

Samaritans



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



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 assessment that suicide and self-harm content can often manifest online in a similar way. Similarly, we'd agree that the online specific risk factors are similar for both harms. We would however like to note that it is important that certain types of harm reduction content is not incorrectly judged in the same manner as self-harm encouragement. For example, users sharing recovery content or safer methods of self-harm.

This nuance will need to be communicated effectively to social media companies. There are many legitimate reasons for posting material online which could be seen to be encouraging self-harm and therefore the legal definition alone will not be sufficient. For example, harm minimisation guides from organisations or from individuals could be considered to be harmful as they state that self-harm can be carried out in a safe or nearly safe way. Similarly, it is important that a clear description is provided for eating disorder content to promote consistency.

It is also noteworthy that this combination would impact the number of platforms which are in-scope of the act. Some smaller platforms that would now not be in scope of the strongest measures in the act would have been in scope of multi-risk where there is suicide and self-harm content present. We would like clarity that Ofcom has considered this impact and assurances that these harmful small platforms will still be addressed.

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.

We are pleased that Ofcom is making changes to the risk profiles for suicide and self-harm, including adding group messaging, direct messaging and commenting on content. This change more accurately reflects online harms, including how users can be pressured or encouraged to self-harm. However, whilst this change to risk profiles is welcome it continues to demonstrate a practical issue with the enforcement of the act. Services only need to follow the measures in the codes, not the detail in their risk assessment to be in compliance with the act. Therefore, it is likely that these changes to risk profiles will not make substantial impact on the actions of services.

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.

We are pleased that Ofcom has acted on our advice that including examples of search terms or autocompletions that could exacerbate risk on services potentially draws attention to, or risks exposing users to, harmful or illegal content. We also welcome that the register has been updated to include evidence relating to eating disorders. As we mentioned previously, It is important that recovery content and users sharing tips to minimise harm are not treated as encouraging or assisting self-harm.

We are pleased that the risk register now includes research on AI chatbots, which highlights potential risks from some generative AI systems that may produce harmful self-harm or suicide-related outputs. As we have previously shared with Ofcom, we are concerned with the rising use of AI chatbots and the risks they pose to user's mental health. We remain concerned, however that the Online Safety Act is not suited to address these risks. Ofcom notes that they will need a further comprehensive update on AI regulation. We would urge Ofcom to set out it's process for this review as soon as possible and detail how they will collect evidence and produce regulatory changes.

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.

We are concerned that Ofcom is not proposing any changes to the substance of the existing measures in the codes. This causes an issue with a gap between risk assessments and codes, with platforms only having to action things in codes to be in compliance. It is therefore likely changes to risk assessments will have minimal impact on the actions of services and the safety of platforms.

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 are concerned with Ofcom's conclusion '(3.143) Overall, we do not consider these proposals would have any significant additional impacts on users or providers beyond those set out in the December 2024 and the April 2025 Statement.' Whilst this assessment is likely as no changes are

being made to the codes, it is worrying that Ofcom themselves take such a pessimistic view of these measures. This assessment is counter to the Government announcement that 'platforms will be required to take proactive steps to prevent this vile content from appearing in the first place.' We would urge Ofcom to set out how they believe the introduction of the new priority offence will help protect users.