

Privacy Committee reports on calling number display

2 February 1996

AUSTEL, the telecommunications industry regulator, today released a report it has received from its Privacy Advisory Committee on the introduction of Calling Number Display (CND) services. The report proposes that when CND is introduced it be offered on an opt out basis subject to stringent privacy protection requirements.

CND services will allow details of a caller's number to be shown on the equipment of a person receiving a call who is a subscriber to the CND service. The report proposes that no number will be shown where the caller has a silent number; where the caller has advised that the number is not to be sent; or where the caller dials a code which prevents the number being sent for that particular call. Thus all consumers will be able to maintain their current level of telecommunications privacy at no charge.

No timetable for the introduction of CND for general public use in Australia has been determined at this stage but CND has been trialed or in operation in some European and North American countries for up to six years.

The report, *Calling Number Display*, is the third produced by AUSTEL's Privacy Advisory Committee, which has members from the telecommunications industry, consumer groups and the Privacy Commissioner.

The Committee considered the level of control callers should have over the automatic provision of their number to receivers, how consumers could exercise informed choice, and limitations on the possible uses to which CND information could be put by receivers, particularly business and organisations capable of capturing CND information.

The report recommends a privacy protection regime of industry self-regulatory guidelines, requiring the industry to ensure high levels of public awareness of CND privacy implications, options regarding transmission of callers' numbers and ethical use of CND by business.

AUSTEL Member Sue Harlow, said "The Privacy Advisory Committee consulted widely on the issue of CND services and noted the strong support from consumers overseas for CND services and the enthusiasm expressed by participants in a trial of CND in Wauchope, New South Wales, during 1994".

"The guidelines recommended by the Committee provide for CND services to be offered on a basis which delivers a balance between the effective operation of a useful service and the reasonable privacy expectations of consumers. The report establishes privacy protections for CND services in Australia equal to the highest levels of international privacy protection", Ms Harlow said.

Copies of the report are available from Mark Leckenby on (03) 9828 7410 and will be available on the Internet at <http://www.austel.gov.au/> on 7 February 1996.

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Background

Privacy Advisory Committee

AUSTEL's Privacy Advisory Committee (PAC) was established in September 1994 at the request of the Minister for Communications and the Arts, the Hon. Michael Lee. The Committee is chaired by AUSTEL and comprises representatives from private and public sectors, industry and consumer groups, including the Department of Communications and the Arts, Attorney-General's Department, Communications Law Centre (consumer representative nominated by the Minister for Consumer Affairs), Telstra, Optus, Vodafone,

Australian Telecommunications Users Group, Telecommunications Industry Ombudsman, the Privacy Commissioner, Australian Direct Marketing Association and the Small Enterprise Telecommunications Centre Limited.

The PAC reports to AUSTEL in an advisory capacity on a broad range of telecommunications privacy issues. Calling Number Display was one of the three priority issues identified by the Minister for Communications and the Arts for examination by AUSTEL's PAC. The PAC has previously reported on Customer Personal information: Silent Line Customers and Telemarketing.

Calling Number Display

Australian studies

The PAC's report, *Calling Number Display*, concludes a process of consumer consultation on the privacy implications of CND services which commenced with consumer submissions to AUSTEL's Privacy Inquiry in 1991. The resulting *Telecommunications Privacy* report recommended a trial of CND by

Press Release

Australian consumers. A trial was subsequently conducted by Telstra in the northern New South Wales town of Wauchope during 1994. CND was well received by participants in that trial.

The results of the trial were examined in detail by the PAC, along with surveys of consumers overseas. Further consumer input has been provided to the PAC by the consumer representative nominated by the Federal Minister for Consumer Affairs.

Overseas experience

CND services have been available for up to six years in Canada and the United States of America and for around 12 months in the United Kingdom. Strong support for CND by consumers overseas lead a recent independent study conducted by the Canadian Public Interest Advocacy Centre to conclude that CND with strong privacy protections should be available to consumers universally or on demand.

Summary of recommendations

The PAC has developed three sets of voluntary self-regulatory guidelines for the protection of customer privacy in an opt out Calling Number Display

(CND) environment, which address privacy protection in the internationally accepted key areas of:

- informed choice and public awareness;
- the withholding of CND (blocking);
- silent line customers; and
- privacy protection for information generated by CND services.

Recommendations

In conjunction with the provision of internationally recognised consumer privacy protections, and excepting existing silent line customers, CND may be offered in Australia on the basis of opt out.

The ability to block transmission of a customer's calling line identification (CLI) must be provided universally and free of charge on both a line and per call basis. Telephone services which are unable to provide line and per call blocking must not send customer line information to CND services.

The provision of CND services on an opt out basis places an onus on carriers and service providers to

inform consumers, and to achieve high levels of public awareness, both of the operation and the privacy implications of CND prior to the offering of CND services.

CND Public Education Campaigns are a precondition of the provision of CND services by carriers and service providers. A public education campaign must be undertaken and reported, and minimum consumer awareness levels achieved both for general and key consumer groups before telephone services are able to send CLI.

At the introduction of CND services, existing silent line customers will be given default line blocking with per call sending free of charge.

Prior to the introduction of generic privacy protection legislation, organisations which receive CND services should implement appropriate procedures for the ethical use of CLI information, and should have available to them appropriate privacy protection guidelines based on internationally recognised standards. These guidelines should also be readily available to consumers.