You are opening yourself up to criticism from every angle. I would like to say that this online misogyny is being hastened by social media. I think people feel that they can say more vitriolic things on social media than in public, but the truth is, unfortunately, that misogyny is not new.

These abusive messages and this abusive content are not necessarily going to stop. It is silly to think that we could turn the dial down to zero, but we can change the systems, as Izzy was just saying, so that targets are not just hit with this stuff over and over when they are being dogpiled, and repeated abusers who are engaging in this sort of behaviour all the time are no longer welcome on those platforms. Those are very workable solutions that still also protect freedom of speech, because they are grounded in the terms of service that the platforms themselves are supposed to be implementing.

Online misogyny is growing and it is something that, unfortunately, any woman who wants to be in any sort of public position has to endure right now. Many women are changing what they write, what they speak about, what careers they choose to pursue because of that understanding that it is part and parcel of existing as a woman on the internet.

The Chair: In this context, the question of freedom of speech would appear to be less about speaking truth to power than one person's perceived right to abuse another.

Nina Jankowicz: Yes, exactly. There is an analogy that I often draw, because it is difficult for people who have not experienced online abuse to understand the effect that it has on a person. Imagine that you are sitting at your computer, whether that is in your home office or here in Westminster, and your office is filled with people who are shouting filth at you, dissecting every part of your appearance, reducing your résumé and all your hard work to your gender, saying that you deserve to be tortured, raped or worse, and you are expected to continue to do your work.

If I were to listen to people's advice and ignore the trolls or simply turn off my Twitter account, I would not be in front of you today. The internet is how I do my work. The idea here is to quash women's right to freedom of expression. It is to take them out of the public eye, because women, according to the purveyors of this abuse, do not deserve to be there. We need to stand up to that. We need to protect that right to work, that right to freedom of expression. That is at the core of this misogynistic abuse.

Q56 **Debbie Abrahams MP:** Good afternoon, everyone. I wanted to ask you what you thought the relationship is between individual harm and societal harm.

Nina Jankowicz: This is something I think about a lot, because we hear from abusers of women online that we are just being too sensitive: "If you can't take the heat, get out of the kitchen". That has been said to me over and over. The issue at hand is a democratic issue. Let us take Vice-President Kamala Harris as an example. In our report, over a period of two months ahead of the US election, we gathered 336,000 pieces of gender disinformation and abuse about 12 candidates for office in the US, the UK, New Zealand and Canada; 78% of that was directed at then candidate for Vice-President Harris.

I think of the little girls who were so happy on inauguration day, seeing our first female Vice-President inaugurated and, for those of them who are online, looking at the responses to tweets or Vice-President Harris's Instagram posts, where people call the Biden-Harris Administration "Joe and the ho", or worse. There is much worse, alleging that Vice-President Harris slept her way to the top. That is going to change how young women engage in the democratic process, whether that is running for office or simply engaging in democracy writ large. That is one concern.

There is also a national security concern. In the report, we do a deep dive on three journalists who have been targeted by Russia, China and Iran, which recognise this endemic misogyny in our societies and use it to undermine our democratic society. It is not just a democratic concern; it is a national security concern, which should make it of interest to everybody in government. It is not just about hurt feelings. It really affects the way our countries operate.

Clare Pelham: It seems like the right moment to ask that question, as we have just reached the end of the Paralympics. The analogy that I would draw is that, as a country, we have done so much to integrate

disabled people into our national life and to increase accessibility in so many ways. The Paralympics is just one example of that, Disability Confident another.

The use of social media to attack disabled people is undermining all that good work. It is pushing disabled people back into the margins of society. It is excluding them from the support that would otherwise be available to them and from the forum that is, very naturally, accessible to them.

We are all very cognisant of the fact that physically disabled people may have difficulties of physical access. I think we all understand ramps and other sorts of infrastructural support that we need to offer people with physical disabilities. The awful thing about the criminals who are targeting people with epilepsy is that they are now excluding them from the medium that is most accessible to them: online communications. We have seen people targeted who have said, "I'm newly diagnosed with epilepsy. I'm looking for support". The support they get is to be inundated with flashing images that might give them a seizure. That is the link I would make with the societal issue and the individual issue here.

Izzy Wick: One in three internet users around the world, and one in five in the UK, are children. That is one in five with all the vulnerabilities associated with their age, one in five who are routinely ignored by platforms that do not respect their rights and needs. The silencing effect on children of a toxic digital environment has real-world societal implications. We know that teenage girls are much less likely to speak up on social media for fear of being criticised. That has a very real effect on their ambitions to go into public life. There is a very clear link between individual and societal harms.

Matt Harrison: I would echo some of the comments. There is definitely that direct link between individual harms and societal harms. I guess there are two angles to that. First, in terms of learning disability, there is that reinforcing of negative attitudes and stigma towards this group. Over the last few years, this has changed in a positive direction, which has been very welcome. That very vocal element on social media platforms that, to a degree, normalises discriminatory words, very harmful words and phrases, starts to unravel those threads of the work that lots of people with learning disabilities themselves have been doing on social media.

We are particularly concerned about young people, both with and without a learning disability, who see this content and think that it is normal. They are obviously very impressionable, so that moves through into their adult lives.

Then there is the impact on other people with disabilities, who see this content or hear of friends who are subjected to it. It tends to reinforce these exclusionary feelings and social isolation, which are already issues for people with learning disabilities, especially for young people. We know that on average one in three spends less than one hour a day on a

Saturday outside. They are very socially excluded, and social media is one avenue for them to connect with communities, but, once they start seeing these online harms, this harmful content, it normalises that behaviour. It really knocks people's confidence and has a damaging effect on their life chances.

Debbie Abrahams MP: What do you say to those people who say, "We've always had misogyny and racism in society. Propaganda, misinformation and disinformation have been around for hundreds of years as well"? What makes the difference between an analogue and a digital age? This is not just about the speed at which it can spread. Is there something special about what happens to people when they use platforms?

Nina Jankowicz: The biggest change is the quantity; it is not just the speed. If you visualise what abuse against a person looks like online, it is like you are a tiny dot in a swarm of insects. That is what it feels like. Your phone is buzzing. It is getting hot. You cannot look away, because you are trying to control the situation, which is impossible, of course. That causes very real psychological harm. It is very different. Although it would be terrifying to have someone shouting these things at you on the street, you would call a police officer and they would take this person away or enforce some space. Online, no one is doing that. That is the biggest difference.

Matt Harrison: You spoke about speed, which is an issue. The dogpiling, piling-in incidents are very different from what perhaps a similar harm would be in person. Perhaps it is one person, or a very small group, who is probably known to that individual. Online, there is that element of speed. You start drawing in people from around the country. You feel like you are being attacked and on a much larger scale perhaps than in the real world.

It is about the ease as well with which people can carry out online harms. Perhaps there is a feeling of invincibility in posting these online harms, which you may not have in real life, in the sense that seeing someone face to face might make you think twice about using a particular phrase or a word. Online, you feel that distance between you and—I would not say your target—the person receiving that messaging, in some cases.

Clare Pelham: It is actually, and perhaps counterintuitively, far worse than having this happen in real life. If I were walking down Hammersmith high street, and somebody came up to me and pushed me over or punched me in the face, I would be immediately surrounded by well-meaning people looking to help me up, who would call a police officer and run after the person who had assaulted me. The awful thing when this happens to you on social media is the feeling of isolation, that you are completely beyond the reach of the law. You are in some sort of badlands where there is no criminal law, no protection, no possibility of prosecution.

Even worse than that, you are cut off from the support of others in your community, because of course what happens is a terrible fear. You are targeted by these wicked people and anyone who reaches out to help you is themselves targeted. This has happened to us so many times. We try to protect someone with epilepsy who is targeted—we have numerous examples, some of which we have provided to the committee—and the charity is targeted. Once, the BBC very kindly retweeted one of our messages. The BBC was targeted. It is pervasive and isolating. You feel completely powerless.

Q57 Lord Knight of Weymouth: There are a couple of things I wanted to follow up, particularly starting with you, Nina. You talked about the possibility of repeated abusers no longer being welcome on platforms, which is something we would all want to achieve. Is it feasible for us to end up with some kind of a system so that, if a bad actor is identified on one platform, other platforms then prevent that person being welcome?

Nina Jankowicz: I would like to see something like that developed. In the report, we recommend the development of something akin to the Global Internet Forum to Counter Terrorism—GIFCT—which is the hash-tracking database I mentioned before. Whenever a piece of terrorist visual content is shared, its individual hash is shared among many platforms, not just the large ones. It deals with photo-sharing services as well that are quite small.

There is this desire among social media platforms to address that issue, but, when it comes to the issues we are all talking about today, we have not seen that alacrity. Something like that could certainly be used. As an example, going back to Vice-President Harris, we saw so many images shared over and over in the campaign period. Using Facebook's own CrowdTangle social listening platform, we were able to do a reverse image search on the platform and draw up thousands and thousands of hits for that image. Only after a *Washington Post* article was published, talking about this phenomenon online, did Facebook take them down.

So it is possible. They have the technical capacity to identify this stuff. Sharing it across platform would be extremely effective. In the report, we saw those narratives jump from the less mainstream or more alternative platforms such as Reddit—Reddit is one of the most popular online platforms, but it receives a lot less scrutiny—8kun and Parler, where a lot of the worst abuse is, to the more mainstream platforms, where they are much more effective. We found that abusers like to yell at their targets, not just about them. That sort of sharing would be extremely useful, particularly for visual content.

Lord Knight of Weymouth: You mentioned the terrible abuse that has been directed at Kamala Harris. The Bill as it is currently constructed has content of democratic importance being essentially excluded. What is your view on that? Is it a loophole? I am interested in all the panellists' view on that, as well as journalistic content and advertising, to an extent, as to whether we have loopholes here that we need to address.

Nina Jankowicz: Those are actually two of the things that I had a little bit of pause about in the legislation, because I think there are many citizen bloggers who would view themselves as journalists and would like to be included in those exceptions under the law. Certainly some of the people who have targeted me think of themselves as journalists. Many people would say, "My freedom of expression is being quashed by this content being removed during an election season".

In that case, we have to go back to the platform's own terms of service. Gendered abuse, targeted harassment and racial abuse all go against the rules the platforms themselves have set out. That is where I go back to the transparency reporting and asking, "How many reports are you getting about this content and what are you doing about it?" Facebook of course likes to say, "90% of the content that we find we take down", or something like that. I am just throwing that out and making that up, but it likes to self-congratulate in that way. It is not finding a lot of this content, as we found.

There are loopholes there, but, in that case, we have to go back to the platforms' own standards that they are setting out themselves.

Lord Knight of Weymouth: Izzy, your excellent written evidence includes lots of amendments, except on this area, where you have just said that we perhaps need to think about the definition a bit more.

Izzy Wick: We are concerned about the definitions and these carve-outs for content of democratic importance and journalistic content, mainly because of how they have been drafted. It is very difficult to see how any type of content could not reasonably be considered journalistic content, or indeed that any user could not simply say, "I'm a journalist. Therefore, this platform shouldn't be taking down my content". Our concern is that it creates a loophole and will undermine the very good safety objectives that these services will have to comply with.

You mentioned advertising. The exemption for paid-for advertising takes out of scope a huge category of potentially harmful content. A big concern is that it also does not match up to existing regulation that we have under the video-sharing platform regime. This regulation imposes certain requirements on platforms that feature paid-for advertising that is directed at children. It seems crazy that the Online Safety Bill, which will supersede that regulation, will weaken those requirements. We think the Bill is an opportunity to bring all online advertising regulation on to a statutory footing. I urge the committee to look in particular at that exemption.

Ian Russell: These exceptions, as well as potentially providing a loophole, could also undermine public confidence. That is one thing that is really important in this Bill. The public are looking. The parents I meet who have concerns about their children—and all parents have concerns about their children—want to know that something is being done to help them, because it is a big job. There is no parent who can do that by themselves, and they are looking to this. If anything were to undermine

the confidence in this Bill, that would be a tragedy, because this is a chance to do something to help them and help the country.

Matt Harrison: I fully agree. It is quite a dangerous loophole actually, especially given the growing importance of social media platforms in journalistic content. I am sure we all follow many of the journalists who cover Westminster. This shows you that their following has exploded over the last few years. We are quite concerned that there is a loophole.

Preparing for today, I was really struggling to think of an outside scenario where an online harm or a discriminatory remark against disabled people or people with learning disabilities would be in the public's interest or of democratic value. It is a loophole and an interesting question, because there are a couple of phrases in the legislation that are very ambiguous. They are open to interpretation from various angles and could undermine the intentions of the Bill.

Clare Pelham: I wonder if a way of looking at this issue analytically might be to compare it with criminal offence detection, because what we are talking about here is hate crime. Revealing somebody's true identity on social media is a deterrent, so people have to take ownership of what they are saying and doing, and take responsibility for it. You can use technical devices to prevent material containing certain words or, in the case of epilepsy, certain images being disseminated. That is preventive. Ultimately, you can use algorithms for speed of removal. That is after the fact. You have those three phases of prevention, detection and conviction there, because this is not just behaviour; it is criminal behaviour, and it helps sometimes to think of it in that way.

Q58 **Baroness Kidron:** Ian, I want to pick up first on something you said. You said that parents are hoping that the Bill will do something for them. In many conversations that I have, people ask, "Can't parents look after children?" I wonder whether you can speak to the committee about what it feels like to be a parent, what the parents are saying to you about what they are finding their kids doing, and how realistic that is for parents. Sorry, that was not very articulate.

Ian Russell: It is fine; it gave me time to think. It is a tough question, and it is one that I struggle to answer, because it is so dependent on circumstances. Some parents are concerned with what their children are seeing online and they say, "Should I ban my child from having a phone?" My reaction would tend to be, "That is an overreaction", but of course there would be some circumstances where that would be entirely the right thing to do. You cannot give a straightforward answer, even in a fairly simple case.

To give generalisations is hard, but a concern expressed is that, just as the parents catch up with Facebook, then Instagram, and then Snapchat, along comes TikTok and many other platforms. They do not have time to look into all the safety implications of all those platforms. Even if they did, their children would be one step ahead of them.

If you widen that beyond those big and known platforms, I have talked to families who have lost children to suicide, and platforms such as Discord, Roblox and Wattpad have been included among them. These are writing, communication or gaming platforms. In fact, none of these platforms is designed to do harm. It is the fact that they can be used to do harm and be misused in that way.

Picking just one of those at random, because it was something I discovered this morning—I was doing a little bit of research—on 8 February 2020, the *Times* reported that a search returned 197,000 results from Wattpad targeted at suicide, for example. That is a writing platform. It shows how a seemingly innocent platform can be used. If you are a parent facing the multiplicity of platforms and the fact that the platforms you know about will be different from those of your children, you will want to know how you can have help in answering that and in supporting your children to use the internet safely.

Baroness Kidron: Can I pick up on that? I did not get the number, but that was a lot of returns from the search. Do you think that we are missing the point when we think about content as being the content that one bad actor sends to another, or one bad actor sends to a child? Actually, there is this swathe of availability.

Ian Russell: There is a swathe of availability: 197,000. That is a big number. There are different sorts of orders of magnitude. Direct online bullying is particularly bad. On a trip to the US, I met another parent bereaved by suicide and their child had been online-bullied directly, direct messaged by people at their high school in New Jersey. Their story was tragic and horrible. Because the bullying from a small number of people was so direct and so targeted, it probably had a greater effect on that child.

The huge amount, hundreds of thousands, of posts of content that can be harmful in the very many other ways that harm can be brought to bear, particularly in young and vulnerable people, means that, just by going online, you are dipping your toe into dangerous water. The beach might look shallow and quite calm, but it is all too soon before you are sucked out of your depth, if you like. Just a few misplaced search terms can send you in the wrong place.

In a way, it is being a person online that is dangerous. We all have to admit that. It does not matter what age you are. We have to remember that, every time we go online, there is potential danger. We have to moderate our behaviour online and think about how we are affected when we go online. It is hard enough for an adult to do that; it is very hard for a young child or a vulnerable person to do that.

Baroness Kidron: I am going to pick that up and ask Matt a question that others may want to come in on. I do not think there is anybody in the room who does not think that some of the services and products are valuable. In particular, the reason I am focused on you, Matt, is this. I remember a young man who told me that he was getting mental health

support online. Then he read, retrospectively, the data and privacy agreement and he stopped going to sessions because he did not feel safe. I guess this is my question to you: what is the opportunity here, as we talk about harm, to provide really excellent and trusted services? Is that something that we are missing in the Bill, as far as you are aware of it?

Matt Harrison: That is an interesting question. I think we all see the benefits that social media can have for people. I do not think anyone actually doubts that, but I can understand where you are coming from. The main point of the legislation at the moment, or the need for it, is to tackle the negative, harmful content on there. As you said, there are quite a lot of good things happening on social media. Social media platforms tend to be quite good at promoting positive content, for want of a better word.

The point is that legislation is mainly about tackling online harms, but there is a key opportunity within the legislation, under the extension of Ofcom's media literacy powers, to do some of what you were saying about empowering people to use social media better, to stay safe online, to tackle online harms at an individual level perhaps, or at least to empower others. Children and young people especially perhaps will benefit from Ofcom's education down the line, as they have with other bits of media.

I have gone around the question, but there is a role for promoting good content. I do not think that is what needs to be tackled in this Bill. It is more about tackling the negative side of social media.

Izzy Wick: It is important to say that the digital world is not optional for children and young people. We want children to be engaged in the digital world and to flourish online. This Bill needs to set the expectations for companies and establish rules of the road. We need Ofcom to produce minimum standards on very basic things such as terms and conditions, reporting and redress mechanisms, and age assurance. There should be a requirement in the Bill for Ofcom to do that, which will then establish the floor of protection.

To pick up on Matt's point about the role of education, I do not think children or their parents should be expected to mitigate risks that need to be addressed at the level of system design. We cannot expect parents to babysit the technology as well as their children. Also, no parent can be with their child 24/7. As Ian said, parents often feel their children are much more digitally adept than they are.

To make a broader point about the role of education and digital literacy, we should not be educating children to navigate pathways to harm or inherently unsafe digital spaces that do not recognise their rights and needs. I would also like to point out that many of the existing digital literacy programmes are either provided or funded by tech companies. Perhaps unsurprisingly, they focus much more on user behaviour, on topics such as stranger danger and bullying, and much less on the risks that are built into the fabric of their systems design. We need Ofcom to

establish minimum standards for any education initiatives that are designed for children.

Baroness Kidron: Nina, I am seeing a lot of nodding there. I am interested in minimum standards. I heard your answer before: "It's difficult to know where a line is". Do minimum standards that are then upheld—you cannot celebrate misogyny on a site; you have to take some action—work for you?

Nina Jankowicz: Yes. The minimum standard is, theoretically, already established in the terms of service of many of the large platforms. If you leave aside the alternative ones that are gung ho—freedom of expression and fairy dust everywhere—for Ofcom to be able to establish the minimum standards that would be applied to all platforms and incur fines would be a useful starting point. That could be based, again, on the pre-existing terms of service. Theoretically, these stipulations already exist. They are just not being upheld.

Clare Pelham: I would like to say thank you for reminding us that lots and lots of good things happen on social media. Lots and lots of us have fun times being on social media. To draw an analogy, if social media is a wonderful playground, we do not need Twitter or Facebook to tell us how to play on the slides and swings. We need them to stop bad people from coming into the children's playground. We know how to have good fun on social media. We just need the social media companies to stop this wonderful, joyful opportunity that we all have to communicate with each other being abused by people with bad intentions.

Q59 **Lord Clement-Jones:** I want to take this forward on the things that need to be done on top of what is already in the Bill, looking beyond what Baroness Kidron has just been teasing out, and starting with you, Izzy, on the point about the mandatory nature of the child online safety code and expanding that into other codes.

You have gone so far as to actually put out amendments. You are making a distinction between what Ofcom recommends and what it is absolutely mandating. I am wondering whether there is a real substance behind that. You could argue that Ofcom will expect those standards to be maintained.

In particular, you then go on to talk about the question of risk assessment, which is clearly crucial. Ofcom itself is very keen on risk assessment. It talks about it in the AVMS context and so forth, even though it does not have the statutory power to insist on it. Clearly, given half a chance, it is going to want to go forward with that. You have a particular four Cs way of looking at risk assessment. I wonder if you could unpack those two thoughts and then see what the others have to make of it.

Izzy Wick: I will start with your point about codes of practice. It is worth saying initially that we have statutory codes in other areas of digital regulation. If pro-competition statutory codes of conduct can be made for firms with strategic market status, they can absolutely be made for child

safety. There is no reason why they should not be, but this comes down to making Ofcom's life a bit easier.

This is going to be quite difficult legislation to enforce if those requirements are not set out on a statutory footing. It will also aid compliance for the companies to say, "Okay, this is the list of things we have to do". To what you said about risk assessments, we are thrilled that there is a requirement in the Bill for services to conduct child risk assessments. Unless the content and process for assessing risk is set out in an enforceable framework, we will be leaving these companies to mark their own homework.

Lord Clement-Jones: I saw Matt nodding vigorously at that point.

Matt Harrison: Yes, it is a very good point. I was alluding to that before perhaps with regard to the ambiguities in the Bill. The previous panel was asked a question about protected characteristics being listed in the Bill. It is a slightly different point, but that is something we would very much like to see. That has a flow-through effect in terms of other elements of the Bill. Once you start explicitly enshrining those protected characteristics, it gives the Government and Ofcom a sense of direction, or at least a clearer sense, of how and where they can enforce. We would very much like to see that.

I fully agree about the risk assessments and marking their own homework. Social media companies are obviously incredibly skilful at developing their internal processes of moderation, algorithms and AI. It is mind blowing to me. There is a real challenge for regulators to understand and get their heads around this and therefore understand risk assessments, which can be written in incredibly technical language and sound impressive on paper but, in reality, may have very little impact on day-to-day users.

Lord Clement-Jones: You are almost saying, "Specify that you must assess the risk of the algorithm itself" as part of the rubric.

Matt Harrison: Yes. I guess there are two points, aren't there? There is the actual risk assessment itself and then there is Ofcom's ability to understand what is being put in front of it and the algorithms of companies that are at the forefront of these very complex systems.

Nina Jankowicz: I will draw an analogy to Germany's NetzDG law, which is similar in some ways to what is being proposed. The specificity issue in Germany has been extremely important and hindered some of the progress that Germany has made on regulating social media and content moderation. In their transparency reporting that they have required of the social media companies, they have created blanket categories that do not necessarily apply to every platform. Obviously the types of engagements and types of content on each platform vary greatly.

The more specificity that is asked for, for both reporting and risk assessment, the better. Those should be tailored to each platform as well. Comparing YouTube and Facebook, or YouTube and TikTok, against Parler or whatever is like comparing apples and oranges or a cow to a tree. They are really quite different. Making it more specific will render more practical data and give you a better understanding of what is going on. If you are at 40,000 feet, you are really not going to see what is going on in the weeds.

Lord Clement-Jones: Do we have the models to do that? We are not just praying for some great risk assessment that has not yet been invented.

Nina Jankowicz: The social media platforms can do that if they are compelled to. The point that Izzy made before about marking your own homework rings true here. You or Ofcom would need to determine exactly what measures you would like to see and compel the social media platforms to hand over that data. They have it. It is just a question of getting it from them.

Ian Russell: Safety standards, risk assessments and method statements have all become part of modern business life. They are, quite rightly, expected, but they are conspicuously absent in the online world. They are there in places, I am sure, but they are not as prominent. In all this legislation, it is most important that we mirror online what we live by in the offline world. That is what is missing at the moment. Sixteen years of social media and 30 years of the internet has led us to a place that there is no mirror of the accepted normal standards that apply offline. There should be equivalence in the online world as well.

Clare Pelham: I will not repeat it, but I would very much like to endorse Ian's last point about equivalence. That must be our guiding principle. It should not be possible to do something online that would be unlawful if we did it in real life.

The key to securing good regulation is the provisions on personal responsibility for senior managers in the social media companies. I have been in a position myself where I was personally responsible and, my goodness, it focuses your mind. You will work with the regulator so closely to be so accurate and so well defined in every aspect of the regulatory detail. It seems to me that, if we can secure that, everything else will flow from it.

Q60 **John Nicolson MP:** Mr Harrison, you were talking about language and why language matters on social media. We heard in our earlier session about the way in which racist language seems to be filtering from the internet back to schools. After decades of improvement, we were told that it is getting worse in schools. Is it the same with the language that is used about mental health? Are you seeing a knock-on effect in everyday society?

Matt Harrison: That is a very interesting question. Unfortunately, data on learning disability is very sketchy and hard to come by. We did a survey, I think in 2007, and found that 82% of children with learning disabilities had been bullied, which equated at that time to about 280,000 children, give or take. In terms of measuring how it moves from the online space into the real world, it is incredibly difficult to know, so there is definitely a data gap there. There must be some sort of filtering across.

John Nicolson MP: I make a point of always writing to anybody I ever hear misusing the word "schizophrenic". It is informal, but I think it is getting a bit better. You would regularly hear on the BBC people saying that they are schizophrenic because they cannot make up their mind whether they are for or against Brexit or whether they prefer tea or coffee. That matters, as you know better than most people, because if the word "schizo" is used, which is a horrible word, or "schizophrenic" is misused, it is very difficult for people who are told that they have that condition to embrace the condition, because who would embrace a condition that has such horrible connotations?

I will not say who they are, but over the years only two people, one a politician and the other a journalist, have fought back when I have said, "Please don't use that expression". Most people say, "I'm very sorry. I'll never use it again". Do you think it is becoming worse? I am noticing a bit on social media that some of those words that have not been used for a while or have been diminishing in their use are coming back into usage.

Matt Harrison: It is a very good point. There have been perhaps a couple of high-profile cases of people with learning disabilities being targeted. I am thinking particularly of Katie Price's son Harvey. I wonder if there is a knock-on effect from a high-profile case and this appearing in people's feeds. As I referred to before, that is a normalisation of those words and the untangling of positive influence that we are having. It is very difficult to understand the whole trend. I would love someone from any of the platforms to give me the data on that, but you see a greater prevalence of the use of those words online than in day-to-day life.

John Nicolson MP: Ms Pelham, can I move on to you? I just sensed a collective shudder among members of the committee and witnesses when you described what it was like to be sent those flashing images. I confess I did not know anything about this until you wrote to me and asked me to write a piece about it for one of the national newspapers. Let us be honest: you wrote the piece and I just slapped my name on the top and pretended I had written it, so let us have a bit of candour here. It was a very good piece and I was very happy to put my name to it. You want something called Zach's law put into action. We will talk about that in a second.

I would like to know more about the motivations of people who do this. Who are these awful people? You refer to them as gangs. Who would want to send flashing images to somebody living with epilepsy, which could cause them to crash their car?

Clare Pelham: It is almost impossible to understand. We have really tried, because we thought that if we could understand we might be able to work with these people and help them to understand that their behaviour is causing such pain to the victims of it, but all we can think of is that they are people who have not yet had the education and exposure that many of us have had to what an equal society that includes disabled and non-disabled people—

John Nicolson MP: It is a bit more than that, is it not? You might not care very much about disabled rights, but you would not want actively to kill somebody. Are these people psychopaths? Who are they? Who are these monsters?

Clare Pelham: All of us at the Epilepsy Society have to believe that, if we work well and effectively enough, we will be able to defeat stigma against people with epilepsy, but throughout history there has been a very sad tradition of being unkind and hateful to people with epilepsy. To pick up the point that you made earlier, this was very much on the decline until the popularity of online media and it has bounced up. It really has. I am afraid we have not done a survey about it, but anecdotally we can see it. There are many people with epilepsy who will not tell you that they have epilepsy because of these folk out there, and it is heartbreaking.

John Nicolson MP: Could it be that they just do not think that people online are real people?

Clare Pelham: There is an element of that. It is a very different thing to sit in your bedroom doing hate-filled things, perhaps after a drink—I do not know—than it is to look somebody in the eye. You mentioned a lovely young man called Zach Eagling, but surely nobody, if they had to look him in the eye, would send a 10-year-old child with cerebral palsy those messages. I cannot believe that they would, but they are definitely in need of some help to understand the consequences of what they do.

John Nicolson MP: What do you want when you talk about Zach's law? As you say, he is a lovely wee boy who has been targeted. What do you want Zach's law to do? In fact, could we effectively incorporate your proposals as Zach's law into this Bill?

Clare Pelham: We earnestly at the Epilepsy Society hope that you would. We would love you to implement a recommendation made by the Law Commission that the intentional sending of flashing images to a person with epilepsy with the intention of causing that person a seizure should be made a criminal offence. If you could do that in the Bill, it would unlock so much improved quality of life for people with epilepsy, I cannot tell you.

John Nicolson MP: I suspect that, if you thought you were going to serve a term in the slammer at Her Majesty's pleasure, you might not be tempted to send flashing images.

Clare Pelham: Completely, and, if I may add to that point, so often, sadly, the way to people's hearts, especially at large profit-making companies, is through their wallets. Accompanied with the financial sanctions that the Bill provides for social media companies, we would see within weeks the social media companies working to devise algorithms that would prevent these images being sent at all.

John Nicolson MP: Why do you think the social media companies do not take this seriously enough? We have heard from all the witnesses today, and we heard from witnesses in our first session, the same recurring theme that social media companies do not take things down, unless it is copyright things. They are very quick with copyright things, but if it is misogyny, attacks on people with mental health issues, or terrible cruel attacks on children being bullied, they just do not act. Why is that?

Clare Pelham: We have been through a very long journey of education and persuasion, and I am really sorry to say this but I am afraid that the only answer that we are left with is to follow the money. A company that can act on a breach of copyright that may have a massive financial impact on its bottom line is surely able to act just as quickly. The reason it does not is that the "only" consequence of its inaction is that some poor person gets hurt. I am really sorry to say this, but it feels like the only explanation that is left. We have had numerous very private conversations with people who work at these companies, who have asked us not to use their name, who have said their business model does not allow them to spend any more money on this. That is just heartbreaking.

John Nicolson MP: Although we know from Germany that, if they are threatened with a huge fine, they suddenly start hiring people and they will take down harmful content. You mentioned that Twitter gives you money to help you cleanse your account. How did that come about?

Clare Pelham: We communicated with them that, as a charity, we were employing somebody designed to help people with epilepsy to do what we felt was their job, which is to police their social media platform, and they once gave us £7,500. Of course it is welcome, but it does not go anywhere near the amount of fun runs, raffles and cake bakes that we have had to have to raise the money to pay somebody to do this full time.

John Nicolson MP: Twitter gave you money to help you make Twitter a less bad place.

Clare Pelham: Yes, absolutely.

John Nicolson MP: They are paying you to hire somebody to write back to them and tell them that some of this stuff that is appearing, that is targeted at you, is horrible.

Clare Pelham: That is it.

John Nicolson MP: You have to pinch yourself, Chair.

The Chair: Indeed, it would not even cover an air fare to California for a tech executive.

John Nicolson MP: Certainly not the way Twitter executives fly backwards and forwards, it would not. I will leave it at that.

Q61 **Lord Gilbert of Panteg:** I will pick up there, because what I have in mind is potentially much more expensive for the platforms. Before I get into that, we all pretty much agree that tackling these issues is going to require the bringing together of content policy, systems and design regulation. I would add competition policy, which is strikingly missing from this Bill and could be a very important part of it. I just want to pick up on the competition element.

The nature of these platforms, and certainly the larger platforms, is that they are very dominant in the public space and, if you are a young person or, indeed, if you are anybody and you want to engage with your friends, you need to do it through a very small number of platforms; otherwise, you will not find them and you will not be able to talk to them. These platforms have it in their power to set the terms and conditions and to provide toolboxes that you can use as a user to regulate the environment in which you operate. We have not gone anywhere near their business model, and it seems to me that they want this to be a debate about taking down content and not a debate about their business model, which leads to this kind of behaviour.

I would be interested to hear from probably all the panellists on this. This potentially seems to be where competition policy comes in. I cannot see any legal, technical or other reason why we should not say to platforms, "You must totally open source your platform. You remain the platform. You maintain the underlying database, but you work with a variety of other organisations, so that they can provide toolboxes to their users to access the platform through their own gateway, be it by way of an app or an interface". They might work with you, Clare, to create an interface that people who are particularly vulnerable in your sphere can use to access these platforms with very high levels of safeguards.

The parallel, to me, is with the regulation on open banking, which has worked incredibly well. I access all my bank accounts and financial fees through one app, which gives me an additional set of tools. I wonder whether looking at this through a competition approach and saying, "You are dominant, and you need to share your code and work with other groups to enable them to provide walled interfaces into your platform", would give something really tangible to users to take some control of their own environment in which they use these platforms. Who wants a go? Has it been explored?

Izzy Wick: You have hit the nail on the head. There is a very profound tension between the fundamental business models of these platforms—platforms that are often provided free of charge, rooted in targeted advertising and therefore designed to extend engagement, maximise reach and maximise interaction—and the development of safe and

healthy spaces for children online. We need to look at that fundamental business model at the very root of the problems that we are discussing here today if we are going to address them in any meaningful way.

The comparison with open banking is a good one. Having greater transparency, as well as accountability, will do a lot to detoxify this environment, but what we are also talking about here is enforcement, and these are companies with incredibly deep pockets. Really, if we want to see the sea change that is needed across the culture of this sector, we need to have company director liability, as Clare said.

Ian Russell: It is important to encourage the good. I have not said enough today how good the internet is. It is a fantastic resource. It is an amazing thing, and the danger is that all that potential is going to be spoiled by bad actors who use it. I would have thought it was in the interests of the tech platforms to be more responsible about how they provide better safety for their users, as they call them. I am surprised it has not already happened. That requires a change of corporate responsibility from the platforms, and that is why I would say that criminal liability for senior managers is important, because you need to push hard and quickly with a big impetus to make that change happen. They have not needed to work in any other way.

Then legislation like this could encourage them and help the tech platforms to see that they do tremendous good and, if they focus on that and help the world weed out the bad that is on the world wide web, it is good for them. That is where competition might come in and help them, because they will see that it is a way to help their users and to help them gain a bigger market share.

Nina Jankowicz: There is an example, slightly afield of normal social media, where this has come up and that is the dating app Bumble, which is the app where women can message men first. Its lobbying team has taken it upon itself to pursue some really strict legislation about unsolicited nude photographs from users and really is putting user safety first. I have not done a study on this, but anecdotally I know that a lot of women prefer that app because of how safe they feel there. It is constantly introducing more features for safety.

Another interesting comparison is this plug-in called Block Party, which is available on Twitter. Block Party allows users to segment off certain abusive content, so that you do not have to look at it and deal with it. In fact, you can even assign someone to deal with it, report things and go through it for you. It is a very useful app for those who have a lot of mentions and receive a lot of vitriol. I know a lot of reporters who use it.

Twitter has actually started to incorporate some of the means by which you can filter and block that content into its own platform, so that is an instance in which an open platform, such as Twitter, allowing a plug-in such as that to be developed has led to policy change at the platform level. Facebook does not allow that. Opening up the API of these

platforms in order for user safety applications to be developed would be a positive development.

Matt Harrison: It is definitely a very interesting idea, and I could see many benefits, as you say. I am not a competition expert, so I cannot really delve into too many of the details about it. As a broader point, there is a commercial aspect already in existence for social media platforms. It is a conversation we have across all products and services, in the sense that learning disabilities have a community of 1.5 million people. Then you start adding on friends, family and acquaintances and suddenly you have quite a large market.

I am still quite scratching my head about why one of the social media platforms has not made it a mission to do everything it can to make it the safest space for someone with a learning disability to be in. You can see the business benefits from that model. It is not necessarily a piece for this legislation, but there is also a business case for actually acting on these online harms and making them safe spaces. I am still quite surprised that none of them seems to have realised that.

Clare Pelham: To supplement that point, I suspect that we will get greater competition following better regulation. When the cost of entry and policing becomes higher, the economic consequence that you would expect is broader consumer choice. All of us who are parents, as well as being concerned about our friends and neighbours, would welcome the advent of a social media platform that we understood to be safe. That would be a wonderful outcome from the Bill.

Lord Gilbert of Panteg: It could be the same social media platforms, but just used in a way that is safe for you, so you create your own totally bespoke environments in the same place as your friends, your family and everybody else you want to talk to. It would be far more useful for a social media platform to sit down with you and create an app for your members and the people you advocate for to use the internet totally safely, given their condition, than to give you £75,000 to clear it up.

Clare Pelham: If only it had been £75,000. It was £7,500, to be clear.

Lord Gilbert of Panteg: There we are. I gave them much more credit than I normally do.

Q62 **Dean Russell MP:** Izzy, we have heard some really difficult testimony today, especially on harms for children, and I want to build on a question from earlier. Why do you think the big tech platforms do not seem to care about safeguarding children in the way that they should?

Izzy Wick: There is an element that ignorance is bliss. The minimum age of use for most social media platforms is 13, but we know that a huge number of under-13s use these platforms. If the companies recognised this, their use base would drop quite significantly. As Clare said, it is about following the money. It will not have escaped the committee's notice that the age-appropriate design code came into force earlier this month and with that regulation has come a huge raft of changes, such as

removing auto-play on YouTube for Kids and minimising the amount of data that is collected on children. So regulation works and, unfortunately, it is the only thing that works. These companies have not been forthcoming in making changes of their own volition, but they absolutely do when it is required.

Dean Russell MP: Building on that, in terms of the wilfulness of not caring or seemingly not caring, do you think that we will put this legislation in place and they will spend billions of dollars and pounds just trying to find loopholes, so they can continue as they are? What do we need to do in this Bill so that we are not just forcing them and bringing the horse to water to drink, as it were, but so that they actually want to make sure that safeguarding is there for our kids?

Izzy Wick: I sincerely hope they do not do that, but the key to this is compliance and enforcement. Without wanting to sound like a broken record, this comes back to minimum standards. This is something that not just users but actually the companies themselves are really crying out for.

I will give the example of age assurance. At the moment, everyone has got into a big muddle about age assurance, and people are rightly concerned about privacy implications, as are we when it comes to children's privacy, but age assurance is not the same thing as identification, and you can establish a user's age without knowing anything else about them.

The technology exists. What is missing is the governance around it. Industry, as well as parents and children, is saying, "We want rules of the road to understand what the requirements are, when it's needed and the standards that it needs to meet". Until we have that governance and that framework, there will not be trust in the system.

Clare Pelham: To answer your question directly, the single most impactful thing you could do would be to make the sanctions on social media senior managers include, in the ultimate, following repeated breaches, a custodial sentence. To paraphrase what someone once said, once you have them with a custodial sentence, their hearts and minds will follow.

Dean Russell MP: Nina, talking about politics and the impact especially on women in politics, a phrase was heard earlier. Matt called it "dogpiling". I call it hate mobbing, where an individual will say something on social media, and all of a sudden a hate mob will appear out of seemingly nowhere and attack that person en masse, and then move on to the next target. I have seen it happen to my female colleagues from across the Floor in particular, but to all politicians.

From your experience, especially based on testimony we had the other day, which indicated that the same groups of people seemed to be doing a lot of the targeting on these things, do you think there is a concerted effort in the space of politics to try to take down certain individuals, or is

it just that society happens to get together and criticise these people en masse?

Nina Jankowicz: It is absolutely a concerted effort. In our research, we have seen that one individual will post a piece of content, whether on Twitter or on Facebook, with a large following, and in that original piece of content there is nothing that violates terms of service, but that is the dog whistle that initiates the dogpile and then all the vitrioling content comes from there.

We have had network analysis done by my colleague Alexa Pavliuc, who has visualised how this content moves around on these networks. The networks can see this. If they wanted to, they could visualise this themselves, see where it is coming from and enact penalties because of that. That initial piece of content did not trip the tripwire, but these folks who are initiating the dogpile we believe should and can be punished, because they are unleashing what is much worse. It is the quantity, again, of that content coming to you and it is concerted.

It follows different patterns and networks. They are constantly being reported over and over, and nothing is happening. That is what is most disheartening about trying to report. I know a lot of folks who do not even report any more because they do not see the point. They do not want to waste their time. They do not want to retraumatise themselves. It is within the capacity of the social media platforms to see these networks, see how it is moving and see who the repeated offenders are, and they need to be compelled to do so.

Dean Russell MP: Thank you. Within the context of this Bill, often when we talk about these large hate mobs, as I call them, we are thinking about people, but do you think from your analysis that it is not just people but it is actually triggering a lot of bots that are not real people, and helping to put lots of content online that is written by AI bots, which are helping spread that misinformation or that hatred.

Nina Jankowicz: In our analysis, which again was a moment in time of just two months and quite a lot of content, we did not see that much computational propaganda—the artificial creation of bot accounts or things like that. We did see some instances of repetitive posting—certain individuals posting over and over on a Reddit subreddit, tweeting at a certain individual over and over or potentially using sock puppet accounts to do so.

I have seen that in my own experience, where someone will come at me, log in to their other account and say something else, and then log in to another account. It is a remarkable amount of effort and, again, that is what is so disheartening, because these are real people behind it. If it was bots, you would be able to say very easily, “Okay, here are 25 eggs that have just tweeted the same curse word at me”, but these are often real people.

To come back to the anonymity question, which we mentioned before, I have actually had people very happily abusing me under their legal names, in fact even on LinkedIn, where their employers might see it. I do not think that introducing a real identity requirement would stem at least the misogynistic abuse that we see. It is so endemic that people are quite happy to attach their name to it and, as you have heard in previous sessions, it would endanger activists in many countries, so, for me, addressing anonymity does not solve this issue at all.

Dean Russell MP: If you had all the heads of all the big platforms here and you were to say that there was one bit of the Bill that you absolutely want to see get through, or a bit of the Bill that is missing that you would want to see, to make sure you are holding them to account, what would it be?

Matt Harrison: I spoke before about explicitly listing the protected characteristics in the Bill and, as I talked about before, putting that towards the top in the priority content list. Then that flows throughout the Bill and it gives a sense of direction to everyone—to the Government, to Ofcom and to the platforms—that when you look at the codes of practice, sitting in the background are already those protected characteristics explicitly. When you start looking at phrases like content that is harmful to adults, you already have a sense of direction about the characteristics that need to be explicitly protected. It takes out all the ambiguity and then you can actually start to work with Ofcom and the social media companies from a slightly stronger point of view. That is the one big ask that we would have.

Nina Jankowicz: I talked about this a lot, so I will keep it brief. Transparency in reports, take-downs and other decisions is incredibly important in order to understand how large the problem is and what, if anything, the social media platforms are doing to stop it.

Izzy Wick: I have 14 things that I want to change about the Bill, but I will stick to one.

Dean Russell MP: Just give one for now.

Izzy Wick: Children have a right to protection wherever they are online, but in the current draft of the Bill we have a definition of regulated services that includes only user to user or search services. This will leave a huge number of services that children access on a daily basis out of scope of the Bill. I am talking about app stores that routinely mis-advertise the minimum age of the use of apps and commercial pornography sites that might not host user-generated content. The status of edtech is also unclear. Without bringing those things into scope, there are just huge corners of the digital world that will not need to comply with the Bill's safety objectives. There is a very simple solution to this, which is to include in the definition of a regulated service any service that is likely to be accessed by children.

Ian Russell: I am going to pick the sharing of data for bona fide research. We are all slightly working in the dark, because it is very difficult to know what research has been done on this and for what reasons, and it is about time that we did have a clearer picture of the effects of the online world on the people who use it. It is very hard to gain that at the moment, because some of the research is paid for by the tech platforms and, whether or not there is a conflict of interest, there is a possibility of that existing and it is very hard to know how you can judge that.

I would like to see the tech companies, which are effectively data-mining companies—let us face it—being compelled to give anonymised data, so there are no privacy issues, to bona fide researchers, so that up-to-date and constant research can be done and we all know where we are on this issue.

Clare Pelham: I just have one ask for the committee, really. Please give us Zach's law, as recommended by the Law Commission. Please make it a criminal offence to deliberately send flashing images with the intention of causing a seizure. If you do, 600,000 people with epilepsy will be grateful to you.

Q63 **Lord Black of Brentwood:** I would just like to pick up on the point you made, Mr Russell. It also comes down to something you said earlier, Nina. You go to Facebook and it says, "Well, 50% of X or 75% of Y", but you never really know what is going on. It would be good to hear from you about your existing relationships and efforts to get data out of the platforms, data being so important in this area. We heard powerful evidence last week from the FA, Stonewall and the Antisemitism Policy Trust about how they try, but they cannot get it. The platforms will say nice things and there will be warm words, but then nothing ever happens.

Nina Jankowicz: I will start with that, piggybacking off the report that we did. You might have realised, if you took a look at it, that Facebook is not one of the six platforms that we analysed, and that is because of the lack of access to data. We looked at three alternative platforms and three more mainstream platforms. The ones we chose were the ones that had open access, because otherwise you are comparing apples and oranges again.

Facebook has its CrowdTangle social listening software, which may be under threat of being shut down. It is how most researchers understand what is going on on the platform, but in that we only have access to 2% of the total content on Facebook, because it is only public content that is indexed there. We do not know the degree of abuse that was perpetrated in the two months ahead of the US 2020 election in private or in private groups. It is staggering when you are a member of these groups—many journalists and researchers will create their own sock puppet accounts to listen and look there—to see what is not being reported on.

Facebook will say, "It's just this group" or "It's just a couple of posts", but we really have no idea and it is very difficult to gauge. That is why

not only is access to researchers for that data extremely important, as long as it is pseudonymised, but those transparency reports will provide a lot of detail and richness that we frankly do not have, and will allow us to hold social media platforms to account rather than them banner waving every time they do a take-down that they are proud of.

Ian Russell: It is difficult for me to comment, because a lot of the data I have seen in most detail is part of the ongoing inquest process, so I would just say that, as that process is ongoing, I hope the committee will pay attention to it as the coroner reports. A lot of really important information will come out of that process, because the volume of data that the coroner has called into his inquest is unprecedented. We hope to learn a lot there, so that is hopeful.

Outside of that, I have just one piece of evidence about one incident, the tiny part that I played in helping Alice Hendy. I do not know how many of you may know Alice Hendy. She started Ripple tools, which launched a Google Chrome browser plug-in, so that if people were searching online for suicide or self-harm terms, before they were connected to the result of that search, a more prominent banner would come up offering services for help and support, which is an amazing piece of technology. She has pioneered this within a year, sadly, of her brother Josh's death by suicide.

I was present at one meeting where Alice was working with a prominent search engine and trying to persuade it that it would be good for it to integrate this. It was surprising to see the resistance of that search engine to this technology. It seems fairly obvious that it would do good and help to prevent harm and suicide. It was surprising to hear that they were asking me for evidence for hashtag search terms, for example, that people might use. I do not know why they would be asking me that. They should know that, because they have all the data.

Matt Harrison: It is probably quite difficult. I cannot think of a time when we proactively asked for a large dataset to go through from social media companies, but I know that it has not been proactively offered to us. Most of our dealings have been more about the generic policies, the top-level policy lines or exploring ideas for promoting good content online. We would be fascinated to see that data and to get a better understanding.

There is something to be said about the difficulty in understanding data on disability, because some people might not identify in their account as disabled and might be afraid to post content that might flag them as someone with a disability. So there are slight issues around the data there, but we would be really intrigued to see what they do have.

Clare Pelham: The piece of data that I would really love to have is how many are among the silenced—the people who have closed their social media accounts, who have been driven off these platforms because of the cruel and hateful messages they have received, who have been excluded from our national conversation and marginalised. I know that many of those who have closed their accounts have done so with messages to

Facebook and Twitter explaining why, and it would be really good to know how many are in that group of the silenced.

Q64 Lord Black of Brentwood: I have one very brief follow-up to that. Do you think Ofcom needs much stronger powers under the Bill to be able to go into the platforms, audit them and demand these figures? At the moment I suspect the Bill is not strong enough in that direction.

Matt Harrison: I would say yes, because I guess the question is how Ofcom can be an effective enforcer if it does not understand where the problems are, what the problems are and the scale of those problems. Data is key to that, and we know, as has been referred to, that data-mining companies are social media platforms. There is definitely something to be said about Ofcom having access to that data for it to be as efficient a regulator as the Bill is intending it to be.

Ian Russell: Ofcom should have all the powers that it needs to understand the situation as completely as possible. It is an ever-changing situation, so unless it has regular access to such things it is very difficult for it to regulate. It can provide a screen around commercially sensitive information. That is important. It is also important and incumbent on everyone that, if something is discovered that makes the online world safer, that becomes a commonly held best practice, so that that information, algorithm or whatever it may be is shared widely.

Izzy Wick: I would absolutely agree with Ian on that last point. In the Bill, Ofcom has the powers to request this information. It is quite strong in that respect. What it does not have is the obligation and the responsibility, and there needs to be a duty in the Bill for Ofcom to investigate the algorithmic oversight on behalf of children in particular. As Matt picked up on, Ofcom needs the requisite capacity and resources to understand those algorithms and interrogate what is going on.

Lord Black of Brentwood: We welcome any suggestions you have about how the Bill might be amended in that direction. Clare, did you have anything to add?

Clare Pelham: I would only draw an analogy with terrestrial broadcast. On the existing television channels, we regulate very effectively the dissemination of flashing images through a technology that is absolutely available to all broadcasters. That duty to share, because we are not very far away from an algorithm that could be developed to stop this material being broadcast at source by social media companies, would be a very powerful instrument.

The Chair: To the point you made, Nina, that Facebook says that it removes 90% of the harmful content it finds, that is about as meaningful as me saying that I have removed 90% of the weeds in my garden. I find it impossible to know what that number actually means or even how hard they are looking.

Q65 Lord Stevenson of Balmacara: This has been a very informative session. Thank you very much. We have all learned a lot. Most of the

points I was going to make have been covered, so I have quite a narrow question, but it bears on what we have just been talking about. The tension here is that, possibly more by accident than design, we have a situation where private companies are offering so-called public spaces or public squares for commercial reasons, which do not fit what most users would expect out of that.

You have all said what you would like to see and we all agree that higher standards are desperately required, but they would not fit the business model, would they? If we do not get the pile-ons and the numbers of people there, the data mining, which Ian said was really what they were after, falls away and they will lose money, so we have a bit of a problem here.

It has always intrigued me why we ever allowed companies like this to operate in a publishing role, but without knowledge of what they are publishing. To narrow it down to a particular question, would a lot of what you want—and many would join you in a lot of these asks—be advanced if there was a requirement on the companies to moderate what they are doing in an effective way through knowledge, not simply through systems?

In other words, it is not the regulator. It has to be the companies. They are taking on the responsibility of opening up these public squares, but without having any apparent knowledge of what is going on, even though we think they probably do know, compounded by the fact that they are placing encryption on a number of services. Is that the way to go, or will that end in failure as well?

Ian Russell: It is really important to find a way to engage with the companies as best as possible and, at the heart of it, it probably is knowledge. Sharing of that knowledge is a two-way street. They would share with us, so the world becomes better informed about the knowledge and the way they run their companies, and we would share with them problems that people who are using their platforms are having, which they seem resistant to accept. If that two-way street and that dialogue is encouraged, change could come about much more quickly. It should not be so adversarial.

Izzy Wick: There are certainly opportunities to strengthen the requirements for better content labelling, tagging and for more investment in things like pre-moderation, in the hinterland after something is uploaded and before it makes its way to the shop window. That is required for things like CSAM, and there is technology developing to address that.

Just last week, there was an investigation by the *Wall Street Journal* into the algorithms that TikTok uses, which lead to children under 18 being sold drugs from unknown accounts and being offered sex by unknown adults. A TikTok spokeswoman said, "We don't differentiate between content that is labelled as adult only and content that is child friendly", and that just spells out the problem.

Lord Stevenson of Balmacara: That says it all, really.

Nina Jankowicz: There is a little bit of danger when we talk about increasing the liability on platforms. This might just be my American perspective, in talking about Section 230 of the Communications Decency Act and intermediary liability, but in the States our worry about increasing liability for the platforms is that the platforms will then use this as a cudgel to eliminate speech. We have seen that happen in NetzDG, as I mentioned before.

In cases where platforms are encouraged to moderate, they often moderate the abused, not the abusers. We see take-downs or suspensions against people with marginalised identities for fighting back against the abuse they are receiving, so we would need to be really careful about that. There is a way forward there if, as you mentioned, it is a knowledge-based moderation that has humans involved and not just AI systems.

One thing that begs mentioning, which we have not really talked about today, is that this is not only about taking down content. It can be about demoting content too and saying, "You can shout into the black void, but you don't get a huge audience to do that". That allows us to get around some of the free speech concerns that come up when we are introducing broader liability for the platforms and that enforcement.

Matt Harrison: It is an interesting one. There is an opportunity for social media companies to see the legislation not as an attack on them, but rather as providing them with the clarity about how they should be operating, what their practices should be and what their responsibilities are, because we have tried self-moderation and that has not worked. Companies are trying different things all the time, but this Bill should be seen as a positive for them in terms of that clarification. For companies that do not see it in that light, the enforcement is equally important to bring those who do not want to see the positives or take action back towards where we need them to be.

I hope it would start those different discussions, rather than not spending money because of a business model. It encourages a rethink. There are lots of people in these companies who want to do the right thing, encourage positive behaviour and get rid of harmful content, but the legislation is needed just to help people along and give power to those who want to do that, as well as to bring the stick down on those who just do not want to take any action.

Clare Pelham: I would be concerned at any move that might permit social media companies to act essentially as an enforcement agency for what are criminal offences. We need to be very clear that those are for the enforcement authorities in this country, the police, the CPS and so on. What might be an interesting opportunity to explore with them is perhaps the use of a yellow card for somebody perpetrating behaviour that is short of criminal but not something that anybody feels is advisable or to be recommended. Then we would be able perhaps to eliminate from

our feeds those who have yellow cards. That would be a way in which parents could help keep their children that little bit safer.

Q66 Suzanne Webb MP: It is of deep concern that we need this Online Harms Bill in the first instance, but we are seeing content that causes so much pain and it should be taken down in the first instance or just never, ever happen. I am guessing that we are coming to some sort of conclusion. Do you think there has been sufficient consultation? Have you been sufficiently consulted on this draft Bill in the first instance? When you leave here today, are you happy that you have furnished us with all the information that we need as a committee to take away and consider the draft Bill?

Ian Russell: I personally feel that the information has been provided and we have been involved as well as can be expected. It is a hugely complicated Bill. I am not an expert in these things, but Sarah Connolly recommended that I got the charity lawyers to pore through it and help me through it. She said that it is complicated even by parliamentary standards.

New technology needs new regulation, but it also needs a new style of regulation, and maybe that is not for this committee or for now. It is really important that this important piece of regulation is considered and gets on the books quickly, but it is also important to take the knowledge that you have gained as a committee and use that maybe to form some new style of legislation. Maybe, in the same way in which we protect our computers by installing the latest antivirus software, this needs to be constantly topped up, because tech moves at such a speed. Maybe a committee needs to be ongoing in order to inform and feed into the regulatory process, which must be fleet of foot enough to react quickly when tech moves and develops quickly.

I would just like to add some statistics about suicide. Papyrus UK, the suicide prevention charity for young people under the age of 35, states that 200 schoolchildren—this is backed by the ONS—are lost to suicide every year in the UK. Samaritans and University of Bristol research states that 26% of young people who had presented to hospital with self-harm or suicide attempts had used the internet in relation to that. If you combine those two figures alone, 26% of 200 people a year, roughly one person a week of school age in this country, are taking their life and being affected by what they have seen online. That is just a guesstimate. It might be very different from that, which is why the research is so important.

Time is of the essence and it is really important that something is achieved, even if it is only the first step. It is a great comfort to be here and see how much effort is being devoted to try to make the UK the safest place to be online in the world.

Izzy Wick: I would like to echo that. We are huge supporters of the Bill and particularly the ambition to put children front and centre. We recognise that the bar has been set very high for these companies. We

have engaged very productively with officials over the drafting period and there are many elements of the Bill that reflect the good conversations that we have had, but there are two major elements of the Bill that have changed since the full government response to the White Paper back in December that are of great concern to us.

The first is the general duty of care. What we have now is a laundry list of duties and we seem to have lost this overarching duty of care to address reasonably foreseeable harms. The issue with this is that it will not necessarily futureproof the Bill and will not account for emerging technologies and associated risks, which will mean that the regulator is constantly behind the curve. A much more straightforward approach would be to reintroduce this general duty of care to fulfil the safety objectives of the Bill, which are excellent.

The second is the scope of the harms that the Bill will address. The current draft has been a rebadging, so what we have is a content Bill. It focuses only on harmful user-generated content, when actually we need to be thinking about the whole range of risks that children and adults face online. To do that, we need to bring back in the word "activity". It needs to be looking at content and activity, which would bring in all the things that we have addressed today—the systems and processes of these platforms, and the other types of risks that children face online, as well as content risks.

Nina Jankowicz: I am not a UK citizen, but I am delighted to have been asked here today to talk about these issues. There are very few fora internationally where they are being spoken about, and the work that you all are doing is incredibly important. I hope that it will protect freedom of expression for women around the world and not just here in the UK.

There is one thing that I would compel you to do, as you continue your inquiry. I am cognisant that the five witnesses are all white. I know that you talked about racist abuse last week, but I encourage you to continue to pursue a really diverse panel of witnesses. I have not spoken about this as much today, but in our research we found it to be far and away the women with intersectional identities and marginalised communities who received orders of magnitude worse abuse, and often intersectional abuse as well, so it is not just gendered abuse. It is also transphobic abuse, or racist or racialised abuse. It is incredibly important to have that perspective, and I know you will do your due diligence as you move forward with this inquiry.

Matt Harrison: So far, we have been fairly happy with the level of engagement we have had. We are very happy to give evidence today. I could not agree more with the suggestions from Izzy about the Bill. I also have something else to say about the application of the Bill and the day-to-day impact it will have on users of social media, and ensuring that legislation and regulation actually impact people and reflect those experiences.

I could not say strongly enough how important it is that at every level—government, this committee, if it continues beyond the Bill’s passage, Ofcom or social media companies—users are engaged, particularly groups where there are disproportionate online harms, to understand what is happening and how their changes of policy and regulation are impacting their experiences, and to have that experience reflected back in any changes or amendments that are required by you, government or Ofcom. I could not stress highly enough how much we need to have those lived experiences reflected in policy.

Clare Pelham: I wonder whether I could make two points in response to your excellent question. First, I would like to pay tribute to the Government for this Bill, because it is a world-leading piece of draft legislation. At the Epilepsy Society, we feel that we have had really good engagement from DCMS, the Law Commission and parliamentarians across all parties.

Secondly, I would not be a bit surprised if those of you who are on social media are targeted, later today or tomorrow, as a consequence of this conversation. If you are, I would be really interested if you could raise the targeted messages you receive with the social media platform, without indicating that you are a parliamentarian, and see what response you get.

Q67 **Suzanne Webb MP:** I have a quick follow-up to that. I am conscious that we have taken up so much of your time. When this Bill is in place, in an ideal world what will online look like? What would you want it to look like in terms of the percentage of the behaviour going on, or not? I would like to see everything that you have described taken off completely, within a second of it ever happening. What do you think it is actually going to look like?

Ian Russell: The online world after the period of self-regulation, which patently has not worked, is more dangerous. As I have said, that is a problem for the online world, because it needs to do good. It is here for us to use to do good. The online world needs to be a better reflection of the offline world, in which dangers are controlled. The platforms using digital technology have an advantage. Make it safe, particularly for young and vulnerable people. In my mind, it will be a return to the world of the internet that I used 10 years ago, when it seemed to be a much safer place than it is now. The algorithms of the platforms seem to have propelled it towards a much darker and more dangerous place.

Izzy Wick: The digital world that we want to see is one in which children’s rights and needs are respected and upheld. It is as simple as that. There is some way to go to get there, but the Bill is a crucial part of that journey. If it is going to deliver for children, it needs to really focus, as Ian said, on the algorithms and some of the more fundamental problems that sit at the heart of the online ecosystem that we have today.

Nina Jankowicz: I would like to see a world in which women do not have to second-guess everything they write, say, tweet or put out online. We are pretty far away from that. We still cannot walk home through a park in the dark without fearing for our lives in many cases, and that environment is replicated online. It would be nice to feel not only that the social media platforms are doing their due diligence and upholding their duty of care, but that we have the backing of the Governments who represent us.

Matt Harrison: It is about people with learning disabilities using social media platforms with the confidence that the platforms have their backs should something go wrong, as is reflected in society when something goes wrong. People have confidence that the police, the law and the courts are behind them. It is very much about that confidence and, from that, you get the enabling aspects of social media, the breaking down of social barriers and the challenging of negative attitudes and stigma. It is just about removing those aspects, giving people confidence and making them feel included and empowered to take part in that community.

Clare Pelham: At the Epilepsy Society, we always try to be positive. My hope, following the Bill, would be that the online world is like the real world, but just that bit better, actually. That would be a lovely thing to happen. That is a great vision to have.

Q68 **Baroness Kidron:** I am sorry to bring you down, but my question is a supplementary to Tim's inquiry when we were talking about the structure of the Bill. I really understood what you said about risk assessments having to be broader and relevant to the companies, and then I heard you on minimum standards, but a very big part of the Bill is about terms and conditions—companies setting their terms and conditions and those being upheld. We are in a situation where nearly 100% of people do not read terms and conditions, so I just wanted to have a very quick round on what you thought about that structural issue in the Bill.

Nina Jankowicz: I like the emphasis on accessibility. I have always advocated for informed consent regarding terms and conditions of platforms. They should be written in plain English and should not be presented in a way that is a click-through, where you need to get your fix of posting dog and baby pictures, and you just accept cookies regulations that come up, like many of us do with the GDPR. It needs to be a much more involved and informed process. Any emphasis you can put on that is going to benefit the users in the long term.

Izzy Wick: I agree with Nina that the focus on accessibility is very welcome, but I would stress that it is not just about the presentation of published terms; it is about their content. We need some indication from Ofcom about what constitutes that floor of protection and what needs to be in those terms and conditions, particularly if Ofcom is expected to assess compliance with the regulation against the company's ability to uphold those terms and conditions.

Ian Russell: There is a veneer of usability about the platforms. They have to be easy to use, for people to want to use them. As soon as you get beneath that veneer to the 22,000 pages of the average terms and conditions, or whatever it is, it is a mystery to most people. They are a great example of how the user experience needs to be simplified for all, so that it is better understood and more readily understood by those who need to understand it.

Matt Harrison: The focus on accessibility is definitely the key point in this for people with learning disabilities. Understanding the current terms of service is mindboggling, actually. I am surprised if anyone at social media platforms understands what half of it requires of them in their roles, but then you open the whole can of worms with accessibility. I know the Bill talks about clear and accessible terms, but what that means is also its own debate and conversation. There is a big piece of work to be done there. Perhaps the drafters did not quite envisage what is meant by those terms, so we would like some discussion about what you mean by accessibility. Are you talking about length, the duties, or the content? That requires more exploration.

Clare Pelham: We would all agree that having voluminous terms and conditions is the same as not providing any terms and conditions, because none of us sits down and reads 54 pages of closely typed script. There is plenty of expertise in producing easy-read documents around the place, if they were to avail themselves of it. There must be a requirement to produce a synopsis of the key provisions on one side of A4, in a format that is accessible to the average reader. That is not impossible to do.

The Chair: Thank you very much. I appreciate the time that all the witnesses have made available to us today. It has been extremely helpful to our inquiry.