

The Rt Hon Michelle Donelan MP
Secretary of State for Science, Innovation and Technology
Sent by email

4 August 2023

Dear Secretary of State,

Online Safety Bill: Clause 64

On behalf of animal protection and anti-wildlife trafficking organisations, we are writing to urge you to retain clause 64 within the Online Safety Bill, as amended by the House of Lords.

Clause 64 derives from Lords report stage amendment 180, tabled by Baroness Merron and Lord Clement-Jones and [voted through into the Bill](#) on 12th July. It requires the Government to review whether involvement in online content relating to animal torture constitutes offences under the Communications Act 2003 and Animal Welfare Act 2006. If the review finds this is the case, the amendment requires that these offences be added to schedule 7 of the Bill.

The passing of this amendment by peers reflects growing concern about online content showing animal torture, and a broadening consensus that the Online Safety Bill is an appropriate legislative vehicle to tackle it.

The recent BBC documentary, 'The [Monkey Haters](#)', revealed that hundreds of people, mainly in the UK and USA, meet online to discuss, request, and pay for extreme and sadistic torture to be inflicted on baby monkeys. The torture and killing are recorded, and the footage posted on social media platforms. Through earlier stages of the Bill, parliamentarians of all parties raised the harmful impact of such content upon people who encounter it online and recommended that this be addressed through the Bill.

The impact on children was acknowledged at the start of Lords report stage, through Government amendment 172, which defined content that depicts serious violence against an animal as 'priority content' harmful to children. This welcome amendment was passed on 12th July. The same debate saw the impact of animal torture on adults conceded, with the Parliamentary Under-Secretary of State, Viscount Camrose, recognising "*the psychological harm that can be caused to adults by seeing this type of content.*" Previous Government attempts to [\(erroneously\)](#) claim that animal torture offences could not take place online were not repeated. Viscount Camrose went on to offer the inclusion of human harms from animal torture content within the Government's ongoing assessment of communications offences which could in future be added to schedule 7.

This was not enough for the majority of peers, who voted for amendment 180 and its assurance that involvement in online content relating to animal torture would be automatically added to schedule 7 if confirmed to be offences under the Communications Act 2003 and Animal Welfare Act 2006.

The will of the House of Lords has been clearly shown, favouring the most robust options for tackling animal torture content within the Bill. The Government has the opportunity to heed this, retain clause 64 within the Bill, and demonstrate UK leadership in pioneering robust legislative measures to tackle a hideous and growing form of animal cruelty, harmful to the animals involved and to people who view it.

In assuming this leadership, we also urge the Government to look to extend the review under clause 64 to include wildlife trafficking offences. Bustling markets for illegal wildlife products and exotic pets from threatened species [are to be found](#) on the world's largest social media platforms, including Facebook, Instagram, Snapchat and WeChat. The scale of online wildlife trafficking within the UK is so great that the National Wildlife Crime Unit [reports](#) that virtually all investigations they take up have a social media or eCommerce component to them, and many converge with other serious crime.

Such trafficking constitutes offences under the Control of Trade in Endangered Species Regulations 2018 (COTES). These offences should be included in schedule 7 of the Online Safety Bill, on the same grounds that offences under the Misuse of Drugs Act 1971 are already included. Both sets of offences involve use of the internet as an online forum for commerce in illegal goods. The case for COTES inclusion in schedule 7 was strongly argued at report stage on 12th July.

It is important to stress that the inclusion of animal welfare and wildlife trafficking offences within schedule 7 would be a moderate, reasoned expansion to the schedule. With report stage concluded, there is no opportunity for further rafts of offences to be added, beyond those animal welfare offences the House of Lords has already taken steps to include. Schedule 7 is not at risk of dilution at this very late stage of the Bill.

Thank you for your consideration of retaining, and potentially slightly expanding, clause 64 of the amended Online Safety Bill. Such a course of action would command strong support from the organisations we represent, and the many thousands of people concerned by the BBC's exposure of online monkey torture networks and wider online animal cruelty and trafficking. This large swathe of the public would be very concerned should the Government seek to remove clause 64 from the Bill.

Yours sincerely,

Sonul Badiani-Hammett, Country Director, FOUR PAWS UK
Claire Bass, Senior Director Campaigns and Public Affairs, HSI UK
David Bowles: Head of Public Affairs and Campaigns, RSPCA (England and Wales)
Matt Browne, Head of Policy & Advocacy, Wildlife & Countryside Link
Chris Butler-Stroud, CEO, Whale and Dolphin Conservation
Nedim C Buyukmihci, V.M.D, Co-founder, Action for Primates
Sarah Carr, CEO, Naturewatch Foundation
Jan Creamer, President, Animal Defenders International
Tricia Croasdell, UK Country Director, World Animal Protection
Jamie Gilardi Ph.D., Executive Director, World Parrot Trust
Frances Goodrum, Head of Campaigns and Programmes, IFAW UK
Peter Hambly, Executive Director, Badger Trust

Iris Ho, Head of Campaigns and Policy, Pan African Sanctuary Alliance
Nina Jackel, Founder, Lady Freethinker
Duncan Jepson, Managing Director, Liberty Shared
Andrew Kelly Ph.D., Director, Freedom for Animals
Nicola O'Brien - Lead Coordinator, Social Media Animal Cruelty Coalition
Lorraine Platt, Founder, Conservative Animal Welfare Foundation
Gretchen Peters, Executive Director, Alliance to Counter Crime Online
Ian Redmond OBE, DSc(hc), Chairman, Ape Alliance, Head of Conservation, Ecoflix
Will Travers OBE, Executive President, Born Free Foundation
Patricia D Tricorache, Illegal Wildlife Trade Expert

Replies can be sent to matt@wcl.org.uk

CC:

The Rt Hon Therese Coffey MP, Secretary of State for Environment, Food and Rural Affairs
Lucy Powell MP, Shadow Secretary of State for Digital, Culture, Media and Sport
Jim McMahon MP, Shadow Secretary of State for Environment, Food and Rural Affairs
Baroness Merron
Lord Clement-Jones