

## Molly Rose Foundation Response to Consultation on new priority offences

April 2026

### Overview

Molly Rose Foundation (MRF) is grateful for the opportunity to respond to Ofcom's Consultation on new priority offences.

MRF strongly welcomed the announcement in September 2025 that illegal self-harm would be elevated to a priority offence, alongside the Government's promise that self-harm would be subject to the 'strongest possible legal protections.'<sup>1</sup>

This followed longstanding campaigning by MRF in response to the profound risks posed by Com Networks - fluid online networks where offenders collaborate and compete to cause harm across a broad spectrum of criminality, including coercing vulnerable minors into suicide and self-harm. The threat posed by these groups has been the subject of at least five advisories by global law enforcement agencies, as well as a threat assessment conducted by Resolver Trust and Safety in partnership with Molly Rose Foundation and Ofcom itself.<sup>2</sup> A further assessment released by Europol this month identified these groups as an 'extremely serious threat to children and society as a whole.'<sup>3</sup>

However, Ofcom's proposals to implement the upgrading of serious self-harm offences fall markedly short of what is required, and fails to adequately respond to the risk profile.

While minor changes to update the Risk Profiles and proposals to apply existing measures to self-harm as part of the new combined offence are certainly welcome, we are profoundly disappointed by Ofcom's failure to propose any substantive changes to existing codes of practice. As a result of this decision, the regulator itself concedes that its proposals are unlikely to have 'any significant impact on users or providers', with only three existing measures for user-to-user services now explicitly targeted at the new combined suicide and self-harm offence, and only 'a small number of' additional services likely to be brought into scope of broader measures.<sup>4</sup>

There is also little urgency for what limited changes have been made to be introduced, with Ofcom setting out the lengthy consultation and parliamentary process before any new changes come into force.

This failure to act means that – despite Government's promises – Ofcom's proposals continue to leave significant gaps in responding to the scale and evolving dynamics of how suicide

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<sup>1</sup> Department of Science, Innovation and Technology (2025) Online Safety laws to strengthen to protect people of all ages from devastating self-harm content

<sup>2</sup> Resolver Trust and Safety, in partnership with Molly Rose Foundation (2026) Weaponised Loneliness: Critical Harm Intelligence Briefing

<sup>3</sup> Europol (2026) Internet Organised Crime Threat Assessment (IOCTA) 2026

<sup>4</sup> See below for more detail

and self-harm offences manifest online. As raised by MRF previously,<sup>5</sup> this would remain the case even if the proposals set out in the Additional Safety Measures consultation were introduced and applied to the new combined offence.

MRF are particularly concerned by the continuing absence of specific measures targeted at the threat profile posed by Com Networks, as well as a range of other functionalities known to be high risk for suicide and self-harm. This is now even more bewildering given that Com Networks are now included in the updated Register of Risks and additional functionalities included in the Risk Profiles.

These failures are indicative of a regulatory approach that continues to be undermined by poor strategic choices. As set out in previous consultation responses,<sup>6,7</sup> this includes an approach to proportionality and evidence thresholds that prevents the introduction of protections commensurate to the risks facing users, an emphasis on ex-post intervention rather than safety by design, and a lack of outcome-based requirements.

Overall, this consultation is a significant missed opportunity, with services able to continue qualifying for ‘safe harbour’ while failing to address substantial ongoing risks. Though we recognise Ofcom’s wariness to commit to more ‘comprehensive’ changes due to the delays this might incur, it is difficult to reconcile what has been presented here with the ambition promised when the new priority offences were announced.

## Response to specific proposals

### **Categorising suicide and self-harm as a single kind of illegal harm**

Molly Rose Foundation broadly support Ofcom’s proposal to categorise suicide and self-harm as a single kind of illegal harm. We broadly agree with the statement that ‘the evidence suggests that suicide and self-harm manifest online in similar ways’, and welcome a more integrated approach to addressing these closely-related offences.

As raised in our response to Ofcom’s consultation on Additional Safety Measures,<sup>8</sup> previous proposals inappropriately siloed illegal suicide and illegal self-harm, resulting in a disjointed approach that failed to respond to the well-established dynamics of how these harms interact. Given how suicide and self-harm content interact to drive cumulative harm, for example, it is welcome that measures currently being consulted on around proactive technology and excluding illegal content from recommender feeds may now apply to both illegal suicide and self-harm material.

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<sup>5</sup> Molly Rose Foundation (2025) Response to Additional Safety Measures Consultation

<sup>6</sup> Ibid.

<sup>7</sup> Molly Rose Foundation (2024) Response to Ofcom’s consultation on protecting people from illegal harms online

<sup>8</sup> Molly Rose Foundation (2025) Response to Additional Safety Measures Consultation

However, we agree with the Online Safety Network that – despite their overlap – these offences require nuance in their definition and therefore identification. For illegal self-harm, for example, services would benefit from a clearer definition of what amounts to illegal content, particularly given the legal definition includes encouragement to cumulative acts that result in self-harm.

## **Updates to the Risk Registers and Risk Profiles for suicide and self-harm**

MRF has repeatedly called for the regulator to demonstrate a detailed and meaningful grasp of suicide and self-harm content that reaches the criminal threshold. As such, we broadly welcome the various proposed additions to the integrated Register of Risks and Risk Profiles.

In particular, we are glad to see the long-overdue inclusion of the risks posed by Com Networks, which MRF has repeatedly raised with the regulator since February 2024. The risks posed by these groups are now included within references to ‘Direct Messaging’ and ‘Group Messaging’, which have been added as risk factors the Risk Profiles. As explored below, however, it is incredibly disappointing that the regulator has opted not to act on this evidence and meaningfully update the codes of practice.

Despite proposed changes, we re-iterate our previous concerns with the overall strength of the risk assessment process. This includes Ofcom’s decision to treat algorithmic safety testing as an enhanced rather than a core input to risk assessments, as well as its failure to place a stronger onus on services to mitigate all the risks they identify in their risk assessments. We have also separately set out our concerns with Ofcom’s response to services’ Year 1 risk assessments, with the regulator declining to act against a systemic trend of platforms downplaying their risk of suicide offences.<sup>9</sup>

We also have a range of specific concerns based on this update:

### *Updating Risk Profiles to better reflect the risks posed by Com Networks*

MRF recommends that the both the Register of Risk and Risk Profiles are updated to include user connections as a risk factor for illegal suicide and self-harm.

Research by Resolver Trust and Safety in partnership with Molly Rose Foundation identified social networking as a key feature that Com Network members use to ‘identify and contact targets.’<sup>10</sup> It is also important to note that user connections *are* identified by the regulator as a key risk factor for grooming. Given that the NCA, MRF and others have identified that Com Networks employ grooming techniques ‘across a broad spectrum of criminality’<sup>11</sup> including both serious violence and child sexual abuse, there is a clear case to move away the currently siloed approach towards a better integrated approach to addressing grooming alongside suicide and self-harm offences.

### *Failure to include AI chatbots in risk profiles*

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<sup>9</sup> Molly Rose Foundation (2025) Systematic failures in Online Safety Act risk assessments – why is Ofcom failing to Act?

<sup>10</sup> Resolver Trust and Safety, in partnership with Molly Rose Foundation (2025) Weaponised loneliness: Critical Harm Intelligence Briefing

<sup>11</sup> NCA (2025) Sadistic online groups putting people at unprecedented risk, warns the NCA

MRF is seriously concerned by Ofcom’s approach to generative AI. While generative AI has rightly been added to the Register of Risks for illegal suicide and self-harm, it has not been included in the risk profiles. The regulator has justified this by saying that a ‘more comprehensive update’ covering all kinds of priority illegal harm would be required to update the risk profiles, which would delay this consultation.

While we recognise the regulator’s desire to move at pace, it is extremely concerning that – given that the regulator is clearly aware of the risk that generative AI poses – it has not provided a timeline for when this ‘comprehensive update’ will take place. Moreover, there is a clear case for the regulator to adopt a precautionary approach and update the risk profiles based on the evidence it *does* already have, even if this were initially limited to certain harms.

As with Ofcom’s approach to updating codes of practice, the regulator’s cautious approach to evidence is putting users at unnecessary risk. The application of exceptionally high evidentiary thresholds, made worse by its inexplicable failure to move quickly to gather the evidence it considers necessary to meet those thresholds, is delaying clearly needed protections. If the regulator requires further evidence, it should actively engage with law enforcement, child protection agencies and/or commission further rapid research to ensure it has a sufficient understanding of the relevant risk dynamics.

### *Wider updates*

Given the range of updates to the Register of Risks, MRF is disappointed by the regulator’s failure to update the evidence on the risks posed by discussion forums. This is despite a recent report published by MRF on the risk posed by a pro-suicide forum linked to at least 133 UK deaths,<sup>12</sup> which is the subject of an ongoing investigation by the regulator.<sup>13</sup> MRF is also aware that the pro-suicide forum has been used by Com Networks to target and groom vulnerable individuals at heightened risk of suicide.

## **Proposed approach to updating the codes**

Overall, MRF welcomes the fact that existing measures (as well as potentially those currently being consulted on) targeted at illegal suicide content or services at medium or high risk of illegal suicide content will now also apply to illegal self-harm, addressing the previous ‘two track’ approach to these closely-related offences and offering a degree of improved protection for users.

However, we are extremely disappointed by Ofcom’s decision not to propose ‘any changes to the substance of the existing measures in the Codes.’

As a result of this decision, the regulator itself recognises that little will change for users. As it stands, only three existing codes of practice<sup>14</sup> are explicitly targeted at illegal harm relating to suicide and would therefore apply to the new combined offence, while the regulator predicts that only a ‘small number of additional services’ may be brought into scope of more general

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<sup>12</sup> Molly Rose Foundation (2025) Missed chances, lost lives

<sup>13</sup> Ofcom (2026) Ofcom provisionally finds suicide forum in breach of Online Safety Act

<sup>14</sup> ICU E1, J1 and J2. Additional relevant measures being consulted on as part of the Additional Safety Measures include ICU C11, C12, C16, D17 and E2.

codes of practice (e.g. content moderation, governance measures) as most services at risk of the new offences would already have been multi-risk and therefore in scope.

As raised by MRF previously,<sup>15 16</sup> the regulator's approach to addressing suicide and self-harm offences therefore remains piecemeal, ex-post rather than delivering the safety-by-design approach clearly envisaged by the Online Safety Act, and inappropriately targeted to the evolving dynamics of suicide and self-harm offences. Ultimately, this allows services to qualify for 'safe harbour' while putting users at risk.

MRF remains profoundly disappointed by the ongoing lack of specific mitigations for the risks posed by Com Networks. Despite the growing evidence for the profound risks posed by these groups, there are no measures targeted at relevant pathways to harm, including direct and group messaging functionalities, or adding friction before victims are able to start a livestream.

There also remains a marked absence of upstream mitigations targeted at a range of other functionalities known to be high risk for suicide and self-harm. This includes functionalities referenced in Ofcom's register of risks and others identified in MRF research,<sup>17 18</sup> including ephemeral stories, comments, saving and sharing functionalities, discussion spaces, biographical features, broadcast channels, and AI-generated search prompts. There are also no mitigations for the risks posed by AI chatbots despite their inclusion in the Register of Risks.

As explored above, these failures are indicative of Ofcom's application of exceptionally high evidence thresholds to determine if its approach is proportionate, with numerous examples of the regulator opting not to recommend a measure where it deems there to be either insufficient evidence of a threat's impact or a mitigation's likely effectiveness, or where it perceives uncertainty as to the capacity of services to adopt them. MRF has previously made the case for the regulator to urgently adopt a more precautionary approach.

Ofcom's ongoing failure to act on well-established risks is particularly frustrating given repeated examples of the regulator eventually taking action on risks well after they had first been acknowledged, including the avoidable two-year delay to propose measures targeted at livestreaming. This consultation itself also seems to suggest that the regulator does have the capacity to adopt a more precautionary approach, with its consultation only last June failing to include illegal self-harm in scope of measures to exclude illegal content from recommender feeds due to a lack of 'sufficient evidence to identify recommender systems as a key risk factor'.

More broadly, those protections that do exist are constrained by the regulator's choice to recommend narrow and prescriptive measures, rather than an outcome-based set of requirements. As raised previously this is highly likely to bake in the existing industry response, disincentivise services from innovating or taking further action to protect their users, and leave requirements open to be 'gamed' by services. Proposals around proactive technology in the Additional Safety Measures consultation, for example, focus on accuracy rather than any articulation of the difference that measures should make to users' exposure to harmful content.

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<sup>15</sup> Molly Rose Foundation (2024) Response to Ofcom's consultation on protecting people from illegal harms online

<sup>16</sup> Molly Rose Foundation (2025) Response to Ofcom's consultation on Additional Safety Measures

<sup>17</sup> Molly Rose Foundation (2025) Pervasive by Design

<sup>18</sup> Molly Rose Foundation (2025) Children's exposure to suicide, self-harm, depression and eating disorder content on social media