

Your response

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Question 1: How do you measure the number of users on your service?	N For our online services, we would consider a 'user' to cover all the suggested categorisations in the Ofcom guidance document (<i>"For example, are users defined as individuals who visit the service, individuals who interact with the service, individuals who have an account with the service, or individuals who request the service to host information"</i>)– indeed we would simply describe a user as anyone who consumes any of our digital products or services. However, under this broad definition, we acknowledge some difficulty and fragmentation in measurement across geographies due to other factors, the most notable being data privacy laws. One categorisation of users where we have more details are 'full account members', meaning users who have completed our 'verified parental consent' mechanism as part of the sign-up process for the child users. These users provide us with the most accurate metrics. In contrast, it is difficult to ascertain numbers for non-logged in users (who visit platforms like LEGO.com/kids) where we are only able to provide rough estimates based on sessions and page visits. These estimates are not 100% accurate and can be subject to miscalculation. The frequency with which we measure numbers of users differs by jurisdiction. For example, in the European Union, we measure and publish the number of 'average monthly active recipients of our online services' every six months in accordance with our obligations under the European Union's Digital Services Act. We continue to explore how best to measure use of our services at 'country' level.

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Question 2: If your service comprises a part on which user-generated content is present and a part on which such content is not present, are you able to distinguish between users of these different parts of the service? If so, how do you make that distinction (including over a given period of time)?	N Certain parts of our online services (such as LEGO Ideas or LEGO Central) and specific services (such as LEGO Life) permit users to submit user-generated content – however this is only if they are logged in with a LEGO account. Furthermore, specifically for children, they will only be able to submit such content if they have access to the full experience, which means if their parents or guardians have completed the verified parental consent process and have provided parental consent to such uploads (our pre-moderation policy prevents any sharing of personal identifiable information in user published content).
Question 3: Do you measure different segments of users on your service? • Do you segment user measurement by different parts of your service? For example, by website vs app, by product, business unit. • Do you segment user measurement into different types of users? For example: creators, accounts holders, active users. • How much flexibility does your user measurement system have to define new or custom segments?	N Broadly speaking, we conduct user measurement by experience type (e.g. is the user using a web browser or app), by product and service, as well as capturing analytics of users who post primarily comments or upload their own content consistent with our privacy policy, and the geography. For (pre)moderation purposes alone, we measure active users/ account holders who engage with our experiences by submitting user-generated content and in alignment with our privacy policy, but we do not break this down by other user groups such as those suggested in the question.
Question 4: Do you publish any information about the number of users on your service?	N In the European Union, we publish information on the 'active monthly recipients' of the online services and digital services regulated by the EU Digital Services Act¹. These figures only capture users within the jurisdiction of the EU27. This is calculated as an average over the previous six months and is published biannually. We make this information publicly available on the web in-

¹ [The Digital Services Act package | Shaping Europe's digital future \(europa.eu\)](#)

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	terface of each in scope service. For example - EU Digital Services Act information - LEGO Ambassador Network².
Question 5: Do you contribute any user number data to external sources/databases, or help industry measurements systems by tagging or sharing user measurement data? If not, what prevents you from doing so?	N Given the requirements of data protection law as well as the challenges we face accurately capturing usage figures (described above) we do not share this type of data with external sources or databases. If it were helpful to share this information with trusted external sources, we could explore methods to do so (noting the need to ensure the data is anonymised and aggregated).
Question 6: Do you have evidence of functionalities that may affect how easily, quickly and widely content is disseminated on U2U services? • Are there particular functionalities that enable content to be disseminated easily on U2U services? • Are there particular functionalities that enable content to be disseminated quickly on U2U services? • Are there particular functionalities that enable content to be disseminated widely on U2U services? • Are there particular functionalities that prevent content from being easily, quickly and widely disseminated on U2U services?	N The LEGO Group is a leading provider of responsible digital play experiences for children³. Our promise to children begins with creating a safe environment and we fully embrace safety-by-design, as recognized by the Australian eSafety Commissioner⁴. We are also committed to providing children with fun and empowering experiences; that is why we launched the Responsible Innovation in Technology for Children⁵(RITEC) research project with UNICEF to investigate which design features have a positive impact on children's well-being. Our collective ambition is to deliver concrete proposals that help industry and policymakers embed well-being by design into both products and regulation. Consistent with our design philosophy we place significant importance on pre-moderation; all our user generated content in our child-focused experiences is vetted by AI and manual review prior to publishing. In addition to dedicating significant internal resources for pre-moderation purposes, we also collaborate with third-party partners. The pre-moderation process slows down the speed of dissemination and allows us to place strict controls on the content permitted on our services. For example, all

² [EU Digital Services Act information - LEGO Ambassador Network](#)

³ [Responsible Engagement with Children - Sustainability - LEGO.com](#)

⁴ [The Importance of Online "Safety by Design": Enter LEGO | eSafety Commissioner](#)

⁵ [Responsible Innovation in Technology for Children: Digital technology, play and child well-being \(unicef-irc.org\)](#)

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	user generated content is subject to pre-moderation, where it is evaluated to ensure it meets our community standards and content guidelines. Users who have a piece of content rejected are delivered an informative response that helps them stay digitally smart as we view every user interaction as a learning opportunity. We believe the LEGO Group's dedication to, and investment in pre-moderation materially reduces the risk to users on our services and is relevant to how a service may be categorised under the new Online Safety regime. Once content is available on our services, there is no guarantee it will be seen by all users. Taking LEGO Life as an example, we provide an overall content feed which has a random selection of user-generated content mixed with LEGO-produced content. This content is visible to all users but unlikely to be seen by all users at all times. LEGO Life also features global content feeds, which we have rolled out in limited capacity. This allows users to share content with other users outside of their region. We also employ sharing limitations (restricting content visibility to friends or eliminating the ability to share to public (unrestricted) feeds) where needed.
Question 7: Do you have evidence relating to the relationship between user numbers, functionalities and how easily, quickly and widely content is disseminated on U2U services?	N The LEGO Group's decisions on the publication and dissemination of user generated content on our platforms are based on the best interest of our users and their access to a safe, age-appropriate, empowering and fun digital space. Assessment of engagement on our platforms shows that pre-moderation is crucial to the proper and safe functioning of our services where user generated content is present. We do not have evidence outlining the relationship between user numbers and content dissemination as this has not been an area of focus across our ecosystem.

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Question 8: Do you have evidence of other objective and measurable factors or characteristics that may be relevant to category 1 threshold conditions?	N We consider the following factors as material to the level of risk present on a user-to-user service: • The presence of age assurance solutions such as verified parental consent. We acknowledge the wider debate about the efficacy of age-gating technologies and age-assurance frameworks, and we're looking forward to exploring effective, privacy-preserving solutions, that can be harmonised across industry globally. As mentioned above, at the LEGO Group we currently implement verified parental consent⁶, with facial age estimation technology (as built by Yoti currently) offered as a third option in dedicated countries, together with government issued ID and bank card. • The type of content being shared. As a result of our pre-moderation approach, we have a full understanding of the content being uploaded – including whether it meets or falls short of our community guidelines. This allows us to take swift action and prevent its dissemination if it is inappropriate, harmful, or illegal. • The presence of third-party advertising. All our children gaming experiences, including LEGO Life, are free from links to shop functions, third-party websites, advertising, and other inappropriate or adult content. We never sell children's personal data – or parents' – to any third-party vendors or other partners.
Question 9: Do you have evidence of factors that may affect how content that is illegal or harmful to children is disseminated on U2U services? • Are there particular functionalities that play a key role in enabling content that is illegal or harmful to children to be disseminated on U2U services?	N As above, our pre-moderation approach ensures that illegal and harmful content is not disseminated on our services. Attempts to upload inappropriate content are blocked and reported before it goes live. More broadly, we have also noticed another way of disseminating harmful content is by using a combination of letters, digits, symbols etc. (e.g. letter "a" can be "4" or "@", or letter "i" can be "!""). On our own services, we have investigated the possibilities to circumvent moderation by the use of 'leetspeak'. We have subsequently

⁶ [Verified Parental Consent | Official LEGO® Shop US](#)

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Do you have evidence relating to the relationship between user numbers, functionalities and how content that is illegal or harmful to children is disseminated on U2U services?	created internal models and pre-filters to ensure such content is decoded in the pre-moderation stage; and once 'unmasked', should it not meet our community standards, it is therefore restricted from appearing on the services.
Question 10: Do you have evidence of other objective and measurable characteristics that may be relevant to category 2B threshold conditions?	N We acknowledge that the purpose of this consultation is to better understand the user-to-user ecosystem, before ascribing categories. However, we find the term 'risky' as it relates to functionalities of category 2B services vague (<i>Category 2B services: other services with potentially risky functionalities or other factors, with transparency requirements, but no other additional duties</i>). As we consider 'risk' at the LEGO Group, we generally subscribe to the 4Cs concept, espoused by the Digital Futures Commission amongst others. Their "Child rights by design"⁷ report states "<i>To assess online risks to children and devise proportionate measures, digital innovators need to recognise different categories of risks: content, contact, conduct and contract</i>" - this is an approach we would endorse in Ofcom's eventual categorisation of services.
Question 11: Do you have evidence of matters that affect the prevalence of content that (once the Bill takes effect) will count as search content that is illegal or harmful to children on particular search services or types of search service? For example, prevalence could refer to the proportion of content surfaced against each search term 16 that is illegal or harmful to children, but we welcome suggestions on additional definitions. Do you have evidence relating to the measurement of the prevalence of content	N Our services are not search services, so this question does not have a direct link to the LEGO Group. However, we do have a broader perspective on the ecosystem insofar as what happens online is reflection of what is happening in the world of the users in question. For example, if an influencer or high-profile personality is posting and discussing harmful content, this is likely to impact on what children search for and post on their own channels.

⁷ Digital Futures Commission. Child Rights by Design: Guidance for Innovators. P.45. [CRbD_report-FINAL-Online.pdf \(digitalfuturescommission.org.uk\)](https://digitalfuturescommission.org.uk/report-FINAL-Online.pdf)

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that is illegal or harmful to children on search services?	
Question 12: Do you have evidence relating to the number of users on search services and the level of risk of harm to individuals from search content that is illegal or harmful to children? • Do you have evidence regarding the relationship between user numbers on search services and the prevalence of search content that is illegal or harmful to children?	N Our services are not search services and we aren't able to provide relevant information.
Question 13: Do you have evidence of other objective and measurable characteristics that may be relevant to category 2A threshold conditions?	N Building upon the definition offered as guidance for Category 2A services (<i>Category 2A services: the highest reach search services, with transparency and fraudulent advertising requirements</i>), the LEGO Group's services are not a Category 2A service and therefore we have no evidence and measurable characteristics.

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