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16 December 2024

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By email only

Online Safety Act – Publication of Illegal Harms Statement

Today Ofcom has published our [Illegal Harms Statement](#), which marks a major milestone in the implementation of the Online Safety Act. The statement comprises Illegal Content Codes of Practice for user-to-user services and search services (“Illegal Harms Codes”) and several pieces of complementary Guidance.

This means that from today, service providers will have to take actions to start complying with the new rules. The first step is the completion of illegal harms risk assessments, a new duty under the Act and a step which every provider must take by 16 March. The Government has today laid the Codes in Parliament and after they have been approved by Parliament, providers will then need to take the measures set out in our Illegal Harms Codes, or other measures which meet their duties, to protect users from illegal content and activity.

The Government has also laid the draft regulations to establish categorisation thresholds following on from Ofcom’s advice earlier in the year. Once the regulations have been approved by Parliament, Ofcom will formally request information from services to inform the register of categorised services, which will be published in summer 2025.

Illegal Harms Codes

The Online Safety Act requires online services that host user-generated content and search services to protect their users from illegal harms. This includes terror, illegal hate, fraud, grooming of children, and sharing of illegal intimate images and Child Sexual Abuse Material.

Parliament set a clear priority for Ofcom in the Act, requiring us to bring the Illegal Harms Codes and Protection of Children Codes into force within 18 months of Royal Assent, which took place on 26 October 2023. In early November 2023 we launched our first major [consultation](#), on the Illegal Harms Codes and associated guidance. With the finalisation of these Codes today, we have met the first stage of Parliament’s deadline and are on track for the provisions to come into force early next year.

The Illegal Harms Codes are accompanied by seven other regulatory documents which will help guide services on how to meet their new illegal content duties. These are Ofcom’s register of risk; Ofcom’s risk profiles; risk assessment guidance; illegal content judgements guidance; and guidance on enforcement, record keeping, and on when content can be said to be communicated publicly.

What will change?

The documents we are publishing today are an important step toward creating a safer life online for adults and children across the UK. Taken together, the measures we are introducing set new standards and clear expectations for the industry. Some of them apply to all providers, and others to the providers of larger or riskier services.

Some of the most important changes we expect our Codes and guidance to deliver include:

- **Putting managing risk of harm at the heart of decisions.** From today, every site and app in scope of the Online Safety Act will need to complete a “suitable and sufficient” risk assessment. This means they need to assess the risks that illegal harms pose to users on their service and consider how best to tackle them. To ensure clear accountability, each provider must name a senior person responsible for illegal harms.
- **Better protections from the full range of Illegal Harms.** Providers will need to take down illegal content of all types and maintain appropriately resourced and trained content moderation teams. Reporting and complaints functions will be easier to find and use, with appropriate action taken in response. Relevant providers will also need to improve the testing of their algorithms to make illegal content harder to disseminate.
- **Protecting children from abuse and exploitation online.** Our Codes include important measures to tackle online grooming. These will mean that, by default, children’s profiles and locations – as well as friends and connections – will not be visible to other users, and non-connected accounts cannot send them direct messages. Children should also receive information to help them make informed decisions around the risks of sharing personal information, and they should not appear in lists of people users might wish to add to their network. This will make it harder for perpetrators of grooming activity to identify and contact vulnerable children.
- **Our Codes set an expectation that high-risk providers use an automated tool called hash matching to detect Child Sexual Abuse Material (CSAM).** This will help prevent the circulation of this damaging material, disrupting offenders, and flagging to services to report these offences. In response to feedback on our Consultation, we have expanded the scope of our CSAM hash-matching measure to capture smaller file-hosting and file-storage services. These services are at particularly high risk of being used to distribute CSAM.
- **Identifying fraud.** Under the Codes, providers will need to establish a dedicated reporting channel for organisations with fraud expertise. This will help them to identify fraudulent activity quickly.
- **Protecting women and girls.** Women and girls are disproportionately affected by certain online harms. Our measures mean users will be able to block and mute others who are harassing or stalking them. Our Codes will also require providers to take down intimate image abuse (or “revenge porn”) material when they become aware of it. Following stakeholder feedback, we have also provided guidance on how providers can identify and remove content posted by organised criminals who are coercing women into prostitution against their will.

- **Guidance to identify illegal content.** On harms which particularly affect women and girls, we have made it easier for platforms to understand how to identify illegal content such as intimate image abuse, sexual exploitation and cyberflashing. In finalising our guidance, we have carefully considered risks to user rights.

Enforcing the rules

From today, providers in scope of the illegal content duties in the Act must act to undertake their Illegal Harms Risk Assessments, which must be completed by 16 March 2025. Our guidance outlines a process that providers can take to understand the harms presented by their service; assess the risk of harms; decide which measures they need to take to manage those risks; implement and record appropriate measures; and report, review and update their risk assessments on a regular basis.

The Government will lay the final Codes in Parliament today. From 17 March, once the Codes have completed the Parliamentary process, providers will need to take the steps laid down in the Codes or use other effective measures to protect users.

Ofcom is already working actively to promote compliance across the industry. Our supervision teams, made up of interdisciplinary experts, have been working over the past year to develop a deep understanding of certain services and to ensure that we have identified the relevant, accountable, senior staff. This proactive engagement has already given us a head start in achieving early, concrete changes next year.

We are also developing support tools to help companies, especially SMEs, to understand and comply with their duties. But we are also well-advanced in preparing for enforcement action and we will not hesitate to take early action against deliberate or flagrant breaches where we believe this to be necessary to prevent serious harm to users. We have the powers to impose penalties of up to £18 million or 10% of the provider's qualifying worldwide revenue (whichever is greater), as well as seeking – in very serious cases – a court order to impose business disruption measures, which may require third parties (such as providers of payment or advertising services, or internet service providers) to withdraw, or limit access to, the services in the UK.

We expect our early enforcement action to focus on ensuring that services are adequately assessing risk and putting in place the measures that will have greatest impact in protecting users, especially children, from serious harms such as those relating to CSAM, fraud, and child access to pornography. Alongside targeted action against specific services, we will also launch broader multi-service or sector-wide compliance programmes once the key safety duties come into force, where we believe there may be systemic issues that need swift and comprehensive action across multiple firms to achieve the necessary change.

What happens next?

In the spring, we will take steps to strengthen the Illegal Harms Codes with an additional consultation. We are currently considering further measures including:

- AI for detecting illegal content including new child sexual exploitation material;
- hash-matching measures for terrorist and intimate image abuse content;
- blocking accounts of those found to have shared CSAM; and
- crisis response protocols for when a crisis emerges.

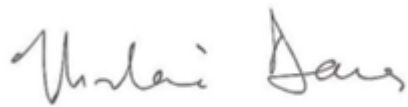
Beyond these Codes, we will continue to bring in other elements of the online safety regime. In January we will publish our final guidance on age assurance, including for publishers of pornographic content, and on children's access risk assessments. In February we will publish our draft guidance

for consultation on protecting women and girls, and in April we will publish our final Codes on the Protection of Children.

I would like to put on record our gratitude for the huge amount of engagement we have had from many stakeholders and Parliamentarians, including but not limited to formal responses to our Illegal Harms consultation. We look forward to continuing to work with you as we build upon these protections in the future.

Today marks the moment when the online safety regime goes live. At Ofcom we will be doing everything we can to ensure that 2025 is a year of action across the industry, with concrete changes made to ensure a safer life online for everyone across the UK.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Melanie Dawes'.

Melanie Dawes