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## UK Publishes Online Harms White Paper Proposing New Framework for Regulating Harmful Content Online

The UK recently proposed a new framework for Internet regulations, published in the [Online Harms White Paper](#), that could affect the entire online ecosystem if laws based on the framework are enacted. As the U.S. and other countries grapple with how to work with social media platforms to better police their content, the White Paper signals the UK's proactive approach to impose government oversight and regulation of online content.

### What is it?

While the White Paper outlines the goals for legislation, a specific law will not be proposed until at least July 1. Most notably, the White Paper proposes a regulatory framework that would include a **statutory duty of care** for all companies that provide or facilitate access to user generated content, requiring them to remove harmful content, and would create a special regulatory authority with significant new enforcement powers to oversee them. The specific content addressable under the framework includes well-understood concepts like terrorism, slavery, various types of pornography, harassment, stalking, and other illegal content, but also includes concepts with less clearly defined definitions that might not otherwise be illegal, like cyberbullying, extremist content, disinformation, and coercive behavior.

### Who would need to comply?

The framework would apply to various online platforms, including social media platforms, file hosting sites, public discussion forums, messaging services, and search engines, that provide services to users in the UK, regardless of where the company is based. Like the General Data Protection Directive (GDPR), it would be intended to have extra-territorial effect.

The UK regulatory authority would require all covered companies to provide an annual transparency report describing the prevalence of harmful content on their platforms and the steps they have taken to eliminate it. Companies would be required to comply with codes of conduct promulgated by the regulator and would also be expected to provide clear and easy complaint mechanisms for users.

### How will it be enforced?

The framework would designate an independent regulator to review companies' content moderation decisions and may consider "super complaints" on behalf of multiple users. ISPs could also be authorized to enforce the ban on certain content. The UK views the framework as one piece of a developing international network, which it will rely on to remedy a global harm.

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Enforcement mechanisms might include public notice of a company's failure to meet standards and civil, or possibly even criminal, penalties for senior executives. Enforcement would be "proportional" to the type of harm at issue, but would likely include GDPR-level fines, consistent with the fining structure of the EU competition authority.

### Related Professionals

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