

Microsoft



Consultation Title	Consultation: New priority offences - serious self-harm and cyberflashing
Organisation	Microsoft



Responder Type

organisation

Do you agree with the proposal to categorise suicide and self-harm as a single kind of illegal harm? Please provide the underlying arguments and evidence that supports your views.

We agree with Ofcom's proposal to combine suicide and serious self harm into a single category of illegal harm. This approach appropriately reflects the evidence base, which often does not draw a clear distinction between suicide and self harm in terms of manifestation, risk factors, and pathways to harm. From a regulatory and operational perspective, a combined category also supports clearer, more coherent risk assessment by services—particularly where content, user behaviours, and service features create overlapping risks across the two harms.

Combining the categories is also likely to improve consistency in the application of mitigations across services, reduce artificial distinctions in risk scoring, and support more effective and proportionate safety measures. Overall, we consider this a sensible and evidence aligned simplification that enhances both regulatory clarity and user protection.

Do you agree with the risk factors proposed for the risk profiles for suicide and self-harm? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you agree with the risk factors proposed for the Risk Profiles for cyberflashing? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on our proposed changes to the suicide and self-harm section of the Register of Risks? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on our proposed changes to the cyberflashing section of the Register of Risks? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on our proposed updates to the self-harm section of the ICJG? Please provide the underlying arguments and evidence that support your views.

No response provided.

Do you have any views on our proposed updates to the cyberflashing section of the ICJG? Please provide the underlying arguments and evidence that support your views.

No response provided.

Do you have any views on our proposed updates to the Record Keeping and Review Guidance? Please provide the underlying arguments and evidence that support your views.

No response provided.

Do you have any comments on our proposed approach to updating the Codes, in light of the creation of the two new priority offences? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the Governance and Accountability measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the Content and Search Moderation measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the Reporting and Complaints measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the Recommender Systems measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the Search Design, Functionalities and User Controls measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any views on the proposed changes to the application of the User Controls measures or the impacts we have identified? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you agree with our assessment of the additional impacts of our proposals in respect of the measures in the June 2025 Additional Safety? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you agree with our assessment of the combined impacts of our proposals set out in the Combined Impact Assessment? Please provide the underlying arguments and evidence that supports your views.

No response provided.

Do you have any other feedback on our proposals? Please provide the underlying arguments and evidence that supports your views

We do not agree with the proposal to introduce cyberflashing as a new, separate category within the register of illegal harms at this time. While we recognise the seriousness of cyberflashing and support strong action to address it as a priority offence, we are concerned that treating cyberflashing as a distinct harm category risks increasing fragmentation within the risk framework without delivering commensurate regulatory or safety benefits.

The conduct and impacts associated with cyberflashing overlap significantly with existing categories and risk factors—particularly those relating to sexual harassment, image based abuse, coercive behaviour, and non consensual sexual conduct. From a systems and risk management perspective, many of the relevant mitigations (e.g. user controls, reporting, moderation processes) are functionally the same as those already applied to these adjacent harms.

Introducing cyberflashing as a discrete harm category may therefore add complexity and duplication to risk assessments, without meaningfully changing the preventative or mitigative actions services are expected to take. We would encourage Ofcom to consider whether cyberflashing could instead be addressed through clearer articulation within existing harm categories, supported by targeted guidance and examples in the Register of Risks and Codes. This would preserve regulatory clarity while avoiding further proliferation of categories that may create compliance burden without improving outcomes for users.

On a related note, we encourage Ofcom to consider how future updates to the Register of Risks and associated guidance could be sequenced to better support risk assessment planning and effective implementation by services. Frequent or overlapping updates to harm categorisation, risk profiles, and Codes—particularly where they require material reassessment—can make it challenging for services to embed changes in a structured and sustainable way.

To support effective compliance, Ofcom could consider:

- Sequencing updates in tranches, allowing services to absorb and operationalise one set of changes before introducing further structural revisions; or
- Aligning register updates with risk assessment review cycles, where possible, to reduce duplicative reassessment.

A clearer approach to sequencing would help ensure that regulatory updates translate into meaningful, well implemented safety outcomes.