

Dear Sir / Madam

Global Action Plan (GAP) is a member of the Online Safety Act Network and strongly supports the Network's full consultation response and recommendations [published on its website](#).

### Business Models

We would particularly like to emphasise the section of that response pertaining to platforms' business models and how those models relate to the concept of 'safety by design'. GAP has long campaigned for recognition that the advertising-based business model – and many of the design choices in its service – is a driver of harm. Ofcom's consultation part acknowledges this, at least as it relates to eating disorder content:

*"Advertising-based business models may increase the risk of children encountering eating disorder content. Services which optimise revenue based on user base and engagement have incentives to develop service designs and features that maximise engagement and drive revenue, even if this is at the expense of exposing child users to harmful content."* Vol 3, para 7.3.101

But as the OSA Network's response makes clear, while there is more evidence and commentary presented by Ofcom than previously on the influence on the business model on harms to children, particularly the financial incentives for influencers propagating harmful content or views, **there are no new measures proposed to address this.**

### Metrics

Linked to the business model - and particularly the incentives for content creators to maximise engagement - design choices relating to metrics and their impact on children's content exposure and creation are identified as a function that is potentially harmful but are not covered by the mitigating measures. For example: *"Ofcom research also reported that many children, and particularly those seeking social validation or looking to build their online following, said they shared violent content to gain popularity, due to the high levels of engagement that violent content would typically gain. Others reported that some of their friends shared violent content as they thought it was "funny" to surprise them with it."* (Volume 3, para 7.6.11)

Volume 3 also notes the influence of "likes" in the incentivisation of children to take part in dangerous stunts (see 7.8.10 and 7.8.14).

### Addictive design

There is some interesting evidence presented in volume 3 (section 7.13) in relation to the impact of design choices - including infinite scroll and autoplay, and alerts and notifications – on the time spent by children online. This is linked to the issues above relating to the business model (incentivisation for content creators) and also to the use and influence of metrics on user engagement. But there are no corresponding measures to mitigate it in the codes of practice despite the fact that Ofcom clearly states that: *"Evidence suggests that the greater the time spent on services by a child, the higher the risk of encountering any harmful content that may be present on that service. Some service features and functionalities are designed to influence certain behavioural outcomes, such as high usage or specific kinds of engagement. Children may be particularly vulnerable to being influenced in this way."* (p245)

Ofcom goes on to say:

*"We understand that these features and functionalities can be fundamental to how services operate, and a significant source of revenue for services in proportion to their number of users and/or user engagement. This might include encouraging users to spend money on a particular service, or in the*

*case of advertising-based business models, simply spend time engaging with a particular service while being exposed to ads.” (para 7.13.3)*

This comment suggests that the explanations given to Ofcom by service providers about the nature of their service are (as with other evidence) being taken at face value: that addictive design is an integral part of social media services and, in order to comply with the children’s safety duties, some kind of “safety tech” fix must be retrospectively applied to mitigate the harm, **rather than imposing a requirement on the services to address the design at source.** (see in contrast the recent DSA example, where action by the Commission temporarily stopped a new feature on TikTok that had addictive design elements.)

Both metrification and addictive design are linked directly to the way in which recommender systems work - part of a wider suite of features and functionalities that drive engagement and keep users on platforms. Ofcom refers again to this aspect in its risk assessment guidance: *“Further, in our research into features and functionalities we understand that affirmation based features play an outsized role in children seeking social validation through online services because they facilitate children receiving affirmation from others, and can lead to children spending more time online. It follows that services introducing changes which impact the prevalence of these functionalities could lead to more children spending more time on the service which could amount to a significant change in risks posed to children.”* (Volume 4, 12.100)

**Yet there are no measures, or even an open requirement to act upon the identification of harm arising from these features or functionalities (or combination thereof), to address it.** As with much of the work across both risk profile volumes, Ofcom has identified quite specifically how these features and functionalities are part of the problem the OSA is trying to solve but then has done nothing on this via the codes. In the absence of evidence that Ofcom deems suitable to inform the recommendation of measures to address these features and functionalities, an alternative approach would be to turn them off by default for children - using the age gating measures as the means by which to apply this default. There is evidence that children don’t like the addictive design elements of their social media experience. Such a measure would not make services unviable, just less profitable.

#### Advertising

Finally, GAP believes that there is no moral or legal justification for under 18s being subjected to ‘surveillance advertising’, the process of targeting users with adverts based on their personal data. This practice is at the heart of the business models of the services the OSA regime is looking to regulate, and its absence from the consultation is conspicuous. The Pre-Legislative Scrutiny Committee of the Bill [recommended](#) that “risks caused by surveillance advertising” should be included in Ofcom’s risk profiles (p 96, para 323), and we believe this continued omission seriously inhibits the effectiveness of the OSA. Put simply: surveillance advertising to under 18s should be outlawed in order to remove the commercial incentive for services to develop design features that favour engagement over child safety.

Yours sincerely