Consultation response

Field	Value
Responder	Kybernic Ltd.
Responder Type	organisation
Org Role	Principal Advisor
Org Type	Other
Other Type	Business Consulting

Volume 1: Context

3. Online advertising ecosystem

Q1: Is there any information or evidence you hold that could enhance our understanding of the online advertising ecosystem?

No response

4. Causes and impacts of fraudulent advertising

Q2: Do you have any comments on Ofcom's assessment of the causes and impacts of fraudulent advertising? Do you think we have missed anything important in our analysis? Please provide evidence to support your answer.

No response

Q3: Do you agree with the examples of risky characteristics we have provided? Please provide any arguments and supporting evidence.

No response

5. Our approach to developing Codes measures

Q4: Do you agree with our proposed approach? Please provide any arguments and supporting evidence.

No response

6. Combined impact assessment

Q5: Do you consider the overall burden on the service providers in scope of our proposed measures to be proportionate? Please provide any arguments and supporting evidence.

No response

Volume 2: Risk, governance and control

2. Advertising intermediaries

Q6: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

Q7: We have included two illustrative examples of when and how this measure may be applied, and what 'all reasonable endeavours' might look like. Do you have any comments on these examples, and do you have any additional examples of how providers could work with or require intermediaries to implement safety measures in circumstances where they have insufficient control? Please provide any arguments and supporting evidence.

No response

3. Fraud indicator assessment

Q8: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

Q9: Do you think there are other information sources providers should consider in order to understand how fraudulent advertising manifests on their service? If so, what information and why would they need to consider it?

No response

4. Governance and accountability

Q10: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

No response

5. Testing advertisement generation tools

Q11: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

Volume 3: Ensuring account integrity

2. Account checks and actions

Q12: Do you agree with our proposal? Please provide any arguments and supporting evidence. Where your feedback relates to a specific check we are proposing providers should carry out, please make this clear. These are :

No response

Q12.A: verification that advertising account holders work for, or on behalf of, the individual or organisation they are advertising

No response

Q12.B: checks and actions to prevent banned advertising account holders returning

No response

Q12.C: checks for accounts with indicators that there is a material risk they will post fraudulent advertising so that restrictions can be applied to them

No response

Q12.D: repeat checks where there are relevant changes identified on an account.

No response

Q13: Are you aware of any other account checks and actions providers could do to protect users from fraudulent advertising? Please provide any arguments and supporting evidence.

No response

3. Preventing fraudulent financial services advertising

Q14: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

4. Countering account takeover

Q15: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

No response

Q16: Do you have any evidence about account takeover that could inform our assessment, including how frequently it occurs or its impact?

No response

5. Advertising bans

Q17: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

Q18: Are you aware of any additional exceptional circumstances in which it may be proportionate for providers to reverse advertising bans?

No response

6. Account appeals

Q19: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

No response

Volume 4: Moderation

2. Advertising moderation

Q20: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

Kybernic broadly supports the proposed advertising complaints measures, particularly the accessible reporting route, the movement of suspected fraudulent advertisements into moderation, and the ability to filter genuinely manifestly unfounded complaints. The following comments relate principally to proposed measures FAU D1-D3 and D6, and their Category 2A equivalents FAS D1-D3 and D6.

A complaint is more than a request to assess one advertisement. It may be the first signal of a wider campaign involving several creatives, landing pages, advertiser accounts or changes to an advertisement after approval. A process that records only whether the reported advertisement was removed may therefore understate both the harm and the value of the complaint. Providers should be encouraged to preserve a link between the reported advertisement, relevant account and campaign identifiers, the evidence supplied by the reporter, and any related advertisements they identify during investigation. This would help investigators identify clusters and avoid repeatedly reviewing each report as an isolated case.

The proposed exception for manifestly unfounded complaints is sensible where reporting channels are being abused. Its implementation deserves close scrutiny. A high volume of near-identical reports can indicate coordinated spam, but it can also indicate a genuine campaign seen by many people. Nor should a report be dismissed merely because the complainant cannot establish which fraud offence may apply. The complainant has visibility of the advertisement and their experience; the provider may have additional account, payment, targeting and distribution information.

I suggest that Ofcom give examples of safeguards for this exception: a documented and narrow decision rule; retention of enough information to audit discarded reports; periodic sampling of reports excluded by automated or manual triage; an escalation route where new evidence or corroborating reports arrive; and checks for disproportionate exclusion of reports from users with accessibility or language barriers. An annual policy review is useful, but it may be too slow to detect a faulty classifier or a new fraud pattern. The operational performance of the filter should be monitored more frequently, with the cadence proportionate to volume and risk.

For complaints that enter moderation, providers should distinguish time to first triage, time to a substantive determination and time until UK users can no longer encounter a confirmed fraudulent advertisement. An average resolution time can conceal a long tail of high-reach advertisements. Prioritisation should take account of potential exposure, the apparent severity of the claim and indicators that an advertiser can rapidly replace the creative. These are suggested operational measures, rather than a request for one universal deadline.

Finally, the result of an upheld advertising appeal should feed back into the rules, training or automated tool that produced the initial action. Conversely, a substantiated user complaint should prompt consideration of related advertisements and accounts. In both directions, the complaint or appeal should be a source of system improvement, not simply a ticket closure. Providers can then assess whether the proposed measures reduce exposure to fraudulent advertising while correcting erroneous restrictions on legitimate advertisers.

These comments are based on general experience in scaled risk and enforcement operations. They do not rely on confidential platform data.

3. Terms of service and publicly available statements

Q21: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

No response

4. Advertising complaints (including DRC for trusted flaggers)

Q22: Do you agree with our proposals? Please confirm which proposed measure your views relate to and provide any arguments and supporting evidence.

No response

5. Ad libraries

Q23: Do you agree with our proposal? Please provide any arguments and supporting evidence.

No response

Q24: Do you agree with the principles, functionalities and information categories which we have included in the proposed measure? Please explain your reasoning and, if possible, provide supporting evidence.

No response

Q25: Do you have any evidence or insights on the process of building an ad library from scratch or adjusting an ad library to align with the proposed measure, and how long that process would take?

No response

Additional questions

Q26: Do you agree with our Equality Impact Assessment? Please provide any arguments and supporting evidence.

No response

Q27: Do you agree with our Welsh language assessment? Please provide any arguments and supporting evidence.

No response

Q28: Do you agree with our proposals? Please provide any arguments and supporting evidence.

No response