

From: Jon Riley  
*Project Director*

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Dear Sir/Madam

**An open letter to retailers that host customer reviews on their own websites**

You may be aware that the Competition and Markets Authority (CMA) has been investigating the [use of online reviews and endorsements](#) to ensure that they are being used in accordance with consumer protection law.

The CMA has recently [concluded an investigation](#) into concerns that a retailer had failed to publish all genuine, relevant and lawful customer reviews on their website by “cherry-picking” more favourable reviews for publication.

We are writing to ask you to:

- review your business models, processes and practices in relation to customer reviews; and
- consider whether you need to make any changes to your business to ensure that you are complying with the law.

*Why does this matter?*

Online reviews have become part of everyday life and play an important role in helping consumers make the right purchasing choices. Users of review sites expect the content to accurately reflect reviewers’ feedback on their experiences. Your processes should therefore ensure that users see the full picture.

Where businesses have processes that distort this picture – for example, if they fail to publish certain reviews – they may prevent consumers from choosing the product or service that best suits their needs. Fair-playing businesses could also lose custom as a result. Misleading consumers in this way could fall foul of consumer protection

law and may result in enforcement, in the form of civil and/or criminal action,<sup>1</sup> by either the CMA<sup>2</sup> or Trading Standards Services.

*What does this mean for you?*

If your business's website allows people to review products or services – whether they are yours or someone else's – you should publish all genuine, relevant and lawful reviews. If the way you manage or present reviews misleads consumers, your business could be in breach of the Consumer Protection from Unfair Trading Regulations 2008 (CPRs), which prohibit unfair commercial practices that distort consumers' decisions.

*Our advice*

Below are examples of what you can do to give consumers the full picture and ensure that you are complying with consumer protection law:

*How should you collect your reviews?*

- Encourage all customers – not just those who are satisfied – to leave reviews;
- Don't try to persuade customers to withdraw or amend a negative review – even if you have taken steps to resolve their issue; and
- Have appropriate checks in place for both negative and positive reviews - don't apply more rigorous standards to one type of review.

*How should your moderation policies work?*

- Check your moderation policies allow for all genuine, lawful and relevant negative reviews to be displayed; and
- Ensure all staff involved in the moderation and display of customer reviews receive appropriate training and monitor compliance with these policies.

*What information should you give about your moderation policies?*

- Make it clear to site users how reviews have been collected and checked, what they need to do to get their review published, and why it might not be published.

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<sup>1</sup> Further guidance on the CPRs can be found on the CMA's [webpages](#) or by visiting the [Business Companion](#).

<sup>2</sup> In deciding whether to take forward any such future action, the CMA will have regard to its published [CMA Prioritisation Principles](#).

### *How should you present your reviews?*

- Avoid ordering reviews so that positive reviews appear at the top;
- Publish all reviews, including negative ones, provided they are genuine, relevant and lawful;
- Make sure there is no unreasonable delay before reviews are published; and
- Make sure your website clearly distinguishes customer testimonials (that have been selected for publication by you) from customer reviews.

### *When can you remove or edit reviews?*

- If they are fake. You can, and should, have appropriate procedures in place to detect and promptly remove fake reviews.
- In circumstances which have nothing to do with the reviewer's experience of the goods or service – for example if a review includes swearing, abusive language, or defamatory remarks. You should explain this clearly in your moderation policies.

The CMA has produced a [brief guide](#) for businesses summarising how to comply with consumer protection law in relation to online review sites.<sup>3</sup>

Thank you for reading this letter. We hope you will find it helpful in ensuring that you give people who use your review site the full picture.

Yours faithfully,

Jon Riley  
*Project Director*

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<sup>3</sup> The International Consumer Protection and Enforcement Network of 60 consumer protection authorities also published 3 sets of guidelines on online reviews and endorsements in June 2016, including one specifically aimed at [review administrators](#) .