

Your response

Question (Volume 2)	Your response
<p>Question 6.1:</p> <p>Do you have any comments on Ofcom’s assessment of the causes and impacts of online harms? Do you think we have missed anything important in our analysis? Please provide evidence to support your answer.</p>	<p><i>Is this answer confidential? No</i></p> <p>FOUR PAWS UK believe that we are in a strong position to provide input in the discussions about the Code of Practice offering guidance on how regulated services can comply with their duties to remove animal cruelty content. Of note is that animal cruelty is not explicitly mentioned in the 15 Priority Illegal Harms as laid out by Ofcom despite explicit mention in the Act under:</p> <p><i>Chapter 7 – Interpretation of Part 3</i></p> <p><i>62 “Priority content that is harmful to children”</i></p> <p><i>(7) Content which—</i></p> <p><i>(a) depicts real or realistic serious violence against an animal;</i></p> <p><i>(b) depicts the real or realistic serious injury of an animal in graphic detail;</i></p> <p>FOUR PAWS UK are concerned that animal cruelty content may be considered as a “secondary” issue, and not treated as a priority if treated separately. This presents a huge risk to the public by exposing them to true and damaging harms of animal cruelty.</p>
<p>Question 6.2:</p> <p>Do you have any views about our interpretation of the links between risk factors and different kinds of illegal harm? Please provide evidence to support your answer.</p>	<p><i>Is this answer confidential? No</i></p> <p>There is extensive evidence that shows the link between cruelty to animals and violence toward humans, that children who witness animal abuse are at greater risk of becoming abusers themselves to both humans and animals, that “childhood exposure to maltreatment of companion animals is associated with psychopathology in childhood and adulthood” and increasing evidence that young people who view animal abuse on social media are graduating to child sex abuse material (CSAM) online. A 2006 study stated that “witnessing animal abuse normalises the behaviour for the observer, potentially translating to a perception that such acts are socially acceptable”.</p> <p>Article 9 of the UN Convention on the Rights of the Child, which the UK signed in 1990 and ratified the following year, requires States Parties to ‘take all ap-</p>

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	<p>appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence...'. In August 2023, the UN Committee on the Rights of the Child issued a number of comments relating to the implementation of the Convention, including General Comment 26, paragraph 35 of which states: 'Children must be protected from all forms of physical and psychological violence and from exposure to violence, such as domestic violence or violence inflicted on animals.' The incorporation of animal abuse as an offence under the Online Safety Act will go some way to fulfilling the UK's obligations under the Convention.</p> <p>Service type risk factors: Any service can be used to distribute animal cruelty content. Services that have the capacity to share images or videos, post text or share hyperlinks pose particular risks. Social media platforms and messaging services are key services used in the dissemination of such content.</p> <p>User base risk factors: Child users on a service can be a risk factor, especially on social media platforms, where children may be exposed to freely shared animal cruelty content.</p> <p>Functionalities and recommender systems risk factors: Content recommender systems to show similar or related content increases the risk of cruelty content being shared with those interested in animals. The functionality of group messaging is a risk factor for animal cruelty content, as it allows this content to be shared or traded within communities of users. Direct messaging and the ability to post content, such as text and images, are also used by perpetrators to share and distribute animal cruelty content. Encrypted messaging enables perpetrators to share such content with less risk of discovery. Messages or posts can include hyperlinks to collections of animal cruelty content saved on file-storage and file-sharing services. These hyperlinks can be shared with perpetrators, sometimes for a fee. Anonymous profiles can allow perpetrators to avoid being personally identified</p>

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	<p>by a service when sharing or accessing animal cruelty content.</p> <p>Business model risk factors: There is evidence that services which focus on and emphasise growth may deprioritise safety measures. If a service has insufficient focus on having effective moderation and verification processes in place, this can be exploited by perpetrators to share animal cruelty content.</p> <p>The Social Media Animal Cruelty Coalition, SMACC, has found that social media platforms often do not remove content in breach of their own policies. In 2023 only 47% of the content reported to platforms was removed, and many of these removals were only achieved as a result of extended effort by SMACC to escalate content within the platform directly.</p>

Question (Volume 3)	Your response
<p>Question 8.1:</p> <p>Do you agree with our proposals in relation to governance and accountability measures in the illegal content Codes of Practice? Please provide underlying arguments and evidence of efficacy or risks to support your view.</p>	<p><i>Is this answer confidential? No</i></p> <p>FOUR PAWS UK supports the Codes of Practice as a good start and agree with focusing initially on establishing who within services has primary responsibility for illegal content duties.</p> <p>As the Codes of Practice become established, it is important that they ratchet up towards maximum ambition. Staff members with clear, established responsibility should face sanctions if those duties are not fulfilled. The suggestion that in time senior manager remuneration should be tied to positive online safety outcomes would be an effective sanction. It is a concept we would like to see explored further.</p> <p>SMACC have found that social media platforms often fail to remove content which breaches the Animal Welfare Act when reported, despite clear contravention of platform policies. In 2023, only 47% of links reported by SMACC over the preceding two years had been removed by the hosting services. Robust and</p>

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	specific sanctions, including reductions in senior manager remuneration, will be needed to address such in-action and establish clear accountability.
<p>Question 8.2:</p> <p>Do you agree with the types of services that we propose the governance and accountability measures should apply to?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 8.3:</p> <p>Are you aware of any additional evidence of the efficacy, costs and risks associated with a potential future measure to requiring services to have measures to mitigate and manage illegal content risks audited by an independent third-party?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question: 8.4:</p> <p>Are you aware of any additional evidence of the efficacy, costs and risks associated with a potential future measure to tie remuneration for senior managers to positive online safety outcomes?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 9.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>

Question (Volume 3)	Your response
<p>Question 9.2:</p> <p>Do you think the four-step risk assessment process and the Risk Profiles are useful models to help services navigate and comply with their wider obligations under the Act?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 9.3:</p> <p>Are the Risk Profiles sufficiently clear and do you think the information provided on risk factors will help you understand the risks on your service?¹</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 10.1:</p> <p>Do you have any comments on our draft record keeping and review guidance?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 10.2:</p> <p>Do you agree with our proposal not to exercise our power to exempt specified descriptions of services from the record keeping and review duty for the moment?</p>	<p><i>Is this answer confidential? No</i></p>

¹ If you have comments or input related the links between different kinds of illegal harm and risk factors, please refer to Volume 2: Chapter 5 Summary of the causes and impacts of online harm).

Question (Volume 4)	Your response
<p>Question 11.1:</p> <p>Do you have any comments on our overarching approach to developing our illegal content Codes of Practice?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 11.2:</p> <p>Do you agree that in general we should apply the most onerous measures in our Codes only to services which are large and/or medium or high risk?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 11.3:</p> <p>Do you agree with our definition of large services?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 11.4:</p> <p>Do you agree with our definition of multi-risk services?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 11.6:</p> <p>Do you have any comments on the draft Codes of Practice themselves?²</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 11.7:</p> <p>Do you have any comments on the costs assumptions set out in Annex 14, which we used for calculating the costs of various measures?</p>	<p><i>Is this answer confidential? No</i></p>

² See Annexes 7 and 8.

Question (Volume 4)	Your response
<p>Question 12.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 13.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 14.1:</p> <p>Do you agree with our proposals? Do you have any views on our three proposals, i.e. CSAM hash matching, CSAM URL detection and fraud keyword detection? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 14.2:</p> <p>Do you have any comments on the draft guidance set out in Annex 9 regarding whether content is communicated 'publicly' or 'privately'?</p>	<p><i>Is this answer confidential? No</i></p>

Question (Volume 4)	Your response
<p>Question 14.3:</p> <p>Do you have any relevant evidence on:</p> <ul style="list-style-type: none"> • The accuracy of perceptual hash matching and the costs of applying CSAM hash matching to smaller services; • The ability of services in scope of the CSAM hash matching measure to access hash databases/services, with respect to access criteria or requirements set by database and/or hash matching service providers; • The costs of applying our CSAM URL detection measure to smaller services, and the effectiveness of fuzzy matching³ for CSAM URL detection; • The costs of applying our articles for use in frauds (standard keyword detection) measure, including for smaller services; and • An effective application of hash matching and/or URL detection for terrorism content, including how such measures could address concerns around ‘context’ and freedom of expression, and any information you have on the costs and efficacy of applying hash matching and URL detection for terrorism content to a range of services. 	<p><i>Is this answer confidential? No</i></p>

³ Fuzzy matching can allow a match between U2U content and a URL list, despite the text not being exactly the same.

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<p>Question 15.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 16.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 17.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 17.2:</p> <p>Do you have any evidence, in particular on the use of prompts, to guide further work in this area?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 18.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 18.2:</p> <p>Are there functionalities outside of the ones listed in our proposals, that should explicitly inform users around changing default settings?</p>	<p><i>Is this answer confidential? No</i></p>

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<p>Question 18.3:</p> <p>Are there other points within the user journey where under 18s should be informed of the risk of illegal content?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 19.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 19.2:</p> <p>What evaluation methods might be suitable for smaller services that do not have the capacity to perform on-platform testing?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 19.3:</p> <p>We are aware of design features and parameters that can be used in recommender system to minimise the distribution of illegal content, e.g. ensuring content/network balance and low/neutral weightings on content labelled as sensitive. Are you aware of any other design parameters and choices that are proven to improve user safety?</p>	<p><i>Is this answer confidential? No</i></p>

Question (Volume 4)	Your response
<p>Question 20.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 20.2:</p> <p>Do you think the first two proposed measures should include requirements for how these controls are made known to users?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 20.3:</p> <p>Do you think there are situations where the labelling of accounts through voluntary verification schemes has particular value or risks?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 21.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 21.2:</p> <p>Do you have any supporting information and evidence to inform any recommendations we may make on blocking sharers of CSAM content? Specifically:</p> <ul style="list-style-type: none"> • What are the options available to block and prevent a user from returning to a service (e.g. blocking by 	<p><i>Is this answer confidential? No</i></p>

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<p>username, email or IP address, or a combination of factors)? What are the advantages and disadvantages of the different options, including any potential impact on other users?</p> <ul style="list-style-type: none"> • How long should a user be blocked for sharing known CSAM, and should the period vary depending on the nature of the offence committed? • There is a risk that lawful content is erroneously classified as CSAM by automated systems, which may impact on the rights of law-abiding users. What steps can services take to manage this risk? For example, are there alternative options to immediate blocking (such as a strikes system) that might help mitigate some of the risks and impacts on user rights? 	
<p>Question 22.1:</p> <p>Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 23.1:</p> <p>Do you agree that the overall burden of our measures on low risk small and micro businesses is proportionate?</p>	<p><i>Is this answer confidential? No</i></p>

Question (Volume 4)	Your response
<p>Question 23.2:</p> <p>Do you agree that the overall burden is proportionate for those small and micro businesses that find they have significant risks of illegal content and for whom we propose to recommend more measures?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 23.3:</p> <p>We are applying more measures to large services. Do you agree that the overall burden on large services proportionate?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 24.1:</p> <p>Do you agree that Ofcom’s proposed recommendations for the Codes are appropriate in the light of the matters to which Ofcom must have regard? If not, why not?</p>	<p><i>Is this answer confidential? No</i></p> <p>FOUR PAWS UK investigative research has found that many social media platforms regularly fail to implement their own policies or enforce their community guidelines consistently.</p> <p>It is very challenging to report cases of abuse on these platforms as often the mechanisms for reporting are limited to specific issues only, e.g. pornography, and therefore people are unable to truly report and only have the option to “hide” a post.</p> <p>We believe that training is essential to ensure that moderators can distinguish harmful content and effectively remove it from the public domain to protect its users. We also recommend that specific reporting mechanisms are enables for such illegal activity and that their own internal policies and enforcement procedures are reviewed regularly to ensure they are fit for purpose. These services should seek consultation from experts on illegal harms to assist with risk assessments and mitigation actions around policy, moderation and other relevant approaches to dealing with harmful content.</p>

Question (Volume 5)	Your response
<p>Question 26.1:</p> <p>Do you agree with our proposals, including the detail of the drafting? What are the underlying arguments and evidence that inform your view.</p>	<p><i>Is this answer confidential? No</i></p> <p>FOUR PAWS UK are broadly in agreement with the proposals, however it is unclear how Ofcom will ensure that services consider a range of sources of evidence, to ensure a balanced assessment of risk in the development of their mitigation processes.</p> <p>FOUR PAWS UK believes that it is essential that these regulations do not target or eliminate education content that seeks to raise awareness of animal welfare issues, and therefore for legitimate means. Examples include public awareness raising, campaigning or fundraising for animal protection, conservation and other related organisations.</p>
<p>Question 26.2:</p> <p>Do you consider the guidance to be sufficiently accessible, particularly for services with limited access to legal expertise?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question 26.3:</p> <p>What do you think of our assessment of what information is reasonably available and relevant to illegal content judgements?</p>	<p><i>Is this answer confidential? No</i></p> <p>For any assessment of animal cruelty content, NGOs and high-level experts in animal protection must be consulted, particularly in regard to implications of the Animal Welfare Act (2006).</p>

Question (Volume 6)	Your response
<p>Question 28.1:</p> <p>Do you have any comments on our proposed approach to information gathering powers under the Act?</p>	<p><i>Is this answer confidential? No</i></p>

Question (Volume 6)	Your response
<p>Question 29.1:</p> <p>Do you have any comments on our draft Online Safety Enforcement Guidance?</p>	<p><i>Is this answer confidential? No</i></p>

Question (Annex 13)	Your response
<p>Question A13.1:</p> <p>Do you agree that our proposals as set out in Chapter 16 (reporting and complaints), and Chapter 10 and Annex 6 (record keeping) are likely to have positive, or more positive impacts on opportunities to use Welsh and treating Welsh no less favourably than English?</p>	<p><i>Is this answer confidential? No</i></p>
<p>Question A13.2:</p> <p>If you disagree, please explain why, including how you consider these proposals 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><i>Is this answer confidential? No</i></p>

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