

Ofcom, c/o vspregulation@ofcom.org.uk

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Submission of letter to consultation: guidance for video-sharing platform providers on measures to protect users from harmful material

The Antisemitism Policy Trust is a charity that aims to educate and empower parliamentarians and policy makers to address antisemitism. For more than ten years, the Trust has provided the secretariat to the All-Party Parliamentary Group (APPG) Against Antisemitism. We have submitted responses to Ofcom consultations in the past, and were pleased to note that this consultation in particular included reference to our recommendations.

In our view, Ofcom's draft video-sharing platform guidance is comprehensive. It addresses many important issues, is evidence based and will hopefully lead to successful regulation of VSPs, in advance of the Online Safety Bill, in a way that reduces users' exposure to potentially harmful and restricted content. It is evident that Ofcom has conducted extensive research and worked constructively with stakeholders to create the guidance, and increase companies' accountability and transparency.

With regard to the guidance, there are two issues we consider might merit further attention: anonymity and the timeframe for removal of reported content.

First, in our [briefing](#) on online anonymity we recommend limiting the degree of user anonymity, based on extensive evidence that anonymity promotes aggressive, intolerant, racist and violent discourse and behaviour. The Community Security Trust (CST) noted in its annual report, that 44% of the 789 recorded antisemitic incidents between January and June 2020 occurred online, many perpetrated by anonymous users. While we fully acknowledge the importance of anonymity and the right of users to maintain anonymous online identities,

considering its negative and potentially harmful effects on other users, we encourage platforms to adopt a 'Know Your Client/ Customer' principle, similar to that in the financial sector. Platforms can use electronic identification and determine the degree of anonymity given to users. We believe that users will be less inclined to engage in hate speech and other abusive language, images or videos, if their identity is known to a host and if they are in danger of waiving their right to anonymity if their behaviour violates the host's terms and conditions, or the law. This can be done in a way that maintains freedom of expression while also protecting users from abuse. Anonymity is not referenced in the guidance and we urge Ofcom to consider finding a way to register its importance with those companies in scope and having plans to address anonymous abuse.

Second, the guidance suggests that 'responses to reports of flags should be appropriately timely.' We are concerned that this language is too vague and can be grounds for lengthy and complicated disputes, making enforcement difficult. The language appears less onerous than some European requirements for address or removal of content (for example 'expeditious'). We therefore strongly recommend that Ofcom defines what constitutes a 'timely response,' taking into account that restricted and harmful content can gather thousands or more views with every hour that it is online. The longer content stays online, the more opportunities users have to view, share, download or copy it, increasing its exposure and chances to appear on other platforms and messaging services.

The Trust would be pleased to speak with Ofcom officials about these or related concerns.

Yours sincerely,

Antisemitism Policy Trust