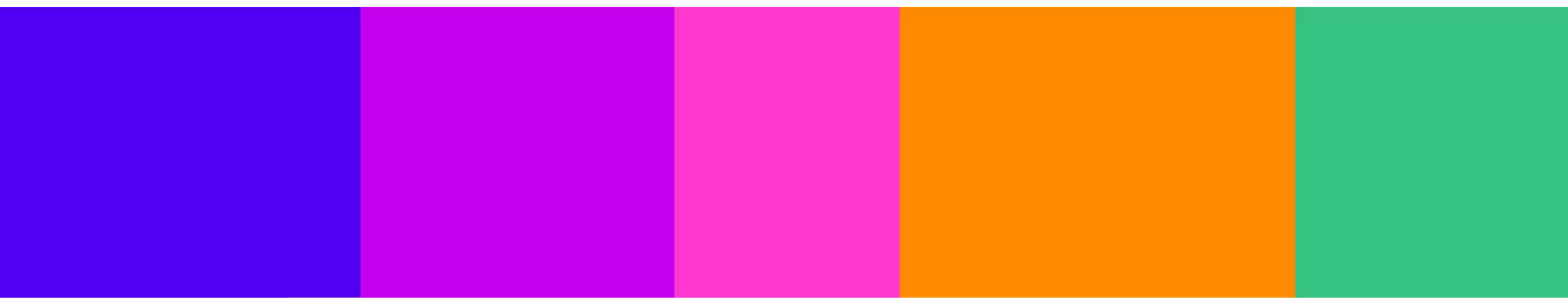# Consultation response form

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

Consultation title	Consultation: Protecting children from harms online
Organisation name	Scottish Government

Your response

Question	Your response
Volume 2: Identifying the services children are using **Children's Access Assessments (Section 4).**	

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?	1. We agree that robust age assurance must be in place for service providers to conclude that children are not normally able to access an online service. It is important that online service providers do not rely solely on robust age-assurance measures to determine whether children are likely to access their services. Online services, particularly large ones and/or high-risk ones, should be encouraged to provide as much evidence as possible regarding the numbers of children and young people using their services before they come to the conclusion that children are not normally able to access their service. 2. We would like greater clarity on what constitutes a "*significant number of users who are children*". We recognise that this is a complex assessment and why Ofcom are reluctant to provide a numerical threshold, but it is likely that online services will need more guidance on this to make an assessment. We note the consultation states that "given the potential for serious harm… we consider that even a relatively small absolute number or proportion of children could be significant in terms of the risk of harm… [and] that it cannot be the intention of Parliament that the concept of a "significant number of children" … should require the number in question to be a large or substantial number, either in absolute terms or as a proportion of child users compared to the overall user base… we consider that this term should be understood as indicating that the number of children on the service is material in the context of the service in question (i.e. not insignificant in that context)."" We find this unclear, as we understand that what is required for the child user condition is an in-context *numerical* assessment, as opposed to any weighing up of risks of potential harm (which follows once the user condition is met). Further, it is not clear what factors should be taken into account when assessing whether number/proportion of children using / potentially using the service would be "material" in that context. We would welcome further clarification around this.

Question	Your response
	The list of individual indicative factors to consider when assessing if an online service is likely to attract UK child users and assessing whether an online service has a significant number of UK child users looks sensible.
	3. We agree with the proposed approach for providers of online services treated as not likely to be accessed by children to carry out children's access assessments either annually, before making any significant change to the service design or operation, in response to evidence about reduced effectiveness of age assurance or in response to evidence of increased number of children using the service.
	Evidence about reduced effectiveness of age assurance is particularly important. Though the guidance states that it is for providers to understand the effectiveness of their age assurance measures, we recommend that Ofcom also continues to monitor the effectiveness of age assurance measures more generally. We agree that online services should carry out new children's access assessments if information suggests that there is an increase in children using the service.

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.	Listening to children and young people's views on the causes and impacts of online harms is vital to protecting them online. This has to be an ongoing process. Monitoring any new and emerging harmful trends will be crucial to this guidance being meaningful and effective. 4. *Pornographic content*: We feel the introduction to this chapter could benefit from referencing Article 17 of The United Nations Convention on the Rights of the Child

Question	Your response
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:** 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.	(UNCRC), which provides that children should have access to information and materials from a diversity of national and international sources, whilst recognising that appropriate guidelines should be developed to protect them from information and material which is injurious to their wellbeing. We believe that strong action to ensure that children cannot access inappropriate material, including pornography, is key to upholding children's rights under article 17 UNCRC. At paragraph 7.1 in the 'summary: risk of harm from pornographic content', at the 'User base: risk factors' paragraph, we would like to highlight that though the average at which children first encounter pornography online is 13, that a significant number of younger children are encountering it. We think that this should be stated here. The Children's Commissioner for England and Wales report January 2023 linked to in section 7.1 states that by age 9, 10% of children had seen pornography. We note that you refer to this at paragraph 7.1.16 but we think that the fact that children as young as 9 are accessing pornography should be front and centre. Regarding 'pornographic content', Ofcom has not included any reference to audio pornographic content in its guidance. We think that audio pornographic content could be included under 'oral communications' (and 'sexually suggestive moaning'). We believe that this is a gap. We are aware of young children of primary school age accessing a website with a large collection of sounds, including 'sex' sounds, where the voices used sound like children. This is extremely concerning. We think this should be included in Ofcom's definition of pornographic content and an example given in the guidance. Otherwise we are content with Ofcom's assessment of the causes and impacts in relation to pornographic content. *Suicide and self-harm content* and Eating disorder content:

Question	Your response
	Self-harm, suicide and eating disorders remains highly stigmatised. Due to this, the data we currently have on the causes and impacts of online harms to children and young people is limited. This is especially true for children and young people who are from marginalised communities. Therefore it is important that the evidence and data continues to be reviewed and monitored. We would also request that any data and evidence that Ofcom gather regarding the causes and impacts of online harm to children and young people through the regulation process is shared with relevant stakeholders to inform their own work to support children and young people.
	Abuse and hate content.
	Ofcom may wish to consider the provisions included within the Hate Crime and Public Order (Scotland) Act 2021, which maintains and consolidates previously existing protections in law against offences aggravated by prejudice against disability, race, religion, sexual orientation and transgender identity and adds age as a new characteristic. It also updates the previous definition of transgender identity which included the term 'intersexuality' to separate groups – transgender and variations in sex characteristics are therefore now separate characteristics.
	The Act introduced new offences of 'stirring up hatred' which criminalises threatening or abusive behaviour and the communication of threatening or abusive material which is intended to stir up hatred against a group of people by reason of their possessing, or appearing to possess, characteristics. For the new offences, it has to be proven that the behaviour is threatening or abusive AND that it is intended to stir up hatred.
	The Scottish Government consider anything that would meet the threshold for the Hate Crime and Public Order (Scotland) Act 2021 should also

Question	Your response
	fall within the scope of material to be regulated under the Online Safety Act 2023.
	LGBT Youth Scotland's "Life in Scotland for LGBT Young People in 2022": [Life in Scotland for LGBT Young People in 2022 - LGBT Youth Scotland](#) found that 43% of lesbian/gay participants and 33% of bisexual participants have experienced online bullying due to their sexual orientation/perceived sexual orientation. Additionally, just over half (53%) of trans participants have experienced online bullying due to their gender identity or perceived gender identity. 48% of trans participants have experienced bullying related to their sexual orientation/perceived sexual orientation as compared to 28% of cisgender participants.
	Harmful substances content:
	People who are self-medicating by buying medicines online may be putting themselves at serious risk of harm. Many websites selling medicines online originate from outside the UK and are not regulated by UK authorities.
	Buying prescription-only medicines without consulting a suitable healthcare professional risks being supplied with medicines that are not safe or suitable to take. Buying prescription-only medicines from unauthorised sources also significantly increases the risk of getting substandard or fake medicines.
	On 19 June 2024, Healthcare Improvement Scotland commenced regulating independent medical agencies providing health care services which consist of or include the provision of services by a medical practitioner, dental practitioner, registered nurse, registered midwife, dental care professional, pharmacist, or pharmacy technician. This includes independent medical agencies operating entirely online based in Scotland.

Question	Your response
	The Scottish Government will consider legislation to restrict who can administer dermal fillers and other non-surgical cosmetic procedures with the aim of protecting public safety.

Dangerous stunts and challenges content:

We note that Ofcom has named a harmful challenge in the consultation. We would urge Ofcom not to name any known challenges within the context examples in the guidance or elsewhere in their consultation materials. With this in mind, we recommend that Ofcom re-phrases examples given in relation to asphyxiation challenges. Naming challenges can potentially be harmful by drawing attention to them.

We are otherwise content with Ofcom's assessment of the causes and impacts of these harms.

5. See answer for Q4

6. See answer for Q4

7. We are not clear what content would constitute non-designated content (NDC) though we note the potential kinds of NDC referenced – 'body image content' and 'depressive content' and the further consideration to be given to these. Though Ofcom is not required to set out examples or kinds of NDC within the draft guidance, we think that it would be helpful for Ofcom to do this. This will help online services to understand and identify these types of harm.

8. We have no comment on this question.

9. We have no comment on this question.

10. We are aware that much NDC content is likely to include lived experience posts, some of which will be from people who have experienced trauma, are in distress or are children and young people themselves. While we recognise these |

Question	Your response
	posts can be harmful to others, having the content removed could be distressing. We would like to ask that consideration is given to sign-posting the person whose content is removed to further support. 11. We have no comment on this question.

Draft Guidance on Content Harmful to Children (Section 8)

Question	Your response
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?	12. Please see our answer to Q4. 13. We have no comment on this question. 14. Please see our answer to Q4.

Volume 4: How should services assess the risk of online harms?

Governance and Accountability (Section 11)

Question	Your response
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. b) If you responded to our Illegal Harms Consultation and this is	15. Children and young people should not have to take responsibility for their own safety online. Online services should take ownership of the wellbeing of their users, particularly child users. Safety by design measures and accountability are key to protecting children and young people from harms online. a) We agree with Measure GA2 that all search and user-to-user services should name a person accountable to most senior governance body for compliance with children's safety duties. We also think that all search and

Question	Your response
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?	user-to-user services (U2U) should "track unusual increases or new kinds of PPC, PC and NDC on the service that may be becoming present on the service" (GA5), "have a Code of Conduct that sets out standards for employees around protecting children" (GA6) and to "ensure staff involved in the design and operational management of service are sufficiently trained in approach to compliance with children's safety duties" (GA7). It is essential that child safety is at the heart of online services' governance processes and risk management practices, that 'safety by design' measures are central to design and development and that online services regularly monitor for new and emerging harms on their services. Particularly in relation to GA5, we note that Ofcom anticipates a small team carrying out this work for large or multi-risk services. We think this could be carried out on a smaller scale by other, smaller services – by considering evidence from complaints processes, trusted flaggers, etc. 16. Taking our response to Q15 into consideration, we otherwise agree that the proposed governance measures for Children's Safety Codes could be implemented through the equivalent process as that of the 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?	17. and 18. It is crucial that online services carry out full risk assessments when introducing new products, features or functionalities. Product testing and consultation with child safety experts and/or children and young people should be carried out in the assessments. We have no other comments on Ofcom's proposals in relation to the Children's Risk Assessment Guidance and Children's Risk Profiles for Content Harmful to Children.

Question	Your response
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 guidance beyond what we have proposed in our draft? 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? 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.	19. The four-step risk assessment process sets out a helpful step-by-step guide for services. We have no other comment on these documents. 20. We have no comment on this question. 21. We have no comment on this question.
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.**	22. Wherever possible, tools giving children and young people the tools and support to help them stay safe online must be balanced with 'safety by design' measures and strong governance and accountability of online services. Safety measures must be effective, ensuring both protection and privacy for children and young people.

Question	Your response
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? a) If so, please explain why and provide supporting evidence.	Any information provided to children and young people about Terms of Service, user reporting and complaints, publicly available statements, user support tools and supportive information must all be fully accessible and easy to read and understand. Different versions may be required for different age groups. Children and young people should be consulted on the development of these documents to ensure that they are accessible and helpful. Children's rights should be clearly set out in Terms of Service, complaints procedures and any other relevant documents. Complaints procedures must be reliable and consistent. These can only be effective if children and young people have confidence in using them. We are aware that children and young people do not always have confidence in online service's reporting and complaints processes and so online services must do all that they can to build children and young people's trust in them. Online services should consult children and young people in the development of reporting and complaints processes as well as tools and support to help them stay safer online. 23. We have no comment on this question. 24. We have no comment on this question.

Developing the Children's Safety Codes: Our framework (Section 14)	
25. Do you agree with our approach to developing the proposed measures for the Children's Safety Codes? a) If not, please explain why.	25. The approach to present the three sets of codes in two groups separately for U2U and search services seems sensible.
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.	We note that Ofcom is further considering recommending using automated content moderation to detect illegal and harmful content on a large scale, addressing the risks children face from emerging generative AI technologies, and tackling features that entice children to increase their screen time. Moderation must be effective and consistent, quickly removing any harmful material. At present, AI is less able to understand context and nuances than human moderators and so may be less effective. However, more sophisticated AI could potentially be effective in moderating large amounts of material.
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?	We are also note that Ofcom is considering how parental controls can add to other protections for children online. Effective, easy to use parental controls can be an important tool in keeping children safer online, when used alongside other a range of other measures.
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?	26. We are content with proposed changes to the draft Illegal Content Codes.
30. Do you agree with the proposed measures that we recommend for all services, even those that are small and low-risk?	27. We largely agree with the approach being taken. However, as per our answer to Q15, we think that measures GA5, GA6 and GA7 should apply to all search and U2U services.
	Regarding User support for child users, measure US6 - the provision of age-appropriate user support materials for children should be provided by online services likely to be accessed by children that are medium and high risk as well as multi-risk in relation to content that is harmful to children.

	Likewise, measure US4 - the provision of information to child users when they restrict interactions with other accounts or content should be provided by large, medium and high risk online services as well as multi-risk ones in relation to content that is harmful to children.
	28. and 29. We are content with the definition of 'large' and 'multi-risk'.
	30. Please see our response at Q15 and Q27.

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. 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?	31. and 32. We are content with Ofcom's proposal to recommend the use of highly effective age assurance to support Measures AA1 – AA6 and the scope of the services captured here. Age-assurance should be used to ensure that children have age-appropriate experiences online. Online services will have to be careful however that age assurance measures do not impact upon children's rights (for example, freedom of expression and non-discrimination) and unduly limit children and young peoples' lives online. 33. We have no comment on this question. 34. We note the rights assessment and what Ofcom say about freedom of expression, association and privacy. We are supportive of Ofcom's approach but as per our answer to Q31 and Q32 online services will have to be careful that age assurance measures do not impact upon children's rights (for example, freedom of expression and non-discrimination) and unduly limit children and young peoples' lives online. Any processing of personal data through age assurance measures must comply with the relevant data protection legislation. 35. We have no comment on this question.

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?	

Content moderation U2U (Section 16)

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.	36. We are content with Ofcom's proposals on content moderation for U2U services. Moderation must be effective and consistent, quickly removing any harmful material. It is vital that children and young people understand what is and what is not allowed on an online service as well as how to complain. This should be made clear in their Terms of Service. 37. We are content with Ofcom's proposals for an additional measure (4G) to the Illegal Content Codes in relation to volunteer moderators.

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	38. Moderation must be effective and consistent, quickly removing any harmful material. We are concerned that search moderation relating to self-harm, suicide and eating disorders could inadvertently limit young people's access to reputable support organisations, especially if the moderation is automated. We would ask that Ofcom consider measures to ensure that access to support websites is not negatively affected for children and young people and there is a simple system to redress any errors.

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 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?

It is our opinion that those involved in moderation should receive training on recognising violence against women and girls online.

39. We have no comment on this question.

40. We note measure SM2, the measure for large general services to apply a safe search setting for all users believed to be children which filters out identified PPC from search results. We support this measure though search services will need to ensure that they are not restricting children from accessing safe and legitimate content.

41. We have no comment on this question.

42. We have no comment on this question.

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)?

a) Please provide any arguments and supporting evidence.

43. We are mainly content with the proposed user reporting measures UR1 – UR5. All services should have transparent, reliable, consistent, responsive and easy to use complaints processes with safeguarding and support in place. It would be helpful for online services to have a dedicated point of contact (email address or phone number) for complaints.

We recommend that human analysts respond to complaints by children and young people.

We understand that children and young people often struggle with reporting harmful content on different services and so it is imperative that information provided to children and young people on their rights to report harmful content is fully accessible. Online services must proactively inform their child users of their rights to report harmful content. Reporting services for child users should have human responders and complaints should be dealt with quickly. Children and young people must be updated on the outcome of their complaint. Not knowing the outcome of complaints may discourage children and young people from reporting online harms.

We urge Ofcom to recommend that providers establish Trusted Flagger programmes as a way of reporting harmful and illegal content. This will ease some of the burden from children and young people to report online harms.

44. Please see our answer to Q43.

45. We are content with these changes.

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.	46. and 47. Terms of Service and Publicly Available Statements must be wholly accessible and inclusive for children and young people using the online service, who will be of differing ages and stages. They should be easy to read and understand developed in conjunction with children themselves. 48. We are content with the addition of this measure to the Illegal Content Codes.
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.	49. The measures proposed in relation to recommender systems are important to mitigate harm before it occurs. Recommender systems must be designed using 'safety by design' principles and fully assessed for any potential risks before being implemented. Complex algorithms can push and amplify harmful content to children and young people and online services must do something about this. That is why we believe that all U2U and search services should have a Code of Conduct that sets out standards for employees around protecting children (GA6) and to

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.	ensure staff involved in the design and operational management of service are sufficiently trained in approach to compliance with children's safety duties (GA7). We have heard of children and young people deliberately trying to manipulate recommender systems to protect themselves from receiving harmful content (Internet Matters report "So standard it's not noteworthy" Teenage girls' experiences of harm online March 2024). This is unacceptable. Digital nudging measures such as measure RS3 - providing children with a means of expressing negative sentiment to their recommender feed will provide children and young people with individual freedom of choice. This alongside a range of other measures will be helpful in protecting children and young people online. 50. We have no comment on this question. 51. We have no comment on this question. 52. As per our answer to Q7, we are unclear about what "non-designated content" would be. We would welcome further elaboration on what is meant by "depressive content" and "body image content" and examples of the type of content which would fall into this category.
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	53. Support measures alongside a range of other measures can help support children and young people to stay safer online. Children and young people must be made aware of their rights online and provided with clear, accessible and helpful information on available supports. Instructions on how to use supports as well as the limitations of them must be clear.

to the relevant parts of your prior response.	Children and young people should be involved in the development of these support measures to ensure that they are fit for purpose and accessible to children of any age group. Private by default settings for child users are an important tool on keeping children safer online. Increased privacy online may mean increased safety. Effective, easy to use parental controls should also be a support measure alongside other measures. Parents and carers can play an important role in protecting children online. However, we add the caveat that this should be one of a number of safety measures and that services should not over-rely on parental controls as a safety measure.

Search features, functionalities and user support (Section 22)

54. Do you agree with our proposals? Please provide underlying arguments and evidence to support your views. 55. Do you have additional evidence relating to children's use of search services and the impact of search functionalities on children's behaviour? 56. Are there additional steps that you take to protect children from harms as set out in the Act? a) If so, how effective are they? As referenced in the Overview of Codes, 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	54. We are aware that predictive search can lead to increased discoverability of harmful content, e.g. suicide and self-harm content. We agree that users should be able to report predictive search suggestions related to PPC and there should be crisis prevention information in response to known PPC related search requests. For searches within Scotland related to self-harm and general mental health and wellbeing support for children and young people, the Self-Harm Network Scotland and Aye Feel would be reputable websites to signpost to. Children and young people must be made aware of their right to report harmful predictive search options to search services. They must be provided with clear, accessible and helpful information on actions available to them and any reporting should be accessible and easy to use. Search services must act upon such reports quickly to ensure that harmful predictive search suggestions are no longer recommended. As with any report function or complaints process, services should be transparent about any action taken on such reports and take necessary action swiftly. Any information about this report

questions and please provide arguments and evidence to support your views:	function should be readable and developed in conjunction with children themselves.
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.	55. We have no comment on this question. 56. We have no comment on this question. 57. We have no comment on this question.

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?	58. We have no comment on this question.
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.	59. We have no comment on this question.
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.	61. We have no comment on this question.

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