

Consultation response form

Your response

Question	Your response
<p>Question 1: Do you have any comments on our proposed approach to 'content and activity' which 'disproportionately affects women and girls'?</p>	<p>The definition of online misogyny as including the circulation of content that “actively encourages or reinforces misogynistic ideas or behaviours” may imply conflict with the inclusion of “content which is legal but harmful to children, such as content normalising gendered or sexual violence”, since not all of this kind of harmful content – particularly in the context of content that harms children - could reasonably be described as ‘actively’ encouraging or reinforcing misogyny, although it does have this impact.</p> <p>Accounts of the primary-aged children we support suggest that online misogyny is often experienced by children and young people in more indirect forms, such as in the context of jokes and memes about gendered violence or harmful gendered stereotypes. This kind of online misogyny – in the legal but harmful to children category - normalises for some of the more serious forms of gendered violence and misogyny experienced by the children we support, yet will likely be difficult to address, suggesting the need for wider and clearer definitions of this harm.</p>
<p>Question 2: Do you have any comments on the nine proposed actions? Please provide evidence to support your answer.</p>	<p>Action 5 – set safer defaults, for example by ‘bundling’ default settings together to make it easier for women experiencing pile-ons to secure their accounts</p> <p>It must be emphasised that the actions that OFCOM propose platforms should adopt as part of the guidance, are not of equal impact or importance in reducing gender-based violence online. A radically improved and more effective approach to responding to reports of harm experienced on platforms, and also effectively partnering with law enforcement agencies to respond to the most serious reports of harm, must be emphasised to be a most urgent priority in the battle to reduce</p>

	<p>violence against women and girls.</p> <p>Further, considering and measuring the difference in impact that the range of proposed actions under the guidance could have is particularly important if OFCOM propose identifying companies who have significantly progressed their response to online VAWG. We are concerned that, in light of the complexity of the issues around this space, any publicity for good working should not be available until organisations have shown established and consistent progress over a significant period of time, or it may wrongly award measures that are ineffective in practice.</p> <p>We are also concerned the suggestion of bundling defaults together may undermine users' agency or opportunity in an online space for the sake of convenience, in the context of the risk of choices and responsibility around safety settings being disproportionately placed on vulnerable people.</p> <p>Any option of a safety settings 'bundle' should provide intended protection without sacrificing opportunities for connection or engagement in the space, and/or any movement to 'bundles' should maintain options for users to decouple different privacy settings and adjust them manually.</p> <p>Across 3 years of detailed work with primary-aged children, a consistent theme in the lived experiences of girls we have supported is their struggle between adopting the strictest safety settings at the cost of their experiences of connection in the space, and as a result refusing to adopt those settings so as not to lose agency (relative to their peers), leaving them less protected.</p> <p>For example:</p> <p>On Snapchat, where girls consistently experience a large volume of unwanted contact in the form of friend requests facilitated by its 'QuickAdd' - or 'Find Friends' - feature, girls are faced with the choice between dealing with this unwanted contact (and the risk of forms of abuse it implies) or turning off the QuickAdd feature and losing the ability to easily make connections with new people they meet at school, a feature of connection many of their peers benefit from and which is embedded in social practices around the app.</p> <p>On Tiktok, where a lack of effective age verification means children under 13 have registered with a false</p>
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date of birth, many children avoid setting their age closer to their biological age - which would allow them benefit from the default safety settings applied to 'teen' accounts – partly because one of the features in this bundle of settings is the disabling of direct messages, which children and young people already use to communicate with their friends in the app. Because children do not want to lose this particular feature, they automatically lose the security of all the safety settings in the bundle, including those addressing new connections and unwanted contact.

Forming safety settings into bundles, although potentially helpful for those intentionally seeking the strictest security, could risk reducing the adoption of important safety settings by some groups of women and girls due to an undermining of their agency, convenience or opportunity for engagement/connection in the digital space that comes with the bundle. This is a particular concern for younger girls, for whom both the protection of safety settings and the structure of social opportunity on platforms are highly important.

Default settings that limit or disable capacity for new connections for children and young people on social platforms (4.26a) will only be effective if age verification processes work. If those settings involve losing features that promote connection - which are already widely adopted by children and young people in their social practices around the app - then given the choice (to bypass these settings by registering as older on the app) many children will not benefit from those settings. Further, this choice (by virtue of a lack of effective age verification) could further perpetuate inequalities, leaving the most vulnerable children – often with the lowest levels of support and engagement around their digital lives – even more vulnerable.

The suggestion of providing children with an option to accept or decline an invite to a group chat (b, 4.26) is significant; the lived experiences of children we have supported suggest that in situations involving harassment or bullying, children are often repeatedly and persistently added back in to group chats, either that target them or whose objective is to 'Add Everyone', increasing levels of chaos in these spaces and the impact of harassment and abuse.

Action 6 – reduce the circulation of online gender-based harm – circulation of content depicting, promoting or encouraging online gender-based harms

More guidance is necessary to address how online misogyny in the legal category of harmful content will be addressed. From working directly in detail with children around the kinds of content they see on their ‘feed’ across major social platforms, their lived experiences highlight that forms of online misogyny which will largely not be addressed by this guidance form the basis for widespread experiences of misogyny and gendered violence both online and offline.

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One potential element of this problem is that discussion around what this kind of content looks like, particularly for children and young people, fails to account for the whole picture of online misogyny they experience. For example, disproportionate emphasis on ‘influencers’, and particularly ‘misogyny influencers’ (as mentioned in case study 11), although an important consideration, can limit focus on forms of online misogyny that circulate in children’s online spaces in the context of memes, and by users who could not reasonably be characterised as ‘misogyny influencers’ but nonetheless contribute to, for example, content which normalises gendered or sexual violence.

(picture sent separately in email)

Automated detection processes must be required to expand reach to detect language and sentiment that is increasingly common in this kind of online misogyny.

Further, for platforms focused on short-form video content, automated moderation processes need to effectively account for text embedded in the video,

where children tell us users can easily bypass moderation, such as by mis-spelling or hashing certain words, or using coded language or phrases.

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“Recommender systems: Ensure that content that is likely to be harmful to children, including abuse on the basis of sex or gender reassignment, as well as content promoting gendered violence, is given a low degree of prominence on children’s recommender feeds. Other kinds of harmful content – pornography, eating disorder content, self-harm and suicide content – should not appear on children’s recommender feeds at all.”

Consistent themes emerging from the lived experiences of girls we have supported – including more serious forms of gendered violence they experience largely as a result of the proliferation of misogynistic messages and language online - inform our conviction that legal but harmful content in the category of “promoting gendered violence” should be treated with the same importance as those forms of content that “should not appear on children’s recommender feeds at all”.

Action 8: Enable users who experience online gender-based harms to make reports, and

Action 9: Take appropriate action when online gender-based harms occur

It is vital that platforms understand the seismic impact of not responding well or adequately to children’s reports of harm. As we explain more fully in this article – every report by a child is an attempt to exercise their rights.

<https://crimestoppers-uk.org/fearless/news/2024/cybersafe-scotland>

In Scotland, within the Child Protection System, we strongly emphasise the importance of a child not having to retell their experience of harm, which is often impossibly difficult for them. Therefore, how every report of harm by a child is responded to is critical.

One insight that children frequently share with us is that they no longer report harm on the main platforms when it happens to them, because previous reports have been either a) ineffective (frequently because the user who has assaulted them has simply created multiple other accounts) or b) has led to the seemingly arbitrary

	<p>banning of their own account and the consequences of this (which often include social and financial loss). The very fact that a young user is taking the action to report harm should be an indication of the seriousness of the behaviour that they are experiencing to them.</p> <p>We strongly agree that to reduce violence against women and girls, certain categories of reports should be prioritised (5.24c) and this should include the classification of sexual assault and harassment as a priority area of harm. This should be clear on the face of the reporting mechanism.</p> <p>We would also strongly assert that for the reasons given above, the following steps should be included in the foundational steps for action 9, as steps of higher priority than good practice:</p> <p>A) Enforcement action: Taking enforcement action against users who continually violate a service’s terms of service; and</p> <p>D) Upholding bans: Identifying and preventing the creation of new accounts by banned users</p>
<p>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.</p>	<p>Please see comments under Action 6 and Action 9 in Question 2 above.</p>
<p>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?</p>	<p>We cannot overstate how important it is that this area of harm is urgently addressed. In our work we see the enormous impact that it is having on all children and we work in great depth with hundreds of girls and boys who have had profoundly life changing experiences of gender based online harm on a daily basis.</p> <p>Assessments of progress should involve listening to children and young people about these experiences, particularly children who have already experienced violence or other Adverse Childhood Experiences. OFCOM should partner with organisations like CyberSafe Scotland to learn more about and understand these children’s experiences of harm, and the reality of the risk landscape they face on platforms, importantly including</p>

	the responses they receive in attempts to report the harm they experience.
<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>Rights-based assessments are particularly important in Scotland as we have incorporated the UNCRC into domestic law. While the UNCRC is primarily addressed to governments, private organisations and companies also carry a responsibility under it to respect children’s rights. These responsibilities impact all decisions or actions that directly or indirectly affect children in the digital environment where the best interests of children should be a primary consideration. The guidance does not currently reference these rights in the rights assessment section, and we would encourage you to both include it and encourage companies to conduct 'best interest' rights-based assessments based on the UNCRC. For companies providing digital services to children in Scotland, rights-based impact assessments should be necessary under the law.</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>	

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