Overview

What we are doing today

This decision on the Illegal Harms Codes and guidance marks a major milestone, with online providers now being legally required to protect their users from illegal harm.

Ofcom published proposals about the steps providers should take to address illegal harms on their services shortly after passage of the Online Safety Act in October 2023. Since then, we have been consulting carefully and widely, listening to industry, charities and campaigners, parents and children, as well as expert bodies and law enforcement agencies. With today's publication[1], online providers must take action to start to comply with these new rules. The result will be a safer life online for people in the UK, especially children.

Providers now have a duty to assess the risk of illegal harms on their services, with a deadline of 16 March 2025. Subject to the Codes completing the Parliamentary process, from 17 March 2025, providers will need to take the safety measures set out in the Codes or use other effective measures to protect users from illegal content and activity. We are ready to take enforcement action if providers do not act promptly to address the risks on their services.

What will change

This Statement is a critical step toward creating a safer life online for UK users. Taken together, the measures we describe here will embed safety by design and set new standards and clear expectations for the industry. Some of them apply to all providers, and others to the providers of larger or riskier services.

Some of the most important changes we expect our Codes and guidance to deliver include:

- **Putting managing risk of harm at the heart of decisions.** From today, every site and app in scope of the Online Safety Act will need to complete a "suitable and sufficient" risk assessment. This means they need to understand the risks illegal harms pose to users on their service, and consider how best to tackle them. To ensure strict accountability, each provider must name a senior person responsible for illegal harms, such as terror, hate, and fraud, among many others.

- **Better protections from the full range of Illegal Harms, including hate and terror**. Providers will need to take down illegal content of all types, and maintain appropriately resourced and trained content moderation teams, leading to a reduction in the harm caused by illegal content. Reporting and complaints functions will be easier to find and use, with appropriate action taken in response. Relevant providers will also need to improve the testing of their algorithms to make illegal content harder to disseminate.

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[1] This document includes the following important guidance and Codes: our Illegal Harms Register of Risks, Illegal Harms Risk Assessment Guidance, draft Illegal Content Codes of Practice for user-to-user services and for search services, Illegal Content Judgements Guidance, Enforcement Guidance, Record Keeping and Review Guidance, and our Public Private Guidance. It includes our decisions on Animal Cruelty and Human Torture, on which we consulted in August 2024. We set out the detail of what these documents do in our introduction.

- **Protecting children from abuse and exploitation online.** Our Codes include measures to tackle online grooming. These will mean that, by default, children's profiles and locations – as well as friends and connections - will not be visible to other users, and non-connected accounts cannot send them direct messages. Children should also receive information to help them make informed decisions around the risks of sharing personal information, and they should not appear in lists of people users might wish to add to their network. This will make it harder for perpetrators of grooming activity to identify and contact vulnerable children. Our Codes set an expectation that high-risk providers use an automated tool called hash matching to detect Child Sexual Abuse Material (CSAM). This will help prevent the circulation of this damaging material, disrupting offenders, and flagging to services to report these offences. In response to feedback on our Consultation, we have expanded the scope of our CSAM hash matching measure to capture smaller file hosting and file storage services. These services are at particularly high risk of being used to distribute CSAM.

- **Identifying fraud.** Under the Codes, providers will establish a dedicated reporting channel for organisations with fraud expertise. This will help them quickly identify fraudulent activity, reducing the financial and psychological distress this harm causes to millions of UK users each year.

- **Protecting women and girls.** Women and girls are disproportionately affected by online harms. Our measures mean users will be able to block and mute others who are harassing or stalking them. Our Codes will also require providers to take down intimate image abuse (or "revenge porn") material when they become aware of it. Following stakeholder feedback, we have also provided guidance on how providers can identify and remove content posted by organised criminals who are coercing women into prostitution against their will.

- **Guidance to identify illegal content**. On harms which particularly affect women and girls, we've made it easier to identify illegal content such as intimate image abuse, sexual exploitation and cyberflashing. In finalising our guidance, we have carefully considered risks to user rights.

- **Sanctions and enforcement.** We can take enforcement action as soon as the duties come into effect, and while we will support providers to comply with their duties, we won't hesitate to take early action against deliberate or flagrant breaches. We have the powers to impose penalties of up to £18m or 10% of the provider's qualifying worldwide revenue (whichever is greater), as well as seeking – in very serious cases – the blocking of services to UK users through a court order.

How this fits within our wider online safety strategy

Since the Online Safety Act became law, our approach has been to embed crucial protections quickly (including to the most vulnerable) so that we can enforce against breaches as soon as possible. This first set of Codes and guidance, which now sets up the enforceable regime, is a firm foundation on which to build.

In light of the helpful responses we received to our consultation, we are working towards producing a further Consultation in Spring 2025 on expansions to the Codes. This will include proposals in the following areas:

- Banning the accounts of those found to have shared CSAM;

- Crisis response protocols for emergency events (such as the riots in August 2024);

- Use of hash matching to prevent the sharing of non-consensual intimate imagery and terrorist content; and

- Tackling illegal harms including CSAM through the use of AI.

Online safety is extremely dynamic, with harms, technology and best practice in user safety evolving at pace. As we continue to evolve and develop our guidance and Codes of practice guidance, we will have regard to the Government's strategic priorities for the regime, once they are finalised.[2]

In early 2025, as the first duties go live and become enforceable, Ofcom will be proactively driving compliance with the rules, seeking significant improvements and better outcomes for people. We will do this by a combination of means, including:

- **supervisory engagement** with the largest and riskiest providers to ensure they understand our expectations and come into compliance quickly, pushing for improvements where needed;

- **gathering and analysing the risk assessments** of the largest and riskiest providers so we can consider whether they are identifying and mitigating illegal harms risks effectively;

- **monitoring compliance and taking enforcement action** across the sector if providers fail to complete their illegal harms risk assessment by 16 March 2025;

- early focused engagement with certain high-risk providers to ensure they are complying with our **CSAM hash-matching measure**, followed by enforcement action where needed; and

- further **targeted enforcement action** for breaches of the safety duties where we identify serious ongoing issues that represent significant risks to users, to push for improved user outcomes and deter poor compliance.

We will also use our **transparency powers** to shine a light on safety matters, share good practice, and highlight where improvements can be made.[3]

Making our documents accessible

We want to thank the large number of stakeholders - from civil society, services of all sizes, experts, and other public sector bodies - who have taken the time to engage with our proposals.

We are an evidence-based regulator, and we have thoroughly interrogated relevant research and stakeholder responses before setting out the rationale for our decisions. This has been a big task to undertake, with over 130 priority offences and 100K+ services in scope of our regulation.

The breadth and complexity of this new regime means the document we are publishing today covers many areas. We have therefore taken steps to make it as accessible as possible, including:

- A summary of our decisions and the user-to-user and search services to which they apply.

- A summary of each chapter, setting out what it is about, stakeholder feedback received, and the decisions we have taken.

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[2] https://www.gov.uk/government/publications/draft-statement-of-strategic-priorities-for-online-safety/draft-statement-of-strategic-priorities-for-online-safety.
[3] Ofcom's approach to implementing the Online Safety Act.

Our introductory chapter includes suggestions to signpost stakeholders towards the documentation and tools they might find most helpful (e.g. our digital support service for small and medium sized services).

Moving forward, we will continue to meet with interested parties and explain our decisions through meetings, conferences, and webinars.

Next steps

Providers in scope of the illegal content duties in the Act must now complete their Illegal Harms Risk Assessments by 16 March 2025. From 17 March, as long as the Codes complete the Parliamentary process, providers will need to take the steps laid down in the Codes or use other effective measures to protect users.

As set out in our updated roadmap[4], "phase two" will begin in early 2025. This will introduce an ambitious set of wider protections for children as required by the Act, including making sure that under-18s cannot access pornography or suicide and self-harm material. Milestones include:

- January 2025: Final age assurance Guidance for publishers of pornographic content, and children's access assessments;

- February 2025: Draft Guidance on wider protections for women and girls;

- April 2025: Final Codes and Guidance on the Protection of Children, following our Consultation in May; and

- Spring 2025: Consultation on additional Codes of Practice measures.

"Phase three" will establish additional requirements for categorised services, focused on bringing an enhanced level of safety, transparency, and accountability to some of the largest service providers operating in the online world. We expect to deliver this work to the following timeline:

- Summer 2025: publish the register of categorised services;

- Summer 2025: issue draft and final transparency notices to categorised services;

- Early 2026: publish draft proposals regarding additional duties on categorised services. Based on our experience of large regulatory publications, our current planning assumption is to issue the Statement around one year after consultation.

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[4] Ofcom's approach to implementing the Online Safety Act - Ofcom.