Consultation response form

Please complete this form in full and return to protectingchildren@ofcom.org.uk.

Consultation title	Consultation: Protecting children from harms online
Organisation name	International Justice Mission

Question	Your response
Do you agree with our proposals in relation to children's access assessments, in particular the aspects below. Please provide evidence to support your view. 1. Our proposal that service providers should only conclude that children are not normally able to access a service where they are using highly effective age assurance? 2. Our proposed approach to the child user condition, including our proposed interpretation of "significant number of users who are children" and the factors that service providers consider in assessing whether the child user condition is met? 3. Our proposed approach to the process for children's access assessments?	In developing access assessments, section 4.3 of Volume 2 can be strengthened by considering that children may use parental/adult accounts. Since 2011, IJM has supported the Philippine government in investigating and prosecuting cases of online sexual exploitation of children. Through that time, we have seen many instances of children being exploited on the accounts of traffickers such as parents, other relatives, or other third parties who are adults. For children in this circumstance, accounting for the volume of child users will be difficult. It will also nullify age assurance technology. However, this regulatory framework will protect someone like one survivor leader in the Philippines, Cassie*: "I was 12 years old when I became a victim of online sexual exploitation. My trafficker would make us an account on the website, a dating app, and change our names and ages there. He posted our pictures on that site so that customers will be attracted and they can chat with me but my trafficker was the one who handled that account using my pictures with a fake name and age." In the Philippines, traffickers often find individuals willing to pay for and direct the livestreamed abuse of children on dating apps. While these would not normally be considered applications likely to be accessed by children, we know that these applications can have a profound effect on children who are then abused by offenders using their adult parent, relative, or trafficker profile. Consider the recent study by Justice & Care which found that there are a variety of platforms used to exploit children. "These ranged from: the use of adult online sex industry services and dating websites, to meet foreigners interested in OSAEC, to the hiring of 'models' who were also minors who they 'promoted' online to foreigners; to providing children in online chat to participate in both prerecorded and live camera 'shows.'"[1] The Justice & Care research recommends that "concerted action is required to target online dating sites and adult webcam services identified in this analysis as being implicated in OSAEC crimes (e.g. used to foster and develop foreign perpetrator-local facilitator connections to

[1] https://justiceandcare.org/policies-and-reports/facilitation-of-online-sexual-abuse-and-exploitation-of-children-osaec-in-the-philippines/

Question	Your response
	commission OSAEC, subsequent live streaming of OSAEC and other OSAEC crimes against Filipino children). These actions should, inter alia, encompass regulation and investigation of these platforms and services and targeted, platform-level activity to detect and report potential on-platform OSAEC."[2] Overall, these proposals are a strong step to preventing children from being abused on platforms that shouldn't allow for child users.

Volume 3: The causes and impacts of online harm to children

Draft Children's Register of Risk (Section 7)

Question	Your response
Proposed approach: 4. Do you have any views on Ofcom's assessment of the causes and impacts of online harms? Please provide evidence to support your answer. a. Do you think we have missed anything important in our analysis? 5. Do you have any views about our interpretation of the links between risk factors and different kinds of content harmful to children? Please provide evidence to support your answer. 6. Do you have any views on the age groups we recommended for assessing risk by age? Please provide evidence to support your answer. 7. Do you have any views on our interpretation of non-designated content or our approach to identifying non-designated content? Please provide evidence to support your answer. **Evidence gathering for future work:**	IJM concurs with Ofcom's assessment of the dangers of pornography access for children, as research from Protect Children has found that 'habitual or excessive use of adult pornography is a possible pathway towards the use of child sexual abuse material.'[3] An author at the Guardian reports on this: "A 36-year-old who said porn became easier to find online as he was in his mid-teens said: "At around 14 I saw porn that was so hardcore I cried after seeing it. But within a year or so I was actively collecting the same material on a hard drive. Porn has had a profound effect on my life. I was addicted to very extreme and in some cases illegal content, looking at it two or three times a day throughout my 20s and early 30s. About 18 months ago, my wife caught me and finally I had to seek help."[4] See further research from PIER24 which outlines how mainstream online pornography is playing a role in pathways to child sexual abuse. It summarises key research showing the links, looks at why it is having this impact, and ends with a set of actions we can take to start tackling this awful situation. The talk is preceded by a powerful piece of video art from a survivor conveying the experience of filmed sexual abuse.[5]

2 ttps://justiceandcare.org/policies-and-reports/facilitation-of-online-sexual-abuse-and-exploitation-of-children-osaec-in-the-philippines/

3 v https://bd9606b6-40f8-4128-b03a-9282bdcfff0f.usrfiles.com/ugd/bd9606_32a8646312e04bdfb7515ae5ae9d0351.pdf

4 https://www.theguardian.com/society/2023/mar/10/readers-how-watching-porn-young-age-affected-their-life

5 https://www.youtube.com/watch?v=vlPoUur05Yw

Question	Your response
8. Do you have any evidence relating to kinds of content that increase the risk of harm from Primary Priority, Priority or Non-designated Content, when viewed in combination (to be considered as part of cumulative harm)? 9. Have you identified risks to children from GenAI content or applications on U2U or Search services? a) Please Provide any information about any risks identified 10. Do you have any specific evidence relevant to our assessment of body image content and depressive content as kinds of non-designated content? Specifically, we are interested in: a) (i) specific examples of body image or depressive content linked to significant harms to children, b. (ii) evidence distinguishing body image or depressive content from existing categories of priority or primary priority content. 11. Do you propose any other category of content that could meet the definition of NDC under the Act at this stage? Please provide evidence to support your answer.	Research on the Motivational pathways underlying the onset and maintenance of viewing CSAM on the Internet found that the result is behavioural conditioning and compulsion. There is "gradual progression to viewing more extreme sexual stimuli in response to what appeared to be habituation" and "many participants in our study reported viewing a myriad of different types of pornography prior to seeking out CP [child porn], which is similar to previous research indicating that people with CP offenses may begin by using legal pornography and gradually progress to viewing illegal materials, possibly resulting from extensive exposure and boredom."[6] In the UK, the Guardian reported that "Schools are picking up the pieces of the harm done by the porn industry," said the headteacher, speaking to the Guardian on condition of anonymity. "We saw the number of students reporting sexual assault start to increase seven to eight years ago and at first we didn't know why. And then working with Dignify I began to learn about the impact porn was having on our students. "The correlation between sexual abuse and watching porn is very high. The majority of what they see is violent."[7] Finally, Lucy Faithful Foundation identifies that "[F]or the majority of people who use our services to help stop viewing sexual images of under-18s, legal adult pornography appears to be a significant contributing factor in their pathway towards offending," [8] [9]Exposure to pornography and other violent content not only harms children in myriad ways, but also may contribute to children being more likely to consume CSAM and even commit hands on sexual offences as under 18's

[6] Motivational pathways underlying the onset and maintenance of viewing child pornography on the Internet by Natasha Knack, Dave Holmes, J. Paul Fedoroff (2020). https://onlinelibrary.wiley.com/doi/full/10.1002/bsl.2450

[7] Porn Study Survey of UK Teenagers by Harriet Grant (2023). https://www.theguardian.com/society/2023/mar/10/porn-study-survey-uk-teenagers-addicted

[8] Time to Talk About Porn by Lucy Faithful Foundation (2024). https://www.lucyfaithfull.org.uk/featured-news/adult-content-link-offending-online.htm?utm_source=ActiveCampaign&utm_medium=email&utm_content=June%20Newsletter%3A%20Tackling%20sextortion%20and%20navigating%20AI%20regulation&utm_campaign=June%202024%20Newsletter

Question	Your response
	against others or eventually as young adults against children. IJM recommends Ofcom consider this research in the development of future Codes and papers.
Draft Guidance on Content Harmful to Children (Section 8)	
12. Do you agree with our proposed approach, including the level of specificity of examples given and the proposal to include contextual information for services to consider? 13. Do you have further evidence that can support the guidance provided on different kinds of content harmful to children? 14. For each of the harms discussed, are there additional categories of content that Ofcom a) should consider to be harmful or b) consider not to be harmful or c) where our current proposals should be reconsidered?	
Volume 4: How should services assess the risk of online harms? **Governance and Accountability (Section 11)**	
15. Do you agree with the proposed governance measures to be included in the Children's Safety Codes? a) Please confirm which proposed measure your views relate to and explain your views and provide any arguments and supporting evidence.	

Question	Your response
b) If you responded to our Illegal Harms Consultation and this is relevant to your response here, please signpost to the relevant parts of your prior response. 16. Do you agree with our assumption that the proposed governance measures for Children's Safety Codes could be implemented through the same process as the equivalent draft Illegal Content Codes?	
Children's Risk Assessment Guidance and Children's Risk Profiles' (Section 12)	
17. What do you think about our proposals in relation to the Children's Risk Assessment Guidance? a) Please provide underlying arguments and evidence of efficacy or risks that support your view. 18. What do you think about our proposals in relation to the Children's Risk Profiles for Content Harmful to Children? a) Please provide underlying arguments and evidence of efficacy or risks that support your view. Specifically, we welcome evidence from regulated services on the following: 19. Do you think the four-step risk assessment process and the Children's Risk Profiles are useful models to help services understand the risks that their services pose to children and comply with their child risk assessment obligations under the Act? ==20. Are there any specific aspects of the children's risk assessment duties that you consider need additional==	

Question	Your response
<mark>guidance beyond what we have proposed in our draft?</mark> <mark>21. Are the Children's Risk Profiles sufficiently clear and do you think the information provided on risk factors will help you understand the risks on your service?</mark> <mark>a) If you have comments or input related to the links between different kinds of content harmful to children and risk factors, please refer to Volume 3: Causes and Impacts of Harms to Children Online which includes the draft Children's Register of Risks.</mark>	

Volume 5 – What should services do to mitigate the risk of online harms

Our proposals for the Children's Safety Codes (Section 13)

| **Proposed measures**

22. Do you agree with our proposed package of measures for the first Children's Safety Codes?

a) If not, please explain why.

Evidence gathering for future work.

23. Do you currently employ measures or have additional evidence in the areas we have set out for future consideration?

a) If so, please provide evidence of the impact, effectiveness and cost of such measures, including any results from trialling or testing of measures.

24. Are there other areas in which we should consider potential future measures for the Children's Safety Codes? | The primary areas of Children's Safety Codes of governance and accountability, safer platform design, and providing children with information and support are excellent foundational principles. To strengthen these principles, IJM recommends, in addition to considering services that are likely to be accessed by children, to underpin the Children's Safety Codes with safety by design principles that stretch to services less likely to be accessed by child users. Even if the service is less likely to be used by a child, consider that, depending on the socioeconomic status of the individuals, there may be device and account sharing between family members and therefore some services may still be used by children despite the deployment of age assurance technology. The recent Justice & Care research which interviewed convicted traffickers identified this, saying "Convicted facilitators also referred to the culture in these communities of 'sharing' - whether that is social media accounts, bank accounts and/or mobile devices, further enabling OSAEC crimes to be conducted with relative ease."[10] |

[10] Facilitation of Online Sexual Abuse and Exploitation of Children (OSAEC) in the Philippines by Justice & Care (2024). https://justiceandcare.org/policies-and-reports/facilitation-of-online-sexual-abuse-and-exploitation-of-children-osaec-in-the-philippines/

Question	Your response
a) If so, please explain why and provide supporting evidence.	In considering the global trend of the sexual extortion of minors, consideration can be given for developing additional layers of protection for minor accounts to disrupt the reception of sexualised images, particularly from accounts with foreign IP addresses. In some cases, pretending to be minors themselves, sextortion offenders send a nude image of a minor to the victim in order to coerce them into sending self-generated sexualised content themselves. Disrupting the sending of this type of content can help deter sextortion offenders from successfully extorting or harming minors. Additionally, IJM encourages Ofcom to consider eventual deployment of Ofcom accredited prevention technology that would deter and disrupt new child sexual abuse material form being available on platforms, similar to Australia's Designated Internet Service[11] and Relevant Electronic Service[12] Industry Codes. One such technology could include HarmBlock,[13] a prevention technology that can be installed on device or on application which prevents the rendering of child sexual abuse and exploitation.

[11] https://www.esafety.gov.au/sites/default/files/2024-06/Online-Safety-DesignatedInternetServices-Class1AClass1B-IndustryStandard2024.pdf?v=1721202269253

[12] https://www.esafety.gov.au/industry/codes/register-online-industry-codes-standards

[13] https://safetonet.com/en-gb/

Developing the Children's Safety Codes: Our framework (Section 14)

<mark>25. Do you agree with our approach to developing the proposed measures for the</mark>

<mark>Children's Safety Codes?</mark>

a) If not, please explain why.

26. Do you agree with our approach and proposed changes to the draft Illegal Content Codes to further protect children and accommodate for potential synergies in how systems and processes manage both content harmful to children and illegal content?

a) Please explain your views.

27. Do you agree that most measures should apply to services that are either large services or smaller services that present a medium or high level of risk to children?

28. Do you agree with our definition of 'large' and with how we apply this in our recommendations?

29. Do you agree with our definition of 'multi-risk' and with how we apply this in our recommendations?

30. Do you agree with the proposed measures that we recommend for all services, even those that are small and low-risk?

Age assurance measures (Section 15)

31. Do you agree with our proposal to recommend the use of highly effective age assurance to support Measures AA1-6? Please provide any information or evidence to support your views.

IJM agrees that age assurance technology is one component of safety by design. In considering age assurance and verification technology, we reference Yoti's 6 methods of age verification and estimation which can operate independently from the U2U and search services, thus

a) Are there any cases in which HEAA may not be appropriate and proportionate? b) In this case, are there alternative approaches to age assurance which would be better suited? 32. Do you agree with the scope of the services captured by AA1-6? 33. Do you have any information or evidence on different ways that services could use highly effective age assurance to meet the outcome that children are prevented from encountering identified PPC, or protected from encountering identified PC under Measures AA3 and AA4, respectively? 34. Do you have any comments on our assessment of the implications of the proposed Measures AA1-6 on children, adults or services? a) Please provide any supporting information or evidence in support of your views. 35. Do you have any information or evidence on other ways that services could consider different age groups when using age assurance to protect children in age groups judged to be at risk of harm from encountering PC?	limiting concerns around data storage and retention.[14] IJM also commends Ofcom's proposed measures AA1-6 of using HEAA to prevent children from accessing the entire service and ensuring children are prevented from viewing both illegal and harmful content. A potential gap remains when children use adult accounts, at which point they may be exposed to illegal or harmful content, in addition to being abused on adult platforms as referenced earlier in this consultation. IJM recommends exploring technological feasibility of platforms detecting behaviour changes that might indicate a child is using an adult profile.
Content moderation U2U (Section 16)	

[14] https://www.yoti.com/business/age-verification/?utm_medium=adwords&utm_campaign=Yoti_B2B_AV_UK_PPC_Desktop&utm_source=brand_exact&utm_content=461507053891&utm_term=e_yoti%20age%20check&hsa_acc=3662910724&hsa_cam=11029654691&hsa_grp=108511476696&hsa_ad=461507053891&hsa_src=g&hsa_tgt=kwd-1049022706032&hsa_kw=yoti%20age%20check&hsa_mt=e&hsa_net=adwords&hsa_ver=3&gad_source=1&gclid=CjwKCAjwqMO0BhA8EiwAFTLgI-JhWWnkEq_XqM7CHjANta3m1W3gDoqT8hKedZdTTyTkyqP9j_DvOChoC9jUQAvD_BwE

36. Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views. 37. Do you agree with the proposed addition of Measure 4G to the Illegal Content Codes? a) Please provide any arguments and supporting evidence.	Confidential? – Y / N
Search moderation (Section 17)	
38. Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views. 39. Are there additional steps that services take to protect children from the harms set out in the Act? a) If so, how effective are they? 40. Regarding Measure SM2, do you agree that it is proportionate to preclude users believed to be a child from turning the safe search settings off? The use of Generative AI (GenAI), see Introduction to Volume 5, to facilitate search is an emerging development, which may include where search services have integrated GenAI into their functionalities, as well as where standalone GenAI services perform search functions. There is currently limited evidence on how the use of GenAI in search services may affect the implementation of the safety measures as set out in this code. We welcome further evidence from stakeholders on the following questions and please provider arguments and evidence to support your views: 41. Do you consider that it is technically feasible to apply the proposed code measures in respect of GenAI	Confidential? – Y / N

functionalities which are likely to perform or be integrated into search functions? 42. What additional search moderation measures might be applicable where GenAI performs or is integrated into search functions?	

User reporting and complaints (Section 18)	
43. Do you agree with the proposed user reporting measures to be included in the draft Children's Safety Codes? a) Please confirm which proposed measure your views relate to and explain your views and provide any arguments and supporting evidence. b) If you responded to our Illegal Harms Consultation and this is relevant to your response here, please signpost to the relevant parts of your prior response. 44. Do you agree with our proposals to apply each of Measures UR2 (e) and UR3 (b) to all services likely to be accessed by children for all types of complaints? a) Please confirm which proposed measure your views relate to and explain your views and provide any arguments and supporting evidence. b) If you responded to our Illegal Harms Consultation and this is relevant to your response here, please signpost to the relevant parts of your prior response. 45. Do you agree with the inclusion of the proposed changes to Measures UR2 and UR3 in the Illegal Content Codes (Measures 5B and 5C)?	Confidential? – Y / N

a) Please provide any arguments and supporting evidence.	

Terms of service and publicly available statements (Section 19)	
46. Do you agree with the proposed Terms of Service / Publicly Available Statements measures to be included in the Children's Safety Codes? a) Please confirm which proposed measures your views relate to and provide any arguments and supporting evidence. b) If you responded to our illegal harms consultation and this is relevant to your response here, please signpost to the relevant parts of your prior response. 47. Can you identify any further characteristics that may improve the clarity and accessibility of terms and statements for children? 48. Do you agree with the proposed addition of Measure 6AA to the Illegal Content Codes? a) Please provide any arguments and supporting evidence.	Confidential? – Y / N
Recommender systems (Section 20)	
49. Do you agree with the proposed recommender systems measures to be included in the Children's Safety Codes? a) Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence. b) If you responded to our illegal harms consultation and this is relevant to your response here, please signpost to the relevant parts of your prior response.	Confidential? – Y / N

50. Are there any intervention points in the design of recommender systems that we have not considered here that could effectively prevent children from being recommended primary priority content and protect children from encountering priority and non-designated content?	
51. Is there any evidence that suggests recommender systems are a risk factor associated with bullying? If so, please provide this in response to Measures RS2 and RS3 proposed in this chapter.	
52. We plan to include in our RS2 and RS3, that services limit the prominence of content that we are proposing to be classified as non-designated content (NDC), namely depressive content and body image content. This is subject to our consultation on the classification of these content categories as NDC. Do you agree with this proposal? Please provide the underlying arguments and evidence of the relevance of this content to Measures RS2 and RS3. • Please provide the underlying arguments and evidence of the relevance of this content to Measures RS2 and RS3.	
User support (Section 21)	
53. Do you agree with the proposed user support measures to be included in the Children's Safety Codes? a) Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence. b) If you responded to our Illegal harms consultation and this is relevant to your response here, please signpost	Confidential? – Y / N

to the relevant parts of your prior response.	

Search features, functionalities and user support (Section 22)

<mark>54. Do you agree with our proposals? Please provide underlying arguments and evidence to support your views.</mark> <mark>55. Do you have additional evidence relating to children's use of search services and the impact of search functionalities on children's behaviour?</mark> <mark>56. Are there additional steps that you take to protect children from harms as set out in the Act?</mark> <mark>a) If so, how effective are they?</mark> <mark>As referenced in the Overview of Codes,</mark> Section 13 and Section 17, the use of GenAI to facilitate search is an emerging development and there is currently limited evidence on how the use of GenAI in search services may affect the implementation of the safety measures as set out in this section. We welcome further evidence from stakeholders on the following questions and please provide arguments and evidence to support your views: 57. Do you consider that it is technically feasible to apply the proposed codes measures in respect of GenAI functionalities which are likely to perform or be integrated into search functions? Please provide arguments and evidence to support your views.	Confidential? – N Research shows that the consumption of CSAM through pornographic websites has an impact on attitudes and behaviours towards offending against children in both adults and children. It also suggests that viewing of child sexual abuse material on porn websites through search services by children has increased the likelihood of sexual harms by children upon children including that of a violent nature. Few reports demonstrating this point are below: 1. A report from the children's commissioner for England highlighted the violent nature of much of the pornography that children are reporting seeing at a young age. The survey found that a third of children had seen porn by the age of 10, with over two-thirds of young adults aged 18-21 saying they had seen violent pornography before turning 18. The report also highlighted correlations between early exposure to porn and the development of harmful attitudes.[15] 2. Prof. Michael Salter identified that there are strong links between viewing violent and extreme pornography and child sexual abuse across US, UK and Australia. "It reported that child offenders are also prolific consumers of deviant or violent adult pornography, signalling to Salter that "the overall porn-

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[15] 'A lot of it is actually just abuse'- Young people and pornography | Children's Commissioner for England (childrenscommissioner.gov.uk)
https://www.childrenscommissioner.gov.uk/resource/a-lot-of-it-is-actually-just-abuse-young-people-and-pornography/

	saturated online environment does have a role to play in sexual harm to children".[16]
	3. [2Know](#) research has suggested that "habitual or excessive use of adult pornography is a possible pathway towards use of child sexual abuse material. The 2KNOW research survey asked respondents about their use of adult pornography before they began to search for CSAM. Of the respondents who answered the questions, a significant number (65%) reported habitually viewing adult pornography before starting to search for CSAM." (page 13)[17]

[16] Identifying and understanding child sexual offending behaviours and attitudes among Australian men by UNSW (2023). https://www.humanrights.unsw.edu.au/sites/default/files/documents/Identifying%20and%20understanding%20child%20sexual%20offending%20behaviour%20and%20attitudes%20among%20Australian%20men.pdf

[17] Knowledge to Prevent Online Sexual Violence Against Children by Protect Children. https://bd9606b6-40f8-4128-b03a-9282bdcfff0f.usrfiles.com/ugd/bd9606_32a8646312e04bdfb7515ae5ae9d0351.pdf

Combined Impact Assessment (Section 23)	
58. Do you agree that our package of proposed measures is proportionate, taking into account the impact on children's safety online as well as the implications on different kinds of services?	Confidential? – Y / N
Statutory tests (Section 24)	
59. Do you agree that our proposals, in particular our proposed recommendations for the draft Children's Safety Codes, are appropriate in the light of the matters to which we must have regard? a) If not, please explain why.	Confidential? – Y / N
Annexes **Impact Assessments (Annex A14)**	
60. In relation to our equality impact assessment, do you agree that some of our proposals would have a positive impact on certain groups? 61. In relation to our Welsh language assessment, do you agree that our proposals are likely to have positive, or more positive impacts on opportunities to use Welsh and treating Welsh no less favourably than English? a) 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.	Confidential? – Y / N

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