



Further to my earlier submissions<sup>1</sup> in response to Ofcom's Illegal Harms Consultation I would like to make the following brief point in relation to **Illegal Content Judgements Guidance (ICJG)** set out in Annex 1: A3 (terrorism offences; pp. 152-89) of the [draft ICJG annex](#). From considering the ICJG in conjunction with my response to the Levy/Robinson paper, it is clear that:

1. The current UK method of tracking addressable advertising on regulated British television is in breach of fundamental accounting principles and
2. The evidence arising from the existence of fake websites used in gathering revenues through click-fraud shows that offences are being committed both by organised crime and also by unknown persons under **s. 17 Terrorism Act 2000** namely:

A person commits an offence if—

- (a) he enters into or becomes concerned in an arrangement as a result of which money or other property is made available or is to be made available to another, and
- (b) he knows or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

This funding of organised crime and terrorism can be eliminated by requiring the various broadcasting and advertising organisations to bring in measures to ensure that every advertisement contains a unique identifier which is trackable through all the accounting processes. I have previously recommended that consideration is given to make use of the Handle.Net Registry (HNR) from the DONA Foundation in Geneva as a solution to this problem.

Additionally, SafeCast's proposals set out in the paper "*Some measures to improve the effectiveness, enforceability and universality of the UK Online Safety Bill*" makes the case for the use of SafeCast HeadCodes as metadata labels in video content. This would greatly reduce the volume of data which would need to be reviewed under Hash matching and URL

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<sup>1</sup> See: my paper "A response to "Thoughts on Child Safety on Commodity Platforms\_" by Dr Ian Levy and Crispin Robinson" and my paper "Some measures to improve the effectiveness, enforceability and universality of the UK Online Safety Bill"

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detection for terrorism content (Automated Content Moderation Proposals) - Effectively leaving these actions to be undertaken only on content on the Dark Web and hence away from day-to-day contact with children and vulnerable people who would be protected by lightweight filters in their mobile devices. In view of the fact that SafeCast's HeadCodes have been accepted by the Society for Motion Picture and Telecommunications Engineers (SMPTE) as being part of new SMPTE digital standards, it is possible that major Child Sex Abuse Materials (CSAM) elimination measures could be implemented without censorship via the early implementation of SafeCast HeadCodes as Self Applied Content Ratings to be included whenever any video is uploaded (as was requested by the DCMS in 2016 and in the Joint Position of the NPCC and the National Crime Agency (**NCA**) in Chief Constable Simon Bailey's evidence to the Home Affairs Select Committee in 2018. At this time Simon Bailey was the lead for Child Protection at the National Police Chief Council (**NPCC**).

There is also a recent report<sup>2</sup> on the use of fraudulent notices under the US Digital Millennium Copyright Act to remove critical articles from the internet. This is being facilitated by Google's approach to DMCA complaints made by companies that don't exist. A brief review suggests that there are some similarities between these activities and those identified as sources of "*click-fraud*" from fake websites operated by bad "state actors" and criminal groups. In addressing this fraudulent activity, Ofcom needs to mandate appropriate measures to require Google to audit **all** DCMS takedown complaints received by it and to provide Ofcom with regular reports from an independent reviewer.

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<sup>2</sup> <https://taxpolicy.org.uk/2024/02/17/the-invisible-campaign-to-censor-the-internet/>