



Department for
Science, Innovation
& Technology

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

www.gov.uk/dsit

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Reference: [REDACTED]

Dear Mrs Corcoran,

Thank you for the opportunity to respond to this Report to Prevent Future Deaths, regarding the tragic death of Mr. Christopher Brazil. I was deeply saddened to read about the circumstances surrounding Christopher's death and would like to extend my deepest condolences to his family and friends for their loss.

In your letter, you raise concerns around unregulated and unlawful websites offering prescription only medicines and controlled drugs. These matters of concern are largely within the remit of the Medicines and Healthcare products Regulatory Agency (MHRA), given their responsibility for the regulation of medicines and devices in the UK. I understand that they are responding to you separately outlining their approach. Additionally, MHRA have informed my department that they have already taken enforcement action on both websites referenced in your report and are seeking to stop UK users being able to access such sites. One of the websites is subsequently offline, and the other is in the process of being taken offline to protect the public from the illegal sale of medicines.

The government recognises that the internet can sometimes be a gateway to content which can lead to devastating consequences. As the Secretary of State for Science, Innovation and Technology, I am responsible for the Online Safety Act (the 'Act') which received Royal Assent in 2023. The Act lays the foundation for strong protections against illegal content for all users, and the government is committed to working with Ofcom, the independent regulator, to ensure it is implemented quickly and effectively. The new laws apply to search services and all companies that allow users to post content online or to interact with each other. This includes a broad range of websites, apps and other services, including social media services, consumer cloud storage sites, video sharing platforms, online forums, dating services, and online instant messaging services.

As the concerns you set out in your letter are around content found via online searches, I will focus on the duties under the Act which are relevant to search services. The Act's illegal content safety duties require all in-scope search services to operate their service using proportionate systems and processes designed to minimise the risk of all users from encountering search content which is priority illegal content via their service. In practice, this could look like removing results for sites that are known to host illegal content. The relevant priority offences are set out in Schedule 7 and include content facilitating the unlawful supply of controlled drugs, as per the Misuse of Drugs Act 1971. Search services must also take or use, where proportionate, user support measures which might for example, signpost users towards sources of support. These duties will play a key role in protecting all users - children and adults - from encountering such search content. The illegal harms codes of practice came into force in March. As a result, search services must have measures in place to comply with their duties under the Act and



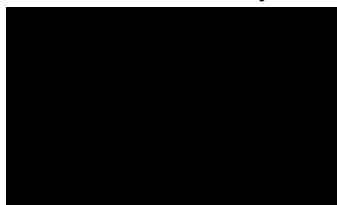
Ofcom can now enforce against non-compliance. Within the first month of the duties coming into effect, Ofcom launched several enforcement programmes to monitor compliance with the regime. Implementation of the Act represents a huge step forward in online safety.

Whilst Christopher was an adult when he was able purchase medicines from illegal websites, I would like to touch on the Act's additional provisions for children, as we know that the impact of harmful content and activity online can be particularly damaging for young people. Search services likely to be accessed by children need to take steps to protect them from content which is legal but nonetheless harmful. In-scope services that are likely to be accessed by children will have a duty to take steps to prevent children from encountering the most harmful content that has been designated as 'primary priority' content. This includes pornography and content that encourages, promotes, or provides instructions for self-harm, eating disorders, or suicide. Online services must also put in place age-appropriate measures to protect children from 'priority' content. This includes content that encourages or depicts serious violence or injury, or dangerous stunts or challenges and content that encourages ingestion, inhalation or exposure to harmful substances. From July, the child online safety regime will be fully in force.

As the independent regulator for the Act, Ofcom have a range of enforcement powers which it can use against non-compliant regulated services, including instructing services to take steps to return to compliance, issuing fines of up to £18 million or 10% of qualifying worldwide revenue. It can also apply to the courts to initiate business disruption measures, which require third party ancillary and access services to withdraw their services from the non-compliant operator (and can result in 'blocking').

Whilst the majority of the matters of concern raised in your report are not directly within the remit of my department, I would like to thank you again for drawing this to my attention and I hope that this response is useful in setting out where the Online Safety Act will offer significant new protections against illegal content and harmful material for children online. The government will continue to keep online safety policy under review and identify areas where we can build on the Act, so it is important for me to be made aware of online safety related Reports to Prevent Future Deaths

Yours sincerely,



Secretary of State for Science, Innovation and Technology