

# Guide to the Online Safety Bill

This brief explainer highlights how the current iteration of the Online Safety Bill will work. It also provides some useful tips on how you can stay safe online.



## What is the Online Safety Bill?

The Bill is a draft UK law currently being considered by the UK Parliament. If passed, the Bill will become law and will impact everyone in the UK. The Bill’s stated aim is to make the UK the safest place to be online by:

- Making it more difficult for young people to access harmful content online;
- Imposing new legal responsibilities on companies that provide online services, such as social media sites and search engines; and
- Providing adults with greater choice over the content they see when using social media.

The Bill doesn’t apply to all websites - it focusses on online services which host content posted by other people (“user-to-user services” such as Facebook, Instagram and Twitter) and search services (such as Google, Yahoo and Bing). The Bill has different levels of protection for children and adults.

## Protections for young people

Until now, there have been few laws specifically created to regulate what content can be shared online. Online safety campaigners have long been concerned about the impact the unregulated internet is having on users, especially children. In response to this, the Bill creates a legal responsibility (a “duty of care”) for the operators of user-to-user services to protect users under the age of 18 from harmful content.

The Bill includes the following new requirements:

- Enforcing minimum age requirements – Where platforms specify a minimum age for users, the Bill requires them to clearly explain how these are enforced.
- Publishing risk assessments – the Bill requires user-to user services to carry out risk assessments on the dangers posed to users. These must be published to explain the steps that have been taken to comply with the Bill and allow parents, guardians and the wider public to understand the potential risks posed by using the service.
- Protecting children from harmful content published on the service – this includes, for example, ensuring that potentially harmful content is not displayed to users under 18. This content will, however, continue to be available to adults.
- Properly applying the Terms and Conditions – many social media sites already have policies about what content should or shouldn’t be allowed. In practice, these are inconsistently enforced. The Bill requires that affected services properly apply these rules in order to protect users.





## Protections for adults

While the Bill focuses on the need to protect young people online, there are some provisions that focus on protecting adults (which will benefit all users). These include:

- Ability to customise your feed – the Bill recognises that many adults may wish to voluntarily opt out of seeing content which is legal but may be harmful, such as content related to suicide or eating disorders. The Bill requires social media sites to allow adults to exclude certain types of content and customise what kinds of content they see.
- Block online trolls – services will need to provide users with the ability to block anonymous trolls. There is also an obligation to provide a way in which this content can be reported.
- Criminalising certain content – the Bill will make certain online activity illegal in some circumstances, including the encouragement of self-harm, the sharing of fake indecent images, the disclosure of (or threat to disclose) intimate images with the intention of causing distress and the sending of online threats.
- Remove content that is already illegal – the Bill strengthens the requirement on platforms within scope to ensure that content which is already illegal is removed from the service.

## How will the Bill be enforced?

**Ofcom**, the UK's existing communications regulator, will be responsible for making sure that platforms within scope comply with the new legal duties introduced by the Bill. Traditionally, Ofcom has been responsible for making sure that content broadcast on television and radio complies with the law. The Bill expands Ofcom's responsibilities to cover online content.

Ofcom will have powers to obtain information from website operators on how they deal with online harms and to take action if they fail to comply with their new duties. These include the power to:

- **Investigate** website operators and their compliance with the Bill;
- Issue **financial penalties** to companies that do not comply with their obligations under the Bill. Ofcom can issue a maximum fine of either £18 million or 10% of the company's global turnover (whichever amount is higher)
- Issue **guidance** on compliance with the Bill; and
- Issue **notices** requiring website operators to give information or cooperate with an Ofcom investigation. Failure to do so could result in senior managers at website providers facing criminal consequences.



## What is the verdict?

The Bill is a landmark step towards improving online safety for everyone. It has gone through a lot of changes since it was first introduced to Parliament in 2019 and:

- Some campaigners are concerned that the latest version of the Bill does not go far enough in addressing the volume of harmful content online. This is because many types of websites and potentially harmful content fall outside the scope of the Bill.
- Others think that the Bill goes too far in limiting what can be said online.



## What is next?

As the Bill is not yet law, it may continue to change before it is approved. At the time of writing, in January 2023, the Bill is intended to become law during 2023.

If you have opinions on the content of the Bill or its potential impact, you can make these known by contacting your local MP. Their contact details are available at <https://members.parliament.uk/members/commons>.

## Staying safe online

In the meantime, taking the following steps will help keep you safer online:

1. Stick to the age limit – most social media platforms have a minimum age limit of 13. This is there to protect you and make sure the content you see is right for your age.
2. Speak to an adult – if you see anything online that worries you or makes you feel uncomfortable, tell a trusted adult.
3. Question your sources – information online is not always true. Always check information with a trusted source before relying on it.
4. Keep it personal – if sharing with others online, keep safe by not giving out your personal information (such as name, address, email or phone number). Friends online are still strangers, even if you've been in contact for a long time.

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