

11 March 2022

Dear Mr Stanton,

## DR C661:2022 Reducing Scam Calls and Scam SMS Industry Code – Draft for Public Comment

Symbio Holdings Ltd (**Symbio**) welcomes and appreciates the time the Communications Alliance is taking to consult with stakeholders in relation to changes to *DR C661:2022 Reducing Scam Calls and Scam SMS Industry Code (Code)*. Symbio is grateful for this opportunity, and is pleased to provide its submission to these changes to the Code below.

### 1. Summary of Symbio's position on changes to Clause 4.2.1 of the Code

Symbio strongly supports implementing **Option 2** in relation to Clause 4.2.1(e) of the Code, being *“Originating C/CSPs must only originate calls on their Telecommunications Network with CLIs in accordance with the Numbering Plan, using the number or number ranges that are: (e) issued to the A-Party caller by any C/CSP.”*

Symbio firmly believes that adopting Option 2 will foster continued innovation and competition in the telecommunications sector, providing consumers with greater choice and flexibility in regards to telecommunications services offered to them.

Symbio holds broader concerns that Option 1 is not appropriately targeted to achieve its purpose of combatting scam calls, and instead is likely to not only hinder innovation in the sector, but also significantly disrupt legitimate call traffic generated by a range of innovative businesses (and cause significant disruption to their business activities).

We believe that it is important for the Communications Alliance, in consultation with the Australian Communication and Media Authority (**ACMA**), continue to:

- investigate the most appropriate and targeted measures to combat scam traffic (including by considering other more effective measures being implemented internationally), while also giving appropriate consideration to the impact such measures would have on the broader operation of the sector (including in respect of innovation and competition); and
- review whether the existing Numbering Plan and Integrated Public Number Database (IPND) systems remain fit for purpose in the current environment and having regard to the likely future direction of the innovative telecommunications sector.

Below we set out our reasoning for this position.

## 2. Proposed changes to the Code

Symbio has been fortunate to have been involved in the development of the Code (via the Communications Alliance Working Group) since its inception, and notes the significant process improvements included in the proposed changes to the Code.

Symbio's submission will focus on the proposed options provided under Clause 4.2.1(e). These changes are shown in red below.

### **4.2 Improving CLI accuracy Domestically Originated Calls**

4.2.1 *Originating C/CSPs must only originate calls on their Telecommunications Network with CLIs in accordance with the Numbering Plan, using the number or number ranges that are:*

*(e) Option 1: issued to the A-Party caller by the Originating C/CSP.*

*Option 2: issued to the A-Party caller by any C/CSP.*

Symbio would like to begin by acknowledging the importance of combatting scam callers, especially when vulnerable members of the community are being increasingly targeted. Symbio also appreciates that these scams are now leveraging off various technologies used in the telecommunications industry (including through manipulating calling line identifications (**CLIs**)). Symbio recognises the importance of upholding the objectives of the Code to protect customers from scam calls and SMS. However, it is essential that initiatives to be implemented are carefully considered to ensure that they effectively target and combat scams.

In this regard, Symbio supports implementing Option 2 in respect of changes to Clause 4.2.1, but also strongly recommends that further and more considered investigation and consultation needs to be undertaken to identify which measures will practically combat scams while also balancing other important competition and consumer protection considerations (as discussed further below).

## 3. Reasons for implementing Option 2 into the Code

As mentioned above, Symbio strongly supports implementing Option 2. The main reason for this is because it supports the development, use and offering of innovative services for consumers.

The public switched telephone network (**PSTN**) has evolved significantly over recent years, as many new and improved innovative offerings have entered the Australian market (such as cloud based communications and over-the-top applications). Symbio firmly believes that the Code should promote innovation, as opposed to hamper it, because innovation benefits consumers by enhancing competition in the market and providing consumers with improved telecommunications services which are more fit for purpose.

As a transit CSP (please see section 5 for further information on Symbio's business), in Symbio's view, Option 2, rather than Option 1, will best foster innovative processes, services and offerings in the telecommunications sector. While it is important that scam calls (such as those conducted through CLI spoofing) are prevented, it is also critical that the legitimate call traffic of end-users of telecommunications services is not disrupted.

Many of these legitimate calls may be disrupted if Option 1 were to be chosen (as they can present similar characteristics to those of scam calls). We do not consider the intention of the Code is to disrupt legitimate calls. In Symbio's view, under Option 1, calls are likely to be blocked where there is insufficient information to determine whether a call is a scam call.

However, Option 2 will support this legitimate call traffic. This includes legitimate call traffic which supports continuity of important business operations and includes:

- call diversion / forwarding across networks;
- network diversity and overflow routing for critical enterprise applications, e.g. government
- outbound calling redundancy (a requirement in a lot of outbound helpdesks)
- cloud based communications systems with complex call flows;
- business continuity during number porting processes where customers want to display their numbers on their new services while services are being ported;
- legitimate outbound marketing activities by groups such as call centres, which also present as many call attempts and low active durations;
- where a person wants to move to work from home quickly and take their work number;
- freecall and local rate number translations; and
- in some cases call arrangements that are integral to certain network/service resilience solutions, that support access by the public to Government (e.g. government information services,(including for responding to the current COVID-19 pandemic for example), and emergency services, including healthcare and hospital services and small and large business operations and Symbio’s wholesale and enterprise customers.

To assist with demonstrating an example of these services, below is a diagram that explains network diversity and overflow routing for critical enterprise applications.

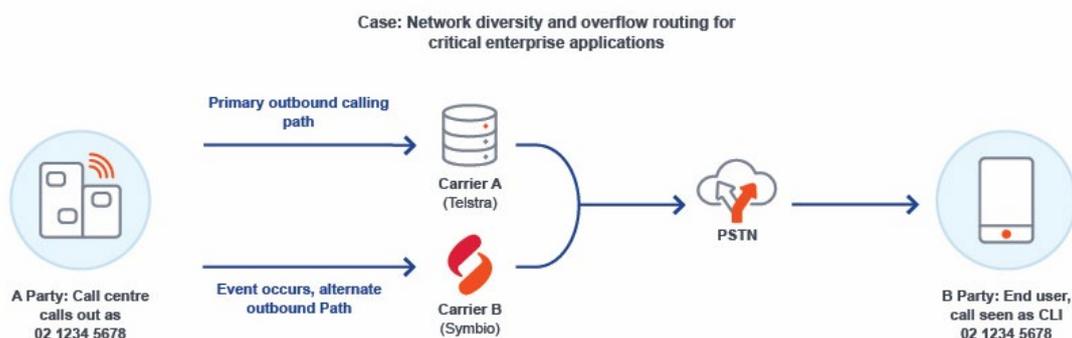


Figure 1. Network diversity and overflow routing for critical enterprise applications, e.g. government help desks (also known as outbound calling redundancy)

In considering the importance of the above legitimate call traffic, and the importance of fostering innovative telecommunications services, Symbio strongly recommends that Option 2 be implemented in respect of Clause 4.2.1.

#### 4. Broader consideration of how to effectively combat scam calls and scam SMS

As mentioned earlier, the telecommunications sector is evolving at a rapid pace. Symbio does not consider that implementing Option 1 without further consideration as to the chilling effect it will have on innovation in the industry as well the effectiveness of this option in combatting scam traffic to be appropriate. Symbio does not consider it is appropriate to be adopting a blunt approach, which is likely to have unintended consequences, to solve a problem which is best dealt with in a different way.

Symbio recommends that the Communications Alliance work with the ACMA to investigate other measures that could be implemented to effectively target combat scam calls and SMS (so that rather than operating on the basis of a presumption of spoofing with manually created exceptions

(which could be the case under Option 1), the solution is instead more nuanced and targeted at identifying actual spoofing conduct.

For example, alternative measures could include:

- pre-emptive white listing, meaning that legitimate call traffic use cases are white listed (i.e. “explicitly allowed” in advance; and/or
- implementing Secure Telephone Identity Revisited (STIR) and Signature-based Handling of Asserted Information Using TOKENs (SHAKEN) standards to validate the call at handoff (as is being mandated by the FCC in the US, Canada and is being evaluated in the UK), meaning that the call would be “signed” as legitimate by Originating C/CSPs and then validated by other C/CSPs before reaching consumers (this will allow the Terminating C/CSP to verify that the call is in fact from the number displayed).

It is important that any measures that are implemented to target scam calls and SMS are proportionate, targeted and measured, and that such measures are balanced against other important considerations (such as the need for innovation in the telecommunications industry to preserve competition, and provide consumers with more choice and improved offerings).

Symbio also considers there is a broader question as to the appropriateness of dealing with the issue of CLIs in the Code.

It is important that CLIs are not governed through multiple levels of regulation.

As noted above, the telecommunications industry has evolved tremendously since the inception of the PSTN, the Numbering Plan and IPND, and it is important that the ACMA continues to investigate the appropriateness of these processes (which do not necessarily reflect the current and future innovative direction of the telecommunications industry). It is important this review and update take priority when considering the need to preserve and encourage the ever-increasing innovation in the telecommunications sector. We also consider that this review of the IPND and Numbering Plan (as opposed to the Code) is a more appropriate place for any additional issues regarding CLIs to be addressed (such as in relation to national security and public interest issues).

## 5. About Symbio

Symbio Holdings Ltd (formerly known as MNF Group Ltd) is the ultimate holding company of a number of other legal entities which operate as CSPs, selling carriage services in Australia and overseas. We have been a committed member of the Australian communications industry for over 20 years. Symbio takes pride in being a trusted backbone for service providers and together we strive to maintain an innovation mindset which combines telecommunications and software capability to serve the needs in this evolving segment both in Australia and similarly at an international level, with a footprint in NZ, Singapore and the UK.

Most of Symbio’s business in Australia is selling services to customers on a wholesale basis where for the purposes of the Code, Symbio is a transit CSP. Our wholesale customers comprise both Australian C/CSPs and International Operators. Symbio continues to maintain and invest in IP voice networks. Innovative services are an important part of Symbio’s business and these promote competition and provide business and consumers access to services they are increasingly requesting.

Symbio supports its customers with implementing innovative and integrated calling features (for example, Microsoft Teams and other video collaboration tools) – some of these key client bases for whom Symbio offers customisable solutions include Unified Communications as a Service (UCaaS), Communications Platform as a Service (CPaaS), contact centres and more traditional messaging applications.

Symbio again thanks the Communications Alliance for this opportunity to provide its comments on the proposed changes to the Code.

If you would like to discuss any other matter raised in this letter (including to discuss our proposals and concerns in further detail), please do not hesitate to contact me via Miki Kando [miki.kando@symbio.global](mailto:miki.kando@symbio.global), or our Symbio representative(s) at Communications Alliance.

Yours sincerely



Rene Sugo  
CEO Symbio Holdings Pty Limited