Which?

2 Marylebone Road
London NW1 4DF
t 020 7770 7000
f 020 7770 7600
which.co.uk

Domestic Data Protection Policy Team,
4th Floor,
Department for Digital, Culture, Media and Sport,
100 Parliament Street,
Westminster,
London,
SW1A 2BQ

1 August 2018

Dear Sir/Madam,

Re: Nuisance calls and texts consultation

Which? strongly supports taking action against rogue directors and giving the Information Commissioner a power to impose fines on company directors who are responsible for breaches of direct marketing rules.

Which? has had significant involvement in taking action on nuisance calls and texts in the UK. In 2014, at the request of the Department of Culture, Media and Sport (DCMS), Which? convened the Nuisance Calls and Texts Task Force on Consent and Lead Generation, following the publication of the DCMS Nuisance Calls Action Plan.

The Task Force proposed a number of recommendations and Which? has welcomed the action that Government has taken to implement the majority of these. While the number of concerns reported to the ICO has declined in recent years, it is still high, with 103,385 reported concerns over the period July 2017- June 2018.[1] These figures are likely to be a fraction of the actual number of unwanted calls and texts received. Therefore, we consider that the action taken so far has not gone far enough to stop nuisance calls and texts, which cause significant consumer harm including wasted time, intrusion, annoyance and distress.

The Task Force recommendation of director level accountability has remained outstanding to date. Which? considers that the introduction of director level accountability is a key step in addressing the issue of nuisance calls for consumers. It will hold those behind the companies that are responsible for nuisance calls directly accountable for their actions.
It is also essential that this area is kept under review by DCMS, the ICO and Ofcom and that further action is taken if the number of nuisance calls continue to remain high.

Yours faithfully,

Colum McGuire
External Affairs Manager

---

[1] https://ico.org.uk/action-weve-taken/nuisance-calls-and-messages/