

UPDATE TO CONSULTATION: Personal Numbering – Review of the 070 Number Range

Ofcom has recently received a request for further information in relation to its published Consultation, *'Personal numbering, Review of the 070 number range'*¹. We have provided the following information and clarification, which we are making available to all stakeholders below:

1.1 In paragraphs 4.22 and A8.58 of the Consultation, Ofcom was approached by the relevant companies five to ten years ago.

1.2 We have referred at paragraph A8.53 of the Consultation to an email received from the Serious Organised Crime Authority ('SOCA'). The full paragraph states:

"This representative noted that the 070 number range "is a well known enabler of this type of fraud." The representative went on to say that "SOCA considers that victims of fraud are unaware that 070 number may potentially not go through to somebody in the UK, due to confusion with UK mobile numbers, and that in many cases of mass marketing fraud this is exploited by criminals. SOCA would therefore support the reconsideration of a move away from the 070 range."

1.3 In relation to paragraphs A7.27, A8.48 and A8.49 of the Consultation, the redacted information is as follows:

- i) Paragraph A7.27: "The National Fraud Intelligence Bureau, report on the scale of fraud offences where Personal Numbering Services – specifically prefixed 070/076 have been reported to Action Fraud in the period 1 January 2011 to 31 July 2013";
- ii) Paragraph A8.48: "The National Fraud Intelligence Bureau (NFIB) provided a report to Ofcom in 2013 which gives an overview of the scale of fraud offences where Personal Numbering Services – specifically including prefixed 070 (and 076²) have been reported to Action Fraud in the period 1 January 2011 to 31 July 2013"; and
- iii) Paragraph A8.49: "In this period, the NFIB reported 4,596 offences reported to Action Fraud that referenced 070 or 076 numbers (approximately 4.9 reports per day) with a reported loss³ of £17,170,522 (approximately £1,324 per day). Whilst this overall figure included reports relating to the 076 number range, of the 4,596 offences reported in relation to these number ranges, 4,415 (96.1%) of these were about 070 numbers and only 175 about 076 numbers".

1.4 Footnote 177 to paragraph A8.46 of the Consultation sets out the system by which BT raises with other communications providers the cases where it suspects the Artificial Inflation of Traffic ('AIT'). This footnote states that:

"BT explained that it receives an 'A1 retention notice' from the Originating Network Operator (ONO) providing details of why it suspects that traffic has been artificially inflated

¹ https://www.ofcom.org.uk/_data/assets/pdf_file/0020/108245/consultation-070-number-range.pdf

² 076 numbers are not being considered as part of this review. See footnote 34 of the Consultation.

³ Reported losses are provided by the victim and are not verified.

by the Terminating Network Operator (TNO). BT then forwards the received A1 notice to the TNO and temporarily deducts the value set out in the A1 notice from the payment due to the TNO. The TNO has until AIT day 34 to reject the A1 notice. If the notice is not rejected by AIT day 34 then BT permanently withholds the payment from the TNO and provides a credit to the ONO. If the TNO rejects the A1 notice then the ONO has until AIT day 49 to file a dispute notice. When a dispute notice is filed then the case then enters a 10 month dispute period. The ONO and TNO use the 10 month period to try and resolve the case amicably. If the case remains unresolved when the 10 months has expired and legal action has not been instigated, the case is ruled in favour of the party who raised the A1 notice.”

- 1.5 The information which has been redacted in paragraphs A8.56(c) and (d) of the Consultation relates to specific on-going investigations by the Phone-paid Services Authority(‘PSA’), provided to Ofcom on a confidential basis.