Ofcom

Your response

Question (Volume 2)	Your response
Question 6.1: Do you have any comments on Ofcom's assessment of the causes and impacts of online harms? Do you think we have missed anything important in our analysis? Please provide evidence to support your answer.	*[Is this answer confidential? No]* Cats Protection, the UK's largest feline welfare charity, helps an estimated 160,000 cats and kittens a year through our national network. The charity runs the Cats and Their Stats Report - the United Kingdom's largest survey of cat owners, which includes data on where people search for and acquire cats online. Cats Protection works with the Pet Advertising Advisory Group (PAAG) to tackle irresponsible advertising of pets for sale by setting out advertising standards, which many of the popular classified sites sign up to. Cats Protection has also been piloting a new programme, where volunteers monitor the adverts on popular online platforms to ensure good welfare practices are being met. Any adverts that don't meet the requirements set by PAAG are reported to the websites and logged with Cats Protection. Cats Protection feels it is important to ensure that the *6O – Fraud and financial services offences* category recognises the harm caused by fraud and the mis-selling of pets. Action Fraud found that there was a 118% increase in the volume of *online shopping and auction fraud* crime reports relating to pet scams between 2019 and 2023. The average financial loss incurred per case in this period relating to pet scams was £465.64. Cats Protection believes there are two key risks with pet sales that require special recognition due to the emotional investment consumers can place into a pet, even before purchase is complete: • Pet Fraud: through the anonymity the online marketplace provides, unscrupulous individuals can easily scam users into believing a pet exists, that is simply using fake images and videos of pets. • Pet Mis-selling: Sellers can advertise animals for sale that are bred in a poor condition, mis-representing the situation they are in. The emotional investment a consumer places in this pet is much greater than that of a standard purchase, so even when confronted with the fact that their 'purchase' has been mis-represented and may be suffering

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	health or welfare problems, they may still be inclined to go ahead with the purchase in an attempt to 'save' the animal which they have become emotionally invested in.
	Pet mis-selling is a difficult situation to monitor as occurrences will often go unreported or be tracked in official stats around 'fraud'. In the case of cats, breeding is largely unregulated, so buyers may not know where to turn. This has led to cases such as one reported by the RSPCA where a former British Transport Police officer and her boyfriend planned to make £280,000 profit by lying to buyers by telling them she was a vet and providing fake health certificates and claiming that the cats had been wormed and microchipped when they hadn't. Cats Protection has worked to highlight this with our Big Kitten Con campaign [LINK], which features cases where individuals have been mis-sold cats and experienced high-pressure sales tactics, preying on their emotional vulnerability.
	Particularly in the instance of people buying pets there is an increased risk of a "*serious impact on both mental and physical health*". Unlike an inanimate object, buying a pet is a unique purchase involving emotional investment in a sentient being. As is covered below (user base risk factors section), individuals may be faced with high and potentially continuous vet bills that can put someone in a financially vulnerable situation even if they were not in one prior to purchasing the pet.
	Due to the emotional investment, a victim of pet mis-selling is unlikely to feel able to return the 'item'. If the animal is in poor health due to the seller's treatment of it, returning it to the seller is only going to risk more welfare harm. Additionally, even if the buyer did choose to return the animal, the seller will often remove listings and delete previous methods of contact. As will be covered in the section below on Service type risk factors, this may be done through using multiple fake accounts which can then be deleted or simply ignored. In the case above reported by the RSPCA of the ex-police officer and her boyfriend, they were found to have used at least 33 different aliases, including through using the ID of someone who had previously bought a cat from them.
	Service type risk factors

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	Cats Protection agrees with the categorisation that fraud often takes place on "*social media services, messaging services, marketplaces and listing services*".

Social media and messaging services

Lloyds Banking Group's 2023 data: *Fraudsters go unleashed online as pet scams rise* shows that the average number of all pet scams on Facebook and Instagram increased by 24% between 2022 and 2023 (With scams specifically involving cats increasing by 13%).

As a social media platform, rather than a classified advertising site, Facebook has not signed up to PAAG's advertising standards. PAAG was created in 2001 to combat growing concerns regarding the irresponsible advertising of pets for sale, rehoming, and exchange. In 2013, PAAG launched its Minimum Advertising Standards and, (6 of these went on to become law in England, Scotland and Wales). In 2023 PAAG launched its new Advertising Standards to reflect these legislative changes and to tackle the evolving behaviour of pet sellers online. The fact that social media platforms are not signed up to PAAG's standards means that the platforms are potentially more attractive to unscrupulous sellers, risking more tragic stories of cats being bred under unsuitable circumstances and underage, sick or injured kittens being put up for sale. And, there is very little stopping fraudsters setting up multiple profiles to avoid or circumnavigate detection.

In Lloyds' data it is specifically listed that over 50% of pet scams _start_ on Facebook and Instagram. This is despite the fact that some pet sales are not officially allowed on social media sites like Facebook; so sellers will use private message features to complete the transaction. Additionally, as part of Cats Protection's monitoring of online selling sites such as Gumtree, Pets4Homes, and Preloved, we have found that some sellers and breeders will link listings to their own website. One of the consequences of this is that communication no longer takes place through a website that is signed up to PAAG's minimum standards.

Marketplaces and listing services

Cats Protection's Cat Detectives programme in which volunteers monitor online cat sales adverts and report adverts of concern to the websites, and PAAGs monitoring has consistently found that despite online selling sites signing up to

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	PAAG's Minimum Advertising Standards, violations of these continue to occur, as is covered further in the response to question 16.1.Cases have also been found of sellers using these sites simply to move buyers over to their own websites where the communication and sales then occur. This has for example led to individuals paying advance fees for animals that don't yet exist. Another common phenomenon is that buyers may be led to believe that they are purchasing a pedigree cat and therefore pay a considerably higher price when the seller does not possess the relevant paperwork to prove that the cat is a pedigree breed.

<u>User base risk factors</u>

The fact that social media sites such as Facebook have location-based groups that users can join means that people often take to local groups to post about lost cats. This has led to fraudsters targeting these lost pet forums and demanding ransom payments from owners for the safe return of pets. The BBC investigation *Missing pets: 'Heartless' scammers targeting desperate owners* revealed that Operation Façade detectives are dealing with over 200 cases and that one victim, from Greater Manchester, said a man claiming to have found her Yorkshire Terrier demanded £2,000, saying that she would never see her dog again if she went to the police. Other cases included threats to shoot the victim's dog if they put the phone down without paying £1000. In most cases the perpetrator isn't actually in possession of the missing pet and is instead simply preying on the desperation of their victim; as part of the BBC's investigation Holly said that a man who phoned her "*said if I transfer him £500 he would tie him to a lamp post in my area, and that if I didn't pay him he would chop him up*". After transferring the money her dog was found dead in a neighbour's garden having been hit by a car.

Buying a pet is a unique purchase involving emotional investment in a sentient being - making those looking to buy a pet particularly vulnerable to fraud. The fact that 92% of cat owners feel that their pet is part of the family (CATS Report 2023) may especially put those with low financial resilience at risk if they have received a cat with health issues. Unlike inanimate objects, people face the emotional and moral inability to 'cut their losses', once they have the pet and are often likely to feel responsible for the vet bills and other costs no matter how high they are. Not only does this

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	financial pressure risk mental health harm, but the experience of having an ill pet that could ultimately pass away can provide an even greater mental health strain. Even those who are not considered to be of particularly low financial resilience could be pushed into a desperate financial situation by wanting to protect the heath and welfare of a pet for example by paying continuous and unexpected vet bills that they feel a moral obligation to continue with.
	In the same way that the low levels of media literacy listed in the proposals may be a key factor when assessing the risks of harm, a similar phenomenon may occur through the fact that the public is unlikely to have technical veterinary knowledge around cats (and pets more generally). Whilst guidelines such as PAAG's minimum standards and The Cat Group's Kitten Checklist aim to aid consumers, many may not realise the warning signs of poor welfare and health.
	Functionalities and recommender systems risk factors
	Cats Protection agrees that the ability to create fake user profiles can increase the risk of fraud occurring in relation to pet sales.
	There's a particularly increased risk of being unable to identify sellers (and therefore perpetrators) when it comes to cats. Unlike with dogs, there isn't a system of licencing of cat breeders. Thus, it isn't possible for websites to require verification of breeders.
	Sources:
	BBC News, 2024. *Missing pets: 'Heartless' scammers targeting desperate owners*. Available at: https://www.bbc.co.uk/news/uk-england-manchester-67933333.
	Cats Protection. *The Big Kitten Con*. Available at: https://www.cats.org.uk/kitten-con.
	Cats Protection, 2023. *CATS Report Cats and Their Stats UK 2023*. Available at: https://www.cats.org.uk/media/cjcekhtq/ed_685-cats-report-2023_uk_digi.pdf.
	City of London Police National Fraud Intelligence Bureau, 2023. *Pet Fraud 2019-2023 Data*.
	Lloyds Banking Group, 2023. *Fraudsters go unleashed online as pet scams rise*. Available at: https://www.lloyds-bankinggroup.com/media/press-releases/2023/lloyds-

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	bank-2023/fraudsters-go-unleashed-online-as-pet-scams-rise.html. Metro, 2023. *Disgraced police officer made £280,000 selling dying kittens with boyfriend*. Available at: https://metro.co.uk/2023/05/14/disgraced-police-officer-made-280k-selling-dying-kittens-with-partner-18781124/. Pet Advertising Advisory Group. *Advertising Standards*. Available at: https://paag.org.uk/advertising-standards/. The Cat Group. *Kitten Checklist*. Available at: https://www.cats.org.uk/media/3722/the-kitten-check-list.pdf.
Question 6.2: Do you have any views about our interpretation of the links between risk factors and different kinds of illegal harm? Please provide evidence to support your answer.	

Question (Volume 3)	Your response
Question 8.1: Do you agree with our proposals in relation to governance and accountability measures in the illegal content Codes of Practice? Please provide underlying arguments and evidence of efficacy or risks to support your view.	
Question 8.2: Do you agree with the types of services that we propose the governance and accountability measures should apply to?	

Question (Volume 3)	Your response
Question 8.3: Are you aware of any additional evidence of the efficacy, costs and risks associated with a potential future measure to requiring services to have measures to mitigate and manage illegal content risks audited by an independent third-party?	
Question: 8.4: Are you aware of any additional evidence of the efficacy, costs and risks associated with a potential future measure to tie remuneration for senior managers to positive online safety outcomes?	
Question 9.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? No]* Cats Protection agrees with the guidance that "*Ofcom will recommend services look at some or all of the following pieces of additional evidence:* […] *results of content moderation systems,* […] *views of independent experts, internal and external com-missioned research, outcomes of external audit or other risk assurance processes,* […] *and engagement with relevant representative groups*" when other evidence does not provide services with sufficiently good understanding of their risk levels. In the past, Cats Protection and other PAAG members have provided online selling sites such as Preloved and Gumtree with information on a range of topics such as Scottish Fold Disease (osteochondrodysplasia) and breeding practices, leading to these sites implementing minimum standards and banning the sale of Scottish Fold cats. Consulting with external veterinary experts and animal welfare representative groups can be a useful way of providing online services with niche and expert information that they, and regulators, otherwise may not be expected to usually have. Sources: Pet Advertising Advisory Group. *Advertising Standards*. Available at: https://paag.org.uk/advertising-standards/.

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	Preloved, 2023. *Cat Breeds Banned to Safeguard Feline Health*. Available at: https://www.pre-loved.co.uk/blog/preloved-news/cat-breeds-banned-to-safeguard-feline-health/.
Question 9.2: Do you think the four-step risk assessment process and the Risk Profiles are useful models to help services navigate and comply with their wider obligations under the Act?	
Question 9.3: Are the Risk Profiles sufficiently clear and do you think the information provided on risk factors will help you understand the risks on your service?[1]	
Question 10.1: Do you have any comments on our draft record keeping and review guidance?	
Question 10.2: Do you agree with our proposal not to exercise our power to exempt specified descriptions of services from the record keeping and review duty for the moment?	

[1] If you have comments or input related the links between different kinds of illegal harm and risk factors, please refer to Volume 2: Chapter 5 Summary of the causes and impacts of online harm).

Question (Volume 4)	Your response
Question 11.1: Do you have any comments on our overarching approach to developing our illegal content Codes of Practice?	*[Is this answer confidential? No]* Using good practice in the industry to set clear expectations on raising standards may be a useful approach. However, as the response to question 9.1. alludes to, some types of online sales, including the sale of pets, may require the service provider to have access to expert (i.e. veterinary) knowledge. Thus, looking to the practices of other online selling and social media sites could lack relevance to animal welfare, veterinary, and breeding practices and consequentially still leave the potential buyers at risk of fraud and mis-selling if the site that 'good practice' is being based on has not accessed specialist knowledge.
Question 11.2: Do you agree that in general we should apply the most onerous measures in our Codes only to services which are large and/or medium or high risk?	
Question 11.3: Do you agree with our definition of large services?	
Question 11.4: Do you agree with our definition of multi-risk services?	
Question 11.6: Do you have any comments on the draft Codes of Practice themselves?[2]	

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[2] See Annexes 7 and 8.

Question (Volume 4)	Your response
Question 11.7: Do you have any comments on the costs assumptions set out in Annex 14, which we used for calculating the costs of various measures?	
Question 12.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? No]* We agree that User to User (U2U) services should "*set out rules, standards and guidelines about what content is allowed and not allowed on the service and how policies should be operationalised and enforced*" and "*Ensure people working in content moderation receive training and materials that enable them to moderate content effectively.*". This would in the case of pet-related fraud and mis-selling require materials including information about breeding, age of cats, health checks, and so on. As cat breeding is not regulated, automated moderation systems cannot verify the identity of cat breeders. Given the complexity of identifying pet fraud or mis selling, automated moderation systems cannot be fully relied on. There needs to be human intervention when it comes to identifying the welfare and consumer risks relating to pet sales.
Question 13.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 14.1: Do you agree with our proposals? Do you have any views on our three proposals, i.e. CSAM hash matching, CSAM URL detection and fraud keyword detection? Please provide the underlying arguments and evidence that support your views.	

Question (Volume 4)	Your response
Question 14.2: Do you have any comments on the draft guidance set out in Annex 9 regarding whether content is communicated 'publicly' or 'privately'?	
Question 14.3: Do you have any relevant evidence on: • The accuracy of perceptual hash matching and the costs of applying CSAM hash matching to smaller services; • The ability of services in scope of the CSAM hash matching measure to access hash databases/services, with respect to access criteria or requirements set by database and/or hash matching service providers; • The costs of applying our CSAM URL detection measure to smaller services, and the effectiveness of fuzzy matching[3] for CSAM URL detection; • The costs of applying our articles for use in frauds (standard keyword detection) measure, including for smaller services; and • An effective application of hash matching and/or URL detection for terrorism content, including how such measures could address concerns around 'context' and freedom of expression, and any information you have on	

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[3] Fuzzy matching can allow a match between U2U content and a URL list, despite the text not being exactly the same.

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the costs and efficacy of applying hash matching and URL detection for terrorism content to a range of services.	
Question 15.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 16.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? No]* User reporting is an important part of the work that Cats Protection and other members of PAAG conducts. Through Cats Protevtion's Cat Detectives programme volunteers report sale listings to the websites that violate the PAAG minimum standards that the websites monitored have signed up to. This has been vital in our work with sites such as Gumtree and Preloved in having them removed. An accessible and responsive user reporting and complaints process is particularly important in the types of fraud that occur through pet sales as other methods of enforcement such as keyword filters can be harder to apply. Sources: Pet Advertising Advisory Group. Advertising Standards. Available at: https://paag.org.uk/advertising-standards/. Preloved, 2023. Cat Breeds Banned to Safeguard Feline Health. Available at: https://www.preloved.co.uk/blog/preloved-news/cat-breeds-banned-to-safeguard-feline-health/.
Question 17.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	*[Is this answer confidential? No]* We agree that Terms of Service need to be easy to find as those terms of service may ban certain types of sales.

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Question 17.2: Do you have any evidence, in particular on the use of prompts, to guide further work in this area?	
Question 18.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 18.2: Are there functionalities outside of the ones listed in our proposals, that should explicitly inform users around changing default settings?	
Question 18.3: Are there other points within the user journey where under 18s should be informed of the risk of illegal content?	
Question 19.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 19.2: What evaluation methods might be suitable for smaller services that do not have the capacity to perform on-platform testing?	

Question (Volume 4)	Your response
Question 19.3: We are aware of design features and parameters that can be used in recommender system to minimise the distribution of illegal content, e.g. ensuring content/network balance and low/neutral weightings on content labelled as sensitive. Are you aware of any other design parameters and choices that are proven to improve user safety?	
Question 20.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 20.2: Do you think the first two proposed measures should include requirements for how these controls are made known to users?	
Question 20.3: Do you think there are situations where the labelling of accounts through voluntary verification schemes has particular value or risks?	
Question 21.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	

Question (Volume 4)	Your response
Question 21.2: Do you have any supporting information and evidence to inform any recommendations we may make on blocking sharers of CSAM content? Specifically: • What are the options available to block and prevent a user from returning to a service (e.g. blocking by username, email or IP address, or a combination of factors)? What are the advantages and disadvantages of the different options, including any potential impact on other users? • How long should a user be blocked for sharing known CSAM, and should the period vary depending on the nature of the offence committed? • There is a risk that lawful content is erroneously classified as CSAM by automated systems, which may impact on the rights of law-abiding users. What steps can services take to manage this risk? For example, are there alternative options to immediate blocking (such as a strikes system) that might help mitigate some of the risks and impacts on user rights?	

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Question 22.1: Do you agree with our proposals? Please provide the underlying arguments and evidence that support your views.	
Question 23.1: Do you agree that the overall burden of our measures on low risk small and micro businesses is proportionate?	
Question 23.2: Do you agree that the overall burden is proportionate for those small and micro businesses that find they have significant risks of illegal content and for whom we propose to recommend more measures?	
Question 23.3: We are applying more measures to large services. Do you agree that the overall burden on large services proportionate?	
Question 24.1: Do you agree that Ofcom's proposed recommendations for the Codes are appropriate in the light of the matters to which Ofcom must have regard? If not, why not?	

Question (Volume 5)	Your response
Question 26.1: Do you agree with our proposals, including the detail of the drafting? What are the underlying arguments and evidence that inform your view.	
Question 26.2: Do you consider the guidance to be sufficiently accessible, particularly for services with limited access to legal expertise?	
Question 26.3: What do you think of our assessment of what information is reasonably available and relevant to illegal content judgements?	

Question (Volume 6)	Your response
Question 28.1: Do you have any comments on our proposed approach to information gathering powers under the Act?	
Question 29.1: Do you have any comments on our draft Online Safety Enforcement Guidance?	

Question (Annex 13)	Your response
Question A13.1: Do you agree that our proposals as set out in Chapter 16 (reporting and complaints), and Chapter 10 and Annex 6 (record keeping) are likely to have positive, or more positive impacts on opportunities to use Welsh and treating Welsh no less favourably than English?	
Question A13.2: If you disagree, please explain why, including how you consider these proposals could be revised to have positive effects or more positive effects, or no adverse effects or fewer adverse effects on opportunities to use Welsh and treating Welsh no less favourably than English.	

Please complete this form in full and return to IHconsultation@ofcom.org.uk.