

Rt Hon Michelle Donelan MP
Department for Digital, Culture,
Media and Sport
100 Parliament Street
London
SW1A 2BQ

Rt Hon Grant Shapps MP
Department for Business,
Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Dear Secretary of State,

Regulating the sale of unsafe goods on online marketplaces

We are writing to you regarding the urgent need for better regulation of online marketplaces. Currently, consumers are not afforded the same protection when shopping on online marketplaces as they are when shopping on the high street. It is wrong and unjust that these platforms do not have a responsibility to ensure the safety of products sold on their marketplaces and have no legal obligation to remove unsafe products when identified for sale.

Consumers across every nation of the UK are affected by this gap in regulation, whilst having a high level of misplaced trust in online marketplaces. Nearly 40% of shoppers in Scotland and Wales, and 35% in Northern Ireland wrongly believe that products for sale on these platforms are safe.ⁱ Yet, this is not the case, as evidenced by copious investigations by a range of consumer bodies. For example, the charity Electrical Safety First's findings include:

- One investigation found that 93% of sampled electrical products sold on online marketplaces were unsafe.ⁱⁱ
- A snapshot investigation found several non-compliant products being sold on the online marketplace, *eBay*. This included products in Glasgow, Renfrew, Belfast, Lisburn, Cardiff, and South Wales. These products, which included hair straighteners, extension leads, and travel adaptors failed to meet safety standards or had plugs that were not compliant for use in the UK.ⁱⁱⁱ
- Despite one investigation finding unsafe products listed on Facebook Marketplace, Facebook failed to remove these products when notified and they remained available to consumers.^{iv}

The UK Government has acknowledged the scale of the problem. The Office for Product Safety and Standard's (OPSS) own CEO, Graham Russell, said himself in 2021 that 'there is too much evidence of non-compliant products being sold by third party sellers [on online marketplaces].'^v OPSS' own investigations have repeatedly found unsafe electrical products for sale online – in one study nearly two thirds (63%) of electrical goods were non-compliant, and nearly a quarter (23%) were unsafe.^{vi} However, the UK Government has not taken the necessary action to the detriment of the consumer.

The lack of vital regulation needed to ensure online marketplaces are responsible for the safety of goods for sale on their platforms is allowing dangerous products to enter our constituents' homes. This will be exacerbated by the cost of living crisis as people are forced to look for bargains. The UK Government must bring forward urgent legislation to ensure that consumers are protected wherever they shop.

Yours Sincerely,

i YouGov survey of 1013 Scottish consumers conducted on behalf of ESF in March 2022

ii <https://www.electricalsafetyfirst.org.uk/what-we-do/our-policies/westminster/regulating-online-marketplaces/>

iii Investigation undertaken by ESF's Technical Team in August 2022.

iv <https://www.independent.co.uk/business/meta-fails-to-act-over-dangerous-goods-on-facebook-marketplace-charity-says-b2103629.html>

v <https://www.gov.uk/government/news/government-issues-online-sales-product-safety-message>

vi https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/941095/ops-delivery-report-2019-2020-annex-product-safety.pdf