Better Redress for the Digital Age

How to help people hold tech companies to account

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Executive summary

It's time to rebalance people's relationship with technology.

Two-thirds of people feel they have no say in what technology companies do. Half think it's part and parcel of being online that people will try to cheat or harm them[1]. As one person mentioned during Doteveryone's *People, Power and Technology research*, "we've not got a choice but to participate in technology, and yet when things go wrong we're the little person on our own trying to fight the big system."

That's not sustainable for a society where digital services are the infrastructure of people's lives - even more so since the pandemic. People must be able to hold tech companies accountable for the impacts their products have. The UK Government's proposed Online Harms legislation is an opportunity to change this and make sure new regulation has a tangible impact on people's experience of tech.

Doteveryone has done extensive research into how to build systems of redress for the digital age. We've spoken to people from policymaking, the tech industry and civil society as well as listening to and testing ideas with the public. And we've worked with Resolver, the independent resolution service, to build a prototype Online Resolution Service which demonstrates how to make effective redress a reality.

We've found that redress from tech-driven harms can be different from other problems. Issues emerge and change so there's no single solution that will resolve people's complaints. Delivering better redress for the digital age means focusing on processes, not outcomes.

Better redress also requires collective action. Some tech-driven harms such as misinformation or micro targeted political advertising will be imperceptible to the individual. Super-complainants must be able to act on the public's behalf but they need the skills and digital understanding to do so.

And it must harness the energy and expertise that already exists in society. Our Online Resolution Service showed how, working together, charities and support groups can become more than the sum of their parts and help the public more

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[1] Miller, C., Kitcher, H., Perera, K., Abiola, A., (2020) *People, Power and Technology: The 2020 Digital Attitudes Report*. London: Doteveryone. Available at: https://doteveryone.org.uk/report/peoplepowertech2020

effectively. Better redress needs an ecosystem that is responsive to the ever changing issues that technologies throw up.

In building new systems of redress there is an opportunity to do something differently - to design something 'of the internet' as a response to a problem that's 'of the internet'. This may start with new legislation. But it will require the tech sector, users, civil society and government to come together to define and uphold new standards and norms online. The result should be better tech, for everyone.

Our Recommendations:

We recommend all tech companies create accessible and straightforward ways for people to report concerns and provide clear information about the actions they take as a result.

We recommend the incoming online harms regulator provide robust oversight of companies' complaints processes founded on seven principles of better redress in the digital age:

1. Design that's as good as the rest of the service
2. Signposting at the point-of-use
3. Simple, short, straightforward processes
4. Feedback at every step
5. Navigating complexity
6. Auditability and openness
7. Proportionality

We also recommend that digitally-capable super-complainants should act on the public's behalf to demand collective redress from technology-driven harms. They will drive the structural changes required within online services and help channel unresolved disputes between individuals and companies.

And **we call on the Government for financial support to unlock the expertise of civil society to support people to address the impacts of technology-driven harms on their lives**. Coordinated action between charities and support groups can help people to seek redress and encourage improved understanding of the nature of online harms.

Introduction

The tech industry has a trust problem. Only 19% of the UK population believe tech companies design their products and services with people's best interests in mind.[2] One way for companies to restore trust is to offer people redress - to listen to them when something goes wrong and offer to put things right. Good redress creates much-needed accountability and dialogue between online services and their users and is a fundamental component of responsible technology.

As the pandemic lockdown has moved even more of people's lives online, this kind of accountability becomes even more critical. As The Verge's Silicon Valley editor, Casey Newton writes when reporting on YouTube's failure to respond to complaints of scams and impersonation, "what once felt like low-level customer service issues now seem more like questions of citizenship. If you're going to be cast out of the digital kingdom, don't you deserve something akin to due process? And if you find yourself under assault by your fellow citizens, shouldn't the platform offer you something like police protection?"[3]

But that's not happening. MoneySavingExpert's Martin Lewis took to the courts when he was unable to make headway with platforms over the misuse of his image in online scams. And Molly Russell's father has battled to get answers from Instagram where he believes his daughter saw self-harm imagery that contributed to her suicide.

Behind these high profile cases, many more members of the public find that when they go wrong, no-one listens. Over a quarter have reported a problem but found nothing happened as a result.[4]

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[2] Miller, C., Kitcher, H., Perera, K., Abiola, A., (2020) People, Power and Technology: The 2020 Digital Attitudes Report. London: Doteveryone. Available at: https://doteveryone.org.uk/report/peoplepowertech2020
[3] Newton. C., (2020) 'A new lawsuit against YouTube shows how hard it is to get the company to respond to abuse'. The Verge. Available at: https://www.theverge.com/2020/4/22/21229680/ripple-youtube-lawsuit-brad-garlinghouse-xrp-impersonation-abuse-customer-service
[4] Miller, C., Kitcher, H., Perera, K., Abiola, A., (2020) *People, Power and Technology: The 2020 Digital Attitudes Report*. London: Doteveryone. Available at: https://doteveryone.org.uk/report/peoplepowertech2020

Doteveryone fights for better tech, for everyone. In our recommendations for a regulatory system fit for the digital age,[5] we call for improved redress alongside increased capacity for regulators and a robust evidence base to inform the public and policymakers.

Since then we have conducted extensive research to explore how to build effective systems of redress for the digital age. This has included a review of the existing evidence as well as engagement with the public, regulators, lawyers, policymakers, human rights groups, consumer advocates, academics, technologists and more. Alongside this we have developed a prototype for a complaints service - the Online Resolution Service - to help the public understand their rights and channel their complaints.

In the course of our work, the UK Government has published proposals for tackling Online Harms[6] which include provisions for user redress. We welcome these proposals but stress they require further development to make sure they will meet the needs of the public. We hope the research and recommendations in this report will be useful in the development of legislation and implementation.

In our review of the current digital redress landscape,[7] we identified three challenges to redress in a digital age:

1. Defining what meaningful redress looks like in the online world - in a space where many online services are free at the point of use, conventional notions of redress such as financial compensation don't translate.
2. Developing new structures of redress fit for the scale and pace of online services - the unprecedented scale and pace of change of online services requires change at every stage of the public's experience of redress.
3. Making it easier for people to navigate digital complexity - the public needs support to navigate the complex digital world, to understand the rights afforded to them and how to demand rights where none yet exist.

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[5] Miller C, Ohrvik-Stott J, Coldicutt R. (2018) *Regulating for Responsible Technology: Capacity, Evidence and Redress: a new system for a fairer future.* London: Doteveryone. https://doteveryone.org.uk/project/regulating-for-responsible-technology

[6] Department for Digital, Culture, Media and Sport & Home Office (2019) *Online Harms White Paper.* Available at: https://www.gov.uk/government/consultations/online-harms-white-paper

[7] Massey, J., Ohrvik-Stott, J., Miller, C., (2019) *Better redress: building accountability for the digital age. An evidence review from Doteveryone.* London: Doteveryone. Available at: https://www.doteveryone.org.uk/wp-content/uploads/2020/03/Better-redress-evidence-review-2.pdf

In this report we look at responses to these challenges.

1. **Delivering effective redress to individuals:** The nature of online harms makes traditional forms of redress like financial compensation redundant. Good redress in the digital age must focus on processes rather than outcomes. We recommend seven principles that the new regulator should use to assess whether companies are delivering effective redress to individuals.

2. **Driving the collective response:** People need somewhere to turn when they're not happy with a company's response. And it's important that there's an effective remedy for harms that affect large groups of people. We see a role for super-complainants to escalate unresolved complaints as well as to act on behalf of the public to demand collective redress. But the organisations that take on these responsibilities will need sufficient resources and digital capabilities to do so.

3. **Unlocking civil society expertise:** Charities and support groups already help the public deal with the impacts of technology in their lives. As part of an effective ecosystem, it's important to harness the expertise they hold. In designing an Online Resolution Service we found this was an effective way to harness the knowledge civil society organisations hold, as well as to feed back insights about the nature of online harms.

Finally, we explain in more detail how the Online Resolution Service[8] works.

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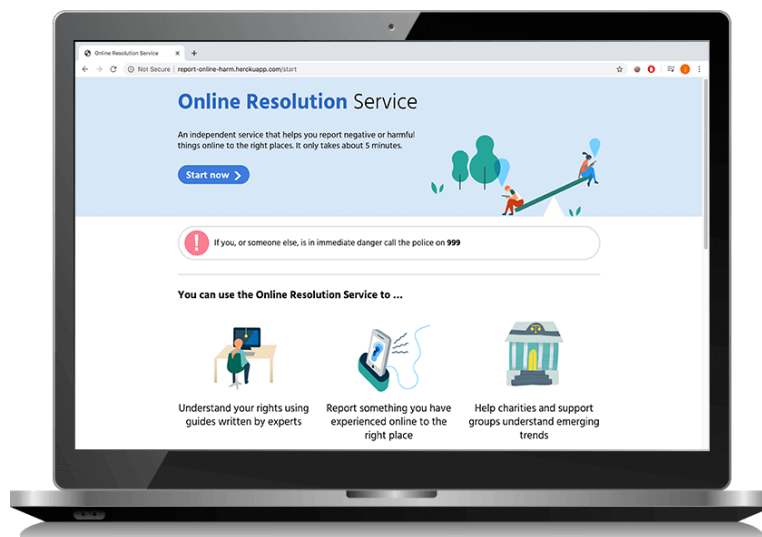
[8] Massey, J., Pope, R., Barclay, J., (2020) *The online resolution service - a prototype by doteveryone and resolver.* London: Doteveryone. Available at: https://www.youtube.com/watch?v=u2yLERfMndM&t=

1. Delivering effective redress for individuals

When people try to raise problems on digital services, tech companies are often unresponsive. Doteveryone's People, Power and Technology research[9] found over a quarter of the public (26%) say they've reported experiencing a problem online but that nothing happened as a result.

> *Facebook is impossible to get hold of if you have a problem. On the business page I posted something and wasn't able to change it. I couldn't speak to anybody. It wasn't a big thing but if it was something urgent I didn't feel very supported in that.[10]*

Many people don't get as far as complaining. Only a third (34%) say they know where to go for help when something goes wrong.

That's unsurprising given the complexity of the landscape. Data issues are dealt with by the ICO, while organisations including Action Fraud and Citizens Advice offer support to victims of cyber-scams. E-commerce disputes can be referred to sectoral consumer ombudsman and ADR providers that deal with equivalent products in the offline world. The Independent Press Standards Organisation and IMPRESS arbitrate complaints about online news providers that have volunteered to be under their remit, while the Advertising Standards Authority scrutinises online advertising.

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9 Miller, C., Kitcher, H., Perera, K., Abiola, A., (2020) *People, Power and Technology: The 2020 Digital Attitudes Report*. London: Doteveryone. Available at: https://doteveryone.org.uk/report/peoplepowertech2020
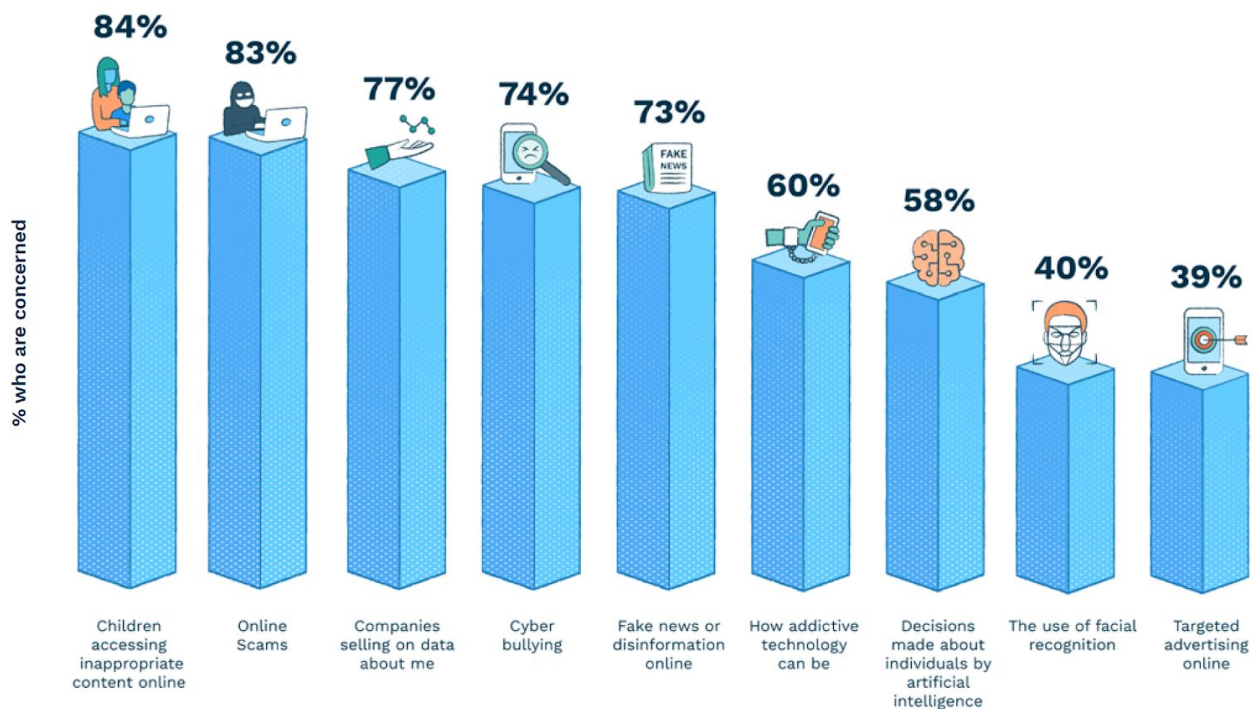10 People, Power and Technology 2020 focus group participant

There's a clear appetite to make it much easier to raise and resolve these issues. More than half would like more places to seek help (55%) and a more straightforward procedure for reporting tech companies (52%).

The Government's proposed Online Harms legislation promises to regulate how companies deal with people's complaints. To be effective this needs to consider how systems of redress need to adapt to the digital age.

Many online services are free at the point of use, so conventional notions of redress involving financial compensation don't translate. In Doteveryone's *People, Power and Technology* research we found a wide range of concerns.

Concern about tech-driven harms

% who are concerned

| 84% | 83% | 77% | 74% | 73% | 60% | 58% | 40% | 39% |

| Children accessing inappropriate content online | Online Scams | Companies selling on data about me | Cyber bullying | Fake news or disinformation online | How addictive technology can be | Decisions made about individuals by artificial intelligence | The use of facial recognition | Targeted advertising online |

Question asked: How concerned, if at all, would you say you are about each of the following?

These problems are more complex than being ripped off buying a sofa or getting a bad deal on an energy bill. Some harms - such as cyber-scams or fake ads - are enabled by platforms but ultimately stem from the bad conduct of other users. Other issues, like abusive social media content or disinformation, don't necessarily have an obvious economic cost. In these cases where the impacts of a technology are felt democratically, emotionally and physically, the traditional route of offering people financial compensation would miss the point.

Where there's no clearly defined set of solutions, good redress in the online world is about the process not the outcome.

Our user research[11] found that people are not necessarily concerned about getting a particular payback from a complaint. Their motivations included wanting to vent their frustration, regain trust in a service and feel that they're not alone affected by an issue. Many also wanted to 'do their bit' and help make sure that they and other people don't experience the same problems again.

In discussions, people highlighted that the level of communication and openness of a company is critical to a good experience of complaints. They appreciated being kept informed about where they were in their journey through their complaint and felt frustrated when they were not kept in the loop. People also expected companies to understand their story – especially in the case of technology companies where they may already hold all the necessary evidence for their complaint.

There are examples of good practice emerging. In our evidence review into the current landscape of digital redress[12] we saw for instance how the Advertising Standards Authority has explored using machine learning to automatically find banned online adverts for botox treatments, and have developed "digital avatars" that simulate the online behaviour of children to scrutinise what kinds of adverts target young people online.[13] This kind of approach harnesses technology to address people's needs.

We used these findings to prototype the Online Resolution Service - a platform that cuts through the complexity of the digital world. We worked in partnership with Resolver, the independent resolution service, and adapted their model which guides people to the right place to lodge their complaint. The Online Resolution Service asks users eight simple questions which help them better articulate the issue they've experienced, understand their rights, complain to the relevant organisation or authorities and access streamlined support.

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[11] Massey, J., (2020) 'Uncovering what people need to seek redress in an online world'. *Doteveryone.* 22 January. Available at: https://www.doteveryone.org.uk/2020/01/uncovering-what-people-need-to-seek-redress-in-an-online-world/

[12] Massey, J., Ohrvik-Stott, J., Miller, C., (2019) *Better redress: building accountability for the digital age. An evidence review from Doteveryone.* London: Doteveryone. Available at: https://www.doteveryone.org.uk/wp-content/uploads/2020/03/Better-redress-evidence-review-2.pdf

[13] Advertising Standards Agency (2019) 'Harnessing new technology to tackle irresponsible gambling ads targeted at children.' *ASA and CAP News.* 4 April. Available at: https://www.asa.org.uk/news/harnessing-new-technology-gambling-ads-children.html

Seven principles for redress

In line with the [Duty of Care](#)[14] principle that underpins the proposed Online Harms legislation, the oversight of redress by the new Online Harms regulator must focus on assuring the process for complaints, not prescribing their outcomes. Based on our findings, we recommend seven principles of digital redress for the regulator to enforce with companies that fall under the Online Harms remit.

1. **Design that's as good as the rest of the service**

   People are used to the experience of high-quality digital services and apps. The experience of redress should be at least as good. If, for example, a service allows someone to complete a purchase in real-time, any refunds back should be processed in a similar timeframe. Companies should be able to demonstrate the kinds of techniques they use to optimise the service for profit in optimising redress processes for users.

2. **Signposting at the point-of-use**

   Redress processes should not be hidden away in the terms and conditions of a service, they should be clearly signposted within the service, at the point where people may experience problems. There should also be multiple routes for people to raise issues. For example, a social media service might include links to report troubling content alongside posts as well as from within the help section of its website, which should also be findable from a web search.

   Services should direct people to places where they can get additional support or escalate their issue, including to outside organisations. To aid this, the regulator should maintain a list of trusted charities and support groups for different types of harms.

3. **Simple, short, straightforward processes**

   People don't demand redress through choice. They are trying to fix a perceived wrong. As such, redress processes should be designed to be simple and straightforward to use, only collecting the information that is truly necessary and not asking for information that the company already holds. The regulator should not prescribe what data to collect as this will vary between services. For example, an online game may require a user's screen name to resolve an

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[14] Woods, L., Perrin, W., and Walsh, M., (2019) *Draft Online Harm Reduction Bill.* Fife: Carnegie UK Trust. Available at:
<https://www.carnegieuktrust.org.uk/publications/draft-online-harm-bill/>

issue, while an e-commerce site may require an order number. Anonymous reporting will be necessary for certain types of harms, such as reporting extremist content.

Although the duration of complaints processes will also vary, the regulator should require timely resolution in line with the severity and complexity of the complaint. For some issues this will be a matter of minutes and hours, for others days and weeks.

4. Feedback at every step

Providing feedback about what is likely to happen next means people are more motivated to take action.[15] At each step of the experience, the processes, timeframes and likely outcomes should be clear. Where possible, these should be based on relevant data; for example explaining that the issue that's being complained about is typically dealt with within a few hours, or that previous reports have resulted in design changes to the service. Updates should be proactively sent to users, so they don't have to chase for updates. The process must conclude with a clear explanation of the outcome as well as options to escalate.

5. Navigating complexity

People should not have to find their own way through the complex and fragmented landscape of different organisations and regulators to resolve their issue. Whenever and wherever people report a problem, organisations should help direct their complaint to the right address - whether that's the company, a regulator or the police. Services should also accept information via an API which will allow third parties, such as charities and support organisations, to develop tools that support the public in seeking redress.

6. Auditability and openness

Services should publish transparency dashboards that include data about the types of issues that their users are encountering. They should do this in a timely and open fashion and, wherever possible, aim to reuse existing categorisations of online harms and open standards.

They should document changes that have been made to the design of their services in response to issues raised by the public, and ensure that data about

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15 Miller, C., (2019) *Engaging the Public with Responsible Technology.* London: Doteveryone. Available at: https://www.doteveryone.org.uk/project/public-engagement/

individual complaints is retained in a way that it can be audited by regulators if needed.

They should also consider the unintended consequences of the redress process, for example that the reporting of user-generated content might be used to bully or intimidate others. They should publish reports to demonstrate to the regulator they've understood and are addressing the risks.

7. Proportionality

A company's ability to deal with potentially large numbers of complaints will vary - larger tech companies have more time and resources to adapt to regulation. SMEs will need support and practical tools to do so. The regulator must ensure that in reining in bad practice on the biggest platforms, it does not inadvertently burden the rest of the tech landscape and it must recognise those that are working in good faith to act responsibly.

Recommendation:

We recommend all tech companies create accessible and straightforward ways for people to report concerns and provide clear information about the actions they take as a result.

We recommend the incoming online harms regulator provide robust oversight of companies' complaints processes founded on seven principles of better redress in the digital age:

1. Design that's as good as the rest of the service
2. Signposting at the point-of-use
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7. Proportionality

# 2. Driving the collective response

In the first instance, any complaints someone has should go directly to the company. But what happens when someone disagrees with the outcome or the company doesn't respond at all? People need a way to escalate a complaint.

The ability to escalate issues is core to a well functioning system of redress. The Information Commissioner, Elizabeth Denham, has referred to the need for "some form of an ombudsman or an intermediary"[16] in this space.

The Online Harms White Paper proposes the mechanism to raise complaints to the next level will be through super-complaints. These would be civil society organisations appointed by the regulator.

Existing super-complaints are set up to try to address a structural issue in the market. Consumer bodies, such as Citizens Advice and Which?, have the power to bring issues to the attention of regulators. Regulators must report back within 90 days on whether they agree with the super-complaint and if so, what they will do about it. For instance, Which? successfully brought a super-complaint to the Office for Rail and Road that most rail passengers were not aware of, nor did they apply for compensation for delays that they were entitled to.

Alongside resolving individual complaints, this kind of collective redress is important in tipping the scales of power. It can address societal harms that are imperceptible to the individual, tackle issues that

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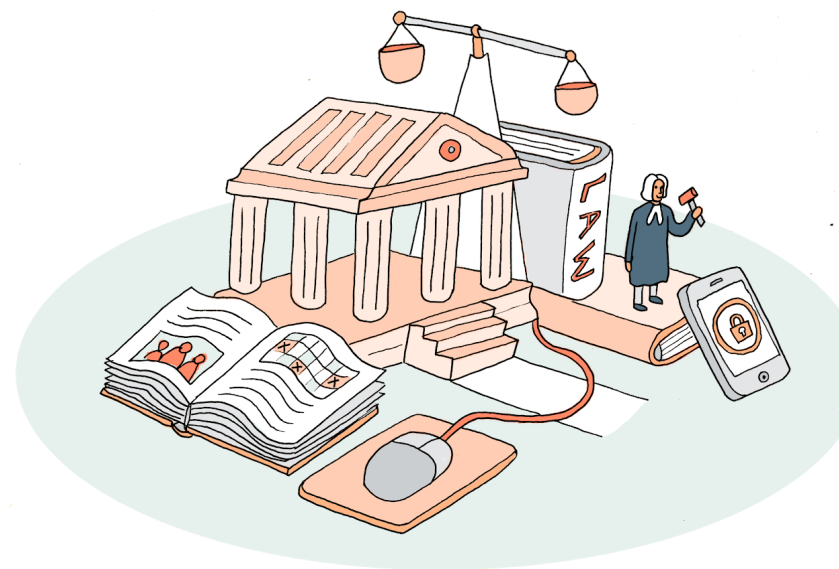
[16] House of Lords Select Committee on Communications (2018) 'Corrected oral evidence: The Internet: to regulate or not to regulate?' 11 September. Available at: http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/communica tions-committee/the-internet-to-regulate-or-not-to-regulate/oral/89766.pdf

have affected groups of people and demonstrate to some of the world's biggest companies that they too need to follow the rules.

So for online harms there's likely to be three new areas to consider:

1. How to combine individual and collective needs for redress?
2. Which organisations might take on these roles?
3. What new skills and approaches are needed for super-complaints in a digital context?

Combining individual and collective redress

If someone is not satisfied with the outcome of their complaint to a company, in many sectors they can take it to an ombudsman or alternative dispute resolution scheme. These don't exist for most tech issues and the scale of online platforms means a traditional ombudsman service would likely be quickly overwhelmed by the volume of complaints.

The Online Harms proposals don't intend for Ofcom, as the new online harms regulator, to receive complaints directly from the public or get involved in individual cases. But people still need somewhere to go when they have an unresolved dispute. We believe designated civil society organisations could help people to escalate complaints in two ways.

Firstly they could collate instances of unresolved disputes. Where a pattern emerges, for example that particular kinds of issues are not dealt with or that problems on particular services are repeatedly going unresolved, the designated body might then raise the matter with the regulator to take action.

Secondly they could identify disputes that may not be widespread - and so don't create volumes of complaints - but illustrate a particular challenge in the new regulatory regime. For example, an unresolved complaint might highlight an instance where there are conflicting rights between users, or where a particular group is being disproportionately affected. Designated organisations could act as gatekeepers for these kinds of disputes and only escalate precedent setting cases to the regulator for review.

They could combine these responsibilities with the powers of existing super-complainants in other sectors to demand collective redress where they identify a structural problem within the market.

The new super-complainants

There's a diverse landscape of civil society organisations that currently help people to deal with the impacts of technology. We mapped nearly 100 in the online harms space offering a variety of support such as helplines or online resources for individuals, as well as campaigns and advocacy to drive wider change.

Appointing some of these organisations as super-complainants will harness their important expertise and ensure there's a range of input into defining what online harms consist of and monitoring the effectiveness of regulation across the spectrum of issues.

But many of these organisations are young and evolving. They may lack the name recognition and trust required for people to turn to them for help. And they don't yet have the infrastructure and resources of existing super-complainants such as Citizens Advice. Without assistance they may struggle to take on the kinds of duties the new regulation anticipates.

Making sure these super-complainants are resilient enough to take on new responsibilities will be vital to making sure the new regulation feels accessible and relevant to the public.

New skills and approaches

Digital services present a different set of circumstances than those where super-complaints have previously been used. They tend to cut across traditional policy areas and can be opaque - both in how services function and the expertise needed to understand them. Services are also often personalised and operate at speed and scale, meaning there is no experience common to all. Issues also need to be resolved quickly.

So for new super-complainants to effectively meet the needs of the public, rather than mimicking examples of super-complaint processes in the offline world, their approach must be 'of the internet'. This means they will need support and resources to ensure they understand the ever-evolving nature of digital services and the emergence of new forms of harm. They will need skills such as pattern identification and analytics as well as horizon scanning and understanding of emergent risks and technology. Recruiting a diverse group of organisations to take on these responsibilities will help to create an effective ecosystem that will be responsive to new issues as they arise.

Organisations such as CAST and Datakind already offer civil society support to gain some of these kinds of skills and this kind of assistance will be vital for new super-complainants to be digitally capable and effective advocates for the public.

Recommendation:

We recommend that digitally-capable super-complainants should act on the public's behalf to demand collective redress from technology-driven harms and channel unresolved disputes between individuals and companies.

These organisations should be appointed based on their expertise around issues of online harms and supported with the capacity, resources and skills to take on new responsibilities.

3. Unlocking civil society expertise

Civil society groups are currently doing brilliant work to support the public across the many different issues people face in their lives online. But the response is fragmented. Through interviews with organisations such as the Internet Watch Foundation, and Tell MAMA, we found that there are distinct silos covering specific types of harm - for example, child abuse or racial and religious hate speech.

We've been exploring how to make redress accessible through our prototype Online Resolution Service. In developing this prototype we realised we could draw on the landscape of expert organisations to share the most up to date guidance and support for a variety of harms online and bring it together in a single place.

We designed the prototype around the idea of collaboration via the code-sharing platform GitHub so that trusted charities and support groups can contribute content about their relevant fields. We also found they could also help develop the design of the service - for example, the Internet Watch Foundation could identify the information required in order to report issues to the police, while Glitch could suggest ways to improve language to make it more supportive and how to offer mental health support. This responsiveness allows the service to match the pace and diversity of the online world.

As well as providing a practical route to redress for individual members of the public, the Online Resolution Service starts to break down barriers between different civil society organisations and open up opportunities to better coordinate their response to the impacts of technology and better meet the needs of the public.

We realised that new systems of redress can deliver benefits to civil society too. Charities need better evidence about tech-driven harms. By knowing what problems people encounter and where they need help, civil society organisations can learn more about the issues they focus on and provide improved support and advocacy.

Our prototype generates topline statistics about different categories of problems and feeds them through to the relevant organisations. With suitable safeguards to protect

privacy, this kind of data will also be useful to business, policymakers, regulators and researchers as they seek to better understand and address the impacts of technology on society.

Recommendation:

We call on the Government for financial support to unlock the expertise of civil society to support people to address the impacts of technology-driven harms on their lives. We urge the Government to provide initial funding for a team to design, develop and iterate an independently run Online Resolution Service that will create a tangible and practical focal point that civil society organisations can coalesce around. This service will require funding for a team to design, develop and iterate it and to build a coalition to support it for the long term.

The Online Resolution Service:

a prototype of a shared platform for online complaints

As part of Doteveryone's work on redress, and in partnership with the issue resolution service Resolver, we developed a prototype of a new service to help people report negative or harmful things online to the right places.

The purpose of the prototype is to start to show how a digital service might work and better understand any technical and design constraints. You can try it here.

What we did

Based on the learnings from our user research, an exploration of where the gaps in the current redress ecosystem lie,[17] and using insights Resolver has gleaned over the years from operating their service, we created a prototype of a new service for the public to resolve online harms - the 'Online Resolution Service'. This was made possible with funding from Legal Access Challenge - delivered by Nesta Challenges in partnership with the Solicitors Regulation Authority to support innovations making legal services more accessible and affordable to individuals, families and small businesses.

During the development of the prototype, we conducted one-to-one interviews and a roundtable discussion with members of the public to get a better understanding of the type of issues people face online, what a helpful, trustworthy, support service might look like, and what might be the good and bad outcomes from seeking redress.

We also tested the prototype with the public, SMEs[18] who operate digital services and civil society organisations who provide support to people who have

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[17] Massey, J., Ohrvik-Stott, J., Miller, C., (2019) *Better redress: building accountability for the digital age. An evidence review from Doteveryone.* London: Doteveryone. Available at: https://www.doteveryone.org.uk/wp-content/uploads/2020/03/Better-redress-evidence-review-2.pdf

[18] As a result of the Covid-19 crisis, we were only able to speak with one SME but also spoke with four SME/start-up membership bodies who were able to provide a broad oversight of the hopes and fears of the tech SME community.

experienced various types of harm online[19] to ensure the platform would adequately support all the stakeholders who would make the service a success. In this process we welcomed comments, critiques and feedback on the prototype and iterated based on their advice.

During the research, the DCMS published the Online Harms white paper, so that also played into our thinking. The aim was to try and ensure that whatever we developed aligned with the framework set out in the white paper as well as serving the needs of potential users.

Using a 'learning by making' approach, we aimed to start to show how a digital service might work and better understand any technical constraints. The prototype was created using a combination of the Flask development framework and the GOV.UK design system.

A simple way to understand your rights and report an issue

The design of the process for redress should be at least as good as people expect from the services that they are seeking redress from. We also know from Resolver's work that additional questions and steps make it less likely for people to complete the process, so we aimed to respect people's time and avoid unnecessary questions.

With a few questions, we can identify a user's issue and give them an overview of their rights and the steps they could take to resolve it. The service also signposts additional support from charities and support groups based on the type of issue.

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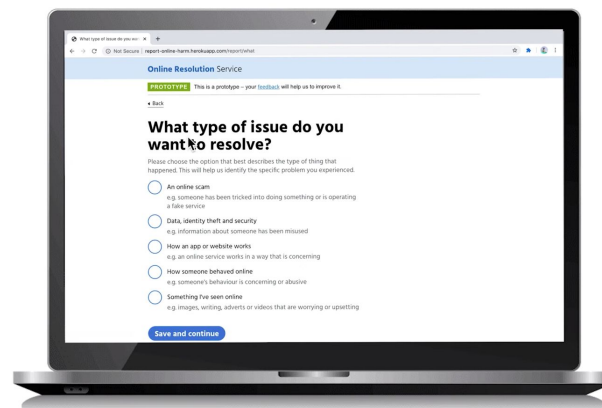
[19] After scoping the landscape of organisations already providing support to the public for harms experienced online, we conducted semi-structured interviews with 11 civil society groups, ranging from large consumer bodies (Which?) to smaller online abuse focused charities (Glitch)

The categories of issue we use to route users to the right information come from a mix of the user research and the white paper. Interestingly, our research identified a broader set of harms than covered by the proposed legislation; for example, the use of 'dark' design patterns.

If users want to, they can use the Online Resolution Service to report their issue. In most cases, the best action will be to report it to the company responsible for the platform where the issue occurred. But there are some circumstances where the best option is to report it to the police or an existing regulator. The public should not have to understand the internal processes of companies or governments, so with the Online Resolution Service is that it will always route people to the right place.

A user can review their information before the service securely sends it to the right organisation. The Online Resolution Service would then email the user in a few weeks to establish if their issue had been resolved. This will create useful data to understand if issues are being resolved.

A networked response to an internet age problem

Partly in response to the user research and partly in response to the Online Harms white paper being published, we began to think about the work of civil society organisations, and how the service might work for companies.

Creating an additional place for the public to report issues they are having online could have added to the problem of complexity for the public. So we started thinking about the Online Resolution Service as a multi-stakeholder model. The idea is that civil society organisations would play a role in collaboratively writing content via the GitHub code-sharing platform. They would also receive statistics about the types of issues the public are experiencing that could help them in their role as super-complainants. That way, when someone reports an issue using the Online Resolution Service, it would automatically identify the relevant organisations to notify.

For companies, we know that to be a success, the Online Resolution Service would need to help them easily meet the requirements of new legislation and work with their existing systems. We imagined that the service would have an API that allowed companies to directly integrate with their CRM and configure the type of information that is collected when users report issues about them. (For example, an online game may require a user's screen name to investigate an issue). Companies could even integrate the Online Resolution Service directly into their apps.

Conclusion

Better redress is vital for the digital age. Technology underpins almost every facet of people's lives. Yet people are too often unable to hold tech companies to account when things go wrong.

Public trust in tech is declining. If companies wish to rebuild confidence, offering redress is the first step to recognising that users have legitimate concerns and that they are entitled to see problems put right. It's something tech companies can start doing today, by offering accessible and straightforward ways for people to report concerns and provide clear information about the actions they take as a result.

Enforcing good redress is also an important first step for effective regulation. If the public experiences palpable change in how their complaints are handled, they will have confidence that the new regulator has their backs. They will see that the tide is turning in the power imbalance between people and technology. The new regulator must deliver robust oversight of companies' complaints processes founded on seven principles of better redress in the digital age.

But processes and regulations will not deliver change alone. People have become resigned to their digital disempowerment. There will need to be a change in culture where people start to recognise that they are entitled to demand redress. Civil society will play an important role in creating new norms.

Digitally capable super-complainants will help to champion the public through escalating unresolved disputes and demanding collective redress. This will help to demonstrate that tech companies do have to play by the rules and will encourage people to start standing up for their rights.

And bringing together civil society groups to collaborate on an online resolution service that helps the public navigate their rights will unlock the expertise of charities and support groups while delivering new insights about the impacts of technology on people and society.

Better redress is not a nice to have in the digital age. It's the cornerstone of a fair, inclusive and sustainable democratic society. As this work shows, it is also achievable. All that is required is the willingness to act.

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