

Oliver Dowden's Oral Statement on the Online Harms White Paper consultation response

Mr Speaker, we now conduct a huge proportion of our lives online.

People in the UK spend an average of 4 hours 2 minutes on the internet every day. And of course we know that for children, it's even longer.

Of course, that technology has improved our lives in countless ways.

But as members across the House know, too many people are still exposed to the worst elements of the web: illegal content; racist and misogynistic abuse; and dangerous disinformation.

Those interactions may be virtual, but they are causing real harm.

Over three-quarters of UK adults express concerns about logging on, while a declining number of parents believe the benefits of their children being online outweigh the risks.

Mr Speaker, trust in tech is falling. That's bad for the public, and it's bad for the tech companies.

So today the government is taking decisive action to protect people online. Through our [full response to the Online Harms White Paper](#), we are proposing groundbreaking regulations that will make tech companies legally responsible for the online safety of their users.

That world-leading regime will rebuild public trust, and restore public confidence in the tech that has not only powered us through the pandemic, but will of course power us into the recovery.

Now, I know this legislation is highly anticipated on both sides of the House.

I want to reassure Members that when drafting our proposals, I sought to strike a very important balance:

...between shielding people from harm, particularly children...

...while also ensuring a proportionate regime that preserves one of the cornerstones of democracy – freedom of expression.

And I'm confident that our response strikes this balance.

Under our proposals, online companies will face a new and binding "duty of care" to their users, overseen by Ofcom.

And, if those platforms fail in that duty of care, they will face steep fines of up to £18 million, or 10 percent of annual global turnover. Now I know that a number of people, including Ian Russell, the father of Molly Russell, expressed concerns about this point. I do want to reassure him and member's of this House that the maximum fine will be the higher of those two numbers.

And platforms will no longer be allowed to mark their own homework.

To hold them to their responsibilities, I can also announce to the House that major platforms will be required to publish annual transparency reports to track their progress. This could include the number of reports of harmful content received and the action taken as a result.

Mr Speaker, this will be a robust regime requiring those at the top to take responsibility. I can therefore confirm that we will legislate to introduce criminal sanctions for senior managers with Parliament taking the final decision as to whether to introduce that.

And of course, we hope not to use these powers, and for tech companies to engineer the harm out of their platforms from the very outset. But have no doubt, they remain an option – and we will use them if we need to.

Together, those measures make this the toughest and most comprehensive online safety regime in the world. And they will have a clear and immediate effect.

...A 13-year-old should no longer be able to access pornographic images on Twitter...

...YouTube will not be allowed to recommend videos promoting terrorist ideologies...

...And anti-semitic hate crime will need to be removed without delay.

Those are just a few examples – but I know that the House will take a keen interest in the details of this legislation. So let me lay out a few key areas of action.

Our first focus is on illegal content, including child sexual abuse, terrorism and posts that incite violence and hatred.

Sadly, many members here today have themselves been the target of online abuse – some of which will have been illegal, such as threats of violence or hate speech. Unfortunately, that is particularly true for female members of this House.

This isn't only a problem suffered by people in the public eye. Close to half of adults in the UK say they have been exposed to hateful content online in the past year.

Under these new laws, all in-scope companies will need to take swift and effective action to remove criminal posts. If it's illegal offline, it's illegal online.

Users will be better able to report this abhorrent content, and can expect to receive more support from platforms.

Crucially, this duty of care will apply even when communications are end-to-end encrypted. Encryption cannot serve as a protection blanket for criminals.

And given the severity of certain threats, Ofcom will also be given powers to require companies to use technology to proactively identify and remove illegal content involving child sexual abuse or terrorism, as a power of last resort.

Of course, not all harmful content is illegal.

Every day, people are exposed to posts, images and videos that don't break any laws, but they still cause a significant amount of harm. We of course all know that cyberbullying can ruin a child's life.

But I want to address one particularly horrific form of legal content first.

Sadly, too many members here today will be aware of cases where children are drawn into watching videos that encourage self harm. Some find themselves bombarded with that content, ultimately sometimes ending in tragedy.

It is unforgivable that this sort of content should be circulating unchecked on social media. And given the severity of its consequences, I believe there is a strong case for making it illegal.

So I can today announce that the government has asked the Law Commission to examine how the criminal law will address the encouragement or assistance of self harm.

This is an incredibly sensitive area, and we need to take careful steps to make sure we don't inadvertently punish vulnerable people.

But we need to act now to prevent future tragedies.

And I know many members are particularly concerned about the effect online harm has on children. We have reserved our strongest and toughest protections for them.

All companies will need to seriously consider the risks their platforms may pose to children, and take action.

They will no longer be able to abdicate responsibility by claiming that children do not use their services when that is manifestly untrue, and we all know examples of that.

And we also expect them to prevent children from accessing services that pose the highest risk of harm, including online pornography.

Cutting-edge age assurance or verification technologies will be a vital part of keeping children safe online.

At the same time, we are going further than any other country to tackle other categories of “legal but harmful” content accessed by adults.

Major platforms will face additional obligations to enforce their own terms and conditions against things such as dangerous vaccine misinformation and cyberbullying.

Where they fall short, they will face the legal consequences.

Now I do know that some members are worried these regulations might impose undue burdens on smaller, low-risk companies. I can reassure them that we have included exemptions for such companies; as a result, fewer than 3% of UK businesses will fall within scope.

I also know that in this House we have always ardently championed freedom of expression. Robust and free debate are what give our democracy its historic strength.

So let me be clear Mr Speaker. The purpose of this proposed regime is not to stop adults from accessing content they disagree with. It is not our job to protect people from being offended, and I won't allow this legislation to become a weapon against free debate.

Therefore, we won't prevent adults from accessing or posting legal content.

Companies will not be able to arbitrarily remove controversial viewpoints, and users will be able to seek redress if they feel content has been removed unfairly.

Nor will I allow this legislation to stifle media freedoms or become a charter to impose our world view and suppress others.

I can confirm that news publishers' own content on their sites is not in scope, nor are the comments of users on that content.

This legislation Mr Speaker is targeted exactly where it needs to be, and tightly focused on delivering on our core manifesto pledge: to empower adult users to stay safe online, while ensuring children are protected.

So Mr Speaker, we have engaged extensively to get to this point, and this process is by no means over. We want all parliamentarians to feed in to this significant piece of work, and will continue to listen to their concerns as we go through pre-legislative scrutiny and beyond.

However, I am confident that today's measures mark a significant step in the continual evolution of our approach to our life online – and it's fitting that this country should be a step that our country takes.

The World Wide Web was of course invented by a Brit.

And now the UK is setting a safety standard for the rest of the world to follow.

I commend this statement to the House.