



Nuisance Calls - update

This release offers an update on the developing situation with action against nuisance calls being discussed, misunderstood and actually taken. It concludes referring to a forthcoming anniversary.

- ① We quietly issued our [comments on the reaction to the news](#) that the BBC TV's "**The Call Centre**" had been found to have been operating in breach of law since long before the series was filmed. **We now wait to see if the announced intention to appeal against the imposition of a financial penalty will be fulfilled - [the deadline is 15 July 2013](#).**
- ② On Monday, the **ICO** [imposed a financial penalty on another company](#) - **Tameside Energy Services**. Noting that this is the second company in this sector which has been penalised within a month, this begs the question as to **whether the DECC-imposed regulation of these services is adequate, or properly enforced**.

In [commenting to the media](#) about this case, the **ICO** refers to a request to **DCMS** to be able to act more promptly when it obtains evidence of breaches of regulations. In response, **DCMS should also act promptly**, by a simple revision to the relevant regulation.
- ③ This change is one of many expected to be included in the [Communications \(Unsolicited Telephone Calls and Texts\) Bill 2013-14](#), scheduled for second reading on 1 November 2013. **This change does not however require primary legislation**. One must hope that members of the **Nuisance Calls APPG**, which apparently first met on Wednesday 3 July, will press for the necessary action by **DCMS**, **DECC** and others, rather than **supporting the grandstanding activities of those who delight in stating the obvious and making ill-considered demands**.
- ④ We have published [an outline proposal](#) for a single public-facing "**Nuisance Calls Agency**" to sit apart from the many different regulatory bodies, whilst aiding, feeding and driving their respective regulatory and enforcement activities. This remains **open for discussion with those who are not content to take only a narrow view of this wide issue**.
- ⑤ We have published [a detailed briefing](#) covering the item broadcast by **BBC TV "The One Show"** on 8 July. This item featured a doughty and allegedly well-informed campaigner being misled by **Ofcom**, failing to address current developments and providing information that is inaccurate and incomplete. **Public understanding of this issue demands better coverage**.

Summary / personal comment

I am approaching the tenth anniversary of my involvement in campaigning. Initially this led to the first (and last) citizen's complaint to **Ofcom** about "Silent Calls" to be investigated - [opened 4 Jan 2004](#). Although the formal **Ofcom** policy then in force rightly recognised a "percentage approach" of tolerance to be wholly inappropriate, this is what was applied, and it is now firmly adopted.

Over this period, I have watched the way in which the whole problem of Nuisance Calls has grown. I see **Ofcom** and the **ICO** as having been simply frightened by the scale of it, from 2003 onward, and consequently failed to address it. Efforts have been badly misdirected, often as a result of calls for inappropriate changes in regulation and policy from loud and short-sighted lobbyists.

I now believe that **Ofcom** and the **ICO** cannot deal with this alone. Other relevant regulators must become involved, with each performing its own respective role covering the activities of those within its scope. They must however relate to a single central agency, firmly focussed on, and engaged with, the interests of the public, as citizens and consumers, which must be protected from this unacceptable nuisance.

