

From: [REDACTED]
To: [REDACTED]; [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: EXTERNAL:RE: Publication of Illegal Harms Statement: UK online safety regulation comes into force
Date: 17 December 2024 08:23:36
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

CAUTION: This email originated outside your organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thanks for sharing this, [REDACTED]. We did see that the policy statement had been published yesterday so thanks for pointing towards the most relevant content for human trafficking. Very much looking forward to discussing this with you this morning and also interested to hear about some of the engagement activities planned for the new year.

Kind regards

[REDACTED]

From: [REDACTED]@ofcom.org.uk>
Sent: Monday, December 16, 2024 7:06 PM
To: [REDACTED]@iasc.independent.gov.uk>; [REDACTED]
[REDACTED]@iasc.independent.gov.uk>
Cc: [REDACTED]@ofcom.org.uk>; [REDACTED]
[REDACTED]@ofcom.org.uk>; [REDACTED]@ofcom.org.uk>
Subject: Publication of Illegal Harms Statement: UK online safety regulation comes into force

Do you trust this email? This email originated from outside the Inquiry, or came from a system that has not been certified. Please exercise caution before opening attachments or clicking on links within this email or any suspicious email, particularly from unknown senders.

Dear [REDACTED]

I hope you're well! Ahead of our meeting tomorrow, I'm getting in touch to share some key updates on Ofcom's online safety work, including our efforts to address human trafficking.

Publication of the Illegal Harms Statement

As you know, since the Online Safety Act passed at the end of 2023, we have been working quickly to implement the new regime. Today, we have published our Illegal Harms Statement. This Statement sets out the decisions that we have taken forward from our consultation which closed in February 2024. It is important that the document is accessible and clear to navigate. We have produced accessible materials, such as [chapter summaries](#), to help stakeholders find the parts of the statement most relevant to them.

- You can find a [copy of our statement in full](#) on our website.
- You can also read our [press release](#) for this publication.

We received over 200 responses to our Consultation, and we want to thank all our stakeholders again for the thoughtful and comprehensive responses we received. Stakeholder feedback has led us to conclude that most of the measures we proposed in our Illegal Content Codes of Practice are effective and proportionate for tackling illegal harms online. However, we have made some changes. The majority of these have been made to make the measures easier to implement to ensure service providers know what they need to do to tackle important harms. We have made a few more substantial changes, which are outlined in our ‘summary of each chapter’.

I wanted to point you to some key Statement sections which specifically talk to points related to human trafficking.

- [Volume 3 Transparency, trust and other guidance: ‘Sexual exploitation of adults’](#) on pages 53-56 and **‘Unlawful immigration and human trafficking’** on pages 61-64.
- The **Illegal Harms Register of Risks (‘Register of Risks’)** is our assessment of the causes and impacts of illegal online harms based on the evidence that we have gathered over the past four years. The Register of Risks presents our full risk assessment of where and how illegal harms manifest online and the characteristics of services that are relevant to the risks of harm. It includes chapters relevant to human trafficking and exploitation. Please refer to Ofcom’s [Register of Risks](#), **‘8. Sexual exploitation of adults’** on pages 196-206 and **‘9. Human trafficking’** on pages 207-224.
- The Online Safety Act introduces a new legal concept of ‘illegal content’, which is used in the risk assessment duties and safety duties for service providers. The **Illegal Content Judgements Guidance** is intended to support service providers in understanding their regulatory obligations when making judgements about whether content is illegal content for the purposes of any of these duties. It includes chapters relevant to human trafficking and exploitation. Please refer to Ofcom’s [Illegal Content Judgement Guidance](#), **‘9. Sexual exploitation of adults’** on pages 151-157, **‘11. Human trafficking’** on pages 166-168, **‘A10. Sexual exploitation of adults’** on pages 401-404, and **‘A12. Human trafficking’** on pages 415-420.
- Service providers will have from today until 16 March 2025 to complete an assessment to understand the risks illegal content poses to children and adults on their platform. Our [Risk Assessment Guidance](#) aims to help them comply with the illegal content risk assessment duties.
- Subject to our codes completing the Parliamentary process, from 17 March 2025, sites and apps will need to start implementing safety measures to mitigate risks, and our codes set out measures they can take. Many of our recommended measures apply to more than one kind of illegal harm, including Human Trafficking. You can read more about the measures in [Volume 2 Service Design and User Choice](#), and in our [Codes of Practice for user-to-user services](#) and [Codes of Practice for search services](#).
- Information on which types of platforms are in scope of the Act can be found [here](#). We have also developed a regulation checker tool for service providers to check what rules apply to them and what steps they should take next, which can be found [here](#).

We have moved quickly to confirm these measures and bring in these important protections as soon as possible. Our Codes and guidance will make a real difference, starting with transforming the online sector’s approach to governance and risk assessment. In particular, our measures will materially improve protections for children from sexual exploitation and abuse online.

We have also today provided further details about our Consultation on additional measures which will be published this spring. We intend that this Consultation will feature proposals in areas including: banning the accounts of those found to have shared CSAM, crisis response protocols to be deployed in response to emergency events, use of hash-matching to prevent the sharing of non-consensual intimate imagery and terrorist content, and tackling illegal harms through greater use of automated content moderation (including AI).

Technology notices

Today we are also publishing our Technology Notices consultation. The Act enables us, where we decide it is necessary and proportionate, to make a provider use – or in some cases, develop – a specific, accredited technology to deal with terrorism and/or CSEA content on their service. We would do this by issuing a Technology Notice. Any technology that we require a provider to use will need to be accredited either by Ofcom, or someone appointed by us, against minimum standards of accuracy set by Government, after advice from Ofcom.

Today we are consulting on our policy proposals for what those minimum standards should be, to help inform our advice to Government; and our draft guidance about how we propose to use this power, including the factors we would consider and the procedure we will follow.

- Our consultation closes on **10 March 2025** and you can find the [relevant documents, including details of how to respond](#) on our website.
- We will host a webinar on **23 January 2025** to give an overview of the policy proposals set out in the consultation and answer stakeholder questions. You can register [using this link](#).

Next steps

The duties for service providers start straight away. **Service providers must complete their risk assessments by 16 March and from 17 March, assuming the Codes complete the Parliamentary process, providers will need to implement the recommended measures for their services in the Codes or use other effective measures to protect users.** We want to encourage innovation, and so our Codes allow providers a degree of flexibility in how they comply with their duties. Service providers can depart from our recommended measures, as long as they keep a record of the alternative measures they are taking.

We are ready to use all the tools at our disposal to secure greater protections for users once the duties commence. Service providers that fail to follow the rules will face tough sanctions.

This is only the first step. As set out in our [roadmap](#), published in October 2024, “phase two” will begin in early 2025, with a focus on child safety, pornography, and protections for women and girls. In January we will publish our final age assurance guidance for publishers of pornographic content, and children’s access assessments followed in February with our draft guidance on protecting women and girls; and in April we will publish our Protection of Children Codes and Children’s Risk Assessment Guidance.

Ofcom’s work to address Human Trafficking

We have a dedicated team at Ofcom to specifically address human trafficking, a priority offence under the Online Safety Act, and how harmful activities associated with this offence manifest online. I have cc’d my colleagues [REDACTED] and [REDACTED] who are part of this team, with myself leading on this work. We are part of a wider team led by [REDACTED] who you have met before and whose portfolio also comprises the priority offences associated with Drugs, Human Trafficking, Weapons and Unlawful Immigration.

As part of our upcoming workplan, we are planning further engagement activities, including virtual and in-person events to connect with our stakeholders. We will be in touch with more details in the New Year and can chat a bit about this tomorrow.

Looking forward to meeting you tomorrow!

Best wishes,

[Redacted]

[Redacted]



Riverside House
2a Southwark Bridge Road
London SE1 9HA
www.ofcom.org.uk



For more information visit www.ofcom.org.uk

This email (and any attachments) is confidential and intended for the use of the addressee only.

If you have received this email in error please notify the originator of the message and delete it from your system.

This email has been scanned for viruses. However, you open any attachments at your own risk.

Any views expressed in this message are those of the individual sender and do not represent the views or opinions of Ofcom unless expressly stated otherwise.

This email and any files transmitted with it are private and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please return it to the address it came from telling them it is not for you and then delete it from your system. This email message has been swept for computer viruses.
