

WARNING: This consultation response contains language and/or material that may be distressing

Your response

Question	Your response
Question 1: Do you have any comments on our proposed approach to 'content and activity' which 'disproportionately affects women and girls'?	None.

Chayn welcomes the nine proposed actions as a thorough and methodical way to approach the guidance. However, we believe:

1) that the **adoption of safety by design principles** should be demanded as an initial principle under **“Taking responsibility.”**

2) Furthermore, as an organisation that has been encouraging the development encryption and strongly believes in encryption as a feminist issue, we would also like to see the **deployment of encryption in communication protocols under the “preventing harm” section.**

GBV [survivors rely on secure technology to communicate with trusted contacts](#), contact service providers and other organisations that can provide help and support, and search for shelters or other resources in their area. This increased reliance on technology also makes them more vulnerable to online abuse,

Question 2: Do you have any comments on the nine proposed actions? Please provide evidence to support your answer.

stalking, and harassment. They disproportionately benefit from broad safety and security technologies such as end-to-end encrypted messaging, and being confident that any software vulnerabilities identified in the online tools and services they rely upon will be patched without any undue delay. Without strong digital security tools, abusers can and will leverage vulnerabilities against their victims.

The importance of encryption for women is a reality that has been highlighted in different reports of UN commissioners and special rapporteurs.

[In a report from 2017](#), the United Nations High Commissioner for Human Rights, noted that “Women’s right to privacy in the context of equal access to ICTs implies the ability to benefit from encryption, anonymity or the use of pseudonyms on social media in order to minimize the risk of interference with privacy, which is especially pertinent for women human rights defenders and women trying to obtain information otherwise considered taboo in their societies.”

[In a report from 2021](#), the UN Special Rapporteur on freedom

of expression states that “anonymity and the use of encryption and other privacy protocols are an essential facet of women’s enjoyment of freedom of opinion and expression in the online context and must be protected.”

3) The eighth proposed action should be edited to include that ‘reporting systems designed in a way that is **trauma-informed**, supportive and accessible for those experiencing domestic abuse.’ The need for them to be trauma-informed is highlighted further down in the guidance but we believe the importance of trauma-inform design in reporting mechanism should be highlighted from the beginning.

4) Finally, regarding the ninth action we believe that the example given to the response provided when GBV occurs should be to **offer survivor a pathway towards accessing trauma-informed support**. The partnership between Chayn and dating app Bumble, to offer the platform Bloom to Bumble users, as well as therapy sessions, is an example of what such pathway can look like.

Question 3: Do you have any comments about the effectiveness, applicability or risks of the good practice steps or associated case studies we have highlighted in Chapter 3, 4 and 5? Are there any additional examples of good practices we should consider? Please provide evidence to support your comment.

The good practice steps highlighted in Chapter 3, 4 and 5 are in line with Chayn's recommendations and we welcome the suggestions of those steps and associated case studies.

However, as an organisation part of a trusted flagger programme, as described under Action 8, paragraph 2.78, we would like to see Ofcom taking a stronger stance in favour of such programme. Internal research carried by Bumble and Chayn as part of this trusted flagger programme has highlighted the positive impact on users.

While we accept the 'operational challenges for both service providers and the organisations designated as trusted flaggers,' we believe that such challenges can be overcome both with better funding of the organisations designated as trusted flaggers but also by normalising such programme, so that best practices can be shared across the sector.

One risk that Chayn would like to

highlight is the definition of intimate image abuse. Intimacy is contextual, for instance a picture of a woman without her hijab or with a man who is not their husband, shared without consent, may be perceived as intimate image-based abuse. As such, the response from tech companies should be trauma-informed and treat the take-down request with the same degree of care and urgency as an image of a sexual nature.

Confidential? – N

Chayn joins the call of other VAWG organisations asking for this guidance to be upgraded to a statutory code of practice to ensure it is enforceable and taken seriously by industry. Only a legally binding code of practice will ensure that this guidance is followed as it should and as is needed by women and girls across the UK.

Question 4: Do you have any feedback on our approach to encouraging providers to follow this guidance, including our proposal to publishing an assessment of how providers are addressing women and girls' safety? Do you have any examples or suggestions of other ways we could encourage providers to take up the 'good practice' recommendations?

As an organisation that works closely with the private sector, we also believe that Ofcom could lead the way in shifting the discourse around transparency reports. We understand many companies are reluctant to publish data around GBV and numbers of take down requests out of fear of being perceived as a place unsafe for women and girls. Society as a whole could benefit from a shift in the discourse and stress that high take-down numbers show that the company is taking the requests seriously and acting on it.

<p>Question 5: Do you have any comments on our impact assessment, rights assessment, or equality impact assessment? Please provide any information or evidence in support of your views.</p>	<p>None.</p>
<p>Question 6: Do you agree that our draft Guidance is likely to have positive effects on opportunities to use Welsh and treating Welsh no less favourably than English? If you disagree, please explain why, including how you consider the draft Guidance could be revised to have positive effects or more positive effects, or no adverse effects or fewer adverse effects on opportunities to use Welsh and treating Welsh no less favourably than English.</p>	<p>No comment.</p>

Please complete this form in full and return to OS-Section54@ofcom.org.uk.