

**Stop Scams UK's response to Ofcom's consultation on the approach to the implanting regulations of the Online Safety Bill**

**Question 1: Please provide a description introducing your organisation, service or interest in Online Safety.**

Stop Scams UK is an industry led collaboration made up of responsible businesses from across the banking, technology and telecoms sectors who have come together to help stop scams at source. Stop Scams UK currently has 18 members. These are: Barclays, BT, the Co-operative Bank, Gamma, Google, HSBC, KCOM, Lloyds Banking Group, Meta, Metro Bank, Microsoft, Nationwide, NatWest, Santander, Starling, TalkTalk, Three, and TSB.

Stop Scams UK exists to facilitate cross-sector collaboration. We know that for scams to be successful, they will touch on at least two, if not each of the banking, technology and telecoms sectors. We believe that it will only be through enabling, leading and delivering collaboration across these sectors that systemic solutions to scams will be realised. We provide the resource, leadership and trusted space for our members to share problems, identify opportunities, overcome blockers and drive projects forward to the benefit of consumers and business.

Jointly, our members now cover over: 95% of all UK online searches, over 90% of the UK home email market, approximately 80% of online advertising and over 70% of online messaging services used in the UK, as well as significant mobile and fixed broadband connectivity. This reach is critical to the effectiveness of our mission, enabling us to understand scam journeys across a growing number of platforms and services, and providing greater opportunity to disrupt and stop scams before they cause harm.

Core to our business plan for 2022 and 2023 is the realisation of data sharing initiatives between our members on a cross sector basis for the purpose of stopping scams. This work will, we hope, have a direct bearing on the work of regulated entities to identify and remove fraudulent content from platforms and searches, in particular organic user generated content, with a focus on how third-party data sources can be used to enhance the efficacy of an organisations existing tools and capabilities.

Stop Scams UK is grateful for the opportunity to contribute to the work of Ofcom in relation to online safety as well as the consultative and clear approach Ofcom has taken to the implementation of the obligations contained in the Bill. We have also provided answers to the specific questions set by Ofcom where this is appropriate. Our answers only relate to those provisions of the Bill in so far as they relate to fraud and scams and we make no comment on the wider Bill or its implementation.

This response complements those submitted by our members and should be read in conjunction with those responses, particularly comments in relation to the time allowed for implementation of measures and the need for clear guidance in relation as to what is legal and what is not and particularly in relation legal but harmful content. Stop Scams UK would welcome the opportunity to meet with Ofcom to discuss our submission as well as our wider work.

**Question 2: Can you provide any evidence relating to the presence or quantity of illegal content on user-to-user and search services?**

Stop Scams UK is very concerned at the extent and volume of fraudulent content online, how easy it is to access, and how difficult it is for organisations to distinguish fraudulent content from legitimate content that may be carried by a platform. This is particularly the case in relation to illegal fraud in organic user generated content. This goes to the very core of Stop Scams UK's mission which is to

facilitate collaboration between businesses and across sectors to better enable businesses to keep consumers safe from the harm and loss caused by scams.

A key part of this work will be to seek to enable platform operators and providers of search to access additional information points to be able to act against fraudulent and scam content with confidence, and with less risk of acting inappropriately against legitimate content, both paid for and organic. SSUK notes that these are distinct issues within the Bill. Our members deploy measures to identify and block fraudulent and scams content. Such systems are regularly updated and enhanced.

In relation to fraud in ads, we note the work of some SSUK members to take account of the FCA authorised entity list and take down and stop paid for content for financial services and products by firms not on the list.

Ofcom must ensure that the rules and measures it brings forward allow for industry led solutions and incentivises cross sectoral collaboration. Allowing enough time as also a proportionate approach to implementation will be critical to ensuring that measures are not only effective but are developed efficiently. Applying new rules, however well intended and considered, in too arbitrary a fashion could be counterproductive, and lead to an all too narrow a focus on single platform solutions rather than the greater goal of more systemic solutions.

**Question 3: How do you currently assess the risk of harm to individuals in the UK from illegal content presented by your service?**

Stop Scams UK has significant concerns about the harm that is caused by fraudulent content, and in particularly organic user generated content, especially to more vulnerable consumers who may be less able to distinguish between scam content and potentially similar looking but otherwise legitimate content.

Stop Scams UK notes that the scam problem is only getting worse. Despite banks and card companies preventing £1.4 bn in unauthorised fraud, 2021 saw a 39% increase in Authorised Push Payment (APP) fraud —where criminals manipulate victims into making real-time payments — compared with the equivalent level in 2020. In cash terms, criminal gangs stole over £583m from individuals and small businesses, by pretending to be either a bank or other service provider and encouraging them to make a payment or transfer money. The cost-of-living crisis is only making the problem worse.

As Ofcom brings forwards its plans for implementation it should ensure that it considers the issue of fraudulent and scam content that has been legitimately published, as set out in the Which? research published earlier this year - [Fraud in the Open Display Advertising Market](#). Ofcom will need to ensure that it take account of the particular complexities that platforms will face identifying and acting on such content.

Without determined action, and effective coordination of the response to scams at both policy and industry levels, this problem will only, unfortunately, get worse. Regulatory incentives to collaborate between businesses and across sectors will be critical not only to protecting consumers in line with the terms and spirit of the Act but in developing genuinely systemic, long-term solutions.

**Question 4: What are your governance, accountability and decision-making structures for user and platform safety?**

N/A

**Question 5: What can providers of online services do to enhance the clarity and accessibility of terms of service and public policy statements?**

Stop Scams UK favours clear and accessible terms of service and public policy statements. Our work with our members in finding solutions to the harm and loss caused by scams encourages greater transparency and consistency of approach. We drive this forward the sharing of best practice in our member forums and tech collaboration programmes.

**Question 6: How do your terms of service or public policy statements treat illegal content? How are these terms of service maintained and how much resource is dedicated to this?**

N/A

**Question 7: What can providers of online services do to enhance the transparency, accessibility, ease of use and users' awareness of their reporting and complaints mechanisms?**

N/A

**Question 8: If your service has *reporting or flagging* mechanisms in place for illegal content, or users who post illegal content, how are these processes designed and maintained?**

As an industry led collaboration established to enable responsible businesses to work together to stop scams at source, Stop Scams UK does not have reporting or flagging mechanisms. However, as a consequence of engagement through Stop Scams UK, a growing number of our members are now registered with Google's Gmail Trusted Flagger programme, enabling them to report suspicious Gmail accounts and have these blocked, demonstrating the importance of collaboration to the enhancement of existing reporting tools and capabilities. SSUK notes that this is example is given to highlight the benefits of collaborative work across sectors and that services such as Gmail are out of scope of the Bill.

**Question 9: If your service has a *complaints* mechanism in place, how are these processes designed and maintained?**

N/A

**Question 10: What action does your service take in response to *reports or complaints*?**

As part of Stop Scams UK emerging work on data sharing, we are bringing forward a programme of work on case studies based on consumer complaints to members. The intention of this work is to build better shared understanding not just of the scam journey but of potential points of intervention as well as to encourage a process of information exchange. The focus of this work will be on organic user generated content.

These complaints-based case studies will serve both to identify potential areas for where solutions might be developed but also to ensure that pain points and weaknesses in the consumer journey might be better addressed. SSUK notes that this work is new and relates to potential data sharing initiatives that SSUK is developing and not existing processes.

**Question 11: Could improvements be made to content moderation to deliver greater protection for users, without unduly restricting user activity? If so, what?**

N/A

**Question 12: What automated moderation systems do you have in place around illegal content?**

N/A

**Question 13: How do you use human moderators to identify and assess illegal content?**

N/A

**Question 14: How are sanctions or restrictions around access (including to both the service and to particular content) applied by providers of online services?**

N/A

**Question 15: In what instances is illegal content removed from your service?**

Stop Scams UK does not itself remove illegal content. However, the work we have led with our members, and specifically Alliance Partners led by BT, enable malicious domains and the fraudulent content that sit behind them to be blocked and taken down in processes faster than other commercially available services when identified by participating SSUK members.

To date over 40,000 fraudulent phishing domains have been blocked helping keep UK consumers safe, again demonstrating the value of a collaborative approach in identifying and blocking access to fraudulent content. Stop Scams UK is happy to provide more information on our URL blocking work with our Alliance Partners.

**Question 16: Do you use other tools to reduce the visibility and impact of illegal content?**

N/A

**Question 17: What other sanctions or disincentives do you employ against users who post illegal content?**

As we set out elsewhere in this response, Stop Scams UK is leading work with its members on new potential data sharing initiatives across sectors for the purposes of stopping scams and helping reduce the harm and loss they cause. A key element of this work will likely be the potential sharing of data points in relation to bad actors. This work should help with the better identification of bad actors on platforms, through the ingestion of third-party data points, potentially leading to the more effective imposition of sanctions against users who post illegal scam content. Such work will be taken forward in stages and will need to be taken forward with other initiatives to fully meet the ambitions of the Bill.

**Question 18: Are there any functionalities or design features which evidence suggests can effectively prevent harm, and could or should be deployed more widely by industry?**

Stop Scams UK refers to the submissions of its members, particularly those hosting content platforms and the tools and services they use and deploy.

**Question 19: To what extent does your service encompass functionalities or features designed to mitigate the risk or impact of harm from illegal content?**

N/A

**Question 20: How do you support the safety and wellbeing of your users as regards illegal content?**

N/A

**Question 21: How do you mitigate any risks posed by the design of algorithms that support the function of your service (e.g. search engines, or social and content recommender systems), with reference to illegal content specifically?**

Stop Scams UK is leading work on bringing forward new data sharing initiatives for the purpose of helping stop scams, including enabling platforms to better identify fraudulent content through the enhancement of existing controls and systems. We note that these initiatives are new and in development and the focus will likely be on organic user generated content.

We anticipate that the initial focus of this work will be either 1) on the sharing of either data pertaining to bad actors or 2) signals from other parties. We anticipate that the ingestion of such data will help lead to improvements to algorithms where they are used for such purpose by platforms. However, these processes will be iterative and will need to be taken forward in relation to other initiatives.

**Question 22: What age assurance and age verification technologies are available to platforms, and what is the impact and cost of using them?**

Stop Scams UK is aware that Age verification technologies are available to platforms and are used by some of our members. Stop Scams UK is unable to comment on the efficacy of such services. Detail of these services has been provided by Stop Scams UK members in their individual responses where this is appropriate.

**Question 23: Can you identify factors which might indicate that a service is likely to attract child users?**

N/A

**Question 24: Does your service use any age assurance or age verification tools or related technologies to verify or estimate the age of users?**

N/A

**Question 25: If it is not possible for children to access your service, or a part of it, how do you ensure this?**

N/A

**Question 26: What information do you have about the age of your users?**

N/A

**Question 27: For purposes of transparency, what type of information is useful/not useful? Why?**

As a principle Stop Scams UK is in favour of clear, transparent and easy to understand information for consumers. Stop Scams UK encourages and works with its members to help drive better practice. A good example of this is the work that Stop Scams UK is leading to harmonise the quality and content of consumer facing communications on 159, the short code phone service that consumers with their bank if they receive an unexpected call on any financial matter. SSUK notes that such phones services are out of scope of the Bill.

**Question 28: Other than those in this document, are you aware of other measures available for mitigating risk and harm from illegal content?**

N/A