

**CONFIDENTIAL**

Mr Ian Potter  
His Majesty's Assistant Coroner  
St Pancras Coroner's Court  
127 Poplar High Street  
London  
E14 0AE

[Redacted]  
Chief Executive  
Email: [Redacted]

9 January 2025

Dear Mr Potter,

We write in response to your Regulation 28 Report to Prevent Future Deaths ('the Report'), dated 14 November 2024, following the inquest into the death of Miranda Emilia Avanzi.

Firstly, we would like to offer our deepest condolences to Ms Avanzi's family and loved ones on behalf of Ofcom. A loss in such terrible circumstances must be incredibly difficult for her family.

We thank the coroner's office for bringing to our attention the potential role of search engines and online platforms in the tragic circumstances of Ms Avanzi's death. This is important to us as we begin to implement and enforce the Online Safety Act 2023 ('Act').

We wish to assure you and the family of the deceased that Ofcom is committed to taking action to ensure that search engines and other online platforms take their new duties of protecting people from illegal and harmful suicide content seriously.

## 1. Overview of our response to the Report

In this response, we set out our proposed actions in response to the 'matters of concern' raised in the Report. We have split these matters of concern out under three main headings in bold below, along with a brief summary of our response to each:

- **The ready availability of information that provides clear instructions and advice for individuals wanting to end their own life through basic searches on Google and other search services.** We explain how we are providing guidance to services on how to identify content that illegally encourages or assists suicide. We also explain the duties on search providers to remove or lower the ranking of illegal suicide content, and to include certain crisis prevention information in response to search queries about suicide;
- **Forums and blogs where users are able to obtain information on suicide methods have no, or no useful requirement for any type of age verification.** We explain the duties on user-to-user services, including taking down illegal suicide content when it is identified. We also explain the duties on services likely to be accessed by children to prevent children from encountering certain content that is particularly harmful to them, including content that promotes, encourages or provides instructions for suicide. Finally, we explain our recommendations about how services can use age assurance to protect children from harmful content;
- **Crisis prevention support information shown to users at the top of search results, for instance calling 999.** In relation to this matter, we recap the duties on search services to

have systems and processes designed to remove or lower the ranking of illegal suicide content of which they are aware in search results, as well as our recommendation that search services should provide crisis prevention information in response to certain search queries concerning suicide. We also set out how regulated search services should assess the risk of users encountering illegal suicide content, and the harm that could arise from this content.

However, before setting out the above in more detail, it may be useful to explain the relevant duties that the Act imposes on online search and user-to-user services,<sup>1</sup> how we plan to hold companies to account for compliance with the duties, the role of our Codes of Practice, and the timetable for different phases of our implementation of the Act.

## 2. Detailed background on Ofcom's implementation of the Online Safety Act

### The Online Safety Act 2023

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The Act makes persons that operate a wide range of online services legally responsible for keeping people safer online. It covers companies that provide search or user-to-user services and have links to the UK, which is understood according to the following criteria:

- Has a significant number of UK users; or
- Has UK users as one of its target markets; or
- Is capable of being used by UK users, and there are reasonable grounds to believe that there is a material risk of significant harm to UK users.

Any service which meets one more or the above criteria, and which is not exempt<sup>2</sup>, will be expected to comply with the relevant duties under the Act.

### Provisions of the Act: legal duties on service providers

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Among other things, the Act:

- Appoints **Ofcom as the regulator for online safety** and confers upon us a number of powers and duties (set out in detail below).
- Imposes a number of duties on those regulated services, in order to **improve their systems and processes** to ensure the safety of their users. These include:
  - Duties on **search services and user-to-user services to assess the risks** their services pose to users in relation to illegal content (including illegal suicide content, which we address in more detail below), and content that is harmful to children (including content that encourages, promotes or provides instruction for suicide), and take steps to mitigate and manage those risks.
  - Duties on **search services to minimise the risk of individuals encountering illegal content** (including illegal suicide content) and **children from encountering content**

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<sup>1</sup> 'Search services' and 'User-to-user services' are terms used and defined in the Act. Search services are services that are, or include, a search engine, which allows users to search more than one website or database.

A user-to-user service (U2U service) is an internet service by means of which content that is generated directly on the service by a user of the service, or uploaded to or shared on the service by a user of the service, may be encountered by another user, or other users, of the service.

<sup>2</sup> A number of exemptions also apply as set out in Schedule 1 of the Act. See: [Overview of regulated services](#).

**that is harmful to them** (including content that encourages, promotes or provides instruction for suicide) in search results;

- Duties on **user-to-user services to swiftly take down illegal content** (including illegal suicide content) when it is identified, and to **prevent children from encountering content that is harmful** to them (including content which encourages, promotes or provides instructions for suicide); and
- Additional duties for the **largest and highest-risk services** allowing their users to **increase control over the content they encounter** on those services (including content that encourages, promotes or provides instruction for suicide).
- Requires Ofcom to issue a number of **regulatory publications** to help regulated services understand how they can comply with their legal duties. These include **Codes of Practice** setting out recommended measures services can take to mitigate risks of harm in compliance with their duties, and **resources to help companies assess, understand and manage risk**.

### **Timeline for duties under the Act coming into force**

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Although the Act is now law, there are numerous procedural steps needed for the new regime to be fully implemented, and these steps need to be completed before services' legal duties under the regime – and Ofcom's ability to enforce those duties – come into force. These steps include:

- The completion of public consultations (the first, on illegal harms, closed on 23<sup>rd</sup> February 2024, and the second on protecting children from harms online, closed on 17 July 2024);
- Ofcom publishing final statements (the Illegal Harms Statement was published on 16 December 2024 and the Protection of Children Statement will be published in April 2025);
- Services completing Risk Assessments designed to help them understand and manage the risks of harm to their users; and
- Parliament approving Ofcom's final Codes of Practices.

The duties in the Act are not yet enforceable, however we have already been encouraging service providers in scope of the Act to take meaningful steps to improve safety on their platforms. To this end, we are committed to driving industry improvements by engaging with the riskiest services via ongoing 'regulatory supervision.' We also have a dedicated team for identifying, prioritising and escalating emerging issues, particularly on services where we do not have an existing supervisory relationship, which we call the Triage team. The purpose of the Triage team is to ensure Ofcom responds effectively, promptly, and proportionately to new or growing harms and risks, focusing our reactive work on the most harmful issues.

In October 2024, we wrote to Parliament with an update on our [progress on implementing the Act](#). This included explaining what we have done so far, what action service providers must take in 2025, and included our updated roadmap for the next stages of our work. We have summarised below our intended plans for implementation, and in diagram form in Figure 1 in the annex below. This timeline shows our key milestones but is not a comprehensive guide to everything we will produce over the first years of the regime.

As part of our preparatory work for implementation, we have been actively engaging with a range of expert stakeholders including government, law enforcement, and charities such as the Samaritans to develop our understanding, expertise and evidence base in relation to suicide, and to ensure that we are aware of developing areas of risk. We have also been concentrating on growing our internal

expertise in relation to this complex and important harms area, including by commissioning research.<sup>3</sup> We will continue our programme of engagement with relevant experts as the regime evolves.

## Phase One: Illegal Harms

As set out above, we published our [statement on protecting people from illegal harms online](#) ('Illegal Harms Statement') which includes our final Illegal Harms Codes of Practice and guidance, on 16 December 2024. The Codes have been submitted to the Secretary of State who has laid them in Parliament for 40 days. Concurrently, regulated service providers have until 16 March 2025 to undertake their illegal content risk assessments which we explain in more detail below. Following approval by Parliament, the Codes will come into force 21 days after they have been issued, which we expect to be from 17 March 2025. At this time, the illegal harms safety duties become enforceable, and we can begin investigations and – following the conclusion of those – impose sanctions if we find that services are not compliant with these duties.

### Illegal Harms – Assessing risks

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The Act requires Ofcom to produce a Register of Risks for Illegal Harms and guidance to assist services in conducting their own risk assessment. [Our final risk assessment guidance](#) sets out a four-step process which we propose as the best way to ensure that a service's assessments meet their obligations.

Further, [our Risk Profiles](#) set out an explanation of factors in service design and operation that increase the risk of harm. Service providers will be required to take account of our Risk Profiles when conducting their risk assessments. The information contained in the risk profiles is sourced from Ofcom's own [Register of Risks](#).

For illegal suicide content, we set out risk factors relating to:<sup>4</sup>

- service type e.g. discussion forum and chat room services can act as spaces where suicide is assisted or encouraged;
- user base e.g. users who are in vulnerable circumstances such as those suffering with their mental health and who might be experiencing thoughts of suicide or self-harm are more likely than other users to be at risk from the effects of this type of content;
- functionalities of the service e.g. commenting on content is a risk factor, as there is evidence of people using comments to encourage suicide of the person that distributed the content;
- recommender systems e.g. research suggests that where there are vulnerable users who are engaging with harmful content, such as self-harm or suicide content, recommender systems are more likely to create a 'filter bubble' or 'rabbit hole'; and
- business models and commercial profiles e.g. there is some evidence to suggest that advertising-based revenue models may be a risk factor for suicide and self-harm content.

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<sup>3</sup> See, for example, our research on suicide content and search services: '[One Click Away: a study on the prevalence of non-suicidal self injury, suicide, and eating disorder content accessible by search engines](#)'. See also our research into children's experience of suicide, self-harm and eating disorders content: '[Experiences of children encountering online content relating to eating disorders, self-harm and suicide](#)'

<sup>4</sup> See [Register of Risks](#), Chapter 15 (Encouraging or assisting suicide (or attempted suicide)).

Regulated search services such as Google, as well as regulated user-to-user services, will need to complete an Illegal Harms Risk Assessment, including assessing the risk of illegal content such as illegal suicide content, by 16 March 2025.

If regulated service providers conclude from their risk assessment that they are at risk of illegal harm(s), they will need to take steps to mitigate the risk of harm they have identified on their service.

### **Illegal Harms – Mitigating risk of illegal harms**

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The Act imposes duties on all regulated user-to-user services relating to protecting their users from illegal harms. That will require those services to understand and take steps to manage and mitigate the risks of users encountering illegal suicide content (i.e. which amounts to the offence of encouraging or assisting suicide), or of their services being used for the commission or facilitation of this offence. User-to-user services will also have to swiftly take down illegal suicide content when it is identified. The duties imposed on regulated search services include a duty to use systems and processes to minimise the risk of individuals encountering (among other things) illegal suicide content in search results.

We also published Ofcom's [Illegal Content Judgements Guidance](#) (ICJG) on how services can identify illegal suicide content, as discussed further below. The ICJG provides guidance to user-to-user and search service providers on how they may identify illegal content (i.e. content which may reasonably be inferred to amount to a relevant offence) including under Section 2 of the Suicide Act 1961 ('the suicide offence'). The offence of encouraging or assisting suicide is a priority offence under the Act.

The Act requires Ofcom to produce Codes of Practice setting out the measures that in-scope services may take to comply with their duties under the Act.<sup>5</sup> According to our recently published final Illegal Harms Codes of Practice,<sup>6</sup> they will need to take steps to mitigate the harm from suicide material in the following ways:

- Search and user-to-user services will need to assess the risk of illegal suicide content being posted on their service;
- If they are high risk for it, they will need to ensure their content moderation teams are appropriately resourced and trained to deal with that content;
- User-to-user services will need to continuously test their recommender systems as they make changes to them to assess whether they are inadvertently promoting illegal suicide content; and
- User-to-user services will need to have systems for removing illegal suicide content quickly as soon as they become aware of it, while search services will need to remove or lower the ranking of illegal suicide content in their search results.

While service providers are not required to implement all measures in our Codes of Practice, in the event that they choose not to take the steps recommended, they will need to be able to explain how their chosen approach allows them to be compliant with their legal duties. We explain below some of the relevant measures we have recommended in our Illegal Harms Codes of Practice.

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<sup>5</sup> Section 41 of the Act.

<sup>6</sup> See [here](#) for the illegal content Codes of Practice for search services. See [here](#) for the illegal content Codes of Practice for user-to-user services.

## Phase Two: Protecting children from harms online

Services that are likely to be accessed by children will have additional duties to protect children's online safety. As set out above, we published [our consultation on Protecting children from harms online](#) ('Protection of Children Consultation') on 8 May 2024 and our statement will be published in April 2025.

### Protecting children - Assessing access

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Although the Report concerned the death of an adult, we take this opportunity to set out information about services' duties to protect children from content harmful to them. This is because such content includes content that promotes, encourages or provides instructions for suicide.

All user-to-user and search services are required to carry out [children's access assessments](#). A children's access assessment is a process for establishing whether a service is 'likely to be accessed by children' within the meaning of the Act.<sup>7</sup> We intend to publish our final Children's Access Assessments Guidance in January 2025. Regulated services will then have three months to complete children's access assessments. If they conclude that their service is likely to be accessed by children, they will need to carry out a children's risk assessment and comply with the children's safety duties in the Act.

### Protecting children - Assessing risks

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The Act requires Ofcom to produce a [Children's Register of Risks](#), and guidance to assist services in conducting their own children's risk assessments. [Our draft Children's Risk Assessment Guidance](#) sets out a four-step risk assessment process which we propose as the best way to ensure that services meet their risk assessment obligations, and based on our children's Register of Risks, our Children's Risk Profiles set out the risk factors that we consider are associated with an increased risk of harm on services. The Act also requires Ofcom to provide guidance for providers of user-to-user and search services, which gives examples of content, or kinds of content, that Ofcom considers to be, or considers not be, harmful to children ('[Guidance on Content Harmful to Children](#)'). This is intended to support service providers that may need to make judgements about whether content on their service amounts to content that is harmful to children as defined in the Act.

Following the outcome of the children's risk assessment, service providers will need to take steps to mitigate the risks of harm they have identified on their service.

### Protecting children - Mitigating the risk of harm

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The Act imposes duties relating to content which is harmful to children. Content which "encourages, promotes or provides instructions for suicide" ('suicide content') has been designated as 'Primary Priority Content' under the Act. Where regulated services are likely to be accessed by children within the meaning of the Act, they will also have to understand the risks of, and take steps to prevent (in the case of user-to-user services) or minimise the risk of (in the case of search services) child users from encountering, suicide content.

The Act requires Ofcom to produce Codes of Practice setting out the measures that in-scope services may take to comply with their duties under the Act. The draft Children's Safety Codes set out the measures that services can take to comply with the Children's safety duties and recommend proportionate systems and processes across a number of areas, including age assurance (for user-to-

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<sup>7</sup> Section 37 of the Act explains the meaning of "likely to be accessed by children".

user services only); recommender systems; content moderation; governance and accountability; user tools, and user reporting and complaints.<sup>8</sup>

### Ofcom's Protection of Children Statement

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We will publish our Protection of Children statement in April, which will set out our final position in relation to children's risk assessments and safety measures.

Providers of services that are likely to be accessed by children will then have three months to carry out children's risk assessments. At this point we will also submit the Children's Safety Codes to the Secretary of State, which, subject to approval, are to be laid in Parliament for 40 days.

### Phase Three: transparency, user empowerment, and other duties on categorised services

Phase three of the implementation of the Act focuses on additional duties for categorised services, including transparency, and other duties such as user empowerment which will apply only to Category 1 services. Duties for Category 1 services include a duty to include, to the extent that it is proportionate to do so, features which adult users may use or apply if they wish to increase their control over certain kinds of content, including content which encourages, promotes or provides instructions for suicide.

We issued a [Call for Evidence](#) regarding our approach to phase three on 25 March 2024. Alongside this, we also published [our advice to Government](#) on the on the thresholds which would determine whether or not a service falls into Category 1, 2A or 2B. The Secretary of State has laid in Parliament draft Regulations setting out the threshold conditions for categorisation,<sup>9</sup> based on Ofcom's advice.

### 3. Our response to the 'Matters of Concern'

In the Report, you set out a number of serious concerns. We have separated these out under three main headings and address each in turn.

#### **The ready availability of information that provides clear instructions and advice for individuals wanting to end their own life through basic searches on Google and other search services.**

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In our Illegal Content Judgement Guidance (ICJG), we note that it is an offence to intentionally encourage or assist the suicide (or attempted suicide) of another person. Online material which amounts to this offence is considered illegal suicide content under the Act. The ICJG chapter on the suicide offence states that **"content which provides specific, practical or instructional information on suicide methods is likely to be capable of constituting assistance for the purposes of this offence in an online context"**. For example, this could include **"details on the most effective way of taking one's own life, or tips about how to do so in a way which avoids interruption from others."**<sup>10</sup>

Search engines must comply with their duties to assess the risks of such illegal suicide content appearing in search results. As part of Ofcom's Codes of Practice, we recommend that they do this by having **systems and processes designed to remove or lower the ranking of illegal suicide content in search results**. The type of material that you express concern about in the Report, depending on

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<sup>8</sup> For more information, see [here](#) for the Protection of Children draft Code of Practice for user-to-user services. See [here](#) for the Protection of Children draft Code of Practice for search services.

<sup>9</sup> The Online Safety Act 2023 (Category 1, Category 2A and Category 2B Threshold Conditions) Regulations 2025.

<sup>10</sup> Ofcom, 2024. [Illegal Content Judgements Guidance \(ICJG\)](#), p. 175.

the circumstances, may amount to the suicide offence. If so, it should be removed from or have its ranking lowered in search results, when identified. Large general search services should also provide **crisis prevention information in response to search queries regarding suicide generally or seeking specific, practical or instructive information regarding suicide methods.**

**Forums and blogs where users are able to obtain information on suicide methods have no, or no useful requirement for any type of age verification.**

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Forums and blogs may or not be considered within scope of the duties under the Act. This would depend on whether a user can create or share content that can be viewed by other users of the service. If a forum or blog does not support such usage, it would be out of scope of the user-to-user duties under the Act. However, it would still be relevant for the duties on search engines (as explained above) which are required to remove or lower the ranking of webpages hosting illegal suicide content, whether or not those webpages constitute user-to-user services.

If, however, such forums and blogs are deemed to be user-to-user services and likely to be accessed by children, they will have specific duties to prevent children from encountering certain kinds of harmful content, even if it is not illegal. This includes content that promotes, encourages or provides instructions for suicide. Our draft Children's Safety Codes set out the measures we propose to recommend that service providers take to protect children from harmful content such as:

- User-to-user services whose principal purpose is the hosting or dissemination of Primary Priority Content should implement **highly effective age-assurance to prevent children from accessing the entire service**. We would expect services in this category to include discussion forums or chat rooms where suicide is the primary subject of discussion.
- Services whose principal purpose is not the hosting or dissemination of Primary Priority Content, but which allow Primary Priority Content, will need to implement **highly effective age-assurance to prevent children from encountering it on the service**. This could apply to a range of social media platforms and messaging apps, as well as discussion forums or chat rooms, unless they choose to prohibit this content.
- Services which use algorithmic recommender systems and which have a medium or high risk of Primary Priority Content on their service, should also implement **highly-effective age-assurance to ensure that Primary Priority Content is filtered out of those recommender systems**. These measures have been proposed to help reduce children's online exposure to Primary Priority Content.

Our draft Children's Safety Codes also recommended certain measures to make content moderation systems work more effectively. We proposed measures that target the effectiveness of content moderation systems on both user-to-user and search services. These measures are focussed on making sure services have in place effective systems and processes to act on content that is harmful to children (including content that promotes, encourages or provides instructions for suicide), clear policies on what is allowed, adequate moderation resources and effective systems to prioritise how content is moderated.

As set out above, we expect that our draft Children's Safety Codes will be finalised in April and become enforceable in July 2025. As such, we expect services to take the necessary steps to comply with their duties to prevent children accessing content that encourages, promotes or provides instructions for suicide, including implementing highly effective age checks. Where they fail to comply, we will take robust steps to enforce against them.

We would also emphasise that the duty in relation to illegal content for regulated user-to-user services is to take down such content swiftly, once identified. Therefore, if a forum or blog fulfilled



the requirements making it a regulated user-to-user service, and they become aware illegal suicide content, then we would expect them comply with their duties beginning with as assessment of the risk of illegal suicide content on their service. If they are high risk for it, they should ensure that their content moderation teams are appropriately resourced and trained. Once those teams identify such content or the service becomes aware of it through other means (e.g. a user report), they should have systems to remove it as quickly as possible. At the same time, if they use recommender systems on their service, they should test any changes they make to ensure that they are not inadvertently promoting illegal suicide content.

**Finally, you mention that when making searches on Google or other search services for content of the nature that you described, the top of the search results page shows crisis prevention support information to users, for instance calling 999.**

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We note your concern that the offer of such crisis prevention information is an acknowledgement by the search service of the potential vulnerability of a user to the risk of suicide given that they are actively searching for suicide methods. As mentioned above, search engines should have systems and processes designed to remove or lower the ranking of illegal suicide content in search results of which they are aware. When deciding whether removing or lowering the ranking of search content is the more appropriate action according to our Codes, search providers should consider:

- i) The prevalence of illegal content hosted at the URL or in the database at which the search content concerned is present;
- ii) The interests of users in receiving any lawful material that would be affected; and
- iii) The severity of potential harm to users if they encounter the content, including whether the content is priority illegal content and the potential harm to children.

In our Illegal Harms Codes, we have also included a measure (as noted above) that large general search services should use systems and processes to detect and provide crisis prevention information in response to search requests made by users that contain: i) general queries regarding suicide; and ii) queries seeking specific, practical or instructive information regarding suicide methods. The crisis prevention information should provide a helpline that is both associated with a reputable health or suicide prevention organisation and is available to all UK users, irrespective of age or geographical location within the UK, for 24 hours per day. It should also provide link(s) to information and support.

Our policy intention in recommending this measure is to disrupt user search journeys to minimise the risk of individuals encountering illegal suicide content and provide timely assistance to individuals in distress where the risk of harm might otherwise be severe.

Further, to comply with their illegal content risk assessment duties, all providers of regulated search services will need to consider features and functionalities of their service and how they affect the risk of users encountering illegal content, and the harm which could arise from this content. We expect services to have regard to our Illegal Harms Register of Risks (in the present case, the chapters 'Encouraging or assisting suicide' and 'Search' may be particularly relevant), Risk Profiles and Risk Assessment Guidance. For search services, this would require that they factor in user base demographics including where search queries and results may pose increased risk of harm to vulnerable users such as those at heightened risk of suicide. They will need to take these findings into account in deciding what measures to implement to mitigate and manage these risks, including how to treat illegal suicide content they become aware of.

#### 4. Conclusion

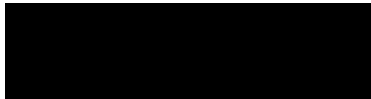
We thank the coroner's office again for bringing to our attention the circumstances of Ms Avanzi's death and the role that access to online services may have had. Ms Avanzi's death highlights the impact suicide content can have on people, and Ofcom is committed to holding service providers to account for addressing the risk of harm from this type of content. Evidence included in reports from coroners and other experts will play an important role in our policy proposals and response as we implement the regime, and we will of course take the evidence in your report into account as we continue our policy development.

We are committed to holding industry account in accordance with their new duties under the Act discussed in this response. We will work directly with services to promote compliance, including, where appropriate, through targeted supervision. This includes already working with the largest and riskiest search engines and other online platforms to ensure they understand what they need to do to comply and drive improvements, including to better protect people from suicide material that is illegal or harmful to children. Where we identify non-compliance, we will not hesitate to take appropriate enforcement action to protect adults and children from harm.

We hope that this response provides helpful information about the significant steps Ofcom is taking as we continue to work through the implementation of the Act.

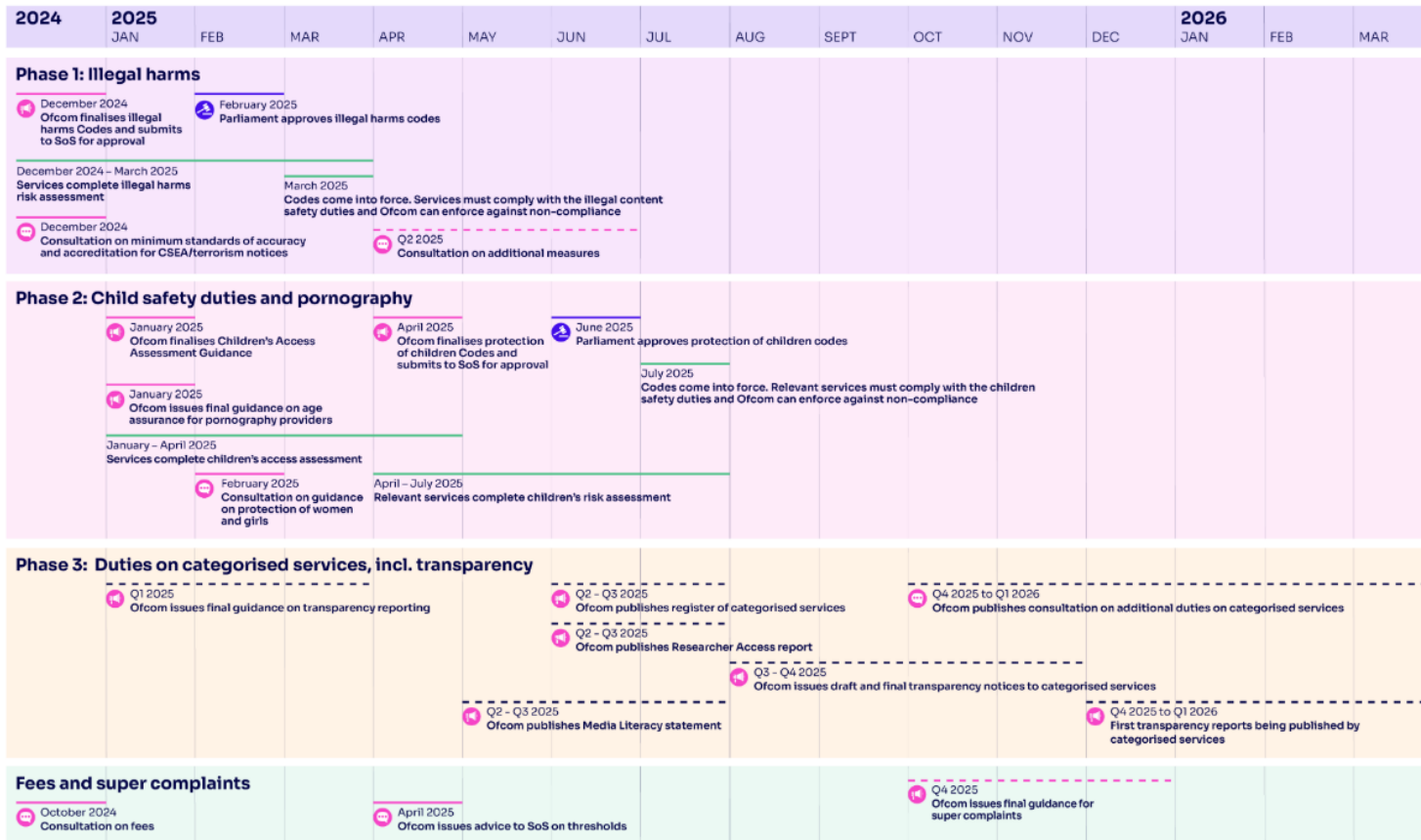
If further information or clarification is required, we would be happy to provide this.

Yours sincerely,



# Annex

Figure 1: Ofcom’s timeline for Online Safety implementation



The coloured bar indicates the time period within which we expect the activity to take place

- Blue line: Activities that are dependent on Government and Parliament
- Pink line: Actions Ofcom will take
- Green line: Actions services will take
- Red dashed line: Publication window
- Black dashed line: The phase 3 timetable is dependent on when the relevant secondary legislation passes parliament
- Icon with 'C': Consultation
- Icon with 'S': Statement
- Icon with 'P': Parliamentary approval