

Your response

Question (Volume 2)	Your response
<p>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.</p>	<p><i>[Is this answer confidential? No]</i></p> <p>Our response relates to Chapter 6F on Volume 2, addressing Hate offences. We highlight two omissions from the analysis:</p> <ol style="list-style-type: none"> 1) there is a difference between expression that causes harm that is prohibited by law, and expression that causes ‘insult’ or ‘offense’ which may be protected by the right to freedom of expression. This is particularly important when considering whether expression amounts to ‘religious hatred’ or if it is merely ‘blasphemous’. 2) protections against hatred on the grounds of religion should also encompass equal protections for the non-religious, including those who change or leave a religion. <p>1) Causing harm and causing ‘offense’. The assessment cites Section 29E of the Public Order Act 1986 when stating that OfCom considers the following a public order offence: ‘Distributing, showing or playing threatening, abusive or insulting recordings of visual sounds or images intending or likely to stir up religious hatred or hatred on the grounds of sexual orientation’ (Chapter 6F.4, para 6.16) However, when quoted exactly, Section 29E of the Public Order Act 1986 - as amended by The Racial and Religious Hatred Act 2006- actually states: ‘[a] person who distributes, or shows or plays, a recording of visual images or sounds which are threatening is guilty of an offence if he intends thereby to stir up religious hatred’. Ofcom’s assessment adds words to the definition that risk lowering the threshold of what constitutes a hate offence online to a subjective standard of ‘insulting’ recordings ‘likely to stir up religious hatred’, regardless of intent. Paragraph 6F.2 rightly identifies that ‘harm’ refers to physical and psychological harm. Despite this, the analysis of the causes and impacts of online harms in Chapter 6F</p>

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	<p>repeatedly conflate ‘insult’ and ‘causing offense’ with ‘causing harm’.</p> <p>For example, the summary analysis at the beginning of Chapter 6F states that:</p> <p><i>‘The psychological effects of hateful content include shock, anger, suicidal thoughts, shame, exhaustion and fear, which can lead to further behavioural changes. Other experiences include financial harm and reputational damage. There is also evidence to suggest that, in some contexts, exposure to hateful content can entrench prejudices and incite acts of violence.’</i></p> <p>By listing psychological harms -and indeed the established hate crime of incitement to acts of violence - alongside other psychological effects without distinction, the summary analysis does not properly frame the problem. There is a distinction of content that causes ‘shock and anger’ and that which causes harm.</p> <p>Similar examples of the conflation between ‘effects’ and ‘harms’ can be found throughout Chapter 6F. Paragraph 6F.17 lists the ‘psychological effects’ as including ‘surprise’, ‘shock’, ‘anger’, ‘disappointment’, and ‘embarrassment’ alongside ‘fear’, then goes on to describe how ‘harm’ can be experienced immediately or cumulatively. Unlike the psychological effect of ‘shock’, threatening materials and communications that ‘would be likely to cause a reasonable person to suffer <u>fear</u>’ (emphasis added) may well be considered harmful.¹</p> <p>However, at no point does the analysis distinguish between what is an ‘effect’ and what is a ‘harm’.</p> <p>Case law is well established that the right to freedom of expression does not only permit but protects ‘information’ and ‘ideas’ that ‘offend, shock or disturb’.² This is particularly important when considering whether expression amounts to ‘religious hatred’ or if it is merely ‘blasphemous’.</p> <p>Restrictions on so-called ‘blasphemous’ expressions prohibit insulting religion or hurting religious sentiment. By contrast, hate offences protect people from harm. Hate offences do not protect religious doctrines nor their adherents’ feelings or sentiments. Indeed, later volumes</p>

¹ Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, Section 6.2.

² *Handyside v. the United Kingdom* (7 December 1976, Series A no. 24); and more recently *Case of Rabczewska v. Poland*, 8257/13, ECHR (15 September 2022).

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	<p>of Ofcom’s consultation rightly point out that ‘robust debate in a healthy democracy often involves the expression of highly emotive and sometimes offensive opinions which touch upon issues of, for instance, politics, religion or race’ (paragraph 26.128) and offences on the grounds of religious hatred ‘should <u>not</u> be considered to prohibit or restrict discussion, criticism or <u>expressions of antipathy, dislike, ridicule, insult or abuse</u> of any particular religions or the beliefs or practices of their adherents, any other belief system or the beliefs or practices of its adherents’ (paragraph A3.47, emphasis added). Yet this distinction is absent from the analysis of causes and impacts of online harms in Chapter 6F.</p> <p>2) protections for the non-religious on the grounds of religion or belief</p> <p>The Public Order Act 1986 (as amended by the Racial and Religious Hatred Act 2006), Crime and Disorder Act 1998, and the Criminal Justice Act 2003 define ‘religious group’ as ‘a group of persons defined by reference to religious belief <u>or lack of religious belief</u>’ (emphasis added). Further, Section 10 of the Equality Act 2010 includes those positively holding non-religious beliefs, such as humanism, are included in the protected characteristic of religion or belief. However the summary analysis for hate offences in Chapter 6F identifies only users’ ‘race and ethnicity, <u>religion</u> and sexual orientation as risk factors in their experience of hateful content’ (emphasis), rather than religion or belief.</p> <p>The omission of those positively holding non-religious belief may be because, although hatred motivated by ‘lack of religious belief’ is covered in the relevant hate crime legislation outlined above, the definition does not cover hatred motivated because of someone positively holding a non-religious worldview, such as humanism.</p> <p>However, we note from paragraph 6F.38 that the analysis has drawn the conclusion that ‘a user’s religion can be a risk factor in the exposure to hateful content’ when citing Ofcom’s own data that respondents with no religion (13%) were more likely to report having seen ‘hateful, offensive, or discriminatory’ content than Christian respondents (8%), with Muslim respondents reporting at an even</p>

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	<p>higher rate (16%). Notwithstanding that ‘offensive’ content is not synonymous with ‘hateful’ content, surely the conclusion should state that ‘religion or belief’ are a risk factor, and not only ‘religion’.</p> <p>Paragraph 6F.10 uses Home Office research to indicate that 1,605 online hate crimes were recorded in 2017/2018 in England and Wales, representing about 2% of all hate crimes, with 210 cases recording ‘religion’ as a motivating factor. We are concerned that public statistics such as this undercount or exclude entirely instances of hatred on the basis of non-religious belief. Many do not know they will have been victims of hate crimes because the crime is referred to as ‘religious hatred’ and many non-religious people will not know that the same legal protections are applicable to them. We are particularly concerned that harmful content targeting those who have left a religion (sometimes called ‘apostates’).</p> <p>A study conducted by Ellen Johnson at Sheffield Hallam University looked at the experience of hate crime by ‘apostates’ in England and Wales.³ A survey was conducted with 77 respondents, which found that 81% indicated at least one experience of hate crime, with over 50% experiencing two or more types of hate crime. However, just 12% of incidents were reported to the police, and a further 4% reported to a third party. By comparison, the Crime Survey for England and Wales reported 53% of hate crimes came to the attention of the police, and the Leicester Hate Crime study found that 24% of victims reported their most recent experience to the police. Johnson concluded, ‘these comparative statistics have been collated by different criteria; however, it is clear that reporting rates for apostasy hate crime are extremely low’.</p> <p>For those leaving high cost, high controlling religions, the process can be complicated, challenging and dangerous. So-called ‘apostates’ can be seen as bringing shame and dishonour to their family, resulting in psychological and</p>

³ Ellen Johnson, ‘Apostasy, Human Rights and Hate Crime in England and Wales: A Mixed Methods Study’ October 2019, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3475161.

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	<p>physical abuse, commonly referred to as ‘honour-based violence’.⁴ As identified in paragraph 6F.49, direct messaging can be used to carry out these harms in a targeted manner that amount to harassment, stalking, threats and abuse offences. It is therefore important that the intersection between hate offences analysed in Chapter 6F and harassment, stalking, threats and abuse offences analysed in Chapter 6E is understood to include the non-religious and those leaving a religion.</p> <p>Similarly, it is important to consider the non-religious and those leaving a religion when analysing the importance of anonymity in protecting users and allowing people to express themselves and engage freely online without fear of discrimination or harassment. Paragraph 6F.45 states that ‘anonymity can enable users to express ideas or criticisms about people in power without risking attribution’. Those in or leaving high control religions may want to remain anonymous online to avoid accusations of ‘blasphemy’ and ‘apostasy’ which can result in ‘honour-based harms’.</p> <p>Our second concern therefore also relates to our first concern: that ‘blasphemous’ or ‘offensive’ expression must remain separate from ‘harmful’ expression, as censorship of the former risks legitimating actual harms perpetrated in response.</p>
<p>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.</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>

⁴ See Faith to Faithless, <https://www.faithtofaithless.com/>. Faith to Faithless is part of Humanists UK. Founded in 2015, it raises awareness of apostasy and supports those who have left religion in the UK.

Question (Volume 3)	Your response
<p>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.</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 8.2: 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> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 9.1: 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> No response.</p>

Question (Volume 3)	Your response
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>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?⁵</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 10.1: Do you have any comments on our draft record keeping and review guidance?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>

Question (Volume 4)	Your response
<p>Question 11.1: 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> No response.</p>

⁵ 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 11.2: 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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 11.3: Do you agree with our definition of large services?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 11.4: Do you agree with our definition of multi-risk services?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 11.6: Do you have any comments on the draft Codes of Practice themselves?⁶</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 12.1: 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> No response.</p>

⁶ See Annexes 7 and 8.

Question (Volume 4)	Your response
<p>Question 13.1: 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> No response.</p>
<p>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.</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>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'?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 14.3: 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 	<p><i>[Is this answer confidential? No]</i> No response.</p>

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<p>fuzzy matching⁷ for CSAM URL detection;</p> <ul style="list-style-type: none"> • 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>Question 15.1: 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> No response.</p>
<p>Question 16.1: 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> No response.</p>
<p>Question 17.1: 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> No response.</p>

⁷ 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 17.2: 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> No response.</p>
<p>Question 18.1: 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> No response.</p>
<p>Question 18.2: 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> No response.</p>
<p>Question 18.3: 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> No response.</p>
<p>Question 19.1: 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> No response.</p>
<p>Question 19.2: 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> No response.</p>

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<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 20.1: 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> No response.</p>
<p>Question 20.2: 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> No response.</p>
<p>Question 20.3: 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> No response.</p>
<p>Question 21.1: 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> No response.</p>

Question (Volume 4)	Your response
<p>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:</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 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 a strikes system) that might help mitigate some of the risks and impacts on user rights? 	<p><i>[Is this answer confidential? No]</i> No response.</p>

Question (Volume 4)	Your response
<p>Question 22.1: 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> No response.</p>
<p>Question 23.1: 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> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>
<p>Question 23.3: 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> No response.</p>
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>

Question (Volume 5)	Your response
<p>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.</p>	<p><i>[Is this answer confidential? No]</i></p> <p>We have two comments on the proposal in Volume 5:</p> <ol style="list-style-type: none"> 1) that deemed 'offensive' on account of religion or belief, because it criticises, mocks or ridicules a religion may be removed if it is incorrectly perceived

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	<p>to be 'religious hatred' thereby creating a de facto blasphemy ban.</p> <p>2) that the Government has said it will ban so-called 'conversion practices'.</p> <p>We would like to make the following comments on the details of the draft Online Safety Guidance on Judgement for Illegal Content (Annex 10):</p> <p>3) that religious hatred also includes reference to those positively holding non-religious beliefs (in addition to those 'without religious beliefs'), and those targeted for leaving or changing religions</p> <p>4) that we agree with guidelines' distinction between discussions on assisted dying and harmful content on 'assisting or encouraging suicide'.</p> <p>1) Services' terms and conditions to include equality provisions</p> <p>We note that the introduction of Volume 5 states that services 'can draft their own terms and conditions in such a way that at a minimum all content which would be illegal in the UK is prohibited on their service for UK users and make content moderation decisions based on their terms and conditions'. Paragraph 26.18 clarifies that '[s]ervices are free to take down content <u>above and beyond what is illegal</u> under the Act, so long as they make this clear in their terms of service, and that their content moderation practices result in the timely removal of illegal content as set out in the illegal content safety duties' (emphasis added) and paragraph 26.42 establishes that services are not constrained in their 'ability to take down other harmful, but not illegal, content where they choose to do so'.</p> <p>We are concerned that this may encourage undue censorship of expression that should be protected by the right to freedom of expression if it encourages services to err on the side of caution and remove content that is not harmful. We are particularly concerns that content that is deemed 'offensive' on account of religion or belief, because it criticises, mocks or ridicules a religion may be removed if it is incorrectly perceived to be 'religious hatred' (as detailed in our response to Volume 2, Chapter 6 above) - thereby creating a de facto blasphemy ban. Indeed, the proposal itself raises the risk that an 'over cautious approach' to the safety</p>

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	<p>duty in relation to the offences relating to insults and abuse causing harassment or distress ‘would lead to disproportionate takedown, including (for example) of political and religious discussion.’ (paragraph 26.136)</p> <p>2) the Government plans to bring forward legislation to ban harmful ‘conversion practices</p> <p>Conversion “therapy” is a discredited and harmful practice, usually rooted in false and often pseudoscientific or religious beliefs about what causes people to be lesbian, gay, bisexual, or transgender. The UK Government Equalities Office defines so-called ‘conversion therapies’ as ‘techniques intended to change someone’s sexual orientation and/or gender identity’.⁸ They aim to stop a person from expressing their sexual orientation or gender identity (e.g. by persuading them to change or deny their sexual orientation, be celibate, or suppress their gender identity or expression). The Government has said that they plan to bring forward a draft Bill to ban conversion practices for pre-legislative scrutiny.⁹</p> <p>We note that in the paragraph A3.49 of the draft guidance states that:</p> <p>‘The following are examples of content which should not be considered to meet the threshold for stirring up hatred:</p> <p style="padding-left: 40px;">c) The discussion or criticism of sexual conduct or practices or <u>the urging of persons to refrain from acting upon their sexual orientation...</u>’ (emphasis added)</p> <p>3) Guidance on religious hatred to be fully inclusive of the non-religious</p> <p>Unlike the analysis of the causes and impacts of online harms detailed in Volume 2 which fails to distinguish between expression that causes ‘harm’ to people and expression that causes people to feel insulted or offended, we find the</p>

⁸ Government Equalities Office, *The prevalence of conversion therapy in the UK*, 29 October 2021, <https://www.gov.uk/government/publications/the-prevalence-of-conversion-therapy-in-the-uk/the-prevalence-of-conversion-therapy-in-the-uk>

⁹ HL Deb (9 February 2024), vol 835, col 1913 <https://hansard.parliament.uk/Lords/2024-02-09/debates/DB690A34-D945-4EDA-9178-DD6357498F45/detail#contribution-68238852-46B3-47E8-BDDD-3576EFC130F3>

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	<p>proposal in Volume 5 captures a balanced understanding of what expression is either protected or prohibited by the right to freedom of expression (paragraphs 26.8-26.9). In particular, we welcome the paragraph 26.128 which states that:</p> <p style="padding-left: 40px;">‘robust debate in a healthy democracy often involves the expression of highly emotive and sometimes offensive opinions which touch upon issues of, for instance, politics, religion or race. Similarly, humour often involves an aspect of controversial speech which some people might find offensive and consider to be hateful or abusive.’</p> <p>We also welcome the principles laid out regarding threats, abuse and harassment which stipulates that ‘sometimes the characteristics or identity of the victim are relevant to how reasonable it is for them to feel fear, alarm, harassment or distress’ (paragraph 26.125). Here, the threshold of ‘fear, alarm, harassment or distress’ can indeed be understood as harms. We note that, in Volume 5, these harms are rightly distinguished from the lower threshold of ‘psychological effects’ such as ‘insult’ or ‘offense’, avoiding the confusing conflation found in Volume 2 (see our response to question 6.2 above). We would also like to highlight that the victim’s identity on grounds of religion or belief may include being non-religious, such as humanist, and having left or changed their religion.</p> <p>We support the emphasis in the guidance itself that religious hatred is against ‘<u>people</u>’, and that it does not protect doctrines, ideas and practices. (paragraphs A3.46-7). We welcome the explicit inclusion of atheists and humanists within the offence of religious hatred. However, this definition does not fully encompass the nature of religious hatred against the non-religious. We recommend paragraph A3.46 is amended to say:</p> <p style="padding-left: 40px;">‘Religious hatred includes hatred against people defined by their <u>religion or belief</u>. This includes those holding religious beliefs, those holding non-religious beliefs such as humanism, those who have changed or left their religion, and those who do not profess a religion or belief at all.</p>

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	<p>This is because the Equality Act 2010 protects people on the grounds of ‘religion or belief’, not only ‘religious belief’. While it is clearly established that ‘religion’ also includes ‘lack of religion’, such as atheistic beliefs, the phrase ‘religion or belief’ and indeed the phrase properly encompasses positively held non-religious beliefs such as humanism.¹⁰</p> <p>It is also important for the guidance to explicitly recognise that people can be targeted for changing their beliefs and/or leaving their religion. As detailed in our response to question 6.2, for those leaving high cost, high controlling religions, the process can be complicated, challenging and dangerous. So-called ‘apostates’ can be seen as bringing shame and dishonour to their family, resulting in psychological and physical abuse, commonly referred to as ‘honour-based violence’.¹¹ However, please note we do not use the word ‘apostate’ in our suggested text above as it does not accurately describe all those who have left or changed their religion.</p> <p style="text-align: center;">4) Distinction between discussions on assisted dying and harmful content on ‘assisting or encouraging suicide’.</p> <p>Paragraph 26.274 rightly highlights that ‘political discussion on the law on assisted suicide’ is likely to be found online and that ‘it is not unlawful to discuss the fact that assisted suicide is lawful in some countries’.</p> <p>We therefore support the guideline’s statement that ‘[i]t is unlikely to be reasonable to infer intent [to harm] in ... discussions of the merits of assisted dying...’. (paragraph A12.9)</p>
<p>Question 26.2: 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> No response.</p>

¹⁰ Humanists UK, Non-religious inclusive language guide, 2021, <https://humanists.uk/wp-content/uploads/Humanists-UK-Non-religious-inclusive-language-general-guide.pdf>.

¹¹ See Faith to Faithless, <https://www.faithtofaithless.com/>. Faith to Faithless is part of Humanists UK. Founded in 2015, it raises awareness of apostasy and supports those who have left religion in the UK.

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<p>Question 26.3: 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> No response.</p>

Question (Volume 6)	Your response
<p>Question 28.1: 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> No response.</p>
<p>Question 29.1: Do you have any comments on our draft Online Safety Enforcement Guidance?</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>

Question (Annex 13)	Your response
<p>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?</p>	<p><i>[Is this answer confidential? No]</i> No response..</p>
<p>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</p>	<p><i>[Is this answer confidential? No]</i> No response.</p>

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and treating Welsh no less favourably than English.	

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