accan
The peak national consumer advocacy organisation for communications

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Senator Helen Polley
Chair
Parliamentary Joint Committee on Law Enforcement
Submitted via email: le.committee@aph.gov.au.

13 October 2025

Dear Senator Polley

Re: Inquiry into Combatting Crime as a Service

ACCAN thanks the Parliamentary Joint Committee on Law Enforcement (**the Committee**) for the opportunity to respond to the Inquiry into Combatting Crime as a Service (**the Inquiry**).

ACCAN is the peak national consumer organisation advocating trusted, accessible, inclusive, affordable and available communications and digital services.

The Government acknowledges scam activity as resulting from the actions of 'opportunistic and agile financial criminals' due to the sophistication of scam operations targeting Australian consumers.[1] Scam losses are no longer seen as being the fault of individuals, but as the result of the efforts of sophisticated criminals.[2] For example, the National Anti-Scam Centre (**NASC**) cooperates with the Australian Federal Police to disrupt international scam activity in the United Kingdom, Southeast Asia and Eastern Europe.[3]

SMS scams are rampant in Australia. Between July 2022 and December 2024, telecommunications providers reported blocking 857.4 million scam SMS.[4] In 2024, phone call scams cost Australians $107.2 million and text message scams cost Australians $14.0 million.[5] Further, the NASC notes that the extent and impact of scams is under-reported.[6]

The Australian Government has established the *Scams Prevention Framework Act 2025 (Cth)* (**the SPF Act**) to combat scams. The framework sits within the *Competition and Consumer Act 2010 (Cth)*, and is supported by sector-specific codes, which will initially be developed for the banking, telecommunications and digital platforms sectors. ACCAN considers that the Telecommunications Sector Specific Code (**TSSC**) is the appropriate instrument for addressing telecommunications scams-related harms. The SPF Act will impose obligations on industry participants consistent with six overarching principles, which are to govern, prevent, detect, report, disrupt and respond to scams.

[1] National Anti-Scam Centre, '*Targeting Scams: Report of the ACCC on Scams Activity 2023*' (Report, 28 April 2024) <https://www.nasc.gov.au/reports-and-publications/targeting-scams/targeting-scams-current-report/targeting-scams-report-of-the-accc-on-scams-activity-2023>.
[2] Consumer Action Law Centre, '*Submission: Scams Prevention Framework – Exposure Draft Legislation*' (Submission, 7 October 2024) 15 <https://consumeraction.org.au/submission-scams-prevention-framework-exposure-draft-legislation/>.
[3] National Anti-Scam Centre, '*Targeting Scams Report of the National Anti-Scam Centre on scams data and activity 2024 March 2025*' (Report, 11 March 2025) 14 <https://www.nasc.gov.au/reports-and-publications/targeting-scams>.
[3] Ibid 34.
[4] Australian Communications and Media Authority, 'Action on Scams, Spam and Telemarketing: October to December 2024 | ACMA' (Webpage, February 2025) <https://www.acma.gov.au/publications/2025-02/report/action-scams-spam-and-telemarketing-october-december-2024>.
[5] National Anti-Scam Centre, '*Targeting Scams Report of the National Anti-Scam Centre on scams data and activity 2024 March 2025*' (Report, 11 March 2025) 25 <https://www.nasc.gov.au/reports-and-publications/targeting-scams>.
[6] Ibid 34.

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ACCAN is keen to see the establishment of the sector specific codes expedited. Scammers are adept at evolving their operations quickly and community legal centres and advocacy organisations have noted that they are 'seeing more distressing cases where technological advances are being used to perpetrate scams'.[7] Although efforts are currently being made by the telecommunications industry to block scam calls and scam text messages, these actions are being undertaken under a voluntary industry code.[8]

The TSSC will create a stronger focus for entities to be proactive in the way they address scams harms, rather just taking steps to block harmful calls and text messages after they have been reported.

ACCAN welcomes future consultation on the TSSC to ensure that the code takes into account the consumer experience of telecommunications scams.

Organised scam activity harms Australian consumers

A good example of scams-related harms which cross over digital platforms, systematic gambling fraud and organised crime, and challenge conventional regulatory enforcement approaches, is 'scambling'. Scambling refers to gambling scams (also known as 'ding ding') which financial counsellors report as having a catastrophic impact on First Nations communities.[9] Vulnerable consumers, attracted by the lure of winning money, are signing up to illegal "pokie-style" websites, marketed through platforms like WhatsApp which require them to transfer money to various Pay ID accounts, once free credits are used up.[10]

These schemes are a form of illegal micro-laundering and often connected with organised criminal networks who are technologically sophisticated.[11] Due to the money laundering connections, many consumers also subsequently find their bank accounts frozen.[12]

Scams cause considerable consumer detriment beyond financial harm and are a fundamental threat to consumer trust in digital commerce. Scam victims often report significant emotional and psychological distress and other ongoing harms. 'Regardless of the value stolen, the impact on victims can be irreversible'.[13] Deloitte Access Economics estimated the total cost to consumers for SMS scams, including losses, time spent to resolve scams, and nuisance cost to be $192 million.[14] Further, the prevalence of scams on communications platforms and digital platforms discourages consumers from fully utilising these platforms and can prompt some consumers to disengage from these platforms following experiences of scam activity.

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[7] Consumer Action Law Centre '*Submission: Scams Prevention Framework Bill 2024 - Consumer Action Law Centre*' (Submission, 14 January 2025) 10 <https://consumeraction.org.au/submission-scams-prevention-framework-bill-2024/>.
[8] *Australian Telecommunications Alliance 'C661:2022 Reducing Scam Calls and Scam SMs'* (Industry Code, 2022) <https://www.austelco.org.au/publication/c661/>.
[9] ABC News, 'The "predatory and Unethical" Scam Targeting Australia's Most Vulnerable' (Article, 28 August 2025) <https://www.abc.net.au/news/2025-08-29/scambling-the-online-gambling-scam-targeting-aboriginal-people/105709290>.
[10] Ibid.
[11] Ibid.
[12] Ibid.
[13] Revised Explanatory Memorandum Scam Prevention Framework Bill 2025 (Cth) 1.
[14] The Office of Impact Analysis, *SMS Sender ID Register* (Impact Analysis, 3 December 2024) 34 <https://oia.pmc.gov.au/published-impact-analyses-and-reports/sms-sender-id-register>.

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For example, CHOICE research found that:

> More than half (54%) [of surveyed consumers] said the scam had negatively impacted them personally and 61% said they had lost confidence in doing financial transactions online.[15]
>
> Victims reported an overall decrease in many aspects of life after being scammed, such as family relationships, social connections and short-term financial comfort.[16]

A report commissioned by ACCAN into First Nations Digital Inclusion in Western Sydney noted that:

> Indigenous peoples' opportunities to have safe and positive digital experiences are also shaped by their feelings of safety, privacy and security online. 58% of respondents said they had experienced some type of security issue, such as hacking, identity theft or data breaches. Being financially scammed was particularly prevalent.[17]

Survey respondents noted that one of the reasons why they didn't use government services was because of concerns over being scammed.[18]

The significant harm experienced by consumers from organised scam activity on communications platforms highlights the need for scam protections that are multi-faceted, possibly combining regulatory measures, consumer education and technological solutions.

Ensuring that fit-for-purpose scam protections are in place for communications consumers will support greater engagement with communications services and digital platforms.

We thank the Committee for the opportunity to submit to the Inquiry. Should you wish to discuss any of the issues raised in this submission, please do not hesitate to contact [redacted]

Yours sincerely

Carol Bennett

CEO

The Australian Communications Consumer Action Network (ACCAN) is Australia's peak communication consumer organisation. The operation of ACCAN is made possible by funding provided by the Commonwealth of Australia under section 593 of the Telecommunications Act 1997. This funding is recovered from charges on telecommunications carriers. ACCAN is committed to reconciliation that acknowledges Australia's past and values the unique culture and heritage of Aboriginal and Torres Strait Islander peoples.

[15] CHOICE, '*Passing the buck: how businesses leave scam victims feeling alone and ashamed*' (Report, May 2024) 4
[16] Ibid 22.
[17] Whitlam Institute, '*First Nations Digital Inclusion in Western Sydney Report*' (Report, 15 July 2025) 57<https://www.whitlam.org/publications/firstnationsdigital>.
[18] Ibid 51.