

Skycom response to the discussion paper - "Developing the next PhonepayPlus Code of Practice."

1. Introduction:

Skycom welcomes the opportunity to substantively respond to this discussion paper and our responses can be found below.

It should be noted that Skycom has limited experience of some of the legal issues no doubt faced by PPP in trying to regulate a complex industry like telecommunications.

It should also be noted that despite several attempts, we have been unable to identify any individuals within PPP who possess the technical knowledge we believe necessary when attempting to discuss this subject.

We have made no attempt to supply technical details or any explanation where we have proposed alternative steps be taken, as we consider it unnecessary at this stage. Our experience of PPP (see section 2) indicates there is insufficient in-house technical expertise to seriously examine the possibilities. We stand ready however to elaborate on any of our suggestions should we be asked.

Where possible, any response should be submitted in writing and sent by e-mail to phonepayplus@skycomuk.com. Copies may also be sent by mail or fax to: Warren Berdo, Head of Strategy, Skycom Ltd., 431 London Road, Camberley, Surrey GU15 3HZ.

2. Background

Ofcom has formal responsibility for regulating premium rate services under the terms of the Communications Act 2003. Under the terms set out in section 121 of the Act Ofcom has recognised PhonepayPlus (PPP) as the organization which delivers the day-to-day regulation of the premium rate phone-paid services (PRS) market.

Skycom are a Terminating Communications Provider (TCP) with a broad allocation of number ranges that fall within PPP's jurisdiction.

Skycom have been providing PRS for only a few years and were found guilty of a breach of the PPP code of practice in early 2008. As a result of that breach and the instruction by PPP to sharpen our due diligence processes, Skycom investigated more fully the PPP Code of Practice and found serious ambiguities that we believe directly contribute to the prevalence of fraud in PRS. As a result of our findings we contacted PPP to make a series of suggestions as to how PRS regulation could be improved.

Skycom raised these concerns both in writing and in person, but as recently as 10th June 2008 we were advised that there were ".....no plans at present to explore the type of development you have suggested"

We are glad to see that this stance has changed in the last 12 months, and a database of service/information providers is now being considered.

However, we are concerned that PPP may still be failing to see the inherent possibilities of tried and tested technologies and hope that this consultation may result in PPP acquiring a firmer grasp of the issues and the possible solutions.

The first step should surely have been for PPP to consult a party with established database and data-capture design experience – we see no evidence that this has been done prior to the discussion paper being published and we consider this an oversight.

Consulting with industry while conceding that “a database” might be needed but then clearly having no clue as to what the capabilities of such an item might be is perhaps a lapse in judgement that has impacted the value of the discussion paper.

3. Overall Approach:

You have said:

“At this stage we are interested to secure stakeholder feedback on our overall proposed approach as well as feedback as to likely cost/benefit impacts so that we can build this into our detailed design and drafting of our Code and related assessment of consumer and business impacts.”

At various points in the discussion paper, PPP statements suggest there are significant divisions on whether PPP should maintain largely an enforcement role or be repositioned as an actual industry regulator (see section 4).

As a result of these divisions, we believe your overall proposed approach is a series of half-measures.

We agree that prevention is better than cure, but this discussion paper fails in several areas to consider the heart of the problem.

The PPP systems are no longer fit-for-purpose and perhaps no internal technical expertise exists that PPP can draw upon? As a result this discussion paper focuses on measures that can be implemented to solve problems that should have been rendered redundant many years ago, by the implementation of technologies only now being considered.

Introducing various technologies (see sections 5 & 6) into the heart of the problem will sweep away many of the problems identified, with no need for inadequate interim measures.

Examples:

A provider database solves many PRS due diligence problems, as long as it is designed correctly

Better registration form design could allow comprehensive and secure data capture

Field validation could impact invalid registrations

Geo IP could flag likely invalid registrations

CAPTCHAS could prevent bot signups

Formal exemption would impact multiple problems

API/XML could automate the SPN issue process AND improve the breach reaction time of TCP

And so on.

We would anticipate these measures having a serious impact on PPP revenue, as fraud would dwindle to almost nothing within a year and therefore PPP funding would have to come from central government rather than the current situation where PPP enforcement activity is funded by PPP enforcement activity?

The benefit would be that consumer harm would almost cease to exist within PRS.

The cost would likely be a sum in high 5 figures – we would welcome the opportunity to consult on the problem and possibly provide a detailed quote.

4. Regulation vs. Enforcement

Your current stance as merely an enforcement agent is neatly encapsulated in the Chairman's foreword:

"Businesses must be allowed the freedom to deliver consumer protection in ways that make the most sense to them and their customers. At the same time though, this must be balanced with the right amount of detailed rules to deliver clarity and ensure compliance."

As we have previously made clear both in writing and in person, we believe the resultant ambiguity in COP11 has produced a needlessly complex environment and has exacerbated fraud – there are currently very few detailed rules that deliver clarity and ensure compliance.

Consider for a moment this clause (2.3.1 (b) in COP11:

- b** obtain satisfactory evidence that their service providers have sufficient financial and other resources necessary to discharge their obligations under this Code in the light of their intended premium rate activities,

"..satisfactory.."?

"..other resources.."?

These terms are so ambiguous and open to interpretation as to serve almost no regulatory purpose at all.

We would suggest instead that COP12 needs to reposition PPP as a true regulatory body, as inferred by your statement in section 1.16:

"Critically we believe it is right that we should further embed pre-emption and prevention – in essence, regulatory activity that specifically forestalls or discourages consumer harm – into the suite of regulation at our disposal."

We would suggest these requirements are best presented within the Code itself.

5. Service Provider Registration

There is almost no validation on your service provider registration form, even 10 years after validation became commonplace. A service provider can register with PPP using fake details in almost every field.

Stage 1 – He fills in your online form

Stage 2 – He gets the following poorly-written and spelt confirmation message on-screen

"Thank you

Thank you, you will now receive a confirmation email shortly if you have newly registered."

We suggest you replace this with:

"Thank you for registering

You will soon receive a confirmation email (if you have newly registered) and you should retain this, as your chosen supplier will need to ask you for a copy"

Stage 3 - he gets the confirmation email automatically, regardless of the values entered (see SPN270A0CDA59).

Like other PPP processes this is not really fit for purpose, and relies on a layer of unwieldy safety nets behind it to prevent serious harm to consumers.

The form should be radically redesigned and fully validated, with a CAPTCHA.

The successful completion of the form would then merely create a temporary account in a database (see section 6) and advise PPP staff of a registration requiring approval.

A member of PPP staff should examine the form to ensure it is acceptable and then approve the registration.

Only at that point would the SPN/confirmation email be issued.

The account is now live and able to be queried by TCP.

6. Provider Database

PPP appear to be proposing that a database be used merely to retain details of information/service providers and their current status (3.24) – a reputational database that allows businesses to see whether a potential client has a breach history.

We would suggest a database is capable of far more than that.

We would suggest a database of registered providers needs to be able to be queried by TCP in order for the due diligence process to acquire some much-needed integrity.

We would propose that every potential provider be asked to register with PPP (see section 7)

We would further propose that a database that can be queried by TCP via an API or XML gateway be used.

We would expect this to result in the discontinuation of the current process of service providers forwarding the confirmation email to the TCP, a process so open to abuse it should be playing no part in any regulatory environment.

7. Exemption

We believe that a provider should be asked to register with PPP **even if they don't need prior permission.**

This would enable the process of registration to be fully automated, and would enable the more sophisticated TCP to only allow providers to order number ranges that fall within the parameters for which they have been approved.

EXAMPLE – A service provider registers and it is decided by PPP that he needs prior permission as he has indicated he intends to run a service for sexual entertainment purposes.

The TCP securely queries the PPP database (see section 8) *at the point of delivery* and discovers the following:

- a) The service provider has registered with PPP
- b) PPP have granted him prior permission to operate a service
- c) The service is a sexual entertainment service

At this point the TCP website allows the service provider to order a number, but **only from amongst the ranges that allow sexual entertainment service to operate on them.**

A sophisticated service provider could in turn extend these same services to their information providers.

At this point the service provider endures the normal due diligence process of the network operator.

Obviously if at some point subsequent to registration a complaint is made to PPP, updating the database and pushing the data via the API/XML enables the TCP to automate their response – a PRS number could be disabled within seconds.

8. Security & Consumer Complaints:

We would encourage PPP to consult with security specialists in order to establish an encrypted method for TCP to contact PPP and query the database.

We would also suggest that PPP accept the role as a single point of contact (SPOC) for consumers (see section 9).

9. SPOC:

Your chairman has commented:

"Consumers should be able to register a complaint and seek redress as quickly and easily as possible. Unfortunately, 60% of consumers of phone-paid services do not know who to turn to and only 17% think the problem will be resolved. This is unacceptable, and the new Code will lay out new rules to ensure adequate customer care and facilitate refunds."

The solution is clear. PPP should be the single point of contact (SPOC). You will have a database of service providers and information providers, and their statuses. You will have ready and immediate access to all the information, and a regulatory duty to use it.

You have also said:

"The third factor that we have considered is the variety of sometimes different, or poor, complaints handling procedures that consumers currently encounter, depending on the provider who they attempt to contact. Ofcom's Scope Review highlights market research that suggests 60% of respondents would not know where to go if they had a problem with a phone-paid service. Expectations of the problem being resolved are also low with only 17% confident the problem would be resolved, against 59% who lack confidence."

Yes exactly. The RIPA process (for example) uses a SPOC and we suggest PPP should perform this function within the PRS industry.

10. Due Diligence:

You have said:

"In the case of due diligence, we would expect TCPs, SPs, and IPs to collect a degree of information about their clients upon initially sub-contracting to them (or with respect to existing clients). This is largely to ensure that these clients can be reached in the event of any investigation by PhonepayPlus which needs to involve them. In respect of this, PhonepayPlus could propose the following requirements:

- a) retain contact details for a client's place of business
- b) retain a copy of each client's entry in the Companies' House register if appropriate
- c) retain the names and addresses of all owners and directors named on the register if appropriate
- d) obtain undertakings from the client that no other party is operating in the capacity of a shadow director under the Companies' Act if appropriate
- e) retain the names and details of any parent or ultimate holding company which the client is a part of, if appropriate
- f) verify that the client has a bank account within the EU – a suggested Code requirement
- g) make clients aware of PhonepayPlus and the Code of Practice"

There are very significant changes possible here with a database in the loop but without consulting a database designer, their exact nature is unclear.

To illustrate, if all providers had to register then no provider could ever claim they were unaware of the PPP Code of Practice, as the registration form could contain a tick box stating "*I have read and understand my responsibilities as contained within the current Code of Practice*"

Best practice would indicate every registered service provider be emailed a copy of each new iteration with a request they click on a link to confirm they have read and understood any new responsibilities.

So requirement g) above becomes redundant.

11. Consumer Protection Tests

Ofcom periodically email us with the following text:

"The Consumer Protection Test for telephone number allocation focuses on communications providers who have used numbers to cause serious or repeated harm to consumers. Ofcom will not allocate 070 personal numbers, 0871/2/3 special service higher rate numbers and 09 premium rate numbers to anyone who appears on either of two lists. We strongly encourage all providers that assign telephone numbers to others to take best use of numbers and consumer protection into account and to refer to the following two lists that we are publishing when making assignment decisions.

The latest 'Under Assessment' and 'Number Refusal' lists have today been updated.

For further details please click here: <http://www.ofcom.org.uk/telecoms/ioi/numbers/cpt/>

PPP periodically email us in similar fashion (most recently 10th July 2009)

We would suggest that the duplication of effort and the highly manual nature of this process is another example of the regulatory bodies being rather slow to adopt proven new technologies.

Having entries like "Mr David Lewis" (for example) is also clearly not that helpful. Cross-checking without automation is a time-consuming activity.

As mentioned elsewhere, it is not useful to rely upon manual lists for network operators to check on parties not allowed to run a PRS. For an example of how poorly this process works, please see the example below:

<http://www.phonepayplus.org.uk/upload/barred-SPs.pdf>

Barred SPs for non-payment of fines

Last updated 14 July 2009

Below is a list of service providers and individuals who are currently barred due to non-payment of fines as a result of paragraph 8.9.3(a) of the PhonepayPlus Code of Practice (11th Edition Amended April 2008)

Year 2009

7 Tel Ltd
Ambavox AG
Enbel Ltd
H Navaneeth
Jaswinder Singh
K Felix J. Paul
Mr Jay Singh t/a JST Promotions
PCB Telecom Ltd
Speedreview Ltd
Starwire Ltd
Symtek Communications Ltd
T Jaya Kandan

Jaswinder Singh appears on the PPP list as being barred, but is only listed as "under assessment" according to the Ofcom counterpart.

http://www.ofcom.org.uk/telecoms/ioi/numbers/cpt/under_assessment_list.pdf

"Please note that we are currently updating the Consumer Protection Test pages on our website. At present, those who wish to apply the Consumer Protection Test will be able to email Ofcom's Numbering Team to request an individual's personal address and date of birth for the purposes of carrying out due diligence checks when allocating numbers. In due course, the website will be updated so that this process becomes automated."

Consumer Protection Test under assessment list as at 14th July 2009				
Date of entry	Company or individual	Name	Address (Companies only)	Further information
13/05/2009	Individual	Thomas McCann		If you require further information on this individual for the purposes of due diligence checks which you carry out when sub-allocating numbers please contact the Numbering Team at: numbering.updates@ofcom.org.uk
13/05/2009	Individual	Jonathan Steele		If you require further information on this individual for the purposes of due diligence checks which you carry out when sub-allocating numbers please contact the Numbering Team at: numbering.updates@ofcom.org.uk
20/05/2009	Individual	Jaswinder Singh		If you require further information on this individual for the purposes of due diligence checks which you carry out when sub-allocating numbers please contact the Numbering Team at: numbering.updates@ofcom.org.uk

Is this a material discrepancy or simply an administrative delay between PPP and Ofcom?

The fact that both lists were updated on the same date suggests the former.

So which list should we be using?

What is Jaswinder Singh's actual status as of 14th July 2009?

Interestingly, we were emailed by PPP on the 10th July and the pdf linked to in that correspondence states it was last updated 14th July. Only if each subsequent list is published to the same location does this make sense.

The fact we were not contacted by Ofcom until 28th July implies PPP are the data supplier?

12. Objectives:

You have said:

"Taking into account these overarching outcomes from the Scope Review, and our own research amongst stakeholders and other regulators, PhonepayPlus has identified the following objectives which the proposed new Code should deliver:

- *Continued focus on consumer protection, leading to increased consumer confidence*
- *A regulatory framework that is clearly expressed and understood*
- *Based on outcomes, which focus those involved in the provision of phone-paid services on specific consumer protection deliverables (such as "Transparency").*
- *These outcomes should be supported by clear, simple rules, or guidance, where appropriate.*
- *Rules that enable a focus on systemic negligence by companies as well as on the individual phone-paid services they provide*
- *A consistent approach to enforcement*
- *The flexibility to utilise different types of investigation or informal procedures, dependent on the nature and severity of consumer harm*
- *Retention of the effective elements of the existing Code.*
- *To update existing terminology in the Code, and as far as possible to be future proof in the short to medium term as to the impact of new technology"*

We believe that the unacceptable ambiguity present within COP11 is a direct result of PPP's reluctance to actually regulate. Once PPP accept that they must actually proscribe the rules that govern PRS, the ambiguity can be stripped out and all parties will know their responsibilities – we sincerely hope COP12 can be the vehicle within which these measures are achieved.

13. Questions:

Q1. Do you agree with our broad assessment of the range of harms that may impact upon consumers? If not, why not?

Yes we agree

Q2. Do you agree with our assessment, and the fitness for purpose of our suggested Outcomes and supporting themes? If not, why not?

Yes we agree

Q3. Can you identify any Outcomes for consumer trust and confidence that you consider we may have overlooked?

No

Q4. Do you agree with our Outcome and supporting themes about complaints-handling? Do you have any other suggestions?

Yes we agree.

Q5. Do you agree that PhonepayPlus is right to suggest that it should be able to revoke permission or authorization where it is proven that Conditions have been breached and where such an action would be justified and proportionate? If not, why not?

Yes we agree, but have suggestions.

We believe that implementation of any reputational database as mentioned in section 3.24 will enable exemption from prior permission to be formalised. This in turn enables registration to be mandatory, even for those who subsequently are shown to not need prior permission. The database will be able to show (linked to the SPN) that this service provider is exempt, and therefore can order certain types of PRS numbers. Even the types of numbers that could be ordered could be proscribed by the database.

Combined, this legislation and the technology work together and start to enable a level of security and due diligence approaching that of the ecommerce industry – a welcome development.

From that point PRS fraud is so difficult it becomes barely worth the trouble, yet legitimate businesses would have no extra burden really. All the work would be done by PPP and network operators.

Q6. Do you agree that PhonepayPlus is right to consider allowing parties along the value-chain to apply for prior permission when in a contractual relationship to provide a service?

Yes we agree.

Q7. Do you agree that PhonepayPlus is right to suggest that an applicant's previous breach record is a factor that it is entitled to consider as part of a consideration of an application for permission or consent? If not, why not?

Partly.

If you continue the practice of extending liability along the value chain you run the risk of a service provider being considered in breach for the behaviour of one of his information providers which then may negatively impact the ability of a separate information provider to use the service provider's services – see question 15.

Q8. Do you agree with our assessment that ALL participants in the value chain for delivery of phone-paid services have responsibilities for compliance? If not, why not?

Yes we agree, with the proviso that PPP must take a firmer grasp of their regulatory responsibilities to ensure even the smallest members in the value chain have the best chance of ensuring fraud is minimised.

So the first step is for PPP to make them all register.

Q9. Such a change in approach may have differential impacts on different providers in the value-chain. What are these impacts likely to consist of and what business or consumer benefits do you think will arise?

Done correctly, fraudulent or disinterested participants would be forced out of the industry in short order. Fraud would dwindle to almost zero.

Some providers will not be able to quickly cope with the required changes – they must be given time to become compliant with the new regime.

Those running borderline enterprises are unlikely to bother complying – they will need to be subject to swift action.

Q10. Do you agree with our analysis of the outcomes of Assessment and Control? If not, why not?

Yes, although the outcomes mentioned here are made redundant by some of our proposed changes:

- a) Knowledge of breach history would be built into the database and form validation would make it impossible for repeat offenders to even successfully register.
- b) A call into the database establishes whether a provider is authorised and at what level.
- c) Continuous updating of knowledge happens automatically

As an aside, we have seen little evidence that PPP makes any effort to track down the actual offender when they know they can simply extend the fine to the TCP or service provider. We would like to see the efforts that PPP undertake enshrined in COP12 and that in the absence of such efforts no fines could be extended up the value chain.

Q11. What thoughts do you have on our suggested approach to a registration scheme?

The service provider registration form should be fully validated, with a CAPTCHA.

The database should be able to be queried on the fly by approved TCP.

Breach histories should be included.

Registration should be mandatory, regardless of the need for prior permission/authorisation

Geo-IP should be implemented to flag potential invalid registrations

Q12. What other suggestions do you have for how we could create greater incentives for providers to co-operate with PhonepayPlus in the event of investigations?

Again, this question presupposes a flawed system will prevail.

Incentivising those you are supposed to be regulating in order to gain their co-operation is a statement that implicitly accepts PPP as a weak regulator wishing to focus instead on enforcement.

If PPP actually regulated, co-operation would be irrelevant and incentivisation unnecessary.

Make it impossible for providers to exist in the value-chain without co-operation in advance.

A signup form with a simple dropdown with the following options....

"service provider"

"information provider"

....would enable the rest of the form to be tailored to their selection.

You can tie in credit checks, companies house queries, Geo IP, validation – a whole raft of options that make invalid registrations a pointless waste of time for the participant.

Any participant who actually qualifies for an SPN is now incentivised to co-operate by the knowledge that PPP know so much about him that failure to co-operate will result in serious problems.

Q13. Do you agree with our proposed approach to reforming and renaming the Informal procedure? If not, why not?

No – perhaps consider scrapping the Informal Procedure?

The reason you wish to retain an informal procedure is because it is likely to "*address any underlying issues more quickly than with a formal procedure*" but that is only true when your existing formal procedures are so cumbersome.

Once streamlined, the formal procedures will suffice for all and informal procedures (which expose service providers to unacceptable levels of liability) can be discontinued.

Q14. Do you agree with our proposal that our arrangements for Standard and Emergency procedures should be retained? If not, why not?

Yes

Q15. Do you agree with our approach and what regulatory impacts, costs and benefits do you foresee?

Yes.

PPP should pursue enforcement action against those that fail to become compliant and remain so.

You have said:

"We are keen to develop our current processes so that they allow a graduated response to complaints, dependent on the likely degree of consumer harm. Our investigations process should also allow us the flexibility to investigate different companies involved in a service in different ways."

Yes agreed – good idea.

We would suggest the following

TCP Advisory – We've had a complaint (instant)
TCP Warning – It looks genuine (at first glance)
TCP Instruction – Switch the number off (after investigation)
TCP Emergency – Switch ALL his numbers off (after investigation)
Broadcast – Everyone switch all his numbers off

Q16. What would be the costs and business impacts associated with such proposals? What consumer benefits do you think would accrue?

4.26 recommends a fine on top of full reimbursement, but our view is that fraudsters rarely pay. Perhaps PPP can provide statistics to support or undermine this assertion?

Getting a deposit at the outset simplifies matters somewhat.

You have said:

"Where a service provider can be proven to have failed in respect of due diligence or risk assessment and control, it may be appropriate to require such a refund from them if an information provider defaults or is otherwise unreachable. We would welcome stakeholder comments."

Yes agreed – ask the TCP to hand over the deposit they took from the service/information provider at the outset.

You have said that you...

"...would be interested to hear whether an extension to the current 30-day rule, either in terms of time or along the value chain, would be of any assistance."

We currently insert a delay of 45 days anyway, and have found that to be quite useful. We would suggest that you would need to survey TCP to find out how many of them use 30 days as the rebate interim and then find out if there is a clear statistical indication that TCP that extend beyond 30 days tend to have less consumer complaints made against their service/information providers.

We would suggest PPP investigate what first alerts consumers – if it is noticing call charges on their statement or seeing an unexpectedly large direct debit from their OCP, PPP needs to examine whether the billing mechanisms of the OCPs are such that 45 days or 60 days is a more appropriate period to use?

Q17. What thoughts do you have about improving PhonepayPlus' effectiveness of fine collection and do you have any specific proposals for how we could better secure fine collection through changes to the Code?

Require formal credit checks be made and deposits gathered by TCP?

In an ideal world, PPP would collect banking details through the service provider registration process.

Q18. Do you agree with PhonepayPlus' proposals for new terms in respect of the current terms "Service Provider" and "Information Provider"? If not, can you suggest alternative terms?

No.

It is perhaps preferable to draw clearer distinctions between the parties - how about simply:

"Information Provider" becomes "PRS Client"
"Service Provider" becomes "PRS Agent"

Or you could follow the BT example and draw a line between Wholesale and Retail?

"Information Provider" becomes "PRS Retail"
"Service Provider" becomes "PRS Wholesale"

14. Conclusion

Implementing these technologies into your systems 10 years ago would have been innovative.

Implementing these technologies into your systems 5 years ago would have been advisable.

Implementing these technologies into your systems 2 years ago (when we last discussed it with you) should have been considered imperatives.

To still not be using any of these technologies is (put mildly) rather an oversight.

Fraud is much more prevalent than it could be, and the regulator is closing its eyes and ears to prevention in favour of tweaking the cure.

A review of PPP processes is long overdue.

The primary consideration here is perhaps looking to develop solutions that impact very heavily upon those industry participants that causes consumer harm, while not burdening legitimate businesses unduly.

We have identified multiple measures that we believe could supply this, and they are summarized in section 15.

We are disappointed that PPP have failed to consult with a database specialist prior to producing this document – an awareness of database capabilities was crucial and that omission has resulted in a discussion paper that achieves less than it could have.

A reputational database (section 3.24 of your COP12 discussion paper) is the foundation, that's all. Access to the database, and the ability to query it, will be the acid test for its usefulness.

If it just sits there, dumbly accreting data that cannot be flexibly queried, then it becomes just one more government IT project fit for the bin.

We would ask again whether PPP have any in-house technical people we could talk to.

Of course, it's possible we unfairly malign PPP here and that these improvements have been considered by PPP technical staff and discarded for reasons that are not apparent to the rest of us?

If this is the case, could you clarify what they are?

15. A Summary of Requirements

1. A signup process that incorporates significant levels of validation
2. A database of service/information providers that can be queried by approved network operators (not just reputational)
3. A live push of relevant data to approved network operators (minimise the window of opportunity for fraudsters)
4. A formal exemption process (the whole value chain listed in the database)
5. PPP to serve as a SPOC for consumers

We are keen to take this opportunity and are conscious another may not arrive for many years.

We do not wish to enable fraudsters and presumably neither does PPP?

You have said:

"In terms of risk assessment and control, PhonepayPlus believes that prevention and mitigation of consumer harm are of greater benefit, both to consumers and the industry, than punishment of harm after the event."

Regulation, not just enforcement.

Let's work together to identify and implement the measures that can be used to secure the industry and protect consumers, while enabling legitimate businesses to prosper without undue hindrance or ambiguity