



Department for  
Science, Innovation  
& Technology

Secretary of State for Science, Innovation  
and Technology  
100 Parliament Street  
London SW1A 2BQ

[www.gov.uk/dsit](http://www.gov.uk/dsit)

17 December 2024

Dear Mr Potter,

I want to thank you for the opportunity to respond to this Report to Prevent Future Deaths, regarding the death of Miranda Emilia Avanzi. I am responding in place of the [REDACTED] the Secretary of State for Culture, Media and Sport, given my department's responsibility for the Online Safety Act 2023 ('the 'Act'). I want to start by expressing how deeply saddened I was to read about the tragic circumstances around Ms Avanzi's death and would like to offer my sincere condolences to her family, friends and all those affected.

As you will be aware, under section 2(1) of the Suicide Act 1961 (the responsibility of the Ministry of Justice) it is an offence for a person to do an act capable of encouraging or assisting the suicide or attempted suicide of another person, with the intention that their act will encourage or assist suicide or an attempt at suicide. The criminal offence has a high threshold to avoid criminalising people who are expressing suicidal feelings and those offering them support, by for example, sharing their own experiences. Whether a prosecution for encouraging or assisting suicide can be brought is a matter for the Crown Prosecution Service following a police investigation.

As you may know, the 'Act' is a regulatory framework which gained Royal Assent in October 2023, and the government has since been working with Ofcom, the independent regulator, to implement it as quickly and effectively as possible. The Act tackles illegal and legal forms of online suicide content in a number of ways.

Under the Act, intentionally encouraging or assisting suicide is a priority offence. Priority offences reflect the most serious and prevalent illegal content and activity, against which companies must take proactive measures, as well as ensuring their services are not used to facilitate or commit a priority offence. When in force, all services in-scope of the Act will need to proactively prevent all users from being exposed to illegal user-generated suicide content.

User-generated content is content which has been generated directly on the service by a user of the service, or uploaded or shared by a user of a service as opposed to generated, uploaded or published by the site or service owner. A service is in-scope of the Act if it allows user-generated content, for example images or content descriptions uploaded by users. This will include, for example, pro-suicide forums and online marketplaces which allow user-generated content. All in-scope services must proactively tackle regulated content that amounts to an offence under the Suicide Act 1961, and they must minimise the length of time for which such content is present.

We expect the illegal content duties to be fully in effect from Spring 2025. The Act also introduced a new communications offence of encouraging or assisting serious self-harm. This criminalises relevant acts capable of intentionally encouraging or assisting the serious self-harm of another person, and was commenced on 31 January 2024.



Furthermore, the Act imposes child safety duties on user-to-user and search services. When fully in effect, the Act will require all user-to-user services and search services that are likely to be accessed by children to assess the risk of any content harmful to children being encountered by children on their service.

Providers of these user-to-user services have a duty to use highly-effective age assurance (HEAA) to prevent children encountering the 'Primary Priority Content' (PPC) which is harmful to children, where they identify such content on the service. PPC includes content which encourages, promotes or provides instructions for suicide. Search services are not required to employ HEAA, but must minimise the risk of children encountering this content in search results or on the pages they land on when they click on them.

As you highlight in your report, users are able to access harmful suicide content via search engines. Under the Act, search services have targeted duties which require them to minimise the risk of all users encountering illegal content, including illegal suicide and self-harm content. In practice, this could look like removing results for sites that are known to host illegal suicide and self-harm content. Search services must also take or use, where proportionate, user support measures which might for example, signpost users towards sources of support. You state in your letter that you have already seen a source of support being offered by a search engine and that this indicates that the content being viewed is harmful. Whilst the Act does not restrict adult users' access to legal content, as noted above, search services must provide children with additional protections from PPC.

Ofcom has published draft Children's Safety Codes which include proposed recommended measures that regulated services put in place to fulfil their child safety duties. The proposed measures for search services include: downranking or blurring of PPC where a user is believed to be a child; filtering identified PPC out of their search results; and provision of crisis prevention information in response to known PPC-related search requests regarding suicide.

Ofcom has also listed proposed measures for user-to-user services, in addition to the required use of HEAA to prevent children encountering PPC. These measures include: complaints and reporting systems that are easy to access and use; well-resourced content moderation systems or processes designed to swiftly take action against identified content harmful to children; and measures for recommender systems and algorithms that ensure content likely to be PPC is not recommended to children.

Whilst the Act will not restrict adult users' access to legal content, the Act will enable adult users to have more choice about what legal content they do or do not engage with. When the legislation is fully in force, services over the designated threshold (also known as 'Category 1 Services') will be required to provide adult users with tools that will enable them to choose whether or not to engage with certain types of legal content. This includes content that encourages, promotes or provides instructions for suicide and self-harm. When applied, these tools will reduce the likelihood that they are exposed to such content or will alert them to the nature of it. Furthermore, services over the designated threshold will be required to remove legal content that is prohibited in their terms of service. This means that adult users can then make informed choices about which platforms they choose to use.

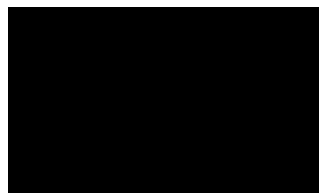
From December 2024, all in-scope services must start assessing the risk of users encountering illegal content on their platforms. As stated above, we then expect the illegal safety duties to be fully in effect from Spring 2025. From January 2025, services must also assess the access of children on their platforms, and we expect the duties to protect children from content that is harmful to them to be fully in effect by Summer 2025. If services do not comply with these duties, the Act provides Ofcom with

powers to take robust enforcement action. This will include issuing substantial fines (up to 10% of qualifying worldwide revenue) or taking action to implement business disruption measures.

My officials work closely with officials in the Department of Health and Social Care who coordinate the government's approach to preventing suicides and improving people's mental health. Addressing factors set out in the Suicide Prevention Strategy for England will be an important part of delivering on this ambition to reduce suicide rates. The strategy identifies both tackling online harms and tackling emerging methods as priority areas for action, and this includes exploring further opportunities to address online harms including harmful content shared in pro-suicide websites and forums. I appreciate the importance of looking at actions to reduce access and awareness of concerning methods.

I would like to thank you for bringing your concerns to my attention. As the Secretary of State responsible for the Act, I am committed to working with Ofcom to ensure the Act is implemented as quickly and effectively as possible.

Yours sincerely,



**Secretary of State for Science, Innovation and Technology**