



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: N/A | |
| ii) | Do you think we have missed anything important in our analysis? Please provide evidence to support your answer. |
| Response: N/A | |
| 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: N/A | |
| 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: N/A | |
| ii) | Please provide the underlying arguments and evidence that support your views. |
| Response: N/A | |
| iii) | Is this response confidential? (if yes, please specify which part(s) are confidential) |
| Response: No | |

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: Yes

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

Response: N/A

- 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: N/A

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

Response: N/A

- 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:

Animal cruelty content is rife online. The Social Media Animal Cruelty Coalition compiles reports on the prevalence of animal cruelty content on social media. In their 2021 report, dogs and cats were some of the most commonly featured animal types. Between July 2020 and August 2021, they documented 5,480 instances of animal cruelty content found on YouTube, Facebook or TikTok. At the time of writing the report, these 5,480 videos had been viewed 5,347,809,262 times.

With the extent of online animal cruelty content, Dogs Trust is pleased that the guidance includes provisions for content to be deemed as a priority offence if it encourages, assists or is a conspiracy to cause unnecessary suffering to an animal.

However, we are concerned that the thresholds for both priority and non-priority offences are so high that very few, if any, pieces of content depicting animal cruelty will ever be moderated, or prosecuted, as a result. Given the scale of the issue as highlighted above, it is vital that this is addressed.

As Dogs Trust is not an enforcement body, we unfortunately hold very little evidence relating to cases of animal cruelty in the online world. However, from the evidence that we do hold, we believe that there may be grounds to lower the thresholds for content that could be deemed as “encouraging” further animal cruelty.

Several studies report a positive association between witnessing animal cruelty (i.e. in one’s physical environment) and subsequently committing animal abuse (Hensley & Tallichet 2005; Henry 2004; Baldry 2005; Thompson & Gullone 2006; Gullone and Robertson 2008; Parkes & Signal 2017). It is reasonable to assume that this same psychology would apply to the online world, with those who view animal cruelty content being more likely to go on to perpetrate it. If this were the case, then we believe this would be defensible grounds to argue that all content which features animal cruelty holds the characteristic of encouraging further animal cruelty and so should be categorised as a priority offence.

In addition, there is a well proven link between animal abuse and domestic abuse. In research undertaken in 2021 by Dr Mary Wakeham (from Refuge4Pets who work in partnership with Dogs Trust), it was found that almost 9 in 10 households who experienced domestic abuse said that their animals were also abused by the perpetrator. In 94%, where an animal was given as a ‘gift’ the animals were then abused which evidences the fact that animals are used by the perpetrator as a tool to control and coerce the victim/survivor. It is essential that this link is tackled early.

As stated above, identifying all animal cruelty content as “encouragement, incitement, or conspiracy” would force social media companies to moderate animal cruelty more effectively. The removal of this type of content may subsequently interrupt the link between someone viewing animal cruelty, being inspired to perpetrate it, and going on to commit further acts of abuse against people, as well as animals.

Expanding the scope of the guidance to moderate all animal cruelty content could also be particularly useful in tackling aesthetic mutilations, which we were pleased to see mentioned in the guidance. It has become increasingly popular for certain breeds and types of dogs, such as the Dobermann, to have their ears cropped; to the extent that the appearance of these dogs with cropped ears has become normalised. However, the practice is a cruel and unnecessary mutilation. Indeed, it is illegal to have your dog’s ears cropped across the whole of the UK and Europe for aesthetic reasons. Those who promote content which features dogs with cropped ears, unless exempt as an animal welfare campaigner to highlight the issue, or as a rehoming organisation advertising an individual dog for rehoming, are promoting these mutilations as a “breed standard” and as such we would consider this to amount to encouraging further mutilations. We therefore recommend that the guidance is strengthened so that content which features ear cropping, or other aesthetic mutilations, whether live or recorded, is automatically deemed to be a priority offence.

It is welcome that the guidance has a focus on attempting to tackle illegal dog fighting. Between 2015 and 2020, more than 9,000 reports about organised dog fighting were received by the RSPCA. Due to its underground nature, there is very little evidence to suggest that dog fighting is being livestreamed on online platforms. However, a brief review (Montrose et al. 2021) of social media platforms (YouTube, Instagram, Facebook) was conducted between 1-18 September 2021, searching for videos suggestive of organised dog fighting. They found 58 videos across the

platforms (YouTube accounted for almost half [46.6%] of the videos identified). Most of the videos featured fights involving physical contact. Where breed information was available, pit bulls were the most commonly featured breed.

In addition, the non-profit media organisation Lady FreeThinker conducted a review between 2018-2019 on the occurrence of dog fighting being promoted through Facebook, identifying 2,039 posts relating to dog fighting or trafficking of fighting dogs and 150 groups/pages/profiles with thousands of followers per group.

This suggests that there is a large community of people seeking to facilitate these fights. The groups where fights are organised, or promoted must be tackled as a priority offence as we believe this represents a conspiracy to commit an offence under the Animal Welfare Act. In addition, though the guidance specifically mentions livestreamed dog fights, it is also essential that the recorded fights are addressed promptly as these do nothing but further promote and encourage the barbaric practice to this same community who are seeking to organise further fights.

In conclusion, we recognise the limitations that have been placed upon OfCom in relation to animal cruelty content and the Online Safety Act. However, the scale and clear demand for animal cruelty content online is such that the guidance must be strengthened to ensure that more animals don't suffer needlessly.

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

Response: Included in the response above.

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: N/A

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

Response: N/A

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

Response: No

Question 8:

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

Response: N/A

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

Response: No

