



Baroness Berridge of the Vale of Catmose

Parliamentary Under-Secretary of State for the School System
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Earl of Erroll
House of Lords
London
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28 July 2021

Dear Earl of Erroll

I am writing in relation to the question you asked in the House of Lords on 1 July 2021 on the repeal of Part 3 of the Digital Economy Act 2017 (“Part 3”) and age verification.

The draft Online Safety Bill is a major milestone in the development of new laws which will hold platforms to account on tackling harmful content and behaviours online. The highest level of protection in the Bill will be for children and their safety is a priority for the government.

The government has decided that the policy objective of protecting children from online pornography will be best delivered through the wider online safety framework, and the draft Bill therefore seeks to repeal Part 3. The draft Bill goes further than the Digital Economy Act to protect children from a broader range of harmful content on a wider range of services. All companies in scope will need to do far more to protect their users, including children, from being exposed to illegal content or activity on their services. In addition, services which are likely to be accessed by children will be required to provide further protections for children from content and activity which is legal but harmful to them. They will have a duty in legislation to undertake regular child risk assessments to assess the nature and level of risk of their service specifically for children, and be required to put in place effective systems and processes to protect children from harm on their service.

The legislation will capture the most visited pornography sites, and pornography on other sources such as social media, video-sharing platforms, forums and via image or video search engines. The majority of these would not fall within scope of Part 3, but will fall within the scope of online safety legislation. We expect companies to use age verification technologies to prevent children from accessing services which pose the highest risk of harm to children, such as online pornography. Ofcom will set out the steps companies must take to protect children in its codes of practice. If a company wishes to take an alternative approach, it must demonstrate that it delivers at least the same level of protection for children. Ofcom will have a range of enforcement powers at its disposal to take action in the event of non-compliance.

I am copying this letter to Baroness Kidron who tabled the initial question, and I will place a copy in the House Libraries once the House sits after Summer recess.

A handwritten signature in black ink that reads "ER Berridge". The letters "ER" are large and blocky, while "Berridge" is written in a cursive style. A long, thin horizontal line is drawn underneath the signature.

ELIZABETH BERRIDGE

PARLIAMENTARY UNDER SECRETARY OF STATE