

POLICY BRIEFING

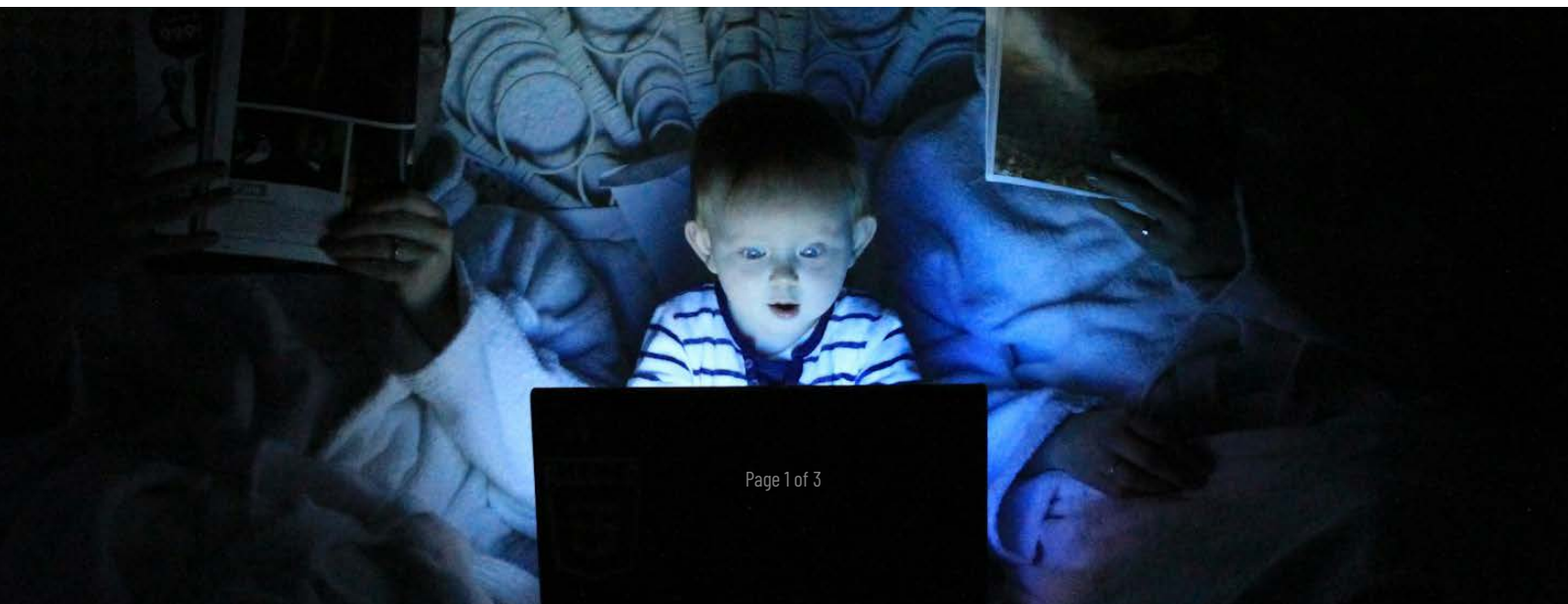
UK Online Safety Act

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National and international policies, rules and legislation can help shape a digital world designed to keep children safe. A combination of policy, rules and legislation is needed to help protect children from sexual exploitation and abuse online, and to help make the internet a safe space for them to explore. This includes regulations and laws passed by governments, as well as policies and procedures in private sector organisations.

In October 2023, the UK Government passed a new Online Safety Act. The new regulatory framework in the UK is one of several developments worldwide in online safety regulation, including the European Union's Digital Services Act, Singapore and Australia's Online Safety Acts. This legislation comes with strong enforcement features. If tech companies are found to be non-compliant with the new rules, the regulator – Ofcom – will be able to impose fines (up to £18 million or 10% of global turnover whichever is greater), pursue criminal charges against companies or senior managers, and even disrupt businesses by restricting access or income in the UK.

As we move to the implementation phase, WeProtect Global Alliance asked the UK Government what this new legislation means for the global fight against child exploitation and abuse online and how the new rules might improve the state of children's online safety.



What is the Online Safety Act?

[The Online Safety Act 2023](#) is a new UK law which places legal obligations on tech companies to prevent and rapidly remove illegal content, including child sexual exploitation and abuse. The Act also prevents children from seeing material that is harmful to them. The Act identifies Ofcom as the regulator, which will assess whether companies are fulfilling their safety duties under the Act.

How will the Online Safety Act better protect children online?

The Act includes strong measures to protect children. The Act's illegal content safety duties mean that in-scope services will have to prevent users from encountering illegal content, such as child sexual exploitation and abuse. Services will also have to rapidly remove such content once aware of it.

The child safety duties in the Act mean that in-scope services will have to mitigate and manage the risk of harm to children on their services, including preventing children from encountering content legal to adults but which is harmful to children, such as pornography.

Services will have to put in place proportionate systems and processes to meet these duties, which will be informed by risk assessments which they must carry out.

How were children's views and experiences included in the law-making process?

The UK Government engaged extensively with a wide variety of stakeholders throughout development of the Act. This included regular engagement with children's charities and the [UK Children's Commissioner](#), to ensure that the voices and needs of children are represented and the strongest protections for children were at the heart of the legislation.

How will the Online Safety Act respond to fast-moving and emerging threats, such as new forms of sexual exploitation and abuse?

The Online Safety Act is "technology agnostic" and focuses on the outcomes and behaviours it's trying to regulate, rather than targeting specific technologies, platforms and services. The Online Safety Act requires digital services to put in place proportionate systems and processes to make their platforms safe, informed by their own risk assessment of their service and its functionalities.

This means in-scope services will have to take into account the emerging risks and threats on their platform, and the evolving ways it may be misused to bring about harm to its users.

How does the Online Safety Act ensure prevention of exploitation and abuse of children?

The Act's safety duties are intentionally wide in scope, while remaining proportionate. The Act places clear responsibility on companies to understand the risks present on their own platforms, including a wide variety of illegal and harmful activity. [Ofcom](#) will publish codes of practice to guide companies on how they can fulfil their safety obligations, and will also itself publish assessments of emerging risks. This risk-based approach aims to prevent online harms before they occur and in turn should lead to a safer online environment.

How will the Online Safety Act align with the international response to child sexual exploitation and abuse online?

No country can comprehensively tackle child sexual exploitation and abuse alone and international cooperation is vital.

The UK is independently recognised as a global leader in our efforts to tackle child sexual exploitation and abuse through the recent [Out of the Shadows Index](#). We remain committed to continuing close collaboration with international partners, including Five Country and G7 partners, to establish common global standards, share best practice and insights, and build international capacity to combat this horrific crime. Where appropriate, we are working closely with other countries to promote the development of similar legislation with the aim of making the internet safer, particularly for children.

The Online Safety Act also empowers the UK Government to bring forward regulations which enable Ofcom to share information with specified overseas online safety regulators to support their own functions and activity; this will ensure Ofcom can support like-minded regulators in their crucial work to tackle crime and protect children online.

More information

You can find more detailed information about the steps you can take to develop policies and legislation that tackle child sexual abuse online in WeProtect Global Alliance's frameworks, the [Model National Response](#) and the [Global Strategic Response](#).

For more in-depth reading on this topic, the following resources have been developed by our members:

- [The Online Safety Act](#) (UK Government)
- [New rules for online services: what you need to know](#) (Ofcom)
- [Out of the Shadows Index: Measuring progress towards a world free of child sexual violence](#)
- [The Online Safety Act: what it means for children and professionals](#) (NSPCC)
- ['Pivotal moment' as Online Safety Act gains Royal Assent](#) (IWF)