
Ethics Committee

29 June 2023

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Chief Legal Officer

Ward(s) affected:

None

Title: Online Safety Bill Update 2023 – Local Government Association (LGA) Press Release

Is this a key decision?

No

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”.

In April 2023 the Local Government Association has now called on the Government to amend its Online Safety Bill to include stronger provisions that protect councillors from online abuse.

Recommendations:

The Ethics Committee is recommended to:

1. Note the position of the LGA on the Online Safety Bill; and
2. Request that this item continues to be reviewed alongside the ongoing work around Civility in Public Life and Digital Citizenship.

List of Appendices included:

Appendix 1: Pdf press release from the LGA, 19 April 2023, which can be found at the following link: <http://pas.gov.uk/parliament/briefings-and-responses/online-safety-bill-committee-stage-house-lords-19-april-2023>

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

Report of the Ethics Committee: Online Safety Bill Update, June 2022:
<https://edemocracy.coventry.gov.uk/documents/s53704/05%20On%20Line%20Safety%20Bill%20Update%202022.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 2023 – Local Government Association (LGA)
Press Release**

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 In addition, the Bill confers new powers on the Office of Communications (OFCOM), which will enable the organisation to act as the 'online safety regulator'.
- 1.4 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.
- 1.5 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 recrimination from either the platforms or law enforcement.
- 1.6 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.

- 1.7 Further detail about the proposals in the Bill are contained in the Committee Report link provided above.

2 LGA Press Release

- 2.1 On 19 April 2023 the Local Government Association issued a press release, at Appendix 1, calling on the Government to amend the Online Safety Bill to include stronger provisions to protect councillors from online abuse.
- 2.2 The Bill is currently passing through the House of Lords and the LGA has said that stronger provisions are needed amid an increase in online intimidation that has the potential to dissuade members of the public from becoming councillors.
- 2.3 The LGA has recommended that the Bill include provisions to manage internet abuse levelled at councillors that fall below the criminal threshold and assurances from the Government that the democratic and journalistic protections set out in the bill "will not inadvertently protect perpetrators of abuse".
- 2.4 The LGA commented that: "Councillors are experiencing increasing levels of online intimidation, abuse and threats made against them, which can prevent elected members from representing the communities they serve and undermine public trust in democratic processes. We hope this bill will go some way in addressing the concerns we have heard from our membership ... However, we regret the removal of the harm-based communications offence by the government at committee stage in the Commons, which could have been an important tool in tackling this intimidation, harassment and abuse."
- 2.5 The LGA have confirmed that they support the overall aims of the Bill and "broadly welcome" the new threatening and false communication offences set out in the bill, as well as the user empowerment and verification duty that will enable users to control what content and users they interact with.

3 Options considered and recommended proposal

The Committee are asked to:

1. Note the position of the LGA on the Online Safety Bill; and
2. Request that this item continues to be reviewed alongside the ongoing work around Civility in Public Life and Digital Citizenship.

4 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 Finance Officer (Section 151 Officer) and Chief Legal Officer

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 One Coventry Plan

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) climate change and the environment

None

6.6 Implications for partner organisations?

None at this stage.

Report author: Julie Newman

Name and job title: Julie Newman, Chief Legal Officer

Tel and email contact: 02476 972707, julie.newman@coventry.gov.uk;

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Law and Governance	31/05/23	31/05/23
Sarah Harriott	Deputy Team Leader (Job-Share), Regulatory – Civil, Governance and Information	Law and Governance	31/05/23	31/05/23
Julie Newman	Chief Legal Officer	Law and Governance	31/05/23	05/06/23
Names of approvers for submission: (officers and members)				
Graham Clark	Lead Accountant – Business Partnering	Finance	19/06/23	19/06/23
Councillor S Nazir	Chair of Ethics Committee		12/06/23	13/06/23

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