



JT's Non-Confidential Response to  
JCRA Calling Line Identity Review – Draft  
Guidance Consultation

13<sup>th</sup> February 2023

## 1. Introduction

JT (Jersey) Limited (“JT”) welcomes the opportunity to respond to the JCRA’s Draft Guidance Consultation on Calling Line Identify (“CLI”) (the “**Consultation**”). We have several comments on the Consultation which we address below in answer to the questions posed. This is a non-confidential response and can be published in full.

## 2. JT’s Response to Consultation Questions

**Question 1: Do you have any comments about our decision to issue Guidance on the Provision of CLI Facilities?**

JT agrees with the JCRA’s intention to issue Guidance on the Provision of CLI Facilities within Jersey. However, whilst the remit of the JCRA pertains to the Island of Jersey, the inclusion of Jersey within the wider UK National Telephone Numbering Plan, and with networks operating across both Jersey and Guernsey, JT would highlight the importance for any guidance to be in harmony with existing or future regulation relating to CLI in these other jurisdictions.

**Question 2: Do you have any comments on the proposed approach to and scope of the Guidance?**

Historically, the Jersey Telecommunications Licences omitted obligations pertaining to the provision of or management of CLI. In the absence of this, different licenced operators (“LOs”) established pseudo standardised practices, largely based on alignment to legacy (pre 2018) Ofcom guidance, and to align to the expectations of the National and International carriers with whom they interconnect.

As noted in (Section 3.2) of the Consultation:- *“there is considerable national and international technical development and regulatory effort being devoted to counter fraudsters and ensure users have trust in telecoms networks”*. Despite guidance issued by Ofcom in October 2018 (“2018 Guidance”), these measures were not seen as sufficient, and revised guidance was issued in November 2022<sup>1</sup> (“2022

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<sup>1</sup> [Statement: Improving the accuracy of Calling Line Identification \(CLI\) data \(ofcom.org.uk\)](https://www.ofcom.gov.uk/consult/condocs/cli/cli22/condocscli22.pdf)

Guidance”). This proposes a number of significant variations to the earlier measures, most notably:

- making use of information that identifies numbers which should not be used as CLI, such as Ofcom’s numbering allocation information and the DNO list;
- identifying calls originating abroad that do not have valid CLI and blocking them;
- identifying and blocking calls from abroad spoofing UK CLI.

As noted in (Section 3.3 and 3.4) of the Consultation, Jersey operators support the alignment between the UK regulations and the Jersey regulations due to Jersey numbers being part of the UK National Telephone Numbering Plan. Furthermore, as identified (Section 3.3), alignment between regulation would reduce the opportunity for Jersey CLI, or connections to the UK, being exploited by fraudsters.

Whilst JT appreciates the JCRA’s response to earlier consultation feedback, and the efforts required to draft new Jersey CLI guidance (“Draft Guidance”), JT perceive notable challenges with the timing of the approach and scope of the Draft Guidance as it has now largely been superseded by broader UK changes (outside of the JCRA’s control).

## Sources of Fraudulent Calls

In the absence of historic licence conditions or guidance, implementation of CLI practices has been open to interpretation, and at times has led to disputes between local operators, or questions from national carriers. JT welcomes the introduction of the Draft Guidance and believes that this will improve the interpretation of how CLI should be validated and passed between the LOs.

The Draft Guidance (based on the 2018 Guidance) largely addresses fraudulent calls originating in the national network. Whilst this may have made an improvement in the UK, in the microcosm of Jersey, it is highly unlikely that fraudulent calls would be originating into the LOs networks without it being quickly identified and remediated.

The updated 2022 Guidance acknowledges that *‘calls that enter the UK from abroad with a UK CLI as a Network Number are likely to be spoofed’*. Furthermore, it acknowledges that the approach to international calls with untrusted CLI’s opens up a potential vulnerability. JT believes that in the

microcosm of Jersey, it is highly likely that any fraudulent use of CLI is likely to be entering the LO networks from upstream carriers, especially from upstream international carriers. JT believes that in order to achieve the intended outcome of reducing spoofed fraudulent CLI impacting customers in the Channel Islands, focus should be given (as per the 2022 Guidance) to calls entering the LO networks with invalid CLI, or UK CLI from international sources, and applying appropriate blocking of these calls. Furthermore, given the nature of numbering in Jersey, JT would propose that calls entering the LO networks with Jersey (01534) CLI should only originate from local operators, and could also therefore be blocked from entering LO networks from national carriers.

### Crown Dependency Peculiarities

Contrary to the 2018 Guidance, which was largely focused on providing equal access to CLI for all users, the 2022 Guidance seeks to impose blocking of calls coming into the UK which have a UK CLI or an invalid CLI. As such, the 2022 Guidance specifically includes obligations on UK providers to handle Crown Dependency Calls differently to other calls, as *“Although not part of the UK and subject to their own regulation, there is an arrangement for the Crown Dependencies of Jersey, Guernsey and the Isle of Man to use numbers from the UK’s +44 UK Country Code”*.

However, UK operators (through the industry technical body, NICC<sup>2</sup>) do not believe the measures proposed by Ofcom to “identify legitimate calls from Crown Dependency number ranges and ensure that these are not blocked” are practical or technically feasible. As such, the NICC have written to Ofcom to seek further guidance on this matter<sup>3</sup>. JT are actively engaged with the NICC and have attended discussions with Ofcom in relation to these challenges from the UK operators.

### Further OFCOM Clarification

UK operators (through NICC) are also raising other clarification items to Ofcom (notably around definitions of UK networks and national vs international interconnects) and are potentially seeking an extension to the May 2023 enforcement deadline.

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<sup>2</sup> [NICC \(niccstandards.org.uk\)](https://www.niccstandards.org.uk)

<sup>3</sup> JT are a member of NICC and have been engaging in these ongoing industry discussions through the Nuisance Call and CLI Task Group.

## Regulatory Alignment

JT agrees with the JCRA's proposal (section 3.5) to align the Draft Guidance with those issued by Ofcom in the UK. However, given the recent and significant changes related to the 2022 Guidance, JT believes that neither; the JCRA's ambition to align with the UK, nor the JCRA's ambition "*that Islanders should enjoy the same level of trust by ensuring a similar approach to best practice CLI-related regulation*" would be achieved through aligning to the 2018 Guidance. JT are also concerned that adopting a (perceived) softer CLI guidance in Jersey could create a 'back-door' into the UK networks.

Furthermore, whilst JT applaud the ambitions of the JCRA to provide guidance, the absence of a Channel Island approach or any plans from the GCRA<sup>4</sup> could result in poor Pan-CI alignment. Of note, with most LOs operating networks which span Jersey and Guernsey, there is a perceived risk that calls originating / transiting / terminating through Guernsey could adopt a different regulatory approach which may not align with the JCRA intent, or Jersey licence obligations. It is unlikely that operators would be able to apply different screening requirements on international gateways dependant on whether the end-user resides in Jersey or Guernsey.

## Technical Requirements

As outlined in section 3.6, "*The Ofcom CLI guidance includes reference to relevant technical standards*". However, given the significant changes proposed in the updated 2022 Guidance, it is JT's expectation that the previous technical specifications will be updated or superseded. Furthermore, work is already commencing in the UK on the 'Central Numbering Database' which is also likely to play a part in the CLI screening.

Whilst JT understands that in a fast moving technology environment, specifications and guidance are likely to be updated on a regular basis, given the significant changes in the 2022 Guidance, the potential challenges raised by NICC and the UK Operators on the implementation of the 2022 Guidance, and the

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<sup>4</sup> JT is aware that the GCRA did respond to the Ofcom consultation and have been in communication with Ofcom with regards CLI).

potential misalignment between the JCRA and GCRA, JT would propose that (despite it's interest in the benefits it should bring), the JCRA pauses the introduction of the Draft Guidance to pursue parity (where possible) with the UK and Guernsey, and potential learnings from the UK implementation of the 2022 Guidance.

### **Question 3: Do you have any comments on the proposed Guidance?**

#### **Definitions And Interpretation**

JT questions the definition of 'Emergency Organisations', notably the inclusion of "*(b) any other organisation, as directed from time to time by JCRA as providing a vital service relating to the safety of life in emergencies;*" This exceeds the definition outlined in Licence Condition 14. Furthermore, whilst JT understands the intent outlined in the additional clause, JT question the practicalities of enacting such a direction (especially if temporary) whilst maintaining compliance with clauses 14.1 and 14.3.

#### **General Observations**

Despite previous discussions with both Ofcom and the JCRA about the Ofcom Do Not Originate (DNO) list, the Draft Guidance does not make any reference to this.

In a number of areas, the Draft Guidance has been tailored to a 'Jersey' context rather than UK. However, given the close relationship between Jersey and the UK, and the significant call volumes between Jersey and the UK, JT believe it would be more appropriate to retain the UK context and elaborate (where appropriate) if further measures should be taken applied in a Jersey context. Of note, where 'UK' has been changed to 'Jersey' within the draft guidance, it would therefore be interpreted that UK should be treated as 'International', which have fewer robust controls in place. JT do not believe this is the intent of the drafting.

Given significant quantity of calls originating off-island, JT feel the Draft Guidance is loose on how LOs should be expected to police the incoming CLI, either from national, or international interconnects? The current drafting places increased obligation for on-island rather than the attack vector from off-island carriers?

JT questions why the Draft Guidance is limited to Class II and Class III licence holders? There may be Class I LOs who *‘participate in the origination, transmission and termination of a call in Jersey’*. Furthermore, as the Draft Guidance has been based on the 2018 Guidance which applies to any public electronic communications networks and service providers(PECN/PECS), why would Class I LOs would be excluded.

## Section Specific Observations

Clause 5.10 - *“We also encourage LOs to reference this Guidance in their interconnect agreements so that their contracting parties also follow them”*.

JT appreciate the intent, and anticipate that this could be incorporated within the JT Reference Interconnect Offer (“JT RIO”), however, the scope of this would apply to LOs who would already have this obligation under their licence. If the intent is for this to apply to interconnect agreements with national or international carriers, it is highly unlikely that we could oblige an international or even national carrier to comply with this, a) because they may be beholden to different regulation, and b) because it is more likely that they would enforce their generic interconnect agreements on the local operators.

Clause 7.10 – *“Where a Jersey number is used ...”*

Making this ‘Jersey specific’ is unlikely to achieve the outcome that the JCRA is looking for, and would remove the intended obligations to ensure UK numbers are also treated this way (as opposed to a less rigorous compliance with international numbering).

7.11 – It should be acknowledged that calls originate and terminate outside of Jersey, and outside of the remit of the JCRA and the licence obligation/guidance . LOs cannot be responsible for what other operators may do outside of Jersey.

7.12 — The exclusion of Class I licence holders from the licence conditions or guidance would leave a significant gap in the interpretation of this clause. Specifically in this instance, JT questions the interpretation where

- a) a Class I licenced operator may be offering services in Jersey but following the 2022 Guidance or alternative guidance on CLI.
- b) an unlicenced operator may be offering services in Jersey but following the Ofcom or alternative guidance on CLI.
- c) a Class I licenced operator may be purchasing services from a licenced operator in another jurisdiction who is considered the 'originating LO' but following the Ofcom or alternative guidance on CLI.

As an example, and linked to 7.13, JT would expect that any calls originating with '01534' Presentation Number must be associated with an 01534 Network Number to ensure that a genuine LO has originated and validated these calls (regardless of whether these transit other carriers).

Conversely, a call originating with an '01534' Presentation Number which has a non-01534 Network Number indicates that the point of ingress for the call is not an LO, and therefore falls outside of the Draft Guidance and may be considered as un-trusted?

7.13 – It should be acknowledged or clarified that the ability to present a CLI on behalf of a customer which they have been allocated from another LO does not constitute Number Portability, and that any terminating calls must continue to be terminated on the originating network. Furthermore, as this specific service could be provided by Class I LOs, JT question the limited intended scope of applying this to Class II and Class III LOs.

7.15 – JT believes adherence to this weak element of the Draft Guidance is likely to a) fail in achieving the goals of the JCRA to reduce incoming fraudulent calls, and b) potentially leave Jersey as a 'back door' to the UK networks. As outlined in the updated 2022 Guidance, this approach *'opens up a potential vulnerability whereby scam calls from abroad with invalid CLIs have their CLIs replaced with the special number by the ingress provider. Furthermore, as the UK CLI that is inserted is marked as withheld, the recipient of the call will not have any information provided with the call to help them determine if they wish to answer it'*.



JT believes that it would be irresponsible to pursue an approach which has been identified as a potential vulnerability, and the Draft Guidance should be modified to more closely reflect the 2022 Guidance, specifically that incoming calls from international carriers where the CLI is not trusted, should also be blocked and that calls from international carriers with UK CLI should be blocked (accepting the proposed Ofcom exclusions).

7.16 – JT note that this has been changed to a ‘Jersey’ context, however in doing so, it leaves a potential gap in what is meant to be interpreted for UK (assuming these should also refer to the National Numbering scheme) as opposed to being treated as international. JT believes that a Jersey context is appropriate (in addition to the original UK context), however this could be restricted to calls from LOs (e.g. not arriving from national or international carriers)

There is also a typo ‘E164.15’ should be E.164’ – the 15 referred to a footnote in the original Ofcom document.

7.17 – as per 7.16, JT believes the ‘Jersey’ context should be in addition to the original UK context, but may apply further measures.

7.28 – JT understand this statement, as well as the alignment to the Ofcom guidelines. However, JT would draw attention to the challenge that removal of the Network Number and Presentation Number from a call to preserve the end-users privacy may result in calls to national or international carriers being blocked – Note section 4.17 of the 2022 Guidance- *“The call should also be blocked where there is no Presentation Number and the Network Number is also missing or invalid, unless the CP knows that the missing CLI information is due to a known technical issue, for example the call has originated in a country where CLI data is removed for calls where the caller has restricted the display of their CLI information”*.

Whilst it may be possible to coordinate this between JT and the direct upstream carriers, it is possible (especially on international calls) that the recipient network may block these calls.

8.5 / 8.7 – JT would seek clarification on the definition of the ‘party allocated the number’ or the ‘third party who has been allocated that number’. Notably, in the context, this is interpreted as a customer of an LO, to whom the LO has allocated a number as part of their service. However, under such interpretation, JT call into question the context of the customer being required to *‘keep records of who*

*they have given permission to use the number, to aid in call tracing requests'* as any tracing requests would come to the LO (without the customers knowledge), and the LO would have no records that the customer has arrangements for other parties to originate calls with this number?

9.2 – JT question the requirement for the updated wording to clarify the requirement to route calls to a CHA that has been approved by JHA as this is already outlined within the Guidance on the Provision of a Public Emergency Call Service.<sup>5</sup>

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<sup>5</sup> [final-guidance-on-the-provision-of-a-public-emergency-call-service.pdf \(icra.ie\)](#)