

Online Safety Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 36

BARONESS MORGAN OF COTES
BARONESS KIDRON
THE LORD BISHOP OF GLOUCESTER
LORD KNIGHT OF WEYMOUTH

Page 36, line 42, at end insert “including a code of practice describing measures for the purpose of compliance with the relevant duties so far as relating to violence against women and girls.”

Member’s explanatory statement

This amendment would impose an express obligation on OFCOM to issue a code of practice on violence against women and girls rather than leaving it to OFCOM’s discretion. This would ensure that Part 3 providers recognise the many manifestations of online violence, including illegal content, that disproportionately affect women and girls.

Clause 79

LORD KNIGHT OF WEYMOUTH

Page 70, line 33, at end insert –

“(d) that the fees required under section 75 are sufficient to include funding by OFCOM of work by third parties to provide adequate media literacy resources pursuant to OFCOM’s duties under section 11 of the Communications Act 2003 (duty to promote media literacy) so far as relating to regulated services.”

Member’s explanatory statement

This amendment seeks to probe whether there are sufficient funds available to Ofcom to fulfil its online media literacy duties, and whether it is an appropriate use of the fees in Part 6 of the Bill.

After Clause 82

LORD KNIGHT OF WEYMOUTH

Insert the following new Clause –

“Duties of OFCOM under section 11 of the Communications Act 2003

- (1) Section 11 of the Communications Act 2003 (duty to promote media literacy) is amended in accordance with subsections (2) to (4).
- (2) In subsection (1), after paragraph (e) insert –
 - “(f) to bring about, or to encourage others to bring about, the development of a better public awareness of the business models, systems and processes by which regulated user-to-user services and regulated search services (see section 3 of the Online Safety Act 2023) provide online services, the potential harms encountered by users of these services, the user empowerment tools available to users of such services, and the complaints procedures available to users of such services.”
- (3) In subsection (2), after paragraph (b) insert –
 - “(c) made available on any other online environment operated by providers of regulated user-to-user services (see section 3 of the Online Safety Act 2023).”
- (4) After subsection (2) insert –
 - “(3) OFCOM must, within the period of two years beginning with the day on which the Online Safety Act 2023 is passed, and every three years thereafter, submit to the Secretary of State –
 - (a) an opinion regarding the level of media literacy among the general public in relation to regulated services as defined in section 3 of the Online Safety Act 2023, and
 - (b) an assessment of the extent to which OFCOM has fulfilled the duties under subsection (1), insofar as they apply to activity regulated under the Online Safety Act 2023.
 - (4) Upon receipt of any assessment under subsection (3), the Secretary of State must, as soon as practicable, lay the assessment before both Houses of Parliament.””

Member’s explanatory statement

This amendment would update Ofcom’s media literacy duties under the Communications Act 2003, including introducing a requirement for Ofcom to lay an assessment of its online media literacy work before Parliament (via the Secretary of State) every three years.

After Clause 84

LORD KNIGHT OF WEYMOUTH

Insert the following new Clause –

“Duties in respect of other public bodies

- (1) This section applies for the purposes of this Act.

After Clause 84 - continued

- (2) Public bodies, including (but not limited to) the Office for Standards in Education, Children's Services and Skills, have a duty to co-operate with OFCOM in the pursuance of its duties so far as they relate to activity regulated by OFCOM under this Act, whether or not those duties are established by this Act.”

Member's explanatory statement

This amendment seeks to probe how to ensure other public bodies assist Ofcom in its relevant regulatory functions, including education bodies such as Ofsted helping to raise the quality of media literacy in schools and colleges.

Clause 207

BARONESS MORGAN OF COTES
BARONESS KIDRON
THE LORD BISHOP OF GLOUCESTER
LORD KNIGHT OF WEYMOUTH

Page 171, line 35, at end insert –

““violence against women and girls” has the same meaning as “violence against women” in Article 3 of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (“the Istanbul Convention”).”

Member's explanatory statement

See amendment in the name of Baroness Morgan of Cotes at Clause 36, page 36, line 42.

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9 February 2023
