

Ofcom

Consultation on A Safer Life Online for Women and Girls

**Response from the Commissioner Designate
for Victims of Crime for Northern Ireland**

May 2025

1. About the Office of the Commissioner Designate for Victims of Crime

- 1.1 The Commissioner for Victims of Crime's Office (CVOCO) is an independent body which represents the interests of victims of crime in Northern Ireland. The Commissioner Designate was appointed by the Minister of Justice in March 2022 to be an independent voice for victims of crime. The overarching purpose of the Commissioner Designate is to represent the needs and interests of all victims of crime and help drive systemic improvements across the criminal justice system.
- 1.2 This includes identifying any areas where victims are not consistently being provided with their entitlements set out within the Victim Charter and ensuring that their issues and experiences are raised in the public arena, with Government, with criminal justice organisations and organisations that support and represent victims, in order to bring forward effective change.
- 1.3 Additional details to keep confidential: Nothing.
- 1.4 How much of response to keep confidential: None.
- 1.5 Can Ofcom publish a reference to the contents of this response: Yes.

2. Consultation Response

- 2.1 The Commissioner Designate for Victims of Crime in Northern Ireland welcomes the publication of the draft guidance for service providers to create a safer online life for women and girls. Like the rest of the UK, women and girls in Northern Ireland often report that the online sphere can be a difficult place to keep safe from harm, and that it is often left to them to navigate an online environment which is not designed to protect them from harm. The Commissioner Designate therefore welcomes the 'safety-by-design' approach espoused in the Online Safety Act and in this guidance, defined in the consultation document as "a proactive approach to integrating safety considerations into the design cycle of products, systems, or processes." Such an approach sends a clear message that providers should embed the concerns of women and girls throughout the operation and design of their services, as well as their features and functionalities.

- 2.2 The Commissioner Designate welcomes that the guidance is explicitly broad in what it includes as influencing gender-based harm and abuse, and that the societal cultural context and victim blaming are identified as relevant drivers in abusive behaviours online. It is well-evidenced that legal activities can nonetheless be harmful to women and girls and can, as part of a pattern of behaviour, amount to illegal activity. Similarly, behaviours while not illegal can and do foster a culture of normalisation of misogyny which in turn can create a space whereby women and girls are victimised. By way of example, gender is not a characteristic currently covered by NI hate crime laws¹, in spite of the fact that targeting of women and girls on the basis of their sex or gender is widespread. The normalisation of sexual aggression towards women and girls, misogynistic behaviours, and attitudes around consent on social media and other online platforms can indeed uphold or encourage harmful gender-based norms. It is essential, therefore, that work to keep women and girls safe online incorporates a broader preventative approach which at corporate policy level translates to direct challenge of misogyny, incel culture, and prejudicial or stereotypical views of women and girls and their place in the world. If the sharp end of the wedge – criminal violence and abuse – is to be prevented, the behaviours and attitudes that lead to such behaviours must also be challenged as part of a comprehensive, collaborative and holistic approach.
- 2.3 The recognition of intersectional identities of women and girls is welcome, as abuse and harm against women and girls is often carried out by targeting multiple facets of their identity. It follows that solutions to prevent and tackle such harm must similarly acknowledge intersectionality and take a holistic and inclusive approach to prevention and tackling harm.
- 2.4 The nine proposed actions appear to provide a comprehensive approach to enhancing the safety of women and girls online.
- 2.5 The Commissioner Designate would, however, point out that many of the suggested good practice examples under the nine actions are in fact essential to successfully creating a safer online world for women and girls. The actions identified under the good practice sections, including setting policies designed to tackle gender-based harm, staff training, establishing

¹ The Marrinan Review of hate crime legislation in Northern Ireland recommended that gender and age are included as additional characteristics under hate crime laws. However those recommendations have not yet been fully implemented.

oversight mechanisms, embedding intersectionality, transparency around automated flagging processes, and the expertise of those with lived experience and the organisations that support them, are all crucial components of an effective approach to making women and girls safer online.

- 2.6 Given the prevalence of attacks on women and girls online, including child sexual abuse, exploitation, domestic abuse and stalking, practices such as red teaming and hash matching should also be a core component of how online service providers operate to stress test their services for abusability. It should in particular be mandatory to stress test in relation to the ability of users to commit criminal acts, or to use platforms to facilitate future criminal behaviour, such as grooming children and moving them to private or encrypted platforms before committing a crime.
- 2.7 Whilst the actions to empower users to protect themselves (under action 7) are very useful, they should not be regarded as a means to absolve service providers from implementing other proactive measures to prevent abuse, violence and exploitation of women and girls online. Through mandating regular independent, external risk assessments Ofcom can help ensure that the burden of prevention primarily rests with companies rather than its users.
- 2.8 In particular, the Commissioner Designate is concerned that key steps under Action 9, such as use of removal tools like hash matching, de-prioritising of harmful content, requiring consent for intimate images to be published and use of automated detection for materials depicting gender-based harms are not regarded as foundational core processes. Enforcement action of this kind is absolutely vital to protect vulnerable victims and limit the damage that such harmful, and often illegal, online content can do to them. Such measures also need to be time bound and are only effective if action is taken immediately and effectively.
- 2.9 Minimum standards for complaints and reporting of gender-based harm under Action 8 are very welcome. Again, it would be preferable if the good practice steps were incorporated into the foundational steps, as all the outlined components are necessary to create a reporting system that is accessible and user friendly, with clear pathways for redress and access to support services and transparency about how a complaint is being progressed.

2.10 In terms of encouraging service providers to implement the guidance, the Commissioner Designate remains concerned that there is insufficient incentive to prevent providers simply ignoring the non-mandatory aspects of the guidance. As acknowledged within the consultation document, “*service providers have been slow to address the complexities of online gender-based harms due to a lack of accountability, inconsistent enforcement, and a failure to prioritise user safety*”. Given this identified pattern of behaviour to this point, it is unlikely that voluntary good practice guidance that is not enforceable will resolve this problem. Similarly, allowing service providers to use their discretion to determine what is and isn’t relevant to them in the voluntary sections of the guidance may fall short of ensuring that the necessary steps are being taken to protect women and girls online. It is recommended that the good practice guidance is therefore incorporated into the Illegal Harms Codes as foundational and enforceable action for providers.

2.11 The Commissioner Designate notes that Ofcom acknowledge that the guidance is weaker on certain online platforms such as online gaming. Whilst it may be the case that a robust body of evidence has not yet been gathered in this area, there is nonetheless a substantial degree of read-across in how misogyny, pile ons, harassment, stalking, and other online harms may be facilitated on these platforms, including significant anecdotal evidence from women and girls who have been targeted. More should be done within the guidance to strengthen protections in this area, particularly given that children are often the end user on such platforms and have particular vulnerabilities when interacting in a space that is not designed with their safety in mind. Like other online service, gaming platforms need accessible, user friendly reporting tools and support for victims with clear pathways for redress and access to support services.

3. Contact Details

If you would like to discuss any of these points in further detail, please contact the office via:

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