

Your response

Ofcom's Register of Risks

Question 1:

- i) Do you have any comments on Ofcom's assessment of the causes and impacts of online harms?

Response:

Cats Protection is the UK's leading cat charity. We help an average of 157,000 cats and kittens every year. Our aim is to make life better for cats and the people who care for them. We've been speaking up for cats for almost 100 years.

Overall, Cats Protection is supportive of the inclusion of animal cruelty in the Online Safety Act 2023 and Ofcom's assessment of the causes and impacts of online harms. Addressing this content online is crucial because the spread of such material not only requires cruelty in its creation, but also desensitises the public to animal suffering and promotes demand for further cruelty.

Forcing human-like behaviour (5.16)

We agree that making a cat wear clothes and forcing human-like behaviour is harmful (as addressed in section 5.16 in the consultation document). Making a cat wear clothes Dressing up cats can be incredibly stressful for them as it restricts their movement and ability to express normal behaviour. Many people are also not aware that these aversive behaviours often continue even after the clothes are removed. Additionally, there's a significant risk of the clothing getting caught on furniture and other household objects, causing injury to the cat. A challenge arises when large companies, such as NatWest (who have now amended their advertising guidelines following advice from Cats Protection), Pinterest (2024) – where dressing cats in hats was encouraged, and others contribute to normalising and promoting such treatments of cats through their advertising. Organisations involved in advertising *should have a duty to consider* animal welfare in their advertising guidelines and practices.

Stress, physical harm, and when a creator "ought reasonably to be aware" (3.7, 5.18, 5.38)

There are other stress reactions that cats exhibit on online content where it is easier to say that the content creator *ought reasonably to be aware* that the cat is having a negative reaction. These behaviours include the cat lowering their body to be flat on the ground, hissing and backing away. These are common fear and stress reactions in many animals, meaning that even those without specific knowledge about cat behaviour should be aware that this is a negative response to the actions being taken with/against a cat to create content.

An example of a trend that clearly causes stress and risks physical harm was in 2023, following an album release, many Taylor Swift fans took part in a trend where they would swing their cats around in the air (Metro, 2023). The particular issue with this and similar examples is that treating a cat in

this way becomes a trend (the nature of which, as pointed out in 5.18, means that demand for content is created, and other creators have incentive to copy these actions that are harmful to cats). Creators *ought reasonably be aware* that this is not a safe way to treat a cat.

Cruel devices such as shock collars (3.7, 5.64)

Shock collars are readily available for purchase on online platforms. These devices work by a remote control or by setting up an 'invisible fence' which triggers an electronic pulse directly onto the animal's skin as a punishment for what is perceived to be bad behaviour. The use of such punitive devices can cause pain, fear, and stress to cats. In 2023, the government announced an intention to ban electric shock collars – political events such as the General Election mean that a ban has not yet been implemented. But what is clear is that the sale, and posts supporting the use of shock collars, encourages cat owners to use these cruel devices. If a ban comes into force in the UK, it's vital that service providers are aware of the cruelty facilitated in promoting and selling these devices.

Sources:

- Metro, 2023. *Taylor Swift fans causing their cats 'distress and pain' in bizarre TikTok trend, warns charity*. Available at: <https://metro.co.uk/2023/08/23/taylor-swifts-august-sparks-wild-tiktok-trend-involving-pets-19380821/>
- Pinterest, 2024. *Whatever You're Into | Pinterest | It's Possible*. YouTube. Available at: <https://www.youtube.com/watch?v=p1heUmGORIs>.

ii) Do you think we have missed anything important in our analysis? Please provide evidence to support your answer.

Response:

The risk of animal cruelty present in online sales

Whilst the November 2023 Illegal Harms Consultation covered online sales and the current consultation recognises calls for the inclusion of pet sales in guidance; the Fraud and Financial Services section of the 2023 consultation was focused on the harm done to *people*. It's important to recognise the risk of animal cruelty present in some online pet sales. Illegal practices such as the underage selling of kittens poses a significant and long-term risk to these cats' health. This seems to constitute an 'illegal trade of animals' (4.8).

Additionally, some poor practices in online selling, such as violations of the Pet Advertising Advisory Group's (PAAG) Advertising Standards, may not be illegal in themselves but could, especially when a combination of Minimum Standards are not met, present a risk of animal cruelty.

The risk of animal cruelty present in online sales – breeding and social media trends

Social media trends, especially when celebrities participate, can create demand for both further content and 'products' related to the trend. The popularity of Scottish Fold cats for their appearance is often boosted by content showing the cats, films such as Apple TV's *Argylle*, and celebrities such as Taylor Swift and Ed Sheeran sharing photos and videos of their own cats. Scottish Fold cats, and often cats bred from them, suffer from Osteochondrodysplasia (Scottish Fold disease) – this is what

gives them their folded ears, meaning that all Scottish Folds suffer from it. Scottish Fold disease causes deformities, arthritis, severe pain, and also puts the cats at high risk of kidney and airway obstruction issues (Cats Protection).

The health conditions faced by Scottish Folds are so significant and inevitable that the breeding of them has effectively been banned in Scotland – this is because commercial breeding (i.e. when someone is breeding more than 3 litters in a 12-month period) of cats is licenced in Scotland and breeding Scottish Fold cats would not meet the licence conditions. This not only highlights the level of suffering these cats face, but also means that trends risk encouraging people to break this Scottish law. Additionally, The Governing Council of the Cat Fancy (2024, p2) does not recognise the breed for pedigree registration due to welfare concerns.

Our response to Question 5 also further covers the issues with not amending U2U service risk factors relating to platforms such as Social media services and Marketplace and listing services.

Sources:

- Cats Protection. *Scottish Fold Cats*. Available at: <https://www.cats.org.uk/help-and-advice/getting-a-cat/scottish-folds>
- The Governing Council of the Cat Fancy, 2024. *Cat Breeds not recognised by the GCCF but with some recognition by WCC members*. p2. Available at: <https://www.gccfcats.org/wp-content/uploads/2024/04/Unrecognised-breeds2024.pdf>

iii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

No

Question 2:

i) 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.

Response:

Desensitisation

Cats Protection agrees with the stakeholders that raise the point that viewing animal cruelty content can potentially lead to the viewer themselves going on to commit cruelty acts (4.7, 4.8, 4.9).

This is also dangerous when paired with the links between viewing animal cruelty content and psychological distress, desensitisation, and leading to people committing cruelty offences against humans.

Links to domestic abuse

Research by Cats Protection’s Lifeline Service has found strong links between animal cruelty and domestic abuse. Firstly, in that pets can be used as a means to control a victim-survivor. 90% of

domestic abuse professionals experienced a pet being a barrier to a victim-survivor getting to safety (Cats Protection, 2023b). This may be because of threats made to harm the animal if the victim-survivor leaves, or because of a history of the abuser harming the animal leaving the victim-survivor to conclude that their pet would not be safe if they left the animal behind.

And secondly, in that animal cruelty is often simultaneously occurring to domestic abuse. 78% of domestic abuse professionals have experienced cases where cats and kittens have been physically abused (Cats Protection, 2023a).

Background: Lifeline is Cats Protection's specialist cat fostering service for those fleeing domestic abuse. We offer a free and confidential fostering service for cats whose families are fleeing domestic abuse so they can rest assured their cat will be taken care of until they can be safely reunited. Referrals are handled by a specialist and experienced team, who support owners referring to the service, arrange to collect cats, and organise foster placements through a wonderful network of dedicated Lifeline volunteers.

Links to violence

There can also be links between individuals being willing to inflict animal cruelty and violence against humans.

Example of woman who livestreamed dissection of a cat before going on to murder a man covered further in the Services with Livestreaming section of our response to Question 5.

Sources:

- Cats Protection, 2023a. *Domestic abuse professionals say cats are being harmed by abusers.* Available at: <https://www.cats.org.uk/mediacentre/pressreleases/domestic-abuse-professionals-say-cats-are-being-harmed-by-abusers>
- Cats Protection, 2023b. *Stories of how Cats Protection Lifeline fosterers help make a better life for cats and domestic abuse survivors together.* Available at: <https://www.cats.org.uk/cats-blog/how-you-can-help-cats-and-their-families-flee-domestic-abuse>
- Jegatheesan, B., Enders-Slegers, M-J., Ormerod, E. and Boyden, P. 2020. *Understanding the link between animal cruelty and family violence: the bioecological systems model.* International Journal of Environmental Research and Public Health 17.

ii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

No

Service's risk assessment

Question 3:

i)	Do you have any comments on our approach to amending the draft Risk Profiles or our proposed risk factors for animal cruelty?
Response:	
ii)	Please provide the underlying arguments and evidence that support your views.
Response:	
iii)	Is this response confidential? (if yes, please specify which part(s) are confidential)
Response:	

Question 4:

- i) Are the draft Risk Profiles for illegal content sufficiently clear in presenting the relationships between the risk factors and the risk of harm posed by animal cruelty content?

Response:

We are supportive of amendments being made to the draft risk profiles (7.17) to include animal cruelty in the Messaging services, Services where users can form user groups or send group message, Services with commenting on content, Services with posting images or videos sections to include the animal cruelty illegal harm. However, it is unclear why other U2U risk factors have not been amended to include animal cruelty.

Whilst there may be some overlap in which categories in User communication factors (7.17 5) such as Services with commenting on content (7.17 5d), the existence of these separate categories in the first place suggests there is already a recognition that the overlap between them is not always sufficient to cover all necessary risks of harm. For example, drugs and psychoactive substances are included as a risk in both of these sections. So, animal cruelty content should be treated in the same way and included in all sections where there is a risk of it being shared and facilitated.

This would also provide more clarity to the platforms themselves, as animal cruelty being included in a User networking factor (7.17 4) or a User communication factor (7.17 5) but not in the Service type factor (7.17 1) that the platform is categorised as could cause unnecessary ambiguity. For example, a Discussion forum and chat room (7.17 1e) is simultaneously not having animal cruelty listed as a risk factor in its own right as a service type, but is having animal cruelty listed individually in the user networking (7.17 4) and communication factors (7.17 5) that are required to create a discussion forum or chat room – i.e. users sending group messages (17.7 4b), commenting on content (7.17 5d), posting images or videos (7.17 5e). Including animal cruelty in all the risk factors that it could occur in, even if there is a perceived overlap with another category would provide greater clarity to service providers. This is particularly important given that lack of clarity around rules can often undermine moderation processes.

Risk factors are directly addressed further in the response to Question 5.

ii) Please provide the underlying arguments and evidence that support your views.

Response:

(See above (i))

iii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

No

Question 5:

i) Do the draft Risk Profiles for illegal content include the risk factors that are most strongly linked to the risk of harm posed by animal cruelty content?

Response:

As mentioned above in the response to Question 4, some risk factors where there is a potential for animal cruelty to occur are not amended (7.17), these include:

- 1e: Discussion forums and chat rooms
- 1f: Marketplace and listing services
- 1g: File-storage and file-sharing services
- 4a: Services with user connections
- 5a: Services with livestreaming
- 5b: Services with direct messaging
- 5g: Services with re-posting or forwarding content.
- 6: Services where users can post goods or services for sale.
- 8: Services with recommender systems

ii) Please provide the underlying arguments and evidence that support your views.

Response:

The following sections refer to Risk Factor categories that have not been amended to include animal welfare as a risk, but where there is in fact a risk.

Marketplace and listing services (7.17 1f) and Services where users can post goods or services for sale (7.17 6)

Although the Fraud and Financial services offence covers the risk to people posed by online pet sales, there is also a risk to the animals involved.

A specific issue occurs when considering the fact that people purchasing these animals from places where cruelty and poor welfare practices may be occurring can feel like they are 'saving' the animal by purchasing them to get them out of a harmful environment. This however creates a demand for a continuation of these practices and incentivises the seller to continue (5.18). Additionally, this emotional element to the purchase can even further increase the risk of fraud.

Services with livestreaming (7.17 5a)

Livestreaming poses a risk of animal cruelty content being shared – the nature of it being live also makes it easier for the offence of encouraging cruelty to occur. Additionally, as alluded to in our response to Question 2, there have been cases where individuals who have livestreamed animal cruelty go on to commit violence and even murder against humans. In 2021, months after livestreaming the killing and dissection of a cat, Scarlet Blake murdered a man walking home in Oxford. The Prosecution lawyer, Alison Morgan KC, pointed out that *“The defendant's actions towards the cat show planning, in particular the purchasing of equipment necessary to do what she wanted to do to this cat”* and that there was a clear desire to not just kill, but to cause suffering. The livestream showed Blake expressing a desire to replicate the harm to the cat on a human (Sky News, 2021). This case shows a clear risk of animal cruelty content being shared on Services with livestreaming and how it links to risks to humans.

Users moving platforms to avoid detection (5.32, 5.53, 7.17 – Specific risk factors, Service type factors)

Users often move platforms to avoid detection (5.32). Our moderation of social media platforms has found this is common in online sales practices that break platform rules and often put animal welfare at risk. This can often come in the form of following up via direct messaging to avoid detection of platform rules and welfare laws being broken (5.53).

This suggests that only amending 1b Messaging services of the Service type factors (7.17 1) would miss the origin of the exchange that leads to animal cruelty content being shared – such as on Social media services (7.17 1a), Discussion forums and chat rooms (7.17 1e), and Marketplace and listing services (7.17 1f). It's on these platforms that individuals would find the individuals and groups to then go on to organise, facilitate, and exchange animal cruelty content on messaging services.

Moderation processes (7.17 - General risk factors, all U2U services)

We agree with the issues raised in 'All U2U services' of the General risk factors table (7.17) around the potential for poor moderation processes (and 4.9, 5.40) such as when the size and user base of a platform is growing. However, given that moderation processes are only included in the 'All U2U services' sections which are not amended to include animal cruelty, it seems that services aren't explicitly asked to assess their platforms moderation processes in relation to the risk of animal cruelty content.

During our own research reviewing listings on online sales platforms, and social media platforms, as part of wider moderation by PAAG, we've noticed a lack of enforcement of platform's own rules. According to our volunteers, 89% of pet adverts they came across breached the platform's own rules. It's important that platforms don't simply accept and endorse rules, there needs to be effective enforcement by the platforms themselves.

Furthermore, service providers must ensure that the integration of their requirement to combat animal cruelty into their own rules and processes is clear. A lack of clarity around platforms' own rules often makes it difficult for staff and automated moderation processes to discern whether a post actually violates a rule.

Bad actors are usually able to quickly find ways around automated moderation processes when they are updated, therefore it may be useful to have a human-led approach to considering the ways that those taking part in and sharing animal cruelty content operate.

Sources:

Sky News, 2021. *Woman with 'extreme interest in death' live-streamed killing and dissection of a cat months before murdering 'vulnerable' man, Court hears.* Available at: <https://news.sky.com/story/woman-with-extreme-interest-in-death-live-streamed-killing-and-dissection-of-a-cat-months-before-murdering-vulnerable-man-court-hears-13066255>.

iii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

No

The Illegal Content Judgements Guidance (ICJG)

Question 6:

i) Do you agree with our proposals? Please provide the underlying arguments and evidence that inform your view.

Response:

Mutilations for aesthetic effect (9.38a)

Declawing is illegal in the UK. The process involves removing a cats claw and part of a bone in each of the cat's toes.

Whilst there can be some misconceptions around declawing as people can think its more like removing nails than the reality of removing bones; declawing is a mutilation done for aesthetic affect or convenience (ie avoiding furniture being scratched), and therefore is likely to violate Section 4(1) of the Animal Welfare Act 2006 in that that the person committing the declawing ought reasonably to have known the suffering caused (Section 4(1) (b)), and the suffering is unnecessary (Section 4(1) (d)) due to it simply being for aesthetic affect and convenience.

Although tools to declaw cats with are less available online in comparison to dog ear cropping (which is also illegal under the Animal Welfare Act 2006), there is still a demand for declawed cats and examples of people seeking advice in online forums on how to get their cats declawed either by a professional or at home.

Protecting animals beyond the legal requirements (9.39)

We agree with Ofcom's recognition that animals would be better protected if services took action against all content in which a user's conduct may mean animals are caused unnecessary suffering, even where the person causing it is unaware of that. Cats Protection would support service providers being advised to take their own steps to protect animals from cruelty, even when the law doesn't explicitly require it.

Sources:

Examples of people seeking cat declawing advice in online forums:

- Quora, 2016. *What does it cost to get a cat declawed?* Available at: <https://www.quora.com/What-does-it-cost-to-get-a-cat-declawed>
- Quora, 2021. *How can I declaw my cat's nails when all the vets I visited won't declaw?* Available at: <https://www.quora.com/How-can-I-declaw-my-cats-nails-when-all-the-vets-I-visited-wont-declaw-1>
- Quora, 2021. *How do I declaw a cat at home?* Available at: <https://www.quora.com/How-do-I-declaw-a-cat-at-home>

ii) Please provide the underlying arguments and evidence that support your views.

Response:

(See above (i))

iii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

No

Question 7:

i) Do you consider the guidance to be sufficiently accessible, particularly for providers with limited access to legal expertise?

Response:

ii) Please provide the underlying arguments and evidence that support your views.

Response:

iii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response:

Question 8:

i) What do you think of our assessment of what information is reasonably available and relevant to illegal content judgements?

Response:

ii) Is this response confidential? (if yes, please specify which part(s) are confidential)

Response: