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Ethics Committee

30 June 2022

**Name of Cabinet Member:**

N/A - Ethics Committee

**Director Approving Submission of the report:**

Director of Law and Governance

**Ward(s) affected:**

**None**

**Title:** Online Safety Bill Update 2022

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**Is this a key decision?**

No

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**Executive Summary:**

The Ethics Committee has been keeping a watching brief on the programme of work coordinated by the LGA entitled “Civility in Public Life”. This work is in response to the increasing concern about intimidation and toxicity of debate and the impact this has been having on democratic processes.

To support this work the LGA has now started to develop a range of guidance and tools to support councillors and candidates in their online communications (also known as their “Digital Citizenship”) as it is now recognised that online communication is intrinsic to democratic engagement. A report was last brought to the Committee in December 2021 around this and both Civility in Public Life and Digital Citizenship remain part of the Committee’s work programme and this report is to provide an update of that local response.

Related to these topics, in February 2022, the Department for Digital, Culture, Media & Sport (DCMS) issued a press release, entitled: New plans to protect people from

anonymous trolls online. In summary central government have made additions to the Online Safety Bill to give Social Media users more control over what they see online and who can interact with them in an effort to fight against anonymous “trolls”.

### **Recommendations:**

The Ethics Committee is recommended to:

1. Note the content of the Press release: New plans to protect people from anonymous trolls online; and
2. Request that this item remains on the work programme of the Ethics Committee for continued review alongside the ongoing work around Civility in Public Life and Digital Citizenship.

### **List of Appendices included:**

None

### **Other useful background papers can be found at the following web addresses:**

Press release: *New plans to protect people from anonymous trolls online*. From: [Department for Digital, Culture, Media & Sport](#) and [The Rt Hon Nadine Dorries MP](#). Published, 25 February 2022: <https://www.gov.uk/government/news/new-plans-to-protect-people-from-anonymous-trolls-online>

Online Safety Bill: factsheet. From: [Department for Digital, Culture, Media & Sport](#) and [The Rt Hon Nadine Dorries MP](#). Updated April 2022: <https://www.gov.uk/government/publications/online-safety-bill-supporting-documents/online-safety-bill-factsheet>

Report of the Ethics Committee: Civility in Public Life and Digital Citizenship, December 2021: <https://edemocracy.coventry.gov.uk/documents/s51947/05%20-%20Civility%20in%20Public%20Life%20and%20Digital%20Citizenship.pdf>

### **Has it been or will it be considered by Scrutiny?**

No

### **Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

### **Will this report go to Council?**

No

## Report title: Online Safety Bill Update 2022

### 1 Context (or background)

- 1.1 The Council's Ethics Committee has requested that Civility in Public Life (and now Digital Citizenship) remains part of the Committee's work programme amid increasing concern about intimidation and toxicity of debate (both online and offline) and the impact this has been having on democratic processes.
- 1.2 The Online Safety Bill (the Bill) was published in draft in May 2021. In summary the Bill introduces new rules for firms which host user-generated content, i.e. those which allow users to post their own content online or interact with each other (ie Social Media), and for search engines, which will have tailored duties focussed on minimising the presentation of harmful search results to users. The primary focus of the Bill has been preventing and protecting children and young people from exposure to harmful material online, however the remit of the Bill has evolved since it was initially published last year to take into account the exponential rise in online trolling.
- 1.3 Two new duties have been added to the Bill in an attempt to tackle anonymous abusers:
  - i) The main Social Media firms will have to give people the power to control who can interact with them, including blocking anonymous trolls. This will give adults the ability to block people who have not verified their identity on a platform;
  - ii) The main Social Media firms will also need to offer tools to give people more control over what posts they see on social media, providing users with options to opt out of seeing harmful content.
- 1.4 The Government has accepted that too many people currently experience online abuse and there are concerns that anonymity is fuelling this, with offenders having little to no fear of retribution from either the platforms or law enforcement.
- 1.5 Over the past year people in the public eye, including England's Euro 2020 footballers, have suffered horrendous racist abuse. Female politicians have received abhorrent death and rape threats, and there is repeated evidence of ethnic minorities and LGBTQ+ people being subject to coordinated harassment and trolling. On a local level evidence has indicated that this is a major issue for Members in Coventry too.
- 1.6 First duty - user verification and tackling anonymous abuse

- 1.6.1 The vast majority of social networks used in the UK do not require people to share any personal details about themselves - they are able to identify themselves by a nickname, alias or other term not linked to a legal identity.
- 1.6.2 The idea is that removing the ability for anonymous trolls to target people on the biggest Social Media platforms will help tackle the issue at its root.
- 1.6.3 The Bill already places requirements on Social Media firms to tackle harmful content posted anonymously on their platforms and manage the risks around the use of anonymous profiles. This could include banning repeat offenders associated with abusive behaviour, preventing them from creating new accounts or limiting their functionality.
- 1.6.4 Under the new duty companies with the largest number of users and highest reach - and thus posing the greatest risk - must offer ways for their users to verify their identities and control who can interact with them.
- 1.6.5 The Government has recognised that banning anonymity online entirely would negatively affect those who have positive online experiences or use it for their personal safety such as domestic abuse victims.
- 1.6.6 It has been proposed that the new duty will provide a better balance between empowering and protecting adults - particularly the vulnerable - while safeguarding freedom of expression online because it will not require any legal free speech to be removed. While this will not prevent anonymous trolls posting abusive content in the first place - providing it is legal and does not contravene the platform's terms and conditions - it will stop victims being exposed to it and give them more control over their online experience.
- 1.6.7 Users who see abuse will be able to report it and the bill will significantly strengthen the reporting mechanisms companies have in place for inappropriate, bullying and harmful content, and ensure they have clear policies and performance metrics for tackling it.
- 1.6.8 Further information on how companies will be able to fulfil the new identity verification requirements will be set out by the regulator Ofcom in codes of practice.
- 1.7 Second duty - giving people greater choice over what they see on social media
  - 1.7.1 The Bill already forces large Social Media firms to remove illegal content such as child sexual abuse imagery, the promotion of suicide, hate crimes

and incitement to terrorism. However there is a growing list of toxic content and behaviour on social media which falls below the threshold of a criminal offence but which still causes significant harm. This includes racist abuse, the promotion of self-harm and eating disorders, and dangerous anti-vaccine disinformation. Much of this is already expressly forbidden in social networks' terms and conditions but too often it is allowed to stay up and is actively promoted to people via algorithms.

1.7.2 Under a second new duty, large Social Media firms will have to make tools available for their adult users to choose whether they want to be exposed to any legal but harmful content where it is tolerated on a platform.

1.7.3 These tools could include new settings and functions which prevent users receiving recommendations about certain topics or place sensitivity screens over that content.

1.8 The LGA has confirmed that it is pleased with the announcement in its initial response Chair of the LGA's Safer and Stronger Communities Board, Cllr Nesil Caliskan, has said: "Social media is a significant part of our everyday lives, and everyone should be able to access online platforms safely. These new duties reflect recommendations made by the LGA and will support people to feel safer online and to have more control over online interactions.

1.9 "Councillors experience daily online intimidation, abuse and threats made against them. These harmful behaviours are entirely unacceptable. Enabling councillors and other users to choose whether to engage with anonymous or unverified accounts is a valuable tool that still ensures those who need to remain anonymous online are able to do so."

1.10 Cllr Caliskan added: "The user empowerment duty will reduce the risk of online harm by allowing users to better control the content they see. We would encourage the Government to go further and ensure users can opt out of algorithms and 'suggested content' altogether.

1.11 "We would like to see Ofcom produce a mandatory Safety by Design Code of Practice to ensure providers consider and mitigate risks of harm, including minimum requirements for verifying social media accounts under the new user verification duty."

## **2. Options considered and recommended proposal**

The Committee are asked to:

1. Note the content of the Press release: New plans to protect people from anonymous trolls online; and
2. Request that this item remains on the work programme of the Ethics Committee for continued review alongside the ongoing work around Civility in Public Life and Digital Citizenship.

### **3. Results of consultation undertaken**

- 3.1 There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

### **4. Timetable for implementing this decision**

- 4.1 Any actions arising from this report will be implemented as soon as possible.

### **5. Comments from Comments from Chief Operating Officer (Section 151 Officer) and Director of Law and Governance**

#### **5.1 Financial implications**

There are no specific financial implications arising from the recommendations within this report.

#### **5.2 Legal implications**

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

### **6 Other implications**

None

#### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Not applicable.

#### **6.2 How is risk being managed?**

There is no direct risk to the organisation as a result of the contents of this report.

### 6.3 What is the impact on the organisation?

No direct impact at this stage.

### 6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

### 6.5 Implications for (or impact on) the environment

None

### 6.6 Implications for partner organisations?

None at this stage.

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