

Parliamentary briefing: Second Reading of the Online Safety Bill, 19 April 2022

This briefing gives an overview of the key challenges, with case study examples, that Full Fact finds with the Online Safety Bill. [More detail can be found in the 2022 Full Fact report.](#)

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At present, the Online Safety Bill will leave the public vulnerable and exposed to online harms, and therefore falls short of the Government's aim of making the UK the safest place to be online. We need a robust and transparent regulatory regime that:

1. Effectively tackles the harms caused by mis- and disinformation, including in times of crisis and elections, and creates no loopholes such as on 'journalistic content' or content of 'democratic importance'
2. Improves media literacy in the UK
3. Protects freedom of expression online

Full Fact is calling on MPs to challenge, scrutinise and improve the Bill to protect free speech and properly address harm from mis- and disinformation.

Tackling harmful mis- and disinformation

There is currently no credible plan to tackle the harms from online mis- and disinformation through the Online Safety Bill. **The only reference to misinformation in the Bill is to set up a committee to advise Ofcom in Clause 130.**

As well as tackling and removing illegal material online, and better protecting young people, the Bill sets out how the biggest internet companies with the highest risk and reach will have to tackle content harmful to adults under their core adult safety duties. The Bill will do this by designating certain types of legal but harmful content as **"priority content harmful to adults"** in **Secondary Legislation**. Content harmful to adults is defined as content that **presents a material risk of significant physical or psychological harm** to an appreciable number of adults in the UK.

However Parliament has not yet had any oversight of what these kinds of priority content will be, nor when Parliament will see them. The Government has indicated that health mis- and disinformation could fall in this category, but this is not certain.

The present obligations on internet companies to tackle ‘priority content’ are limited. They will decide what kind of legal but harmful content is allowed on their sites, risk assess for it and set out in their terms of service how it will be dealt with. The only thing they will have to do about non-priority harmful content is alert Ofcom if they become aware of it. This means **a lot of harmful mis- and disinformation will be out of scope of regulation unless changes are made.**

Full Fact is also concerned that the Bill sets out no new provisions to tackle **election disinformation**, and has unclear **definitions of ‘journalistic content’ and content of ‘democratic importance’**, which could provide loopholes for harmful mis- and disinformation.

It is essential that the Online Safety Bill is amended to include effective measures to protect us from harmful mis- and disinformation:

- “Always having to be on guard is wasteful and fretful. And we had a very difficult last Christmas because our 50-year-old son is driven by all sorts of conspiracy theories, not least about vaccination.” **Full Fact supporter, 2022**
- “Being a member of the LGBTQ+ community we are particularly affected by certain types of misinformation that feeds discrimination and hatred against us.” **Full Fact supporter, 2022**
- **1 in 2 people report being targeted with disinformation ‘often’**, and 1 in 4 falsely believed a news story that wasn’t real ([Full Fact, 2021](#)).
- **74% of people are worried about the spread of misinformation** and believe false information online has a negative effect on democracy in the UK. ([Full Fact, 2021](#)).

Responding to mis- and disinformation in a crisis

Mis- and disinformation that arises during periods of uncertainty - either acutely during a terror attack or over a long period, as with a pandemic ([see case study below](#)) - are not effectively dealt with in the Online Safety Bill.

Currently, **Clause 146 doesn’t give Ofcom any new powers** beyond the ability for the Secretary of State to mandate Ofcom to prioritise its media literacy function, or make internet companies report on what they are doing in response to a crisis.

To protect us from harm during periods of uncertainty, Ofcom should have an active role in coordinating responses to information incidents and take a lead in openly identifying and addressing information vacuums:

- “My former partner has spiralled downward mentally after reading and believing all the misinformation. It has made things very difficult particularly concerning getting our children vaccinated.” **Full Fact supporter, 2022**
- Of those who said they saw news about Covid-19 on social media, **49% say they mostly saw conflicting facts about it** ([Reuters, 2020](#)).

Improving media literacy

Clause 103 of the draft Bill contained a proposed new media literacy duty to replace Ofcom’s existing media literacy duties, which date back to 2003. The Government has now scrapped the new duty and dropped it from the Bill. Media literacy initiatives in the Online Safety Bill are now only mentioned in the context of the risk assessments, but **there is no active requirement for internet companies to promote media literacy.**

To support Ofcom with their promotion of media literacy in the UK (and for a better regulatory framework), we want them to have increased duties to tackle mis- and disinformation, including provisions to research harms so they have better evidence on the problems and its solutions. **The regulator should also be required to publicly report on the progress it makes in increasing the media literacy of UK citizens.**

Good media literacy is the first line of defence from bad information online for all of us:

- “My brother fell for every piece of nonsense there is on YouTube. His mental health was already fragile but, eventually, he was living in a fantasy world where Covid wasn't real. Awful.” **Full Fact supporter, 2022**
- **40% of UK adult internet users don’t have the skills** to critically assess online content. Only 2% of children have the skills to tell fact from fiction online ([Gov.uk, 2021](#)).
- **A third of internet users were unaware of the potential for inaccurate** or biased information online ([Ofcom, 2022](#)).

Protecting freedom of expression

The Online Safety Bill does not yet effectively protect freedom of expression. The Bill requires internet companies to set out how they will deal with “priority content harmful to adults” in their terms of service, but it does not say how they could mitigate such content.

When internet companies take action on content that is false and harmful, there are many different methods that can be used online which mean restricting content should rarely be necessary. Internet companies can promote good information (such as the Covid-19 information centres Facebook and others have), have friction-introducing initiatives (such as read-before-you-share prompts introduced by Twitter), or highlight independent fact checking.

The Bill must be amended to ensure that measures internet companies take to tackle harmful mis- and disinformation protect freedom of expression.

Full Fact is also calling for the introduction of legal rules to enforce government transparency. Parliament should know when Government is pressuring internet companies to remove content.

Case study: Covid misinformation and pregnancy

There have been numerous information gaps during the pandemic, where scientific evidence did not yet exist or was contradictory. This included the safety of vaccines for pregnant women. **Online discussion quickly became dominated by speculation, low quality or partial information, and misinformation.** Both women and vaccination centres received mixed messages and pregnant women were not given second doses or thought they needed to start their course again. This caused widespread confusion, fear and inaction among pregnant women.

In the first half of 2021, the Royal College of Obstetricians and Gynaecologists found that only 40% of women offered the vaccine had accepted it. Of those not yet offered, 40% planned not to take it, and 20% were undecided. **The main reason for not getting the vaccine was waiting for more evidence to reassure them that it is safe for their baby.**

Pregnant women are at risk of getting severely ill with Covid-19. In October 2021, 1 in 5 of the most critically ill Covid patients were unvaccinated pregnant women.

Full Fact has partnered with Pregnant Then Screwed to tackle this kind of misinformation. As of February 2022, more than 1,100 unique queries had been answered via our service,

showing the extent of the gaps in good information.

Effective regulation could have ensured information vacuums on the safety of vaccines during pregnancy were addressed early on - vaccine centres could have been provided with better information, women could have made informed choices on their health, and those with Covid-19 symptoms admitted to intensive care could have been reduced.

Case study: Information incidents from terror attacks

The London Bridge attack, the Manchester Arena bombing and Westminster car attack all led to immediate demand for and production of news, with the press and social media saturated with updates, commentary and pulsing 'Live' red buttons within hours. As with most terror incidents **there is often a gap before information is confirmed, which may lead to a surge in false information, often with a hateful edge.**

Information incidents like this can cause real harm, including threats to physical safety and civil order, with targeted radicalisation of vulnerable users and inspiring further attacks, or risk of actual abuse with attacks on minority groups.

Technology itself can amplify harm during terror-related information incidents. During the **Christchurch mosque attack** a white supremacist gunman murdered 51 people in New Zealand and **live-streamed the attack, which spread and was viewed around 4,000 times before being removed.** In the aftermath, governments and internet companies committed to measures to reduce the risks from terrorist and violent extremist content being disseminated through livestreaming, with regular transparent public reporting, and ensuring cross-industry efforts are coordinated and smaller platforms are supported to remove terrorist and violent content.

Principle 1 of the Interim Code of Practice on Terrorist Content and Activity Online sets out provisions on terrorist content and its dissemination, providing detailed guidance to help companies understand how to mitigate risks from online terrorist content and activity.

However, terror attacks arrive rapidly, and even if risks have been assessed and preparation has taken place, there are often rushed and uncoordinated responses. It is not clear how the Online Safety Bill will ensure that the Government, Ofcom, the internet companies and others can effectively respond to information incidents and reduce the harm from terror-related events when harmful mis- and disinformation is not from online terrorist content or activity, but is in response to events that may be or are terror-related in the UK, or such events in other countries which people in the UK are affected by.

Case study: **Online conspiracy theories around 5G leading to offline harms**

5G conspiracy theories believe there are adverse health impacts from exposure to 5G radio frequency. **In 2019 Full Fact highlighted the information gap around the safety of 5G, long before it led to attacks on infrastructure and harassment of telecoms engineers.**

This was not acted upon by the Government or public health authorities in time, allowing the information vacuum to be filled by harmful conspiracy theories, which draw selective attention to official statements or academic studies. **The severity and scale of misinformation worsened when conspiracy theories about 5G converged with the Covid-19 pandemic in January 2020.** This included claims that Covid-19 symptoms were a “mass injury” from 5G, or that Covid-19 was a hoax to enable the Government to install 5G under the cover of lockdown.

In just a few weeks, we saw posts about 5G go from a niche corner of the internet to several fully fledged conspiracy theories and endorsed by celebrities. **This led to telecoms engineers being filmed or berated at work on new infrastructure which was seen as evidence that the Government was hiding something.**

The Government acknowledged this information gap in April 2020 and worked with health bodies and mobile infrastructure companies to create materials on the safety of 5G, and internet companies to promote the information on their sites. However, the prior response was insufficient to stem the tide of increasingly severe and harmful misinformation.

5G rumours have been remarkably **successful at infiltrating a variety of online communities – from anti-vaccination groups to climate change sceptics** – as well as offline spaces including UK parliamentary debates about the potential effects on health, or councils planning to block 5G as a result of misinformation.