Your response

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Question 6.1: 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.	*[Is this answer confidential? / No (delete as appropriate)]* Ofcom's assessment of the causes and impacts of online harms regarding **drugs and psychoactive substances offences** is comprehensive, detailed and refers to relevant academic studies on the matter. However, more recent studies and additional sources of evidence are missing and could provide a more complete picture of the issue. I have conducted a multidisciplinary scoping review on the sale and advertisement of illicit drugs through social media platforms(1) (available at: https://onlinelibrary.wiley.com/doi/10.1111/dar.13716). Some of the referenced studies in Chapter 6H are also in our review. However, we provide a wider array of references, including computer science and public health disciplines. Peer-reviewed studies written in English, Spanish and French were searched for the period 2015 to 2022. We extracted data on users, drugs studied, rate of posts, terminology used and study methodology. The findings of our review have implications for various items in Chapter 6H. For instance, item **6H.23** states: *"Studies looking at the content of drug posts on social media services have found significant number of posts, but there are conflicting conclusions on how much of this content relates to illicit drug supply. (…)"* We found that on average, for the studies reviewed, 13 in 100 social media posts advertise illicit drugs. However, popular platforms used by adolescents such as TikTok are rarely studied (See Fig.1. One striking finding was that other metrics such as incidence (*new posts in period of time t*) virality (*posts viewed in a period of time t*) or engagement rates (*interactions of content per follower*) were not examined in the reviewed studies. Across the platforms examined, the average proportion of illicit drug advertisements was highest for Instagram (0.19, 95% confidence interval 0.12–0.25). Overall, these rates seem high, although it is worth noting that it is difficult to say what 'high' is in the absence of a meaningful baseline or comparison (e.g., what is the occurrence for advertisements of vitamins?). **Figure 1.** Forest plot of the average proportion of illicit drug posts found by individual studies and across platforms (N=23 studies) and their 95%

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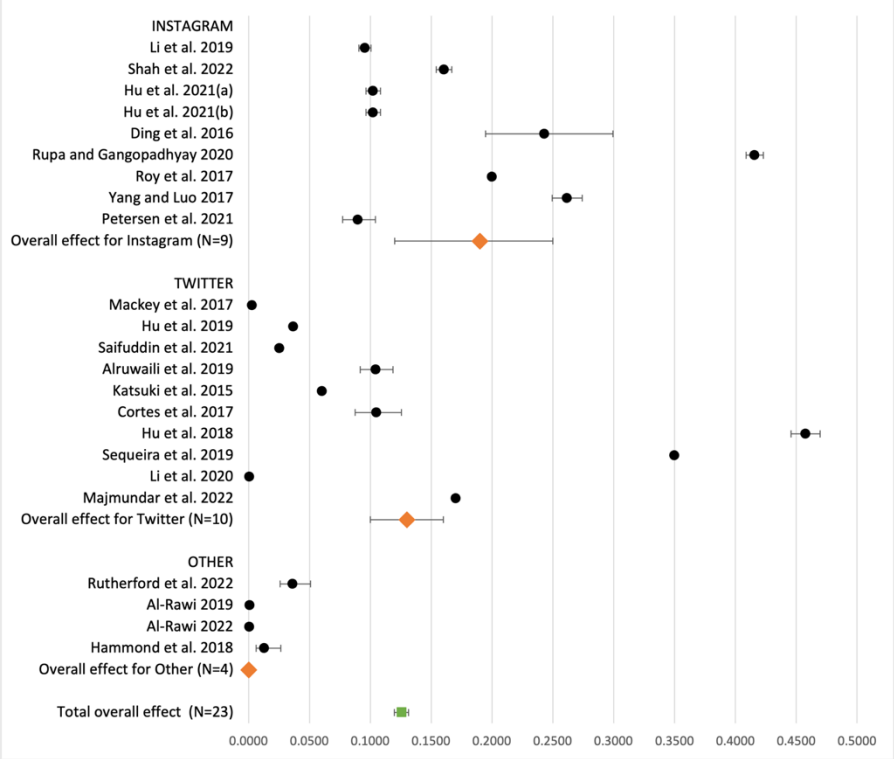
	confidence intervals.  In the first quarter of 2022, Meta (which includes Facebook and Instagram) reported that they had found 5 per 10,000 posts relating to illicit and regulated goods (2) . In contrast, in its latest transparency report, X (formerly known as Twitter) reports that illegal or regulated goods or services made up 11.20% of the total content removed (571,902 of 5 million posts)(3). This is in line with the proportion of illicit drugs posts found in the reviewed studies for X (11%, 95% confidence interval 2.5–19.3). However, X's categorisation for illegal goods includes other items such as firearms which might inflate that number. Overall, these comparisons are useful to provide a picture of the rate of occurrence of illicit drug advertisement posts on social media but should be carefully considered given the variation in the sample sizes of studies. As referred to in this volume, the first piece of research on the sale and advertisement in the UK carried out by drug policy think tank Volteface (4) found from a representative sample of 2006 16-24 year olds that 1 in 4 (24%) young people had reported that they saw illicit drugs advertised on social media. However, this data is from 2019 and may have considerably changed since. We are currently carrying out a large-scale national survey of UK students aged 13-18 to better understand **the prevalence of this phenomenon, their experiences, and attitudes around drugs on social media and their reporting practices.** This project is currently in its data collection phase

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	which will end in April 2024 – **we would be happy to share this data with Ofcom.** For more information see: https://www.dsmfoundation.org.uk/news-socialmediasurvey2023/ Preliminary evidence indicates that **63%** of participants (N=427 young people) said they had already seen drugs on social media, including other people consuming drugs, challenges, etc… (total N=678) - **81%** (N=508) of participants declared they had never bought illegal drugs through social media (total N=627) despite **32%** (N=210) saying they had seen illegal drugs being advertised for sale on social media (total N=661) - 3 most cited platforms where participants saw drug advertisements were Snapchat (N=183), Instagram (N=139) and TikTok (N=126). - Of these, **84.76%** of drugs adverts were a result of drugs being advertised for sale without searching (N=178) (total N=210) - **41%** of participants said that the people who they have seen advertising drugs on social media were between 13 to 17 years old and **39%** said they were 18 to 24 (total N=323). About **40%** of participants that did not see drug adverts on social media agree that if they were to see drugs on social media, it would make them feel uncomfortable and **34%** that it would make them feel less safe online (Total N=431). Regarding the evidence of risk factors on user-to-user services, I am supportive of Ofcom's assessment of the evidence regarding service types and commend the reference to various relevant studies within the field. I would like to bring Ofcom's attention to additional evidence brought by our scoping review, specifically regarding item **6H.24** which states *"A study analysing posts on Instagram related to various controlled substances and illicit drugs indicated that of the many posts related to these, there were far fewer posts which explicitly included an offer for supply or an offer to purchase the substances (…)"* Li's et al. (2018) study is here very relevant in developing and evaluating a machine learning algorithm to detect and classify drug dealer's profiles on Instagram. There are indeed different strategies used by drug dealers to advertise and sell illicit drug posts and these also vary by platform and time of the day. A study from Yang and Luo (2017)(5) extracts a wide numbers of illegal drug posts on Instagram and analyses behaviour patterns of drug-related user accounts. They demonstrate temporal

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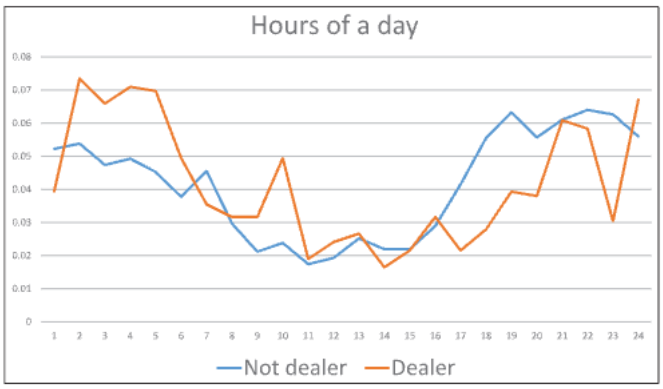
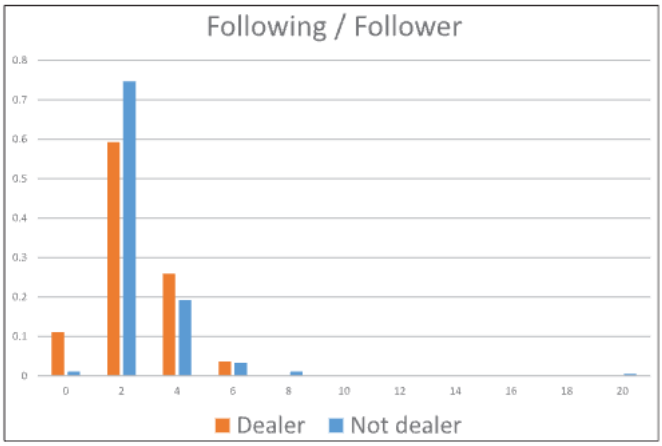
	patterns of illegal drug posting as drug dealers tend to post at midnight (See Fig 2.) **Figure 2.** Relational information pattern of drug-related accounts (Source: Yang and Luo, 2017).  Fig. 8. Temporal pattern of drug-related accounts.  Considering temporal patterns of drug-relating posting on different services may be a valuable information to include in the assessment of risk factors. Furthermore, Ofcom's assessment correctly points out differences in platforms according to their 'openness' by referencing the research from Demant and Bakeen (2019) (commissioned by the EMCDDA) (6) item (**6H.40**). In addition to this, my research demonstrates that besides cross-national preferences, the unique structures of platforms also make their usage inherently different. For example, Snapchat provides QR "snapcodes" to connect to exclusive content and interactive "snapmaps" which indicate the location of contacts in real time. Navigating the sale of drugs on Snapchat is fundamentally different to Facebook, the latter being

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	seen as more of a forum (7), or to X where hashtags can yield large amounts of openly accessible results, including illicit advertisements sponsored by bots (8). This underlines the relevance of examining specific social media platforms and the context in which drugs are sold. The latest evidence suggests that user choice of platform to buy, sell or advertise drugs may not rest on national preferences identified in the literature but rather, *it is shaped by the relationships established between individual buyers and sellers*. For instance, a recent study by van der Sanden et al. (2022) (9) examines how different social media platforms are linked to different drug market contexts. They find that perceived closeness or friendship between buyers and sellers is a key factor for users to 'choose' on which social media platform they will buy or sell illegal drugs. Researching the behaviours of users will be crucial to explore how these intersect with existing organisations of online drug distribution and assess their porosity with darknet markets. Our review also revealed that there is a trend where illicit drug promotional content is changing to appeal to young people. Illicit drugs are being portrayed as healthy and glamourous products. This trend was particularly suggested with cannabis, as its growing marketisation on social media feeds into movements and online communities of "wellness" and "healthy lifestyles" which may encourage drug seeking behaviours among young people. Several studies have demonstrated this. - A first study from Bakken and Harder (10) compared male and female drugs dealers from Sweden and the US. They found that whereas Swedish dealer accounts were either attached to masculine conceptions of "illegality" or void of any possible gender identification, the US cannabis influencers highlighted their identities as women and mothers, displaying cannabis as empowering and fashionable. This highlights how the line between legality and illegality is murky: influencers may be selling *legal products, but which are prohibited to minors*. Despite their profiles being accompanied by age limit disclaimers, the responsibility is nevertheless shifted to viewers to avoid such content. - A second study from Rutherford et al. (2022) (11) explored and categorized cannabis-related content on TikTok. They found that content portraying cannabis use as entertaining or humorous accounted for 71.74% of videos, with a further 42.90% discussing personal cannabis use experiences and 24.63% promoting the social and cultural acceptability of cannabis use. - A third study from can der Sander (2022) (12) examined drug-related content on gaming related platform Discord, highly

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	popular with young people. Their findings demonstrate that the Discord platform, which was initially established for gaming, is also being used to facilitate drug transactions. The influencer and social media culture era brings new challenges as the expansion of new products within the boundaries of legal concentrations or marketised as "safe" add to the complexity of an existing legal grey area. Cultural connotations associated to different type of service platforms should be taken into consideration by Ofcom in their assessment of the causes and impact of drug and psychoactive substances offences online, as these have been shown to impact a user's choice of platform and their attitudes regarding controlled substances. Regarding the evidence of risk factors on user-to-user services, I agree with Ofcom's interpretation of the evidence regarding service types. I particularly support item **6H.28** which states: *"Direct messaging is a functionality that is central to messaging services, as well as encrypted messaging, were also found to be risk factors. The latter supports the conclusion that messaging services with encryption are an important service type used in the supply of drugs and psychoactive substances"* This is a good point. However, given my research and the existing literature, I would like to add that the *perception of what is considered as 'secure'* communication channels is in my opinion equally important, especially to young people as pointed out by Volteface's research. This also echoes to item **6H.49** about the safety perception of auto-destructing messages which contrast with the insecurity of 'text messages and phone calls'. While encryption might be valued highly as a feature, young people searching for illicit drugs might disregard other features of platforms which are not encrypted and assume these are equally 'safe'. Young people's perceptions of risk and safety regarding drugs on social media is a topic of interest which is being asked about in our national survey of UK students that is currently ongoing. This project is currently in its data collection phase which will end in April 2024 – **we would be happy to share this data with Ofcom.** For more information see: https://www.dsmfoundation.org.uk/news-socialmediasurvey2023/ I support Ofcom's proposed evidence in the "*Risk Factors: Functionalities and recommender systems"* part of Chapter 6H. Specifically, I endorse items **6H.33, 34 and 35 on User identification,** which point out Volteface's findings on features of users who promote drugs for sale.

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	To complement this information, there are various studies examining different types of machine learning algorithms to detect and identify illicit drug posts and users distributing illicit drugs on social media. Specifically: - Rutherford et al., 2022 - Adams et al., 2019 - Mackey et al., 2017 - Li et al., 2019 - Hu et al., 2019 - Simpson et al., 2018 - Shah et al., 2022 - Saifuddin et al., 2021 - Alruwaili et al., 2019 - Hu et al., 2021 - Kalyanam and Mackey, 2017 - Katsuki et al., 2015 - Balsamo et al., 2019 - Hu et al., 2021 - Ding et al., 2016 - Phan et al., 2017 - Tian et al., 2016 - Tianze Sun et al., 2023 - Cortés et al., 2017 - Ginart et al., 2016 - A. Paul Rupa and A. Gangopadhyay, 2020 - Roy et al., 2017 - Halevy et al., 2020 - R. Sequeira et al., 2019 - Zhou et al., 2016 - Majmundar et al., 2022 (11,13–37) – The characteristics and findings of these studies are summarised in our scoping review, please see for further detail (Fuller et al. 2023) (1). The most significant narrative constructed by these studies is the rapid move towards complex detection, integrating the detection of behaviour through machine learning models. Models which use multiple data sources (called *multi-modal machine learning*) to inform predictions seem to be essential moving forwards. As illicit drug advertisements become more complex in the race to avoid detection, the tools used to effectively identify violating content need to become more granular in their analysis of data to increase their predictive power. Therefore, service's algorithms to detect drugs on their platform

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	would benefit from analysing longitudinal data from a diverse set of samples (countries, platforms, age of users). This also applies to integrating different kinds of drugs in models as the popularity of synthetic drugs are on the rise (38–40) but rarely focused on in the literature. This highlights the necessity for future research on detection to integrate the behaviour of users. The *dynamics of the networks of young people*, the *types of drugs* they consume and the *cultural and linguistic context* within which they are sold are all elements which will need to be considered when devising detection methods. Furthermore, I welcome the level of detail within the *Risk Factors: Functionalities and recommender systems"* part of Chapter 6H, notably on user communication. Specifically, I endorse Ofcom's item **6H.55** *"Dealers usually post frequently about their activity, posting multiple videos and a range of images of advertised products to followers on social media services. Moyle et al. (2019) found that dealers would send out several messages a day to say what products they had or any special offers. Dealers would also 'prove' the quality and legitimacy of their product by posting videos of themselves using the products."* However, I would like to complement such information with a recent study which explored the implications of the ways in which dealers promote illicit substances. Haupt et al. 2024, (41) available: https://pubmed.ncbi.nlm.nih.gov/38319039/#full-view-affiliation-2) demonstrated how online users evaluate what features of social media posts convey safety, which can influence their intent to source illicit substances. They found that: "*Packaging was ranked the most important attribute (Average Importance =43.68, Offering=14.94, Profile=13.86, Payment=14.11, Emoji=13.41), with posts that displayed drugs in pill bottles assessed as the most safe. Attribute levels for advertising multiple drugs, having a blank profile photo, including payment information, and including emojis also ranked higher in perceived safety. Rankings were consistent across tested demographic factors (i.e., gender, age, and income). Survey results show that online pharmacies were most likely to be perceived as safe for purchasing drugs and medications. Additionally, those who were younger in age, had higher income, and identified as female were more likely to purchase from a greater number of platforms*." (Haupt et al. 2024). Ofcom may want to pay further attention to these findings as perceptions of what is considered a "safe" illicit drug advertisement might further

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	constitute a potential risk factor in causing and impacting online harm in the realm of drug and psychoactive substances offences. Young people's perceptions of risk and safety regarding drugs on social media is a topic of interest which is being asked about in our national survey of UK students that is currently ongoing. This project is currently in its data collection phase which will end in April 2024 – **we would be happy to share this data with Ofcom.** For more information see: https://www.dsmfoundation.org.uk/news-socialmediasurvey2023/
Question 6.2: 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.	*[Is this answer confidential? No (delete as appropriate)]* Ofcom's interpretation of the links between risk factors and **drugs and psychoactive substances offences** is comprehensive, detailed and refers to relevant academic studies on the matter. However, the statement in the summary analysis that "*gender is not necessarily a defining factor for users who sell and purchase drugs and psychoactive substances online*" (**p.148, Chapter 6H, Vol2**.) would benefit from revision, including item **6H.32** that states: *"Gender cannot be established as a risk factor; however, there is some research suggesting that more men than women report seeing crack, cocaine and heroin advertised (…)"* While the studies cited in this chapter may lead to this conclusion, there is recent evidence that gender is an important risk factor in user's relationship to the sale and advertisement of drugs on social media platforms. A study from Bakken and Harder (2023) (10) on recent evidence of gender in drug advertising and selling on social media. They found that whereas Swedish dealer accounts were either attached to masculine conceptions of "illegality" or void of any possible gender identification, the US **cannabis influencers** highlighted their identities as women and mothers, displaying cannabis as empowering and fashionable. Their findings show that "*cannabis influencers on Instagram are changing the stereotypical characteristics of illegal cannabis culture as being almost entirely dominated by men, to one where cannabis is represented as a desirable accessory in certain feminine lifestyles. Influencers' role in transforming cannabis culture to become more mainstream and acceptable for women*

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	could potentially effect cannabis cultures globally, as well as ongoing legalization debates." (Bakken and Harder, 2023). However, there is limited evidence of such differences for other types of drugs. Further empirical and gendered research on the motivations, habits and roles of influencers in drug advertising on social media is needed to bridge existing knowledge gaps. A paper by Fleetwood, Aldridge and Chatwin (2020) explains the role of gender in online illegal drug markets and whether these may facilitate women's participation (due to anonymity, for example). They also explore the potential significance of women's participation in online illegal drug markets for harm reduction services. Based on the above evidence, it is recommended that Ofcom reassesses its interpretation of gender as a risk factor in users' relationship to the sale and advertisement of drugs on social media platforms. Furthermore, I welcome the level of detail within the *Risk Factors: Functionalities and recommender systems"* part of Chapter 6H, notably on Content exploring. Item **6H.60** touches upon important elements by stating that: *"The Commission on Combatting Synthetic Opioid Trafficking found that most content promoting Fentanyl on Pinterest were labelled by the author with misleading labels. This was understood to be a method for the authors to circumvent automated content moderation."* To complement this information, my research has demonstrated that the current blurriness of the law and international disparities are likely to afford greater opportunities for sellers to market their goods in new spaces, such as social media or other apps. This echoes suggestions that anonymous location-based apps may flourish, facilitating drug commercialisation (42). Evidence of this can be found in a study carried out by Hammond et al. (2018) where a particular mobile app (Yik Yak) allowed users to post any message anonymously to nearby persons, often in areas with close proximity to major colleges and universities for substance use and sale. One important finding from my scoping review that can contribute to Ofcom's assessment is that platforms that may not have previously been thought of as "social media" are becoming relevant to advertise and sell illicit drugs, such as gaming platform Discord (van Sander et al. 2022) (12). **Anecdotal evidence** shows that gaming platforms such as Twitch or Roblox, apps that sell clothes such as Depop, or e-commerce websites such as eBay or Craigslist are harbouring illicit drug advertisements (See Fig.2 and 3).

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	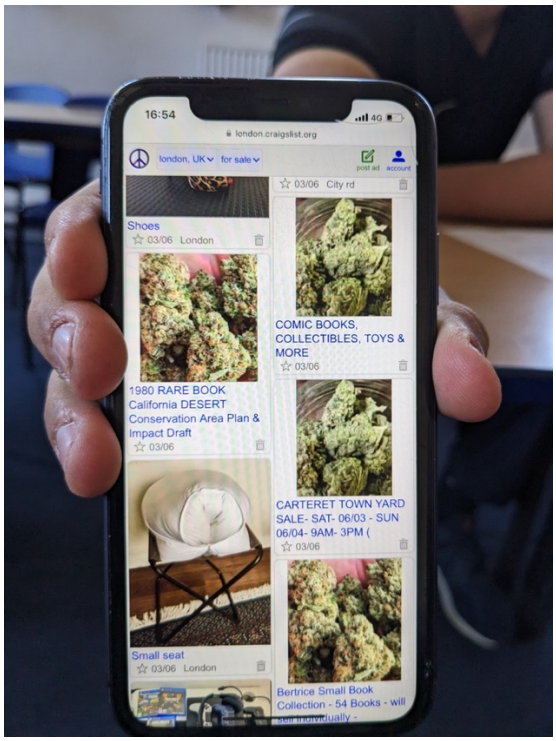 **Figure 2**. Student showing on his phone front the page of Craigslist where cannabis advertisements are listed as furniture.

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	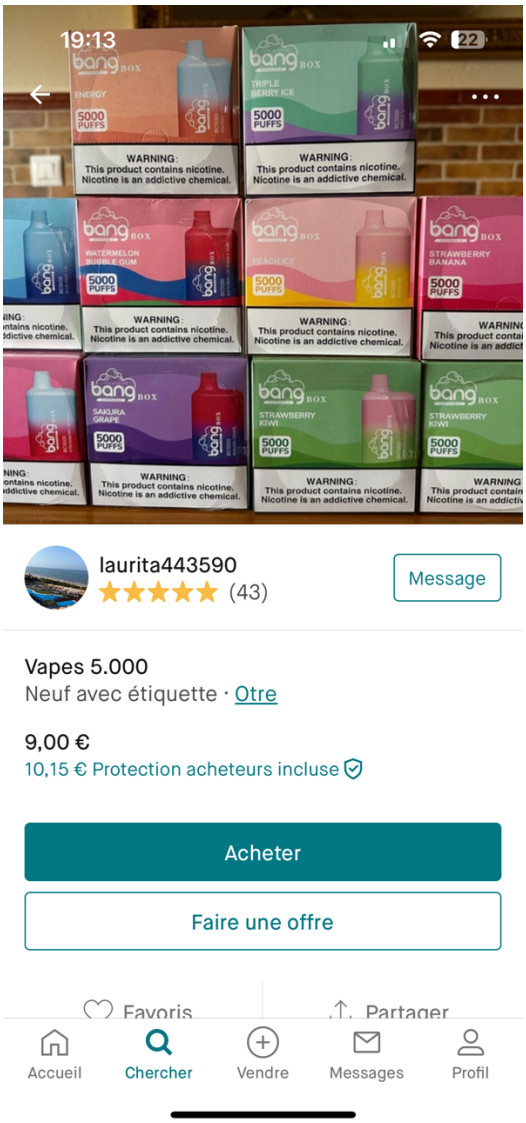 **Figure 3**. Page of a user on Vinted selling vapes. We might be underestimating the prevalence of drugs on social media. Further research needs to be conducted across various platforms used by young people – but that also means understanding what platforms young people are using.

Question (Volume 3)	Your response
Question 8.1: 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.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 8.2: Do you agree with the types of services that we propose the governance and accountability measures should apply to?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 8.3: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question: 8.4: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

Question (Volume 3)	Your response
Question 9.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 9.2: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 9.3: 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]	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 10.1: Do you have any comments on our draft record keeping and review guidance?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 10.2: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

[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
Question 11.1: Do you have any comments on our overarching approach to developing our illegal content Codes of Practice?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 11.2: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 11.3: Do you agree with our definition of large services?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 11.4: Do you agree with our definition of multi-risk services?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 11.6: Do you have any comments on the draft Codes of Practice themselves?[2]	*[Is this answer confidential? Yes / No (delete as appropriate)]*

[2] See Annexes 7 and 8.

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Question 11.7: Do you have any comments on the costs assumptions set out in Annex 14, which we used for calculating the costs of various measures?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 12.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 13.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 14.1: 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.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 14.2: Do you have any comments on the draft guidance set out in Annex 9 regarding whether content is communicated 'publicly' or 'privately'?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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Question 14.3: Do you have any relevant evidence on: - 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 matching[3] 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.	*[Is this answer confidential? Yes / No (delete as appropriate)]*

[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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Question 15.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 16.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? No (delete as appropriate)]* Ofcom's assessment of how to mitigate the risk of illegal harms online is comprehensive, detailed and considers various socio-technical perspectives. More specifically, I support Ofcom's proposals relating to section 16 (Vol.4) on Reporting and Complaints. I am glad to see an emphasis throughout the section on facilitating user reporting and complaint systems, especially for vulnerable users such as children. Making an easy and accessible way to complaint and report a requirement for services to comply under the Act is an important advancement. However, I wonder to what extent the ease of reporting is *per se* the only element that needs to be improved. The academic literature and social media companies I have discussed with underline that despite improvements in reporting processes, users do not feel *compelled* to report. Regarding my area of expertise, there is little to no research specifically on the reporting of illicit and harmful content such as illicit drugs by young people. According to Ofcom's *Children and parents media use and attitudes* (2023) (43) research using online panel surveys, only 14% of young people aged 12-17 in the UK had used a reporting or flagging function to report inappropriate content online. Certain user groups may not even want to report such content. Regarding young people, Volteface's research

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	(44) identified various reasons that impede users to report such content. Focus groups with students who buy or sale illicit drugs through social media revealed that they are reluctant to report posts or users: - They may know the person selling the drugs or they are mutual friends, - They do not want to be viewed as a snitch - They do not want the platform to shut down the place they source drugs, - They are concerned that they are complicit as they have sourced drugs through this avenue and fear repercussions, - They are concerned that they are complicit as they have chosen to follow this content, - They do not think reporting it will have an impact, - There is a perception that the dealers are doing no harm, - They perceive the content to be funny and interesting. This evidence underlines the pressing need to increase user reporting/complaints of *illegal drug and psychoactive substances offences* on service platforms. Encouraging users to report might also have a counter effect on the **normalisation** of such content on platforms. Ofcom may want to consider in this section not only how can services provide easier and accessible tools for complaints – but also how could services ***encourage*** its user base to report illegal content (such as controlled drugs) by tackling known barriers to reporting.
Question 17.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes /No (delete as appropriate)]*
Question 17.2: Do you have any evidence, in particular on the use of prompts, to guide further work in this area?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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Question 18.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 18.2: Are there functionalities outside of the ones listed in our proposals, that should explicitly inform users around changing default settings?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 18.3: Are there other points within the user journey where under 18s should be informed of the risk of illegal content?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 19.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 19.2: What evaluation methods might be suitable for smaller services that do not have the capacity to perform on-platform testing?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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Question 19.3: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 20.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 20.2: Do you think the first two proposed measures should include requirements for how these controls are made known to users?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 20.3: Do you think there are situations where the labelling of accounts through voluntary verification schemes has particular value or risks?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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Question 21.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 21.2: Do you have any supporting information and evidence to inform any recommendations we may make on blocking sharers of CSAM content? Specifically: - What are the options available to block and prevent a user from returning to a service (e.g. blocking by 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? - 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	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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a strikes system) that might help mitigate some of the risks and impacts on user rights?	
Question 22.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 23.1: Do you agree that the overall burden of our measures on low risk small and micro businesses is proportionate?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 23.2: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 23.3: We are applying more measures to large services. Do you agree that the overall burden on large services proportionate?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

Question (Volume 4)	Your response
Question 24.1: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

Question (Volume 5)	Your response
Question 26.1: Do you agree with our proposals, including the detail of the drafting? What are the underlying arguments and evidence that inform your view.	*[Is this answer confidential? No (delete as appropriate)]* Ofcom's illegal content judgment guidance (ICJG) on "*Buying and Selling Offences - Drugs and psychoactive substances offences*" acknowledges a detailed level of drafting and explanation on what constitutes 'illegal' drug contents. It is clear how the question of jurisdiction regarding drugs and psychoactive substances offences illicit is defined in item **26.210**. It states that: "*services that will need to make sensible, nuanced judgments on this point, having regard to the content itself, its content and – in particular – any evidence from users (via complaints) or from law enforcement that goods are being marketed unlawfully to users in the UK (…)"* However, I would like to point out the implications of this recognition by services and question if there are any ways for service providers to systematise these judgements while conserving high accuracy. For example, while every large service platform provider has automated content moderation systems with proactive detection algorithms, these might perform very differently across platforms because of their design (different training databases, different types of models etc…). While designing a unique content moderation model across all platforms is not only not feasible but also not desirable, I wonder to what extent some common thresholds or characteristics regarding illegal content could be applied across services, and would allow for both: - Better detection rates and no 'loophole' platform where moderation might be less accurate.

Question (Volume 5)	Your response
	▯ A more systematic way for Ofcom to evaluate these detection models and therefore assess compliance Furthermore, in this section, user complaints are mentioned as a way to guide these judgements. This is a very valid point as user reporting/complaints are vital part of the content moderation cycle. In addition to training data sets and human moderators, user reports allow to provide a certain level of 'ground truth' and therefore complement and reinforce proactive detection (45,46). However, there is little to no research specifically on the reporting of illicit and harmful content such as illicit drugs by young people. According to Ofcom's *Children and parents media use and attitudes* (2023) (43) research using online panel surveys, only 14% of young people aged 12-17 in the UK had used a reporting or flagging function to report inappropriate content online. This can be explained by their lack of awareness in reporting tools as only 35% of the surveyed young people were aware of these features. This resonates with research on the coping mechanisms of young users faced with cyber-harassment: older youth have a better awareness of privacy setting and reporting tools. A study from Hudson et al. (2016) (47) explored online preventive coping (privacy settings) and reactive coping (reporting tools) among youth and how the use of these online safety tools related to the frequency of cybervictimization. Young users may be the most vulnerable when exposed to illegal content, yet they are less likely to know how to report it or **even be willing to**. (See answer to question 16.1 in this consultation). The cited evidence underlines the pressing need to increase user reporting/complaints of *illegal drug and psychoactive substances offences* on service platforms. Encouraging users to report might also have a counter effect on the **normalisation** of such content on platforms. While user reporting is an important metric to base judgements in what is considered an '*illegal drug and psychoactive substances offences*' – given the above evidence; I would caution to over rely on this measure to establish illegal content judgment guidance or to estimate prevalence of illegal content.

Question (Volume 5)	Your response
	I commend and agree the point made in Volume 5, *Drugs and psychoactive substances offences* item **26.212** that *"(…) a potentially incomplete list of drug's street names is therefore better than no list. We have drafted on that basis."* A potential recommendation to be made here is that service providers may already have a data base of names/list that automatically updates and learns from user reports (especially from unsupervised machine learning techniques). For example two studies, one from Adams et al. (2019)(13) and one from Simpson et al. (2018)(17) used machine learning techniques to "*uncover and track changes in drug terms in near real time"* based on a known list of drug street names. This could be a good case study to suggest Ofcom and service providers to collaborate on a common database of drug street names/or emojis that could also be shared with and supplemented by law enforcement.
Question 26.2: Do you consider the guidance to be sufficiently accessible, particularly for services with limited access to legal expertise?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 26.3: What do you think of our assessment of what information is reasonably available and relevant to illegal content judgements?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

Question (Volume 6)	Your response
Question 28.1: Do you have any comments on our proposed approach to information gathering powers under the Act?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question 29.1: Do you have any comments on our draft Online Safety Enforcement Guidance?	*[Is this answer confidential? Yes / No (delete as appropriate)]*

Question (Annex 13)	Your response
Question A13.1: 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?	*[Is this answer confidential? Yes / No (delete as appropriate)]*
Question A13.2: 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.	*[Is this answer confidential? Yes / No (delete as appropriate)]*

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