



Response to Consultation Document

Statement of policy on the persistent misuse of an
electronic communications network or electronic communications service

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Introduction

IDT welcomes the opportunity to comment on the issues which Ofcom has raised as a result of its investigation into silent and short duration calls.

IDT is pleased that subsequent to the investigation into silent calling, in respect of which IDT cooperated fully, Toucan (IDT's consumer fixed and mobile telephony and internet provider), was cleared of any possible breach of the Communications Act 2003.

Q1. Do you agree that consumers are concerned by silent calls and that Ofcom is right to take enforcement action against the companies that make them?

IDT does not have evidence as to the degree of consumer concern caused by silent calls but we do not refute the findings generated by Ofcom's research.

At the same time, we believe that telemarketing is a legitimate and productive method of marketing a business' goods or services. For those people who object to telemarketing, there is the option of the telephone preference service or the option of contacting individual businesses from whom they may not want to receive calls and making a request to be added to that business' internal suppression list.

IDT believes that it is proper for Ofcom to take enforcement action against companies whose operations give rise to large numbers of silent calls. It is within the control of those who manage the diallers at call centres to regulate the speed of the dialler to ensure that the number of calls does not result in a significant excess of calls over the number of agents who are available to speak to call recipients.

If the frequency of silent calling is limited and that reduced frequency is combined with other measures to abate the level of annoyance or concern associated with such calls (for example, by playing a recorded message), we believe that consumer detriment can be reduced to a very low level, if not, eliminated.

Q2. Do you agree with Ofcom's proposed approach to taking enforcement action, guided by a sense of administrative priority?

IDT concurs with this approach. We agree that it is important to examine both the degree of harm caused to an individual and the scale of the misuse.

Q3. Do you agree that the range of procedures proposed in the statement will be effective in reducing the degree of anxiety, annoyance and inconvenience caused by silent calls?

The range of measures outlined at paragraph 5.16 of the consultation document address both the frequency of silent calling and the nature of the calls.

The playing of a message which identifies the company on whose behalf the call was made and the purpose of the call and the transmission of a CLI for presentation should both have the effect of reducing the anxiety generated by silent calls.

The prohibition on calling the same number, where an earlier call has been abandoned, more than once in each 72 hours period along with the limitation on the incidence of silent calls to no more than 3% of "live calls", should have the effect of reducing the inconvenience suffered by individual citizens and the community as a whole.

We support the implementation of the range of procedures that are proposed.

Q4. Are there any additional procedures which call centres could adopt to reduce the degree of anxiety, annoyance and inconvenience caused by silent calls?

In our view the range of measures proposed by Ofcom is comprehensive and at this point we cannot envisage any additional measures which would significantly impact the effect of silent calls.