

Parliamentary briefing: Report Stage (Lords) of the Online Safety Bill

This briefing sets out the amendments that Full Fact is supporting at Report Stage of the Online Safety Bill to tackle harmful misinformation and improve media literacy.

Full Fact is disappointed with the Government's wider failure to introduce adequate regulation to address harmful misinformation and disinformation, and protect freedom of expression through the Online Safety Bill. However, there are still some key improvements that can be made to the Bill at Report Stage.

- **Government amendments to update Ofcom's existing media literacy duty** will address the challenges faced by online users, and raise awareness and understanding of the methods people can use to spot misinformation online.
- **The Advisory Committee on Disinformation and Misinformation must be established quickly and its role enhanced** to oversee research, and advise Ofcom on their Codes of Practice.
- **Access to data for accredited researchers and civil society must be increased and enhanced**, and Ofcom should produce a Code of Practice on research access.
- **The Bill should introduce a transparent framework for Government efforts to influence platforms' content moderation decisions.**

Full Fact can support you with briefings, amendments and advice. Please contact Alison Trew, Policy and Parliamentary Relations Manager, alison.trew@fullfact.org

Media literacy

Throughout the passage of the Bill Full Fact has been calling on Parliament and the Government to amend the Online Safety Bill to address online media literacy.

Good media literacy is the first line of defence from bad information online. It can make the difference between decisions based on sound evidence, and decisions based on poorly informed opinions, that can harm health and wellbeing, social cohesion, and democracy. **But the UK has a vast literacy skills and knowledge gap which leaves us all at risk of harm.**

- In 2022, Ofcom found that [a third of internet users are unaware of the potential for inaccurate or biased information online](#).
- In 2022 Ofcom also found that [61% of social media users who say they are confident in judging whether online content is true or false actually lack the skills to do so](#).

The draft Bill presented for pre-legislative scrutiny proposed a new media literacy duty for Ofcom (replacing the one in section 11 of the Communications Act). Unfortunately the Government then scrapped that duty from the version introduced to Parliament.

Currently, media literacy initiatives in the Online Safety Bill are only obliquely mentioned in the safety duties in the context of the risk assessments, but there are no active requirements for internet companies to promote media literacy. The draft Bill's media literacy provisions need to be strengthened. Following pressure from Full Fact and others, the Government has agreed to amend the Bill and Ofcom's media literacy duty.

Full Fact supports Government amendments to update Ofcom's existing media literacy duty in the Communications Act 2003 to:

- properly addresses the challenges faced by users of regulated services today so that it includes raising awareness and understanding of the methods people can use to spot misinformation online, and how to identify good information from authoritative sources ([amendment 274B](#)),
- require Ofcom to publish a media literacy strategy, and then report each year on the progress made in achieving the objectives and priorities set out in the strategy ([amendment 274C](#)).

In addition, Full Fact is calling for stronger duties on Category 1 service providers and Category 2A search services to promote media literacy to their users.

The Advisory Committee on Misinformation and Disinformation

The only direct reference to misinformation in the Online Safety Bill is to set up a committee to advise Ofcom in Clause 141. However, this Advisory Committee has no identifiable powers or active role in tackling harmful misinformation and disinformation.

It is unclear how this Committee will fit with Ofcom's wider regulatory functions - which are currently very limited when it comes to misinformation and disinformation. At present there are

no guarantees about when the Committee will be up and running. If the Committee is going to serve a useful purpose it must be prioritised and its status and role strengthened.

Full Fact is calling on Peers and the Government to support amendments to the Bill that will enhance the remit of the Advisory Committee on Disinformation and Misinformation by ensuring that:

- it is established within 6 months of Royal Assent ([amendment 269C](#)),
- and the committee produces an assessment of whether there should be a dedicated Ofcom code of practice on misinformation and disinformation ([amendment 269D](#)).

Additionally, Full Fact would like to see Ofcom's existing research functions in section 14 of the Communications Act expanded so that Ofcom is required to arrange research into misinformation and disinformation on regulated services, and the effect that it has on the public (which the Advisory committee should then advise on).

Access to data

Access to good data about the operation of social media platforms is vital in holding internet companies to account and tracking the extent of online harms, building understanding of them and how they might be addressed.

Currently, access to this data is very limited, and companies can remove or restrict access at their discretion. Too often it has taken a whistleblower or a tragedy to expose safety critical issues in the operation of these platforms. The Online Safety Bill will do nothing to change this situation.

It must not be left to the companies to decide whether information about the risks on their platforms are made available for public interest focussed research.

Full Fact is calling on Peers and the Government to support amendments that will:

- increase and accelerate data access for accredited researchers and civil society organisations ([amendment 273A](#)),
- and require Ofcom to produce a Code of practice on access to data by researchers ([amendment 273B](#)).

Oversight of government influence on content moderation decisions

The Online Safety Bill should be amended to improve transparency of internet platforms' approaches to moderation, and government efforts to influence them.

An absence of adequate regulation of how platforms deal with misinformation and disinformation will leave us with the status quo - under which initiatives such as the Government's Counter Disinformation Unit regularly lobby internet companies about content on their platforms, including asking them to remove content, without transparency or scrutiny. Something that was a marked feature of the Government's response to the Covid-19 pandemic.

The Government undertakes valuable work on misinformation and disinformation, but with little parliamentary or legal scrutiny of their work, this is a threat to freedom of expression. Continued silence from Government on how it seeks to influence platforms risks creating a form of 'censorship-by-proxy'.

Full Fact is calling on Peers and the Government to support amendments on transparency of government attempts to influence platforms' content moderation, including:

- a requirement for the Government to publish details of its attempts to influence platform decisions about specific items of content, user accounts, or terms of service, including under the Government's Counter Disinformation Unit ([amendment 225](#)).

Full Fact recognises that some information, including matters of national security, may need protecting, but appropriate mechanisms of oversight could be established.

For more information or advice, please contact Alison Trew, Policy and Parliamentary Relations Manager, alison.trew@fullfact.org