

Your response

Please refer to the sub-questions or prompts in the [annex](#) to our call for evidence.

Question	Your response
<p>Question 1: Please provide a description introducing your organisation, service or interest in Online Safety.</p>	<p><i>Is this response confidential? – N</i></p> <p>Our vision is for the UK to be the best place in the world for people with a learning disability to live happy and healthy lives. We do this by supporting the 1.5 million people with a learning disability in the UK and their families, improving health and care services as well as access to education and employment. We also directly support approximately 4,000 people with a learning disability to live their lives the way they want. A learning disability is caused by the way the brain develops before, during or shortly after birth. It is always lifelong and affects intellectual and social development.</p> <p>Online safety is a significant issue for people with a learning disability, as well as safety within the community. Hate crime, mate crime, and exploitation are all serious issues that impact on people with a learning disability, as well as their online equivalents, including scams. It is for this reason that Mencap has run projects on online safety, and has been engaging with the process leading to the Online Harms Bill.</p>
<p>Question 2: Can you provide any evidence relating to the presence or quantity of illegal content on user-to-user and search services?</p> <p>IMPORTANT: Under this question, we are not seeking links to or copies/screenshots of content that is illegal to hold, such as child sexual abuse. Deliberately viewing such images may be a criminal offence and will be reported to the police.</p>	<p><i>Is this response confidential? – N</i></p> <p>We know that being online and using social media can be a great way for many people with a learning disability to connect with others. As sadly, we know that people with a learning disability tend to have fewer friends, are less likely to be in a relationship, and have fewer opportunities for socialising than the general population. Research suggests that 1 in 3 young people with a learning disability spend less than 1 hour outside their home on a typical Saturday (Mencap, 2019).¹</p>

¹ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/friendships-research-and-statistics>

	<p>However, we are increasingly finding that people with a learning disability say they often feel uncomfortable online due to actual or potential abusive comments, scams, and other harms (including hate crime).</p> <p>Many people with a learning disability turned towards social media during the pandemic to remain in contact with friends and family. While many gained new digital skills during this period, including using social media for the first time, it has made it more important than ever to ensure that social media platforms are accessible and have the right protections in place.</p> <p>Recent ONS statistics, reveal the prevalence for online bullying was significantly higher for children with a long-term illness or disability (26%) than those without (18%).² The COVID-19 pandemic only added to these issues. Our recent survey of families and carers revealed a mental health crisis in the wake of the pandemic with 82% of respondents saying their loved one felt lonely due to rarely being able to leave their homes³. However, wider data on the impact and prevalence of online harms towards people with a learning disability requires further work.</p> <p>We broadly welcome the intention of the Bill to regulate user-generated content platforms and a number of the measures being taken to do this.</p>
<p>Question 3: How do you currently assess the risk of harm to individuals in the UK from illegal content presented by your service?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

²<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/onlinebullyinginenglandandwales/yearendingmarch2020>

³ <https://www.mencap.org.uk/press-release/new-research-mencap-reveals-widespread-loneliness-almost-third-people-learning>

<p>Question 4: What are your governance, accountability and decision-making structures for user and platform safety?</p>	<p><i>Is this response confidential? –N</i></p> <p>N/A</p>
<p>Question 5: What can providers of online services do to enhance the clarity and accessibility of terms of service and public policy statements?</p>	<p><i>Is this response confidential? – N</i></p> <p>Key to tackling this issue is the provision of accessible materials, which is currently lacking from most providers. Providing accessible materials is a crucial element in empowering people with a learning disability to stay safe online and take action when required.</p> <p>The Bill states that the terms of service must be “clear and accessible” but this wording is vague and provides no indication as to what would constitute “clear and accessible” information. The Bill must include a requirement to ensure that that the terms of service are ‘accessible to adult users with a learning disability’ and for Ofcom to provide statutory guidance on how this duty can be met.</p> <p>Ensuring the accessibility of terms of service is crucial given the requirement, in clause 13 (2), for platforms to provide information from their latest risk assessment on levels of risk and harm as well as reporting mechanisms (clause 13(4)).</p> <p>Any accessible information should include ‘easy read’ style documents. Easy read is a way of communicating, using jargon free, simple to understand text and accompanying images.</p> <p>Key to producing good quality accessible communications is ensuring they are developed and co-produced with people with a learning disability. We hope that both Ofcom guidance as well as the materials platforms produce will take this approach.</p>
<p>Question 6: How do your terms of service or public policy statements treat illegal content? How are these terms of service maintained and how much resource is dedicated to this?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

Question 7: What can providers of online services do to enhance the transparency, accessibility, ease of use and users' awareness of their reporting and complaints mechanisms?

Is this response confidential? – N

People with a learning disability tell us that routes for raising concerns and registering complaints are often not accessible. Presently, there is a lack of easy read information in the reporting system and it is often difficult in reaching someone to speak with from social media platforms over the phone.

As mentioned above, accessible information, and in particular easy read, should be provided to users by all social media and other providers.

We welcome the continuity in dealing with complaints and reported material that the Bill promises. People with a learning disability tell us that the ways that reported content or complaints are dealt with can often be inconsistent. On some occasions reported content, sometimes very similar in nature, is dealt with by algorithms, at other times by moderators. Having human moderators alone is not the full answer to this question as human moderation can suffer from inconsistencies as a result of the discretion given to moderators, language or cultural differences of moderators to the users reporting content (as they can be based in another country creating language or cultural differences). Algorithms raise specific concerns, the most common being whether the algorithm correctly interprets context and is updated regularly enough to reflect changes in sensibilities and the development of new 'slang'.

This inconsistency of experience also applies to how platforms communicate with those who have reported content or launched a complaint. While some platforms provide quick responses others do not update users as to the progress of their report or complaint. People with a learning disability have told us that this inconsistency impacts on their ability to trust the reporting mechanisms currently available.

The Bill will help smooth these processes and bind social media platforms into a consistent pattern which people with a learning disability

	<p>can begin to rebuild their trust in and know they can rely upon.</p>
<p>Question 8: If your service has <i>reporting or flagging</i> mechanisms in place for illegal content, or users who post illegal content, how are these processes designed and maintained?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 9: If your service has a <i>complaints</i> mechanism in place, how are these processes designed and maintained?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 10: What action does your service take in response to <i>reports</i> or <i>complaints</i>?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 11: Could improvements be made to content moderation to deliver greater protection for users, without unduly restricting user activity? If so, what?</p>	<p><i>Is this response confidential? – N</i></p> <p>One area which could make a significant difference in moderating content accurately is providing awareness training to moderators on learning disability as well as other groups deemed more likely to be subjected to online harms and illegal content. Raising awareness levels of learning disability would provide human moderators with better understanding of the context in which comments or posts are made and why these have been flagged or reported. It will also support human moderators to engage with people with a learning disability who have reported or flagged content.</p>
<p>Question 12: What automated moderation systems do you have in place around illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

<p>Question 13: How do you use human moderators to identify and assess illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 14: How are sanctions or restrictions around access (including to both the service and to particular content) applied by providers of online services?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 15: In what instances is illegal content removed from your service?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 16: Do you use other tools to reduce the visibility and impact of illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 17: What other sanctions or disincentives do you employ against users who post illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 18: Are there any functionalities or design features which evidence suggests can effectively prevent harm, and could or should be deployed more widely by industry?</p>	<p><i>Is this response confidential? – N</i></p> <p>There has been a lot of discussion around the role that ID verification of accounts could have on preventing or reducing online harms. However, the accessibility of any such process requires careful consideration to ensure that people with a learning disability are not inadvertently disadvantaged in accessing the benefits of this proposed security measure.</p> <p>The Government’s approach to anonymous accounts in the Bill is a positive step providing a balanced approach. While the ability for users to block non-verified accounts could help counter online harms people with a learning disability face, the key to the success of this measure is around making the system accessible and easy to use.</p>

	<p>However, the Bill does not provide adequate assurances on accessibility with clause 57(2) allowing platforms to use any verification process they wish. This is likely to result in different platforms having different verification requirements, making the process complicated and confusing for many people with a learning disability. It also risks some platforms excluding many people with a learning disability from accessing the benefits of verification should they set a high bar, for example the provision of a passport or driver's license - documents that many people with a learning disability do not have.</p> <p>To prevent this, the guidance Ofcom will be required to produce on user identity verification, under clause 58, should be mandatory. This would ensure a blanket approach is taken across all platforms, that any learnings on accessibility can be applied across platforms, and that the risk of excluding people with a learning disability is minimized.</p>
<p>Question 19: To what extent does your service encompass functionalities or features designed to mitigate the risk or impact of harm from illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 20: How do you support the safety and wellbeing of your users as regards illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 21: How do you mitigate any risks posed by the design of algorithms that support the function of your service (e.g. search engines, or social and content recommender systems), with reference to illegal content specifically?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

<p>Question 22: What age assurance and age verification technologies are available to platforms, and what is the impact and cost of using them?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 23: Can you identify factors which might indicate that a service is likely to attract child users?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 24: Does your service use any age assurance or age verification tools or related technologies to verify or estimate the age of users?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 25: If it is not possible for children to access your service, or a part of it, how do you ensure this?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 26: What information do you have about the age of your users?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 27: For purposes of transparency, what type of information is useful/not useful? Why?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>
<p>Question 28: Other than those in this document, are you aware of other measures available for mitigating risk and harm from illegal content?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

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