

Communications Consumer Panel and ACOD's response to Ofcom's consultation on CLI authentication

About us

The Communications Consumer Panel, established by the Communications Act 2003, is a group of independent experts with direct sectoral experience. We ensure the voice of UK consumers, citizens and micro-businesses is represented in communications policy development.

The Panel's job is to ensure that the sector works for consumers, citizens and micro businesses - and in particular, people who may be in a more vulnerable position in society. We commission research, provide advice and encourage Ofcom, governments, industry and others to look at issues through the eyes of consumers, citizens and micro businesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro-businesses, which have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales, respectively. They consult with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD (the Advisory Committee for Older and Disabled people) with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

Our response

The Panel advocates for strong action against scams and number spoofing and our response is in support of Ofcom's proposals. We pushed the communications industry firmly towards providing caller line identification (CLI) facilities at no additional cost to consumers, as a trusted, reliable service for all. CLI is a tool that can empower consumers to identify a caller and based on that information, decide whether to take a call - that thought process is highlighted in Ofcom's consultation document. It is vitally important that the information upon which consumers are making the decision to answer and trust a caller is authentic and accurately presented.

We responded to Ofcom's previous consultations on its proposals to tackle scam calls and texts and on numbering and CLI authentication and have been pleased that progress has been made. However, we agree with Ofcom's assessment that while Ofcom rules and industry measures are likely to help to reduce scam calls, more needs to be done to tackle scam calls and texts, and number spoofing.

We know from our regular meetings with communications providers that they are taking firm action against scam calls and texts, and number spoofing, of their own initiative and to comply with Ofcom's rules, and as Ofcom highlights, this is working, to some extent. However, we believe that all that can be done, must be done to protect consumers from

the violation of their rights and dignity by organised and opportune criminal predators described as scammers.

Our support for Ofcom's continued focus on tackling scam calls and texts, and number spoofing

Our advice to Ofcom following our 2020 scams research fed into Ofcom's policy positioning statement and we applaud Ofcom's continued work to disrupt scams by strengthening its rules and guidance; to collaborate and share information with stakeholders, as appropriate; and to help consumers avoid scams, by raising awareness.

Action taken against scams, spoofing and ever-evolving forms of fraudulent activity that take place using communications networks is an investment in ensuring consumer protection and in building and fostering consumer trust in the communications sector. Failing to keep pace with the sophisticated scamming and spoofing techniques will only serve to undermine Ofcom and industry's work to build fairness, resilience and safety across the communications sector.

Furthermore, during a cost of living crisis - and at a time when public sector priorities are under scrutiny, due to budgetary constraints - we believe Ofcom's focus on the prevention and enforcement against scams is well-placed. At a time when consumers are having to make careful decisions about their spending, it is vital that they are able to use communications services without fear of losing money and that they maintain trust in their provider and regulator to protect them. We know from our 2020 scams research that those who have been scammed can react negatively towards using communications services that they previously relied on¹. Our research and stakeholder engagement has demonstrated that now, more than ever, consumers view communications services as essential to their daily lives and an enabler of other services, and social connections.

CLI authentication and communications with consumers and citizens

We recognise that Ofcom's proposed CLI authentication measures will take time to take effect. In the interim, we believe that continued communications with consumers and citizens is vital to help raise awareness of scams and number spoofing. As Ofcom highlights in the consultation document, scammers can and will exploit situations to enhance the viability of their scam - particularly where fear may propel a consumer to act quickly, without considered thought.

In our view, Ofcom needs to stay one step ahead of scammers and take accountability for anything in the sector it regulates that scammers could use against consumers - for example, two impending wide-reaching industry changes: first, the migration from the

¹ Our 2020 scams research revealed that one reaction to having been scammed was to withdraw from the services through which the scam had taken place.
(<https://www.communicationsconsumerpanel.org.uk/research-and-reports/scammed-exploited-and-afraid-what-more-can-be-done-to-protect-communications-consumers-2020>)

Public Switched Telephony Network (PSTN) to Internet Protocol (IP) networks and second, the retirement of 2G and 3G networks.

Both of these changes would create opportunities for scammers to contact consumers, spread fear and build trust in the scammer's ability to 'help' causing them to act to prevent loss of service, telephone number, or anything else the scammer could imagine - a technique highlighted in our 2020 scams research².

Our recently-published survey of over 6000 UK consumers who had a landline at home³ revealed that only 51% were aware of the forthcoming change to digital telephony networks. A widescale UK communications campaign could help to set the expectations of consumers whose services may change, and their friends and families, so that they are protected from scare tactics around the loss of such services and know who to contact for help and advice.

We strongly believe that the fact that the migration is taking place by different communications providers at various times across the UK leaves consumers - including those reliant on telecare services and others who rely on their landline in an emergency - more open to scammers preying on consumer confusion.

Collaboration and sharing of information, where appropriate

We welcome Ofcom's collaboration with the Home Office, the ICO and others. We collaborated with other citizen, consumer and scam victim representative organisations to feed the consumer, citizen and scam victim voice into the Home Office's Telecoms Fraud Sector Charter, now signed by communications providers. We support Ofcom's membership of the Joint Fraud Taskforce, to monitor voluntary commitments made by industry under the Charter.

We have also been long-term advocates for communications providers' use and monitoring of data about their own network traffic, to protect consumers across their network from wrong-doers and of the availability to all consumers of call screening products. We also welcome innovative tech partnerships. However, we recognise Ofcom's argument that scammers' sophisticated methods have evolved - and will continue to evolve to evade technological developments.

We strongly support cross-sector, international collaboration to prevent scammers from reaching consumers and to make reporting of suspected and actual scams easier for consumers. Our previously-referenced 2020 scams research revealed that participants did not have confidence in action being taken once they had reported a scam and we believe that this is something that needs to change, so that consumers - whether they have been

² <https://www.communicationsconsumerpanel.org.uk/research-and-reports/scammed-exploited-and-afraid-what-more-can-be-done-to-protect-communications-consumers-2020>

³ <https://www.communicationsconsumerpanel.org.uk/research-and-reports/switching-from-analogue-to-telephony-listening-to-the-needs-of-landline-consumers-2023>

scammed or spot a potential scam - can become vigilant activists assisting industry in the fight against scams, not apathetic bystanders or victims.

While we are agnostic to some of the detailed technological methods proposed in the consultation we agree with Ofcom's assessment of the administrative steps required to implement CLI authentication and how these should be achieved. We agree with Ofcom that the blocking of calls that have not been successfully authenticated would be the optimal outcome for securing end-user protection from harmful calls and would be against the diversion of suspect calls to consumer voicemail or the announcement that authentication had not been possible. This would place the balance of doubt back in the consumer's hands and could cause inconvenience or anxiety to consumers.

We would urge Ofcom to seek to provide and enforce strong consumer protection and to collaborate with communications providers, but not to give way to weaker action for communications providers' convenience.

In summary, we welcome Ofcom's strengthening of its rules and support the outcomes of fewer scam calls reaching consumers and more timely action taken. We would add that Ofcom can provide a useful consumer information role, working with those who have a consumer audience, to ensure that consumers are aware that action is taking place to tackle scams and to promote scam reporting mechanisms, so that consumers continue to report and block calls from suspected numbers, to protect themselves and other consumers.