

## Your response

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<p><b>Question 6.1:</b></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> <ul style="list-style-type: none"> <li>● Not much focus on race in 6B and 6C.</li> <li>● Not much focus on women and girls in 6C, 6D.</li> <li>● In 6C, mention of girls is often caveated with mention of boys, without specific focus on the intersectional issues that arise for girls. While there is mention that data on boys is under-represented, there is no such disclaimer for girls with intersectional identities. This is similar across the volume.</li> <li>● There are attempts to address the under-exploration of the impact of online harms on men and boys, but at times it feels like there’s undermining of women and girls in order to do this. (6C, 6D)</li> <li>● The “User Base Demographics” section within each chapter outlines that intersectionality will compound effects, but seldom goes into depth. This contradicts with the report in some areas. (6D is an alarming example of this).</li> <li>● 6D.17 to 6D.27 – there is very little discussion here of the risk impact on women and girls specifically. When it is mentioned (6D.26), it is caveated. This is an area that could be bolstered with more research, for example: Rodway et. Al (2023). &amp; Madeline George (2019).</li> <li>● Between 6D.62 and 6D.63 there is specific focus on male-based harms, and while this is important, considerable attention could also be paid to women and girls in a likewise manner in separate sections.</li> <li>● 6E.23 – this is an opportune time to be specific about intersectional harms. They refer to Amnesty International’s studies that explore women’s harm online and the effects of abuse. They signpost 2016 as the study for this. <i>However, in 2018, Amnesty International found that Black women were 84% more likely to be mentioned in abusive tweets.</i> <a href="#">This study</a> could be mentioned here and will address more clearly the intersectional harms of harassment, stalking, threats and abuse. There are also gaps in similar lines of argument in 6E.40 and 6E.41. and 6E.48.</li> <li>● 6E.30 to 6E.31 – a focus on gaming cultures with very little consideration of race and</li> </ul>

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	<p>ethnicity. The work of Kishonna Gray would be useful here.</p> <ul style="list-style-type: none"> <li>● 6E.32 to 6E.33 – a similar lack of mention of intersectional harms.</li> <li>● 6E.50 – lack of transwomen specific data.</li> <li>● 6E.60 – 6E.63 – could be a mention of hashtags and amplification of harm.</li> <li>● Black women are only mentioned specifically twice (6E.47 &amp; 6M.48), which is concerning after Glitch and other organisations have long highlighted the disproportionate toxicity of online abuse directed at Black women (i.e. digital misogynoir).</li> <li>● We would expect more robust consideration of the particular vulnerability to harm faced by trans people online.</li> <li>● 6F refers to identity in terms of its separate facets, but does not consider intersectional harms within hate offences and struggles to explore how hate offences might have different impacts based upon this.</li> <li>● 6F.4 – what about when intersectionality compounds these? i.e. misogynoir</li> <li>● 6F.16 – there is space here to discuss intersectional harms.</li> <li>● 6F.36 – comparison between white and mixed ethnicity groups, little detail about other racial/ethnic groups.</li> <li>● 6F.37 – intersectional data missing. How does this relate to the previous section where women received higher hateful content?</li> <li>● 6G.39 to 6G.49 – intersectional data could be further unpacked.</li> <li>● 6J – could be more focus on women and girls overall.</li> <li>● 6K to 6M (sections focused on sexual offences) are the areas better equipped to discuss women and girls (see earlier point about the caveats).</li> <li>● 6Q – Work is still being done in this area to determine what constitutes this offence. This could be an area where more attention is paid to intersectional harms. (6Q.23 – 6Q.24)</li> </ul>
<p><b>Question 6.2:</b></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> <ul style="list-style-type: none"> <li>● 6B.12 to 6B.20 – There could be more effort to explore the intersection between terrorism and grooming young girls. This would present an overlap between Chapter 6B &amp; 6C (specifically 6C.33 to 6C.44), but this importantly reveals an intersectional dimension of online harms</li> </ul>

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	<p>and terrorism offences and how they affect women and girls differently. In point 6G.10 &amp; 6M.8, a similar connection is made between various chapters.</p> <ul style="list-style-type: none"> <li>● 6B.16 – intersectional harms could also be explored in this section, for example how CSEA affects disabled girls. These are mentioned in separate points, however more could be done to connect them.</li> <li>● 6C.20 – This section explores the links between missing children and CSEA. However, the facts derive from a US-based source. Incorporating evidence from Missing People’s UK-based 2023 report, “<a href="#">The Ethnicity of Missing People: Findings from Police and Local Authority Data</a>”, will reveal some of the urgent focus required around the intersection between race, gender and children. Missing People’s report also reveals that “research has shown that children from minority ethnic groups are routinely not identified as victims of exploitation suggesting that risks and experiences of harm may be being missed for this group” (p. 38). This is a critical intervention to Ofcom’s report, and contradicts with some of the points made in 6C.148, by illustrating that there might be risks and experiences that are missing or underreported for racially marginalised groups across the UK. In addition, under 6C.66 there is a disclaimer that “boys are less likely to report sexual abuse, usually due to the perceived social stigma of this type of crime. This may affect the accuracy of the gender-related data for this harm”, however there is a similar issue with such data for race and ethnicity, but within 6C. 148 the statistics are perceived as factual. A separate disclaimer would be beneficial here.</li> <li>● 6C.27 – gap in research around race/gender intersection.</li> <li>● 6C.57 – how does this relate to various protected characteristics?</li> <li>● 6C.148 – claims that data on ethnicity is inconclusive. However, 6C.118 and 6C.161 reveal specific harm perpetuated towards ethnic minorities. There could be more attempts to tie these together and recognise that <i>there is a pattern here</i>.</li> <li>● 6C.190 – space to discuss algorithms and harm within search engines? See: <a href="#">Safiya</a></li> </ul>

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	<p><a href="#">Noble, Algorithms of Oppression</a>. This also relates to 6U.</p> <ul style="list-style-type: none"> <li>• When girls are specifically mentioned within this section, there is always a caveat to the experiences of boys. While it is important to acknowledge the differences between gender within CSEA, perhaps this could be done in a less comparative way, to instead reveal the various intersectional harms. For examples, see: 6C.147, p. 63, p. 48, 6C.66.</li> <li>• 6P.39 to 6P.44 – while there are acknowledgments of racial, diaspora and gendered factors, perhaps more could be done to explore these simultaneously.</li> <li>• 6U.47 – can predictive search also relate to hate and harm?</li> </ul>

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<p><b>Question 11.1:</b></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>Gender-Based Harms: <u>This section of the report doesn't explicitly mention gender-based harms or violence against women and girls</u>. Given the prevalence of online harassment, abuse, and exploitation targeted at women and girls, there should be explicit recognition and measures aimed at addressing these issues. This whole section talks about general impacts and potential costs and benefits without specific mention of gender-specific impacts, which is missing throughout the report/sections.</p> <p>Automated Content Moderation (ACM): The section discusses ACM proposals for detecting terrorism content but does not address how these measures might also mitigate gender-based harms such as misogynoir, or misogynistic and sexually explicit content. How can ACM be leveraged to address these issues? Does Ofcom understand and appreciate this type of harm?</p> <p>Consultation with Stakeholders: While stakeholders are invited to provide further evidence, there's no specific mention of consulting or collaborating with women's rights organisations or advocacy groups focused on addressing online violence against women. All the references to women and girls</p>

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	<p>specifically are from these organisations themselves (including Glitch).</p> <p>Mitigating Online Grooming and Exploitation: While the report mentions measures to reduce grooming and child sexual abuse material (CSAM), it's doesn't recognise that women and girls are also vulnerable to online grooming and exploitation, including trafficking and coerced sexual activities. There is no specific reference to this. There are other forms of harms against women and girls outside of CSAM (such as misogynoir) and which do not meet the criminal threshold, however they still need to be referenced and accounted for.</p> <p>Definition of Risk and Harm: The report outlines how services assess their risk levels for different types of illegal activities, but <u>there is no explicit mention of gender-based harm as a category</u>. By not explicitly considering gender-based harm in the risk assessment process, <u>there is a risk of overlooking the prevalence and impact of online abuse and harassment experienced by women and girls</u>. It also goes on to talk about assessments on businesses, again without looking into the impact on the safety and wellbeing of women and girls who use the various platforms. We are uncertain that Ofcom understands what (digital) misogynoir is and the harm it causes both online and off.</p> <p>Lack of Gender-sensitive and Diverse Approaches: The text lacks a gender-sensitive and gender diverse approach in its discussion of measures and risk assessment. A gender-sensitive approach recognises the distinct experiences and vulnerabilities of women and girls, ensuring that policies and interventions address their needs effectively. Without this, there is a risk of perpetuating existing gender inequalities and failing to provide adequate protection to women and girls in online spaces.</p>
<p><b>Question 11.2:</b></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>As an initial approach, yes, though the phrase "all else being equal" is moot within societies where very little, if anything, is equal.</p>

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<p><b>Question 12.1:</b></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>Gender-specific Content Moderation: The report does not address the unique challenges faced by women and girls in encountering harmful or illegal content online. The section doesn't address intersectionality or misogynoir. Women and girls are disproportionately targeted with gender-based violence, harassment and exploitation on digital platforms. A lack of gender-specific content moderation measures fails to recognise and address these specific risks. Women and girls often experience online harassment and abuse, which can have significant psychological and emotional effects.</p> <p>Gender-based Hate Speech: This section discusses examples of hate speech and extremism but does not specifically address gender-based hate speech targeting women and girls. Similar to what is mentioned above, online platforms are frequently used to perpetuate misogyny, misogynoir and gender-based discrimination, which can contribute to a hostile environment for women and girls. Failing to address gender-based hate speech overlooks a significant aspect of harmful content online, which again often doesn't meet the criminal threshold.</p> <p>Moderation Policies: The section mentions content policies and moderation practices, but without mention of the importance of gender-sensitive moderation policies. Gender-sensitive policies can help identify and address harmful content targeting women and girls more effectively. Without such policies, there is a risk of overlooking or downplaying gender-based harm in content moderation efforts. Also there is no discussion about the representation of women and girls in content moderation processes. Ensuring diverse representation, including gender diversity, in moderation teams can help identify and address gender-specific issues more effectively, particularly if they are nuanced. The absence of gender-inclusive moderation practices undermines the ability to adequately address the needs of these marginalised groups.</p>
<p><b>Question 13.1:</b></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>Gender-based violence and harassment: Women and girls are often targets of online harassment and gender-based violence. Search services should take this into account to improve their moderation efforts to effectively identify and remove content that promotes</p>

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	<p>or facilitates this harmful behaviour. This includes content that objectifies or sexually exploits women and girls. There may be gaps in the moderation systems of search services in effectively filtering out such content to protect the dignity and rights of women and girls. Online spaces can often perpetuate harmful stereotypes about women and girls or spread misinformation that undermines their rights and well-being. What is the plan to track, moderate and tackle this problem?</p> <p>Non-consensual sharing of intimate images: Women and girls are disproportionately affected by sharing of intimate images, also known as "revenge porn." Search services should have mechanisms in place to promptly remove such content from search results upon receiving complaints. As it stands, it can be a lengthy process to have harmful content removed as quickly as it should be, nevermind that it shouldn't be allowed in the first place.</p> <p>Over-moderation of content: There may be a risk that overly broad content moderation policies, aimed at addressing illegal content, could inadvertently lead to the over-moderation of legitimate content related to women's rights, gender equality and issues affecting girls, such as sexual education or discussions on reproductive rights. We have seen this censorship already in the reproductive justice space and LGBTQ+ rights. These important and diverse perspectives and experiences may be underrepresented or excluded in search results and content moderation decisions, leading to a narrower range of voices. Conversely, a failure to moderate content will result in an online environment that is hostile or unsafe for women and girls, limiting their ability to freely express themselves and participate in online discourse.</p> <p>Moderation teams: Without the involvement of women in moderation processes, there will be gaps in understanding some content. Also content moderation should also include emojis and gifs, rather than only specific words. Training for the moderation teams needs to adequately address the intersectional nature of online harm as well as cultural sensitivity. There also needs to be an assurance of providing support not only to the content moderation teams, but to the victims of online abuse, too.</p>

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<p><b>Question 14.1:</b></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><b>Gender-specific Harms:</b> There may be a lack of specific technologies tailored to detect gender-based harms targeting women and girls online, such as revenge porn, misogynistic content or gender-based harassment. Existing technologies may not effectively capture or prioritise these types of harmful content, leaving women and girls vulnerable to online abuse and discrimination. Are we confident that they are adequate?</p> <p><b>Biases and Privacy:</b> ACM technologies may perpetuate biases present in training data or design, leading to disproportionate moderation outcomes for women and girls. How can we ensure confidence in this? URL detection also raises privacy concerns, particularly for women and girls whose sensitive information or intimate images may be shared without consent.</p> <p><b>Vulnerabilities:</b> The report does not specifically address how CSAM disproportionately affects girls and women. CSAM often includes images and videos depicting the sexual exploitation and abuse of female children. Ignoring the gendered nature of CSAM can overlook the specific vulnerabilities and harms faced by girls and young women who usually are the victims. There is a lack of discussion on how CSAM intersects with other forms of exploitation and discrimination, particularly affecting marginalised communities..</p> <p><b>Trauma and re-victimisation:</b> While this section acknowledges the trauma experienced by victims and survivors of child sexual abuse, it does not delve into how the proliferation of CSAM online perpetuates re-victimisation, especially for girls and women whose images are circulated without their consent.</p> <p><b>Support for victims:</b> While the focus is on detecting and removing CSAM, there is limited discussion on preventive measures and support services for victims, particularly female survivors. How does Ofcom plan to signpost services that support victims of online abuse?</p>



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<p><b>Question 15.1:</b></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>Gender-specific impact analysis: The report lacks a gender-specific analysis of how search moderation measures may disproportionately affect women and girls. This also needs to take an intersectional approach to address the diverse experiences and needs of individuals facing online abuse.</p> <p>Victim-centred approaches: There is a gap in addressing the specific needs of female survivors of online abuse and exploitation. The report should emphasise the importance of victim-centred approaches, including providing support services, resources and avenues for reporting and redress for women and girls affected by harmful online content.</p> <p>Security and privacy considerations: The report briefly mentions the security vulnerabilities of URL lists, but does not discuss how these vulnerabilities may disproportionately impact women and girls. How will Ofcom account for any loopholes that enable the exploitation of security and privacy protections?</p> <p>Notification procedures: The report does not adequately consider the necessity of notifying website operators whose URLs have been deindexed. Failure to notify may disproportionately impact women and girls, who may rely on their online platforms for livelihoods or advocacy efforts.</p>
<p><b>Question 16.1:</b></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>Gender-specific complaints: The report does not explicitly address the unique types of complaints that women and girls may need to make, such as complaints related to gender-based harassment, online abuse or non-consensual dissemination of intimate images (often referred to as revenge porn). Also how can we ensure this process is accessible for all? It would also be useful to list specific examples of complaints resulting from fraud online, such as romance scams or financial exploitation.</p> <p>Complaint timeframes: While the report discusses the importance of setting timeframes for responding to complaints, it does not explicitly consider the unique needs of women and girls in this regard. Providing status updates to complainants will be helpful, for example. Women and girls may have specific preferences for how they receive information and updates about their complaints due to safeguarding</p>

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	<p>issues, and it is essential to consider these preferences to ensure effective communication.</p> <p>Appeals process: While the report discusses the handling of appeals for wrongful content takedowns or user restrictions, it does not specify whether the appeals process takes into account the potential gender-specific nature of the complaints. Marginalised people may require specific support in navigating the appeals process. Remedial measures should address the specific harms and needs of women and girls, including restoring content or accounts, providing support services and implementing safeguards against future discrimination or harassment.</p> <p>Feedback: how can we ensure women's organisations or gender-focused advocacy groups like Glitch will be consulted around the feedback process? This will be important to build trust and ensure marginalised voices do not feel the need to self-censor.</p>
<p><b>Question 17.1:</b></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>Consultations with advocacy groups: There are mentions of consulting with marginalised communities, or advocacy groups representing their interests, in the development of terms and statements. Consulting with orgs like Glitch and these communities could ensure that the provisions adequately address their unique challenges and vulnerabilities from the start. Also ensuring that terms and statements are accessible to all users, including those with disabilities, is essential for equitable access to online protections.</p> <p>User groups: The report lacks an in-depth analysis of the potential impact of the proposed measures on different user groups, including women, girls and marginalised communities. The only specific references to this type of harm has been of advocacy groups mentioned in the footnote. It is important to conduct an impact assessment to help identify any unintended consequences. Also there is a recognition that there needs to be a clear presentation for readability. It does not specifically address the needs of diverse user groups, such as those with disabilities, elderly users or users with low literacy levels.</p> <p>Illegal Harms Act: The report mentions responses to the 2022 Illegal Harms Call for Evidence, but it does</p>

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	not provide specific strategies for ongoing feedback from users to improve the design and accessibility of terms and statements.
<p><b>Question 18.1:</b></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><b>THE FOLLOWING APPLIES THROUGH Q21</b></p> <p><b>Metrics:</b> It may be useful to see and set off clear metrics as a benchmark for evaluation. Without this it might be difficult to assess. Ongoing evaluation and iteration of the proposed measures based on feedback, data analysis and the ever-evolving online space could help refine the interventions over time and adapt them to challenges and user needs.</p> <p><b>Exploitation:</b> The report mentions the exploitation of children, but it does not delve deeply into these issues or provide specific measures to address them. Exploring how these services can be exploited for purposes beyond grooming, such as child trafficking or exploitation for financial gain, would enhance the comprehensiveness of the proposed measures.</p> <p><b>Risks:</b> The report briefly mentions the intersectionality of risks, such as the disclosure of a survivor's location in cases of domestic violence or children in care, but it does not extensively explore how different forms of harm intersect and exacerbate each other. Nuanced understanding and other examples would be of use here.</p> <p><b>Case Studies:</b> The report briefly mentions potential challenges in implementing default setting changes, such as children voluntarily changing settings or peer pressure. While the report mentions statistics on online abuse and harassment, it lacks a deeper exploration of how these behaviours disproportionately affect women and girls. It could include insights into the psychological, emotional and social impacts of online abuse on women's and girls' well-being and safety. The report does not adequately address how the experiences of women and girls intersect with other identities, such as race, ethnicity, sexual orientation or disability.</p> <p><b>Age Verification Measures:</b> The report briefly mentions the issue of age verification in determining which users are children, but it does not provide detailed proposals or recommendations for implementing robust age verification measures. Given the importance of accurately identifying child users to</p>

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	<p>ensure the appropriate application of safety measures, further exploration of effective age verification methods is necessary.</p> <p>Biases: Tech systems have been known to exhibit biases in content recommendations. Further exploration of how biases may influence the dissemination of illegal content would be useful here.</p> <p>Research: The report cites various studies and statistics, it could emphasise the need for further research and data collection specifically focused on understanding the experiences of women and girls in online spaces, this should be done collaboratively with organisations like Glitch. Collecting gender-disaggregated data and conducting qualitative research can provide deeper insights into the nature and prevalence of online harms faced by women and girls.</p>

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<p><b>Question 28.1:</b></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> <p>Data collection: This section does not explicitly mention collecting gender-disaggregated data or considering the specific experiences and vulnerabilities of women and girls in online spaces. We can then use this to look to further protect marginalised voices. There is no mention of conducting gender impact assessments to understand how regulatory decisions may affect women and girls differently compared to men and boys. This oversight could lead to policies that could exacerbate existing gender disparities in online safety.</p> <p>Education and Consultations: There is no explicit reference to consulting with orgs like Glitch or any on-going consulting. The report mentions promoting media literacy as part of Ofcom's duties, but there is no explicit mention of targeted efforts to enhance digital literacy among women and girls to empower them to navigate online risks effectively. It would be useful for Ofcom to work with the organisations already doing this work, like Glitch. Also will this include consulting with these organisations to appoint a skilled person before Ofcom nominates them? Will this skilled person have knowledge of intersectionality and the nuances around GBV? It would be useful to build a team of advisors throughout this process.</p>

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	<p>GBV: While the report discusses addressing illegal content and harmful online behaviour, it does not specifically address gender-based violence, such as online harassment, revenge porn or grooming, which disproportionately affect women and girls. The lack of nuance or mention of this doesn't instil confidence that this has been centred in Ofcom's approach.</p> <p>Guidelines and data: The report mentions a proposal to produce additional guidance. However, it does not specify when this guidance will be produced or what specific areas it will cover. Providing a timeline and details on the content of this guidance would be useful and transparent for all involved. The report acknowledges the importance of data compliance and safety; it doesn't go into much detail about how, or if there are times where disclosure is necessary. It would be reassuring to know.</p> <p>Enforcement Procedures: Although the report mentions enforcement actions that may be taken if services fail to comply with information notices, it does not elaborate on the specific steps involved in such enforcement actions. This would be useful to clarify. Also how would this work for smaller and less experienced organisations?</p>
<p><b>Question 29.1:</b></p> <p>Do you have any comments on our draft Online Safety Enforcement Guidance?</p>	<p><i>[Is this answer confidential? No]</i></p> <p>Prioritisation: The report mentions prioritisation factors for enforcement actions, such as the risk of harm, strategic significance and resource implications. It could be strengthened by providing more specific guidance on how these factors will be weighed and how this might impact marginalised groups negatively.</p> <p>Child Safety: While the text acknowledges the importance of prioritising the protection of children, it could provide more detailed guidance on how child safety considerations will be integrated into enforcement decisions, particularly for marginalised voices. Will stakeholders be part of supporting these efforts?</p> <p>Non-Compliance: While the text mentions potential mitigations for non-compliance, such as focusing on the most serious harms or prioritising efforts for smaller services, it could provide more guidance on the types of mitigations that will be considered acceptable and the criteria for assessing their effectiveness. This could help ensure consistency in enforcement decisions and promote accountability for regulated services. Does the skilled person who will be appointed understand this?</p>

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	<p>Also how will this enforcement be communicated more widely, i.e. to the public? Also maybe worth pointing out a collaborative effort including orgs like glitch and other stakeholders could support in growing trust with the public and marginalised communities.</p> <p>Evaluation: The report does not explicitly address how Ofcom will monitor and evaluate the effectiveness of its enforcement actions over time.</p>

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