

# MOLLY ROSE FOUNDATION

## The Online Safety Act: why we need further action to protect young lives

### Parliamentary briefing

Almost seven years after the death of 14-year old Molly Russell, technology-facilitated suicide and self-harm remains a major threat to children and young people. At Molly's inquest, a coroner ruled that harmful content 'contributed to her death in a more than minimal way.'<sup>1</sup>

Molly Rose Foundation, founded in Molly's name, believes that suicide is preventable – and that effective regulation is the most effective route to protect children from harm. However, **Ofcom is failing to deliver the effective Online Safety Act that Parliament, civil society and parents had envisaged. Unambitious regulation will cost lives.**

A new Online Safety Act that strengthens the regime – and that fixes weaknesses in the statutory framework – should be urgently brought forward. New MRF/ YouGov data shows that 84 per cent of parents want to see a new Act introduced, with 89 per cent of those supporting new legislation in the first two years of this Parliament.<sup>2</sup>

### The scale and impact of technology-facilitated suicide and self-harm

- Every week we lose one young person aged 10–19 to suicide where technology plays a role – one in four (24 per cent) of deaths by suicide among young people.<sup>3</sup> Suicide-related internet use has been found to be a 'common but underreported antecedent' to young suicide deaths.<sup>4</sup>

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1 Prevention of Future Death report issued by Senior Coroner Andrew Walker

2 Polling undertaken by YouGov in July 2024, who interviewed a representative sample of 4,236 adults, including 895 parents

3 Rodway, C et al (2022) Online harms? Suicide related online experience: a UK-wide case series study of young people who died by suicide. *Psychological Medicine*, 53(10), pp1-12

4 Susi, K et al (2023) Research review: viewing self-harm images on the Internet and social media platforms: systematic review of the impact and associated psychological mechanisms. *Journal of Child Psychology and Psychiatry*, 64(8), pp1115-1139

- Suicide and self-harm related internet use has been reported in 26% of child hospitalisations relating to self-harm.<sup>5</sup> One in seven children and adolescents (14 per cent) will self-harm before they turn 18.<sup>6</sup>
- Online self-harm is inherently preventable: internal Meta research shared by whistleblowers shows 6.7% of 13–15-year-olds had seen self-harm content in the previous week.<sup>7</sup>
- Following the initial coverage of Molly’s story, internal Meta documents identified a ‘palpable risk of similar incidents’ because Instagram’s algorithms were ‘leading users to distressing content.’<sup>8</sup> However, our research shows that very little has changed since: in November 2023, we found that almost half of content we analysed on both TikTok and Instagram, posted using well-known suicide and self-harm hashtags, were potentially harmful, particularly when likely to be algorithmically recommended in large amounts.<sup>9</sup>
- There are signs this problem is getting worse, not better: 99 per cent of short-form videos recommended to us on Instagram (Reels) contained harmful content, including videos actively promoting suicide and self-harm behaviours.
- Our recent analysis shows that four of the major tech platforms – Instagram, Facebook, Snapchat and X –account for only 3% of the suicide and self-harm content moderated by industry as a whole.<sup>10</sup>

## The need for a strong Online Safety Act

The passage of the Online Safety Act was a landmark moment. The risks posed by suicide and self-harm content stem largely from commercial decisions not to invest in safety-by-design, and by design choices such as recommender algorithms that push large amounts of content to teens – even if it is likely to trigger harmful effects.

**Effective regulation can turn the tide on preventable harm.** Growing evidence suggests that while social media delivers both harmful and protective effects, harmful effects predominate.

Swift and decisive action is therefore required that can:

- **tackle the design features that actively recommend substantial volumes of harmful content, including platform algorithms.** This includes the potential for cumulative harm associated with being recommended large amounts of suicide, self-harm or intense depression content. Molly was shown almost 2,000 items of suicide and self-harm content on Instagram in the months before she died.

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5 Padmanathan, P (2018) Suicide and Self-Harm Related Internet Use: a Cross-Sectional Study and Clinician Focus Groups. *Crisis*, 39(6), pp469-478

6 Findings from The Lancet Commission on Self-Harm, which reported in October 2024

7 Data released by Meta whistleblower Arturo Bejar

8 Unsealed legal disclosures from the case against Meta being brought by 41 state Attorneys General

9 Molly Rose Foundation (2023) Preventable yet pervasive: the prevalence and characteristics of harmful content, including suicide and self-harm material, on Instagram, TikTok and Pinterest

10 Molly Rose Foundation (2024) How effectively do social networks moderate suicide and self-harm content? An analysis of the Digital Services Act Transparency Database

- prevent children experiencing suicide or self-harm ideation from being **readily identified and coerced into acts of bodily injury, child sexual abuse and livestreamed harm**. Last year, the FBI and Canadian authorities both issued public advisories about this growing threat.<sup>11</sup>
- **Protect children who choose to use social media as a source of peer support or guidance, but who can quickly be exposed to harmful content**. Children can be subject to ‘assortative relating’ effects whereby harmful suicide and self-harm communities can quickly form, for example through posting and liking similar posts, and in many cases young people can be actively discouraged from accessing accredited sources of help and support.<sup>12</sup> Even where children seek protective effects, poor moderation, content recommender systems and user engagement prompts can conspire to send children into ‘rabbit holes’ of harmful content.

## Why we need another Act

Over the last year, Ofcom has set out how it intends to implement its regulatory scheme. In our assessment, while the regulator’s proposals contain some important and welcome measures, they ultimately lack much needed ambition.

While regulation remains the most effective route to keep children safe from harm, **Ofcom’s approach is not commensurate to the scale and nature of the threat posed by suicide and self-harm content**.

Much of our concern stems from the choices made by Ofcom in its implementation of the Act – and this has also revealed systemic problems with the current statutory framework.

As it stands, if tech services comply with Ofcom’s deeply unambitious codes, they will be deemed to be compliant with regulation. In practice, this means some large platforms could counterproductively scale back their existing largely ineffective and highly deficient safety measures.

In our assessment, this means a new Online Safety Act must now be urgently brought forward. **The regime in practice is not delivering the safety outcomes that Parliament nor parents envisaged when the legislation was passed, and without legislative revision we are unlikely to see meaningfully improve safety outcomes.**

Science and Technology Secretary Peter Kyle has committed to ‘building on the Online Safety Act’ and has asserted that ‘keeping children safe online is the key priority for Government’.<sup>13</sup>

**Much as technology moves fast and breaks things, Parliament now has an opportunity to move equally quickly to fix them – and to give children and parents confidence that meaningful change is on the way.**

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11 FBI (2023) Public Service Announcement: the violence online groups extort minors to self-harm and produce child sexual abuse material. Posted 12/09/23

12 Susi, K et al (2023) Research review: viewing self-harm images on the Internet and social media platforms: systematic review of the impact and associated psychological mechanisms. *Journal of Child Psychology and Psychiatry*, 64(8), pp1115-1139

13 Speaking to The Times in July 2024

## Parents and the public strongly support a new Online Safety Act

New YouGov polling of 4,236 adults, including 895 parents, commissioned for Molly Rose Foundation shows strong support for a new Online Safety Act – with an overwhelming majority wanting to see legislative measures introduced quickly.

Our results show:

- **Strong support for a second Online Safety Act:** 4 in 5 adults (80%), and 84% of parents, support a new Act that can strengthen regulatory protections for children. Among those who support further regulation, nine in ten (89%) want this to be introduced no later than the second year of the Parliament.
- **Significant levels of public concern about the scale and impacts of online harm on children:** 9 in 10 parents are concerned about the relationship between social media and mental health (92%), and by the algorithmic recommendation of suicide and self-harm content (91%).
- **A view that governments and platforms have failed to do enough to tackle safety risks:** Over 4 in 5 parents feel that both online platforms (84%) and politicians (82%) should be doing more to protect young people. *3 in 4 (77%) think governments been too slow to act in regulating social media.*
- **A palpable lack of support for some of the principles that inform Ofcom's regulatory approach:** 4 in 5 adults (81%) hold the view that safety should be mandated even if this results in significant additional costs to companies (Ofcom's approach is focussed on economic proportionality to firms). 7 in 10 (70%) would support a precautionary principle approach being applied (this would require firms to act on harms even if the evidence is still to be proven). 3 in 4 adults (74%) take the view that tech companies should be expected to go above and beyond the minimum standards set out by a regulator (at present, a company is considered to be complying with the regulation if it meets the measures set out in Ofcom's codes.) *This suggests that, even when implemented, the current regulatory framework is likely to fall considerably short of public expectations.*
- **Substantial support for new powers and funding for civil society and independent researchers:** 4 in 5 adults (79%) would support regulatory fines being redirected to online safety causes (these currently go directly to the Treasury.) A clear majority of parents (72%) would support a levy on social media companies to fund online safety initiatives. Two-thirds (68 per cent) support a mandatory right for researchers to request anonymised data from regulated firms, as set out in the Data (Use and Access) Bill.

## What needs to change?

A new Online Safety Act should:

- **reassert an overarching Duty of Care:** under the current Act, tech companies benefit from a 'safe harbour' if they follow the set of recommended measures in Ofcom's codes. However, there are distinct structural and evidential barriers that are preventing Ofcom drafting sufficiently ambitious and up-to-date codes, and this means some large firms could scale back their existing safety efforts while not being required to take further measures.

- **Introduce a new harm reduction duty:** Ofcom should be subject to an overarching duty to deliver annual improvements in harm reduction, with this clear and unambiguous duty re-centring the regime and adding much needed urgency and ambition to Ofcom's approach. Drawing on the requirements placed upon the Bank of England if its inflation targets are missed, the regulator should be required to write to the Government setting out if it misses its harm reduction targets and setting out what further action it will take.
- **re-set the transparency and information disclosure duties on regulated firms:** a proactive *Duty of Candour* should be imposed on tech firms, which can shift the power dynamic from regulators having to ask the right questions to companies being liable if they fail to disclose to the regulator information that is material to the risk of reasonably foreseeable harm. A similar measure already exists in financial services. A provision to not frustrate, impede or delay the work of public bodies should be extended to cover coronial proceedings, bolstering the Government's previously announced commitments on data rights for bereaved parents.
- **extend the industry levy to cover online safety advocacy, research and prevention initiatives** The industry levy which currently funds Ofcom must be extended to cover civil society and academic activity, with any fines imposed on regulated firms being redirected to support prevention, advocacy, education and research initiatives. This is a prerequisite if we are to meaningfully address the informational asymmetry between civil society, academia and regulated firms.
- **Establish new corporate accountancy standards that require tech firms to report on their exposure to online harms:** as a standard part of financial reporting requirements, companies regulated under the Online Safety Act should be made to report on users' exposure to online harms on their services. Other companies could report on steps they have taken to reduce the risks of indirectly contributing to online harms. These measures are broadly analogous to the incoming requirements on corporate entities to report on exposure to climate change -related risks, now being implemented by the G20 – and are of course auditable.

Seven years after Molly's death, these meaningful and important changes to the Online Safety Act can reset the regulatory regime - and provide parents, civil society and the wider public with the confidence and reassurance that tangible change is on the way.

This isn't the time for slow, piecemeal or sticking plaster approaches, nor for a kneejerk shift towards untested and counterproductive bans. While firms continue to move fast and break things, timid regulation could cost lives. **It's time for Parliament and the Government to protect children and families and to finish the job.**

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For a briefing and discussion about how we can work together to tackle preventable harm, please contact Andy Burrows: [a.burrows@mollyrosefoundation.org](mailto:a.burrows@mollyrosefoundation.org)

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