

The Rt. Hon. the Baroness Morgan of Cotes



Ofcom Online Safety Group
Ofcom
Riverside House
2A Southwark Bridge Road
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29th April 2025

Dear Ofcom Online Safety Group

Consultation on draft VAWG guidance under the Online Safety Act 2023 (the 'OSA')

I write as the mover of the original amendment which inserted into the OSA the requirement for Ofcom to produce guidance on online VAWG. I am very pleased to see Ofcom's draft guidance and appreciate the work and many consultation meetings which have contributed to this draft.

I hope the following submission on the draft Guidance is helpful:

- Categories and Actions - I support the suggested four categories of online gender based harms and the nine actions providers can take to address these harms.
- Safety-by-design - the safety-by-design approach identified in paragraph 3.5 and the intention that "all forms of online gender-based harms are considered throughout the product development lifecycle" is important.
- Transparency - I agree with the statement in paragraph 3.24 that "Publishing data on how providers of categorised services enforce their policies and the effectiveness of safety features or innovations allows for clear assessment of what works."
- Prevention - the overall focus on prevention of harms in the first place is welcome and I support the intention behind paragraph 4.8 that "Addressing the issue of online gender-based harms systematically means this Guidance is not focused on identifying individual instances of harm. Rather, online gender-based harms are structural issues which require active correction within various systems, from technology design to education. This preventative and systemic approach should reduce the burden on women and girls to keep themselves safe by transferring the responsibility to service providers."
- Responsibility not just on users - the recognition by the regulator that, as stated in paragraph 5.6 "responsibility for user safety does not sit solely with users of the service" is a key principle to establish.

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- Enforcement – the real test of the effectiveness of this Guidance is whether providers do take the nine recommended actions or not. Because this is Guidance and not a formal Code of Practice the regulator does not have enforcement powers. It therefore remains to be seen whether the lack of enforcement powers means that life online for women and girls does not change for the better once the Guidance has been finalised.
- 2027 Review – I support the intended assessment, 18 months after finalisation of the Guidance, on how providers are keeping women and girls safe on their services. This process, and the reality of whether providers have changed their approach to online VAWG, will be critical for assessing whether the legislation should be strengthened to upgrade the Guidance to a Code of Practice. It would be helpful if this Review could analyse how many enforcement cases Ofcom would have been entitled to begin if they had had enforcement powers under this Guidance.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Baroness Morgan of Cotes".

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