Joint Statement: Ofcom's Approach to Keeping Children Safe Online

15th July 2024

Ofcom has now published two of the key Codes of Practice which will form the framework for how children will be protected from illegal activity and content, and other harms under the Online Safety Act 2023.

The Act is a fundamental child protection measure which has the potential to transform children's safety online and we welcome that Ofcom has worked at pace to deliver these first draft Codes.

We firmly believe in the importance of this regulation for creating a safer online world that children are empowered and supported to enjoy safely. Where Ofcom sets out innovative measures that set a high bar for services, we have and will continue to strongly support this.

However, as a group of children's safety and rights advocates and experts, we are concerned that the regulator's current approach will not bring about the changes that children need and deserve, or that parents, parliamentarians and civil society expect.

We have identified three crucial areas where Ofcom must go further to effectively respond to the scale and complexity of harm children face in the online world:

1. **Address all risks to children**: As currently drafted, Ofcom's Codes do not require services to holistically address harm on their platforms. The design of the Codes will leave loopholes and will mean that even where services have identified significant risks to children, they will not be required by the Codes to effectively mitigate these. Code of Practice measures must be outcomes-based and address all identified risk of harm to children.

2. **Prioritise proactive and preventative safety by design measures**: The Codes do not require services to design their platforms so that children's safety is embedded from the start and the focus is on harm prevention. There is a strong risk that children will continue to encounter risks and bear the burden of protecting themselves. The Codes must have a greater focus on preventing and disrupting harm at an earlier stage – for example,

through the use of proactive technologies to detect illegal and harmful material, and measures which target perpetrator behaviour.

3. **Protect the youngest children**: It is vital that the youngest children are no longer able to access platforms which are not intended for them, and that services are required to create age-appropriate experiences. We must see a change in Ofcom's approach so that services are explicitly required through the regulation to enforce their minimum age limits.

We must see a shift in the regulator's approach to ensure it is implementing a regulatory regime which prioritises children's safety and can grapple with the full scale of risk to children online. Ofcom must go further and use its full powers to demand bold and meaningful change from tech companies. If this does not happen, the new Government must ask searching questions of Ofcom to ensure they are working to make the Codes of Practice as strong as possible, and should also consider whether there are measures, legislative or otherwise, to strengthen this regulation in order to fully protect children and young people when they are online.

SIGNED:

NSPCC
5Rights Foundation
Clean Up The Internet
Molly Rose Foundation
Online Safety Act Network
Marie Collins Foundation
Center for Countering Digital Hate
Breck Foundation
The Children's Media Foundation
NWG Network
Internet Watch Foundation
End Violence Against Women Coalition (EVAW)
Barnardo's
Lucy Faithfull Foundation
Ditch the Label
Bereaved Families for Online Safety
Childnet
SWGfL
UK Safer Internet Centre
Anti-Bullying Alliance
National Children's Bureau
CEASE
ECPAT UK