Ofcom Submission to GSR-24 Consultation

In response to the theme *regulating for positive impact from transformative technologies*, we would like to share our experience as the UK's independent communications regulator. We take a pro-innovation approach grounded in (1) **collaborating** with our peer public bodies, (2) regularly engaging with our **stakeholders**, and with market players beyond our remit as part of horizon scanning, and (3) being **evidence**-based and carrying out our own research. We invite the Best Practice Guidelines for this year's Global Symposium for Regulators to reaffirm these long-standing principles, and we present recent regulatory practice within the UK to support this.

Transformative technologies are changing the provision and use of communications networks and services. Our Online Nation Report illustrates the impact of and sentiment about technologies like Artificial Intelligence (AI) for UK users (Ofcom, 2023). For example, three in ten UK Internet users aged 16+ said they used generative AI tools and roughly twice as many (58%) are concerned about AI's future impact on society. To some extent these questions extend beyond our remit but nonetheless are relevant to our work, given how transformative technologies are increasingly integrated into the networks and services we regulate. The same applies to other technologies such as the metaverse.

These new technologies can have a positive impact on our sectors. For instance, network operators are using AI to enhance network planning, optimise network construction, and detect and prevent security vulnerabilities and fraudulent behaviour. Mobile and messaging providers can use AI to help detect and filter spam and unwanted messages. **However, they also create new regulatory challenges,** such as more sophisticated fraudulent scam calls and messages and malicious tools that threaten network security to name a few.

In addressing these challenges, we have adapted our traditional approaches to incorporate new collaborations, new stakeholders, and new evidence. Here are some examples from recent UK practice:

Principles & Practice	Impact
COLLABORATION Digital Regulation Cooperation Forum (DRCF)	The DRCF brings together Ofcom, the Competition & Markets Authority (CMA), the Financial Conduct Authority (FCA), and the Information Commissioner's Office (ICO) to share expertise and insights, explore areas of common interest and responsibility and to ensure that our regulatory regimes develop and are implemented in a coherent way. The DRCF is about to launch an AI and Digital Hub, aimed at providing UK innovators with tailored regulatory advice from the DRCF's four regulators from a single access point, to accelerate their product's development and deployment to market. This should help protect the public interest while easing potential regulatory hurdles for innovators and new entrants to the UK's digital markets.
STAKEHOLDER ENGAGEMENT	As an example of how Ofcom actively engages with our stakeholders in developing our regulatory practice, we run spectrum sandboxes, where we provide spectrum for the private sector to collaboratively demonstrate positive and innovative use cases for the UK's spectrum.

Ofcom's Spectrum Sandboxes and Horizon Scanning	Through this collaborative process, we aide UK innovators in developing industry-relevant regulation.
	In addition, we carry out horizon scanning to help us analyse and anticipate emerging issues within our regulatory remit over the next five or ten years. This sees us engage in regular, informal consultations with a wide array of stakeholders, including those beyond our regulatory remit, to understand how communications networks and services are evolving, both technologically and commercially, and how we might need to evolve with them.
RESEARCH & EVIDENCE Ofcom Research & Data and Online Safety Research Agenda	Technologies like AI will transform the ways we work and the markets we regulate. In early April, we published our strategic approach to AI, which describes how we will leverage the potential benefits of AI in our working methods and respond to emerging AI risks in our regulated sectors, including through developing our human resource and capacity and working with others, both in the UK and beyond.
	Ofcom has a well-established and long-standing research function which supports our evidence-based regulatory decision-making. As well as commissioning our own research we have developed strategic partnerships with academic institutions. By way of example, we just published our research agenda in relation to our online safety duties, which we hope will encourage the external research community to focus their efforts in areas of common interest and come forward with ideas for collaborating with us.

We encourage the GSR Best Practice Guidelines to emphasise institutional coordination, regular stakeholder engagement, and research and horizon-scanning capacity in how we as communications regulators can best harness transformative technologies to mitigate risks and help ensure a positive impact. As noted above, the 'innovations' in our regulatory practice are continuations of core principles and ways of working that pre-exist the emergence of these new technologies.

Namely, it is crucial for us that we continue to:

1. Collaborate with our peer public bodies,

2. Regularly engage with stakeholders to inform our regulatory approach, and

3. Undertake and commission research and run horizon-scanning projects to collect evidence that allows us to better anticipate the impacts (both positive and negative) of emerging technologies in our regulated markets.