



18 March 2022

The Reducing Scam Calls Working Committee  
Communications Alliance Ltd  
Level 12  
75 Miller Street  
NORTH SYDNEY NSW 2060

Dear Committee,

**AFP comment on the Committee’s work to reducing scam calls and scam SMs Industry Code**

The AFP appreciates the opportunity to provide comment on the revised Anti-Scam Industry Code, and I apologise for the late response.

The AFP takes a strong stance against attempts to defraud Australians, and supports the strengthening and expansion of the Reducing Scam Calls Industry Code. The proposed Anti-Scam Industry Code will build on the original code, developed in 2020 by the Communications Alliance Ltd, and add enforceable obligations on telecommunications companies to identify, trace, block and disrupt Short Message (SM) scams.

According to the Australian Communications and Media Authority’s (ACMA) consumer experience research, 9 out of 10 Australians had received a scam call in the preceding 6 months. Australian Competition and Consumer Commission data from 2020-2021 shows that there has been a significant increase in the number of reported scam phone calls and SM scams (135,490 to 211,781 collectively), and associated reported losses (\$51,315,205 to \$110,380,999 collectively).

Given this data, while the reports of telecommunications companies blocking over 357 million scam calls in the first year of the Reducing Scam Calls Industry Code being in force is positive, it is clear that more work can be done to combat scam calls and SM scams.

The AFP has reviewed the draft revised Code and notes that several of the provisions rely on the effectiveness of carrier/carriage service providers’ monitoring processes. These provisions could be further enhanced by requiring providers to have written procedures to monitor their network for scam calls and SM scams, similar to other industry codes.

The AFP recommends that consideration be given to removing the use of phrases such as ‘may’, ‘should’ or ‘are responsible for’, to ensure there is a clear obligation to act. To further aid clarity, we recommend that timeframes for compliance with provisions of the code be included within the code.

I would also like to mention the considerable work that ACMA has undertaken under its Combating Scams Action Plan, which was released in November 2019. As part of this plan, ACMA established a Scam Telecommunication Action Taskforce (STAT) to develop and progress scam reduction initiatives and monitor future developments.

The AFP supports ACMA's work in this area and looks forward to working with ACMA on future strategies to reduce scam calls and SM scams.

While ACMA is best placed to advise on the revised Code, the AFP is happy to provide further information and advice on law enforcement considerations.

Thank you for inviting our comment.

Yours sincerely



Ian McCartney  
Deputy Commissioner Investigations