

**The Children's
Commissioner's response to
Ofcom's *'Protecting people
from illegal harms online'***

February 2024

Introduction

“They should make a kid mode on computer so then they find out how old you are and if you’re older than 18 you won’t be allowed in that mode and that mode will be easier for children to use because they will use easier words and add some pictures. Add no ads so they will not get stressed out and they will make sure no one over 18 can play in this mode. Also they will make it so you can’t say bad words on bad games. Finally they will make sure you are safe on your app and no one will send creepy messages.” – Girl, 10.



This is a written response by the Children’s Commissioner to Ofcom’s consultation, *Protecting people from illegal harms online*, on the draft codes of practice relating to illegal content under the Online Safety Act 2023.¹

The Children’s Commissioner, Dame Rachel de Souza, has a statutory independent role to protect and promote the rights of children in England and for children around the United Kingdom on issues reserved for the UK Parliament, with particular regard for children living away from home or receiving children’s social care. Her priority is to bring the views and interests of children to the heart of Government.

Online safety is an issue reserved for the UK Parliament. The Children's Commissioner works closely with colleagues from the devolved nations to ensure that the views of children from around the United Kingdom are reflected on this issue.

Sections 41(6)(h) and 215(4)(e) of the Online Safety Act 2023 name the Children's Commissioner as a statutory consultee. The former requires Ofcom to consult the Children's Commissioner when creating or amending a code of practice issued under the Act.

Content warning

This response makes reference to illegal and harmful content found online. This includes descriptions of child sexual exploitation and abuse (CSEA), child sexual abuse material (CSAM), pornographic content, sexual acts, suicide and self-harm, sexual harassment and bullying, and violence. The Children's Commissioner's office (CCo) acknowledges that this content may be difficult to read. However, we think it is important to understand how illegal and harmful content impacts young people, in order that we may better protect all children from harm. We encourage you to take care of your own wellbeing when reading this report.

Receiving support

If you are affected by the issues discussed, the following organisations can provide you with expert information, advice and support:

The logo for Childline, featuring the word "childline" in a bold, lowercase, blue sans-serif font.

Childline is a free and confidential service for under-19s living in the UK: [childline.org.uk](https://www.childline.org.uk) | **0800 1111**



Shout provides 24/7 urgent mental health support: [giveusashout.org](https://www.giveusashout.org) | text **SHOUT** to **85258**

Evidence

Principles for codes of practice under the Online Safety Act

Since 2021, the Children's Commissioner has made online safety and delivering robust safeguards in the Online Safety Act a priority. Below is a summary of the key principles that she believes must be met in the implementation of the Online Safety Act.

In April 2022, the Children's Commissioner established six priorities for the success of the Online Safety Act, which were co-signed by 15 leading children's rights groups and internet safety experts.² These priorities are:

1. Place a duty of care on platforms and hold them accountable when children experience harm. Robust transparency reports and binding Codes of Practice will be key to this.
2. Require all platforms likely to be accessed by children to be in scope of the Act so children are protected everywhere they are online.
3. Require risky platforms to establish which accounts belong to children and offer higher levels of protection to them. Platforms should be required to implement privacy-preserving, inclusive, and effective age assurance technology, proportionate to the level of risk they carry. Safe services should not be required to introduce age assurance.
4. Cover all pornography sites and services and require these companies to implement robust, privacy-preserving age verification.
5. Align 'online' and 'offline' laws and protections.
6. Empower children's voices and rights in the digital world.

The Children's Commissioner was commissioned by the Secretary of State for Digital, Culture, Media and Sport and Secretary of State for Education to bring the voices of children to the Online Safety Act.³ Published in March 2022, the following recommendations were made:

1. Ofcom should be given the power to direct companies to use proportionate age verification and assurance on platforms which pose risk to children. This should be accompanied by good quality guidance on how these systems should operate in respect to data retention, inclusion, and efficacy.
2. There should be a dedicated complaints and advocacy route for children, particularly when they are victim to sexual abuse online, based on the model of the Australian eSafety Commissioner. Trends in reporting should be used to inform Ofcom's policies and regulatory practices.
3. Ofcom should have the power to direct companies to use proportionate and accurate tools to scan for child sexual abuse material (CSAM) and child sexual exploitation and abuse (CSEA) on private messaging platforms. Ofcom should not have to compile evidence on the prevalence or persistence of these crimes before it takes action.
4. Tech firms should be required to share information with one other relating to child sexual abuse and exploitation (CSEA) on their platforms. Specifically, firms should be required to collaborate on detecting and removing offenders and reporting them to the police, and eradicating child sexual abuse material (CSAM) from their platforms.
5. Ofcom should be granted the power to impose criminal sanctions on senior managers in response to any serious breach of the duty of care, not just when platforms fail to share information.
6. Standards on internet pornography should be aligned with offline standards on adult content – as they are already regulated by the BBFC. This should ensure that extreme pornography (e.g. necrophilia, bestiality, life-threatening sex acts and acts involving serious violence) and harmful pornography (e.g. depiction of non-consensual, abusive and pain-inducing sex acts) are also prohibited in the online world.
7. The Government should accept the Law Commission's recommendations to create specific offences, on the face of the Online Safety Act. We are delighted that the Government has announced a new offence of 'cyberflashing' will be included within the Act. We strongly encourage Government to accept all of the Law Commission's recommendations in this area.

These were accompanied by recommendations for the tech industry:

1. Development of better solutions to age assurance: Age assurance is not a silver bullet, platforms need to be safe by design too. However, the majority of 16–21 year olds told us that age assurance is the single feature which they would introduce to keep a younger sibling or cousin safer online. Young people care about this and want platforms to do more to remove underage users. We believe solutions should be designed carefully to (a) protect personal data, to (b) be effective in assessing age (and mitigating the risk that children will lie about their age) and to (c) be inclusive of the needs of all children, including those with SEND and those without a stable home environment.
 2. Introduce greater support for child victims of image-based abuse: It is unacceptable that victims of image-based abuse often do not report to a platform because they think that no action will be taken. Platforms should invest in better reporting functions and expand moderation teams, ensuring that systems are clear, easy to use and CSAM is taken down rapidly. Platforms should also signpost to high-quality support services for victims and their families. As an additional step, we would also like platforms to communicate offences with one another to prevent the rapid spread of self-generated CSAM across multiple social networking platforms.
 3. Ensure that reporting functions are visible, child-friendly and effective.
 4. Platforms which host pornography (i.e. do not restrict adult content under terms of service) should age verify users, at the very least on adult content.
 5. Platforms should use age-appropriate engagement and recommendation algorithms and be more transparent with users and regulators on their design: The vast majority of children told us that they had seen harmful or disturbing content on social media. Often this had been recommended to them on 'Discover' or 'For You' pages which cultivate content based on the user's interactions and interests. Platforms should do more to screen harmful content and ensure that it is not recommended to accounts belonging to under-18s. We believe that tech firms should also be more transparent with children and with regulators / child protection experts on how their engagement algorithms operate.
 6. Ensure that child-safety settings are turned on across all accounts as a default.
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These were accompanied by recommendations for the adult industry:

1. Implement robust age verification: We understand that there are commercial constraints which prevent adult sites from implementing age verification now, so long as their competitors are not also compelled to do so. Yet all the adult sites with which we engaged agreed that they need to do more to prevent children from seeing harmful explicit content. The single greatest step any adult platform can make is to implement robust age verification. We would like the biggest industry players to lead the way here by committing to age verification as a priority.
2. Greater industry-wide action on CSAM: A 2021 New York Times (NYT) investigation found that Pornhub – the world’s largest adult site – was infested with child sexual abuse material (CSAM). This included material which had been repeatedly flagged to the platform by victims. The investigation led to Visa and Mastercard severing financial links with the platform, which now relies on payment by cryptocurrency. Following the NYT and Visa/Mastercard investigations, it was positive to see MindGeek take steps to clamp down on the prevalence of CSAM on Pornhub – including with the deletion of all non-verified user content. However subsequent investigations found that Pornhub’s biggest competitor, XVideos, is also teeming with illegal CSAM. We would like to see serious action taken across all adult sites, including on MindGeek’s smaller platforms. There should be no place for CSAM to hide.
3. Enhanced reporting functions for child victims of image-abuse on adult sites.
4. On-site links to tools, information and advice for parents and children: While we wait for widespread adoption of proper age verification technology, we would like adult platforms to do more to support children who stumble across this content. Research shows that children as young as 8 regularly stumble across explicit content, this includes videos depicting serious sexual violence and rape and ‘extreme’ pornography (as classified by the BBFC). Adult platforms should provide direct links to high-quality advice for both children and parents, as well as teachers.

In September 2022, the Children’s Commissioner published results from a survey of children and parents on children’s digital childhoods.⁴ This report contained the following principles for the Online Safety Act:

1. Children’s voice: A strong, independent voice for children enshrined in the Act.
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2. Recognition of childhood: Ofcom should draw up a Code of Practice on proportionate age assurance as a priority. Standards should be privacy-preserving, inclusive, and effective. I urge tech firms to develop and roll-out technology which meets these principles ahead of regulation.
3. A collaborative approach: Platforms should be required to work together on child safety, sharing insights and best practice. This should include a requirement on platforms to share information on cross-platform child sexual abuse and exploitation (CSEA), such as 'breadcrumbing', and child sexual abuse material (CSAM)

In May 2023, the Children's Commissioner published evidence on pornography's influence on harmful sexual behaviours among children.⁵ That report included the following recommendations:

2. The Act must ensure that all platforms which host pornography have robust age verification on adult content in place, and that the requirements to protect children from online pornography are consistent across all types of regulated services – both user to user sites and pornography providers.
3. The Act should mandate that all sites remove illegal content, including child sexual abuse material.

Summary of evidence on children's experience of illegal and harmful content online

In 2022, the CCo published analysis of a nationally representative survey of 2,005 children aged 8-17 and their parents.⁶ It found:

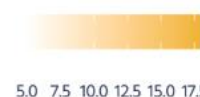
- 65% of 8-12-year-olds use a social media platform and 91% of 13-18-year-olds do so.
 - Across seven platforms surveyed, between 36%-79% of users aged 8-17 are under the minimum age in the terms of service.
 - Most parents (67%) are concerned about the nature of content their children are exposed to online, and the majority of parents use online safety tools.
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- 45% of children aged 8-17 have seen content they felt was inappropriate or made them worried or upset. Boys were more likely than girls to have seen harmful content.
- Children with Free School Meal status were more likely to see every type of harmful content online.
- 50% of children who saw harmful content reported it, older children and girls are less likely to report harmful content.
- 40% of children who didn't report harmful content told us they didn't report because they felt there was no point in doing so, while only 15% felt that the content didn't need to be reported.
- Of children who did report harmful content to the platforms, 25% saw no action on their reports and 10% weren't sure whether anything happened as a result of their report. Girls were less likely than boys to see action on a report of harmful content.
- 70% of children (increasing to 75% of 16-17-year-olds) and 90% of parents think that social media platforms should enforce minimum age requirements.

Percentage of children aged 13-17 who saw harmful content in the last month by platform and type of content

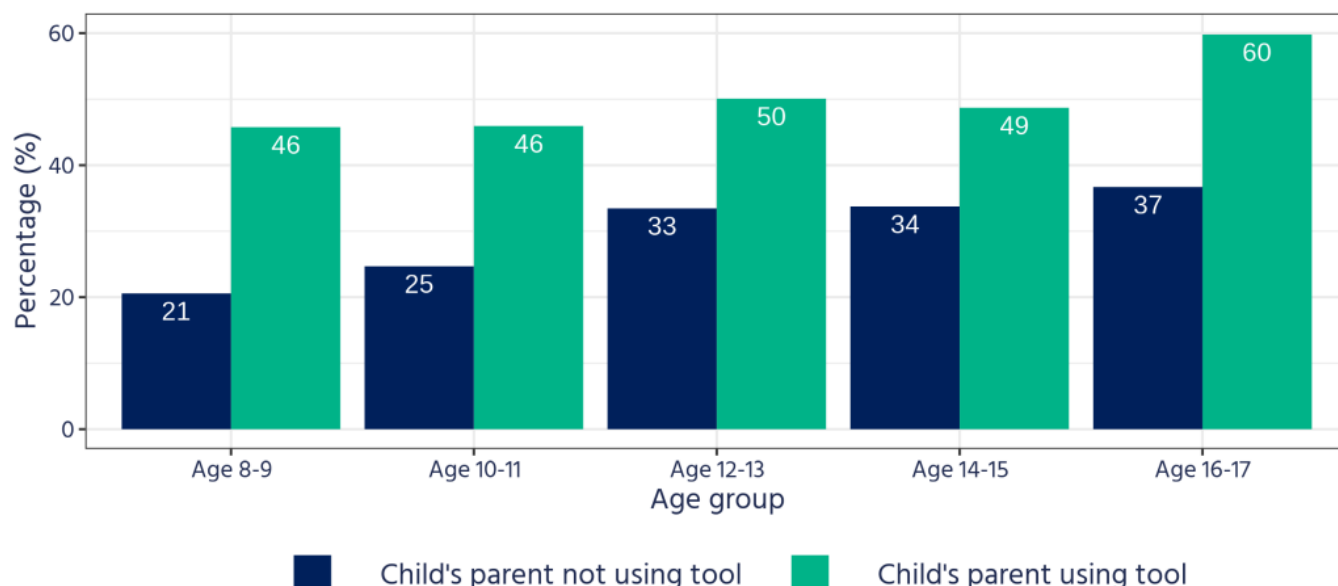
	Anonymous Trolling	Sexualised images	Violent or gory content	Images of diet restriction	Pornography	Self-harm
Youtube	12	11	14	8	6	7
Whatsapp	10	9	8	5	6	5
Twitter	18	11	11	8	8	8
Tiktok	15	15	12	7	8	7
Snapchat	12	12	11	8	8	7
Instagram	14	12	10	10	7	6
Facebook	17	10	11	7	8	8

Percentage of children aged 13-17 using a platform that have seen harmful content (%)



Note: Sample size is 848 for Whatsapp, 708 for TikTok, 733 for Instagram, 668 for Snapchat, 857 for Youtube, 470 for Twitter, 657 for Facebook.

Percentage of children who have seen inappropriate content by age and use of parental monitoring/filtering tools



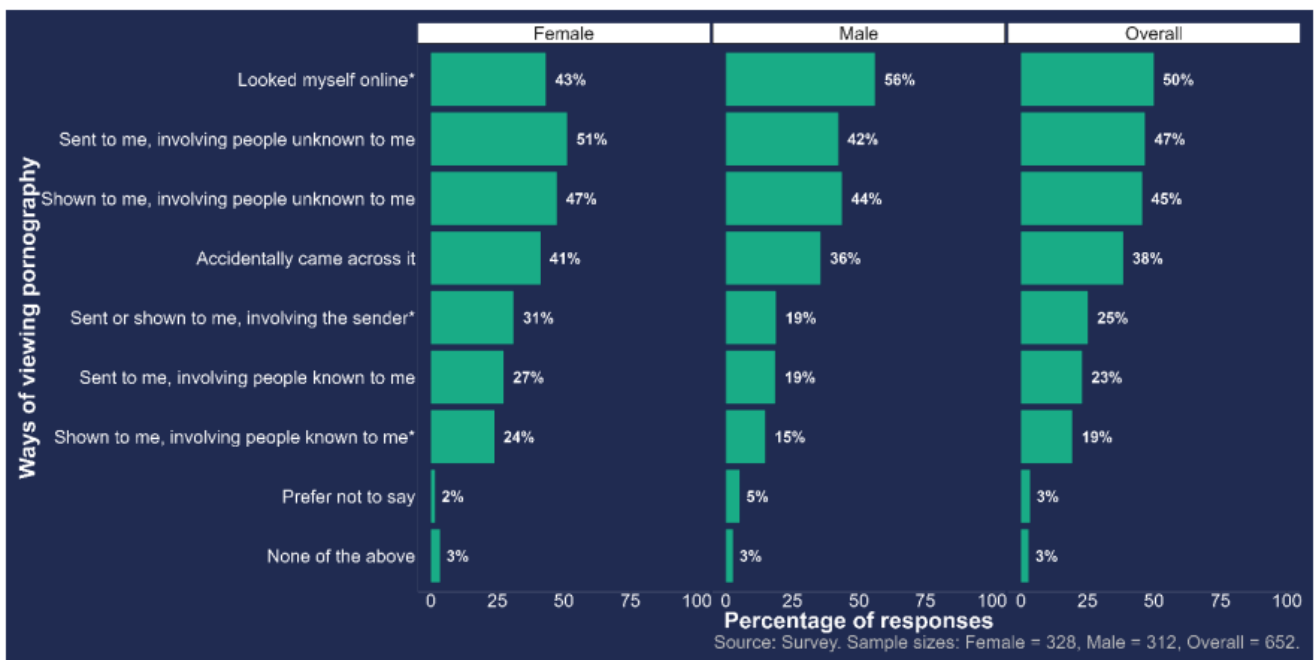
Note: Sample size is 1746 (excludes children who responded 'don't know' or 'prefer not to say').
All differences within age groups are statistically significant

In 2023, the CCo published research from focus groups with teenagers aged 13-19 and a survey of 1,000 young people aged 16-21 on their experiences of pornography online.⁷ It found:

- 64% of those aged 16-21 said that they had seen pornography online.
- Many children are first exposed to pornography at a very young age: of children who had seen pornography, 10% had seen it by age nine, 27% had seen it by age 11 and 50% had seen it by age 13.
- The average age at which children who had seen porn first saw porn was 13.
- 41% of young people reporting having seen pornography on Twitter, dedicated pornography sites came next, followed closely by Instagram, Snapchat and search engines. Further information is provided in the table below.

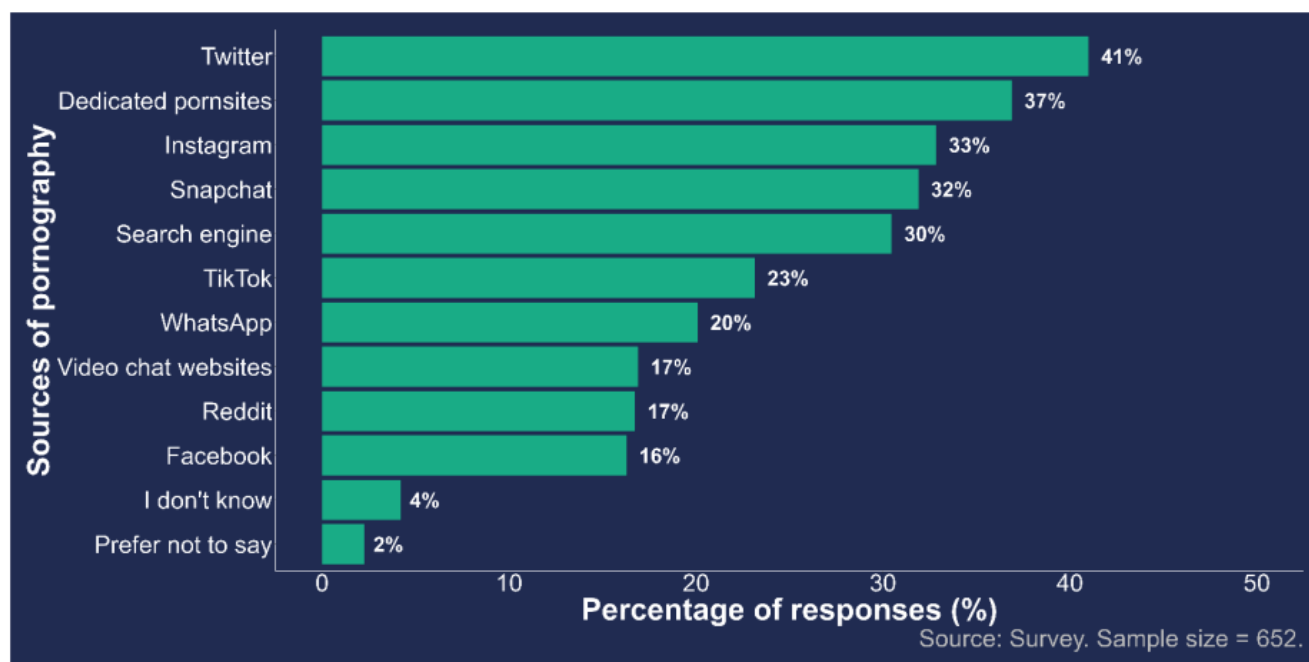
- Children often stumble accidentally across pornography online; 41% of 16-21-year-olds said that they had accidentally come across pornography online. Further information is provided in the table below.
- Among young people, 35% had experienced a physically aggressive sex act with a partner.

Percentage of respondents aged 16-21 who selected each route to viewing pornography (includes only those who had ever viewed online pornography)



Note: An asterisk (*) denotes a statistically significant difference by gender.

Percentage of respondents who selected the top 10 ways of viewing pornography (includes only those who had ever viewed online pornography)



In 2023, the CCo published an analysis of pornography’s influence on harmful sexual behaviour, based on case files on child-on child sexual abuse from police and Sexual Assault Referral Clinic.⁸ It found:

- 50% of police transcripts of interviews with children who reported sexual abuse carried out by another child contained at least one term referring to an act of sexual violence commonly portrayed in pornography.
- Manual review found instances of both police and children drawing direct links between the incident of abuse and the abuser’s exposure to pornography.

Children’s voice on illegal or harmful content online

Below is a brief summary of what the Children’s Commissioner has heard from children on illegal or harmful content online, arranged according to the most relevant categories of illegal harms.⁹

The CCo acknowledges that it is not possible to always assess whether these children and young people are referring to illegal content, although they have clearly assessed it as harmful content.

Online safety

"I don't feel I was informed of my online safety from a young age and that it was considered a priority. Technology and social media are constantly developing so why aren't our laws and protections for children on these platforms updating with it?" – Girl, 14.

"[...] I think some of the social media is not safe or should not see. People shouldn't be putting up picture that not meant for them to post it online because it will be on the internet forever." – Boy, 10.

"Restrict social media usage and make it safer to use. More and more younger children have easy access and this ruins their childhood and future." – Girl, 16.

"The Government could help keep children safe online by blocking unsafe or inappropriate websites on a majority of devices, or making it so that you have to enter your age before clicking on websites that could be unsafe to protect children." – Girl, 12.

"Start by increasing what is included in the Online Safety Bill. Too many people have their lives ruined at our age by other idiots [...]" – Boy, 17.

"I think sometimes you can end up finding stuff like that without even meaning to. Whether it's social media and ads come up that you're not even looking for." – Girl, 13.

"[...] Protect children from harmful ideologies found on social media and school." – Girl, 17.

Child Sexual Exploitation and Abuse (CSEA)

Child sexual abuse material (CSAM)

"Child pornography websites are a gigantic problem. [...] Help women and young ladies to feel safer. Otherwise I fear what the future for women will be like." – Girl, 13.

Grooming

“Bullying in schools and online. [...] Being able to access social media sites by lying about their age with no proofs of age making them more vulnerable to cyber bullying/grooming.” – Girl, 14.

“I’ll be seeing kids like six years old on here. [...] I’ll see year 7 will be posting videos of themselves, and in the comments will be older boys... and they will be in the comments like ‘oh what’s your name darling.’” – Girl, 16.

Encouraging or assisting suicide (or attempted suicide) or serious self-harm offences

“People being very mean. Because in this day and age they have no way of stopping online bullying. Yes block don’t talk to them but being called a snitch and other mean words it can be spread around fast and destroy a person’s mental health then this can lead down a spiral trail to depression even worse suicide it makes me feel really bad for others.” – Child, 13.

“Social media just aids in robbing us of our childhood it teaches us to hate every aspect of ourselves and we become reliant on it for a dopamine hit because joy comes in small bursts and it never stays long especially not for those of us that don’t really have friends. [...] The levels of self harm in schools and the normalisation of it is incredibly damaging as in many groups it becomes a competition and this makes seeking help so difficult because we often think we are mature enough to deal with our own problems. I want my childhood back.” – Child, 17.

“The government should invest more in the neurology/therapy business due to the fact that we have all been born with social media. It is affecting thousands and thousands of young people, including me, and constantly surrounding us with harmful or meaningless information. Moreover, many deaths, suicide attempts, and erratic behaviour have all come from children because of this. Furthermore, many lobbyists, protestors, and families have attempted to sue or take down these huge corporations such as Snapchat, Instagram, TikTok, etc. However, it hasn't worked.” – Boy, 11.

“I think the government should take further steps in e safety and safe websites/clubs/places to talk about mental health in a calm comfortable room as well helping with getting rid of substances on the internet for young people that can be easily be ordered e.g. a liquid or food that can kill for children with suicidal thoughts.” – Girl, 12.

Harassment, stalking, threats and abuse

"Just a few days ago some person pretended to be one of my friends online and started saying rude stuff." – Girl, 12.

"I think safety online is ruining children's futures. They are unsafe as there are many horrible people online, stalkers and people who hack and can receive your IP address as children get really scared and as a child when you get a scary thought. It won't go away it stays forever and haunts you thank you and please make a change with hackers." – Girl, 10.

"I think that people need to not be rude on the internet." – Boy, 8.

"They should make a kid mode on computer so then they find out how old you are and if you're older than 18 you won't be allowed in that mode. [...] Finally they will make sure you are safe on your app and no one will send creepy messages." – Girl, 10.

Intimate Image Abuse

"They will be more likely to interact in a pornographic manner with their peers (either sending or saving nudes, groping etc)." – Young woman, 19, first saw pornography at age 12.

"Gangs, drugs, nudes, peer pressure." – Girl, 17.

"[Bait-out pages¹] will write children's names and what they are doing, maybe having sex with someone, or giving head or something. [...] They don't get taken down, and if you report it they make another account. If you report it, it has already been sent around." – Girl, 16.

"You see it on Snap or Insta, bait out pages for different schools. [...] So you can't really escape it, it's everywhere. There are thousands of bait out pages on Insta or Snapchat of people doing things that are explicit and stuff like that." – Young person, 16-21.

¹ Bait-out pages are online accounts – particularly on Instagram and Snapchat – which invite users to share nude images, videos or sexual gossip about others. Our young people told us that some pages are followed by thousands of other young people and allow gossip and nudes to spread rapidly.

"I am sick of sexism. It's at home. It's at school. It's online. It's outside. Sexism affects me and so many other girls, it needs to change. Girls in my school are shamed for having sex or sending nudes whilst boys are praised." – Girl, 15.

Extreme pornography

"A lot of online pornography can be unrealistic and some of it is rape content, so young people may think this is okay and realistic. When in reality it is not acceptable, it teaches incorrect and disgusting behaviours." – Young woman, 18, first saw pornography at age 12.

"There are no like preventive measures in place [on pornography websites] to make sure that those people are over the age of 18, like for example in on YouTube, if you want to watch a certain kind of video like I'll say for example, I was trying to watch a video of a hip replacement surgery ... they asked me to prove I was over 18 by submitting a photo of ID, porn sites have absolutely nothing like that. They just say make sure you're over 18, but no one's obviously going to follow that. And they know that themselves." – Girl, 17.

"Many of my friends have self-harmed, had eating disorders or had suicidal thoughts. [...] Pornography, occasionally involving underage characters (regarding hentai), is something many pre-teen to early teen children have been exposed to - it can be disturbing and leave children with a very complicated relationship with the concept of sex. This is something which has become normalised." – Child, 15.

"I was pressured into watching horrific pornography that effects how young boys behave towards and think they can treat women. As a boy myself, I was unable to understand the everyday struggle of the girls in my class, then one day I did. I was ostracised for not cat calling girls in the class, watching pornography or sexually assaulting any girls." – Boy, 16.

"Now porn has infiltrated mainstream media, you can literally find porn on Twitter." – Young person, 16–21.

"At that young age you don't really know what's right and wrong and you just follow whatever you see on porn sites." – Young person, 16-21.

"Stop boys from thinking all girls and women are for is to have sex with or abuse. [...] They talk about porn all the time and watch it all the time, play it on their phones. [...] I don't know what the government can do but maybe they can make it illegal for them to watch porn or somehow stop them being able to get onto the apps and sites AND actually tell schools to punish and exclude boys who touch girls or take pics of us, or yell out sexual things to us. I don't feel safe and I haven't since I was 8!!!" – Girl, 14.

"Often times porn is not just sex, but showcases a range of violent kinks like choking and spanking etc, specifically with a woman being the recipient ... young children who come across porn are also more likely to try to recreate these sexual behaviours with their peers as they have been exposed to it." – Young woman, 21, first saw pornography at age 14.

"I was exposed to pornography at a young age and it's affected me in my adult relationships and my body image and how my sex life is currently." – Young woman, 18, first saw pornography at age 11.

"It makes boys think they can do everything they see in porn in real life. Some things like anal are everywhere in porn but most girls don't want to do that. Boys just think it's normal and expect us all to do it and it puts pressure on us." – Girl, 16, first saw pornography at age 10.

Response

Key comments

- The Children's Commissioner is a statutory consultee on codes of practice under the Online Safety Act, and has a specific statutory role in ensuring that children's rights, views and interests are considered in its implementation.
- The CCo welcomes the comprehensive assessment of the harms and risks from illegal content online to children included in the consultation.
- Overall, we consider that the proposed measures for user-to-user and search services would help to protect children from illegal harms online. However, the effectiveness of these measures will largely depend on measures, such as age assurance, to be outlined in the forthcoming children's code. It is not possible to fully assess the protections for children in the draft illegal harms code without reference to the forthcoming draft children's code. The CCo may make further comments on the illegal harms code in its response to the children's code, when this has been published.
- In this response, we the CCo has consistently supported whichever option for each proposed measure provides the greatest assessment and mitigation of risk of harm for child users. The largest cause for concern in the proposed measures is the limiting of measures designed to protect child users to certain services. We consider that child safety measures should be applied to all user-to-user services that children may use in order to avoid loopholes that are exploited by unregulated services. We acknowledge that these measures will be supplemented by measures in the forthcoming children's code.
- The CCo encourages Ofcom to consider how it is incorporating the voice of children into its consultations and ongoing engagement with children on their experience of the online world. We strongly advise that Ofcom should produce child-friendly consultation documents for the forthcoming draft children's code so that children are able to engage with the measures designed to keep them safe online.

- The CCo strongly encourages Ofcom to prioritise children’s safety from illegal and harmful content online and to enforce compliance with online safety duties robustly and swiftly. We welcome regular engagement with Ofcom throughout the transition period, including updates on compliance by services and enforcement.

Volume 2: The causes and impacts of online harm

- The CCo broadly supports the assessment of causes and impacts of online harms contained in the register of risks.
- As has been noted by the Independent Reviewer of Terrorism Legislation in submission to the Online Safety Bill, there has been a concerning rise in the number of children charged with terrorist offences. Ofcom should include age as a characteristic in the assessment of harm relating to terrorism content and include a specific protection for children from terrorism content.
- The CCo supports the risk factors for child sexual abuse material (CSAM) and grooming, noting the particular risk of harm from a child user base and of the business risk factors identified.
- The CCo supports the identification of end-to-end encryption, pseudonymity and anonymity, livestreaming, and recommender system functionalities as posing particular risks to children.

Volume 3: How should services assess the risk of online harms?

- Children may be affected by almost all of the fifteen kinds of illegal harms laid out in Ofcom’s framework. The CCo supports the specific focus on child sexual exploitation and abuse (CSEA) as a priority illegal harm, with specific and separate risks identified for child sexual abuse material (CSAM) and grooming. The CCo notes the specific risks and impact of the following illegal harms for children: encouraging or assisting suicide (or attempted suicide) or serious self-harm, human trafficking, intimate image abuse, and cyberflashing.
- The CCo supports the inclusion of risks from generative AI content, which the Children’s Commissioner has noted as an emerging issue of concern.¹⁰

- The CCo generally supports the proposals for governance and accountability, particularly requiring all services to have a named person accountable for compliance with meeting illegal harms duties. The CCo has previously recommended that Ofcom should be able to impose criminal sanctions on senior managers in response to any serious breach of their duties of care.
- The CCo supports the risk assessment measures. We are supportive of requiring all user-to-user and search services to follow the four-step risk assessment in line with Ofcom guidance, to consider the age of child users when doing risk assessments, to have a named person responsible for reviewing assessments annually or when a significant change occurs.

Volume 4: What should services do to mitigate the risk of online harms

Our approach to the Illegal content Codes of Practice

- The CCo generally supports the overarching approach to developing the illegal harms code. We have consistently supported the option that provides the greatest assessment and mitigation of risk of harm for child users. The largest cause for concern is the targeting of measures designed to protect child users to some services, and consider that child safety measures should be applied to all user-to-user services. We acknowledge that these measures will be supplemented by measures in the forthcoming children's code.

Content moderation (User to User)

- The CCo supports all services being required to have content moderation systems or processes designed to take down illegal content swiftly.
- The CCo strongly supports measures for large and multi-risk user-to-user services to have performance targets for quickly removing illegal content, to have policies to prioritise content for review, and to adequately resource and train content moderation functions.

Automated content moderation (User to User)

- The CCo strongly supports measures requiring services to deploy effective hash matching technology to identify known CSAM.

- The CCo strongly supports measures to use URL detection to identify URLs that consist of or contain a CSAM URL and to take these down.

Automated content moderation (Search)

- The CCo welcomes measures for all general search services to deindex URLs that host CSAM.

User reporting and complaints (User-to-user and search)

- The CCo strongly supports measures to ensure that all user-to-user and search services must enable child users to make complaints easily and to take appropriate actions in response.
- Of the proposed options for measure 2 to make reporting and complaints systems easy to access for different groups, the CCo supports option 2, which details high-level requirements rather than specific design features. These measures should require all search and user-to-user services to provide an easy to find, easy to access and easy to use complaints systems for children.
- The CCo supports all children being provided with an indicative timeframe for complaints.

Terms of service and Publicly Available Statements

- The CCo supports terms of service and publicly available statements that are easy to find and are easy for children to read and understand. This should apply to all children, including those with special educational needs or disability.

Default settings and user support for child users (User-to-user)

- The CCo supports the proposed measures relating to defaults settings and support for child users. We support the particular risk of network expansion prompts, child users being included in publicly available lists, direct messaging to child users without formal connection or automatically visible direct messaging on services with no formal connection function, and automated location information displays.
- Of the proposed options to mitigate CSEA risks via default settings for child users, the CCo prefers option 2, which would apply the measures to all services with a high risk of grooming and all large services with a medium risk of grooming. The CCo has concerns that none of the

proposed options require these default settings for child users to be default for all services. We have previously recommended that child safety settings are turned on across all accounts as a default. We acknowledge that these measures will be supplemented by standards for age verification in the forthcoming children's code.

- The CCo strongly supports Ofcom's assessment that all children under the age of 18 should be treated as child users in relation to default settings.
- The CCo has concerns that default settings do not reference recommended content. Children have often told us that they had seen harmful or disturbing content on social media recommended to them on 'Discover' or 'For You' pages that cultivate content based on the user's interactions and interests. We have previously recommended that platforms should do more to screen harmful content and ensure that it is not recommended to children.
- The CCo supports measures to support children using services by providing timely and accessible information about risk. However, we have concerns that these prompts to change the behaviour of child users before they do perform an action that increases the risk of illegal harms do not remove these actions or provide further support once they have done so.

Recommender system testing (User-to-user)

- The CCo supports services collecting safety metrics on recommender systems.

Volume 6: Information gathering and enforcement powers and approach to supervision

- The CCo recognises that Ofcom, as regulator, is guided by enforcement principles with a bias against intervention, particularly during the transition period for the new regulatory regime. We strongly urge Ofcom to prioritise children's safety from illegal and harmful content online and to enforce compliance with online safety duties robustly and swiftly.
 - The CCo welcomes transparency in the enforcement of the online safety duties. To this end, we welcome regular engagement with Ofcom throughout the transition period, including updates on compliance by services.
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References

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⁴ Children's Commissioner, *Digital childhoods: a survey of children and parents*, [Link](#), accessed on 23/02/2024.

⁵ Children's Commissioner, *Evidence on pornography's influence on harmful sexual behaviour among children*, [Link](#), accessed on 23/02/2024.

⁶ Children's Commissioner, *Digital childhoods: a survey of children and parents*, [Link](#), accessed on 23/02/2024.

⁷ Children's Commissioner, *'A lot of it is actually just abuse': Young people and pornography*, [Link](#), accessed on 23/02/2024.

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⁹ Children's Commissioner, *A lot of it is actually just abuse': Young people and pornography*, [Link](#); *Briefing to MPs on the Online Safety Bill*, [Link](#); *Digital childhoods: a survey of children and parents*, [Link](#); *Evidence on pornography's influence on harmful sexual behaviour among children*, [Link](#); *Online Safety Commission from Government: Our recommendations for making the online world safer for children*, [Link](#); *The things I wish my parents had known: Young people's advice on talking to your child about online sexual harassment*, [Link](#). This response also includes unpublished quotes from [The Big Ambition](#).

¹⁰ Children's Commissioner, *The Children's Commissioner's view on artificial intelligence (AI)*, [Link](#), accessed on 23/02/2024.



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