



Who Does What for Consumer Protection in Northern Ireland? – A Brief Overview Including Scams and Illegal Money Lending

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1. Introduction

Consumer protection is administrated by various government agencies. Businesses, charities, and other organisations are also involved from different perspectives. However, it is difficult to understand **'who does what'** due to the complexity of the administrative structure and the social fabric.

This brief overview aims to delineate some of the major entities' roles in **consumer protection** and help readers find the right place to seek support. In later sections, this brief takes a close look at **scams** and **illegal money lending** in Northern Ireland given the prevalence and seriousness, aiming to inform readers of advice and help available for those issues.

2. The Overview of Consumer Protection

The Basic Structure

Consumer protection in Northern Ireland involves multiple layers. In a narrow sense, it is comprised of certain rights consumers have against businesses. The UK has several pieces of legislation stipulating consumer rights in general purchases, which apply to all types of business unless specifically excluded. Those laws provide for, for instance, rights to cancel a distance purchase, rights to buy goods with satisfactory quality, fit for purpose, and as described, and prohibition of misleading or aggressive sales practices.

More broadly, consumer protection covers ensuring safe and secure environments for purchasing goods and using services. Regulations for a particular sector are provided by pieces of sector-specific legislation. Hence, different agencies hold responsibility in different sectors following their mandate.

In short, general consumer laws provide for consumer rights for buying goods and services in general, and sector-specific laws provide for additional consumer protection for consumers

in specific sectors.

The Role of Major Stakeholders

Many different organisations play a role in consumer protection from different perspectives. Although it is impossible to clearly break down each organisation's role as they often work closely and complement each other, below is an overview of the roles and 'limitations' of some of the major stakeholders involved in consumer protection in Northern Ireland.

The Consumer Council is a non-departmental public body established in 1985. They are promoting and safeguarding the interests of consumers in Northern Ireland, and ensuring that legislation and regulation for consumer protection works effectively in the region.

Dealing with Complaints

The legislation enables the Consumer Council to investigate complaints from consumers in the following four sectors: (i) **transport** (buses, trains, planes, and ferries), (ii) **energy** (natural gas, electricity, and coal), (iii) **water**, and (iv) **postal services**. In addition, as non-statutory work, they also deal with complaints about (v) **parking charge notices** received from private parking companies.

For the above five issues, they can advise on your rights and can negotiate with the service provider on your behalf. You can contact the staff by calling 0800 121 6022, or through an [online form](#). For other issues, however, they would signpost other organisations.

The Consumer Council normally works as a 'Stage 2' body, which means you are supposed to contact the service provider first (Stage 1), and if you remain dissatisfied or do not receive a response for a reasonable period, you should bring the issue to the Consumer Council.

Research and Empowerment

Those constitute an important part of their work. The topics cover anything impacting consumers, not limited to the issues listed above. Their recent work includes issues related to the cost of living, food affordability and accessibility, the impact of EU exit, financial services, and general consumer law, alongside the listed issues.

The Consumer Council works hard to ensure that information is available on its website as clear and accessible as possible. The website contains a wealth of information about what rights you have and how you should exercise those rights. For consumer law, they created a [guide](#) to help you understand relevant legislation and the rights entailed in it.

The Trading Standards is a public authority belonging to the Department for Economy and operates as a unitary organisation across the region, whereas in Great Britain, Trading Standards is a part of the local authority remit, with a wider range of responsibilities

Enforcement

The Trading Standards has the authority to enforce more than 160 pieces of legislation in Northern Ireland. Those include general consumer laws but do not include many sector-specific laws as they are enforced by the specific agency in that specific sector. In practice, however, they work closely with other regulatory bodies to share information, help with the investigation, and proceed with cases that could fall into multiple agencies' responsibilities.

The Trading Standards can take administrative action against firms that have infringed the law. The actions can be informal advice to the firm, a statutory notice to rectify their practice, a simple caution for legal proceedings, and prosecution.

Citizens are encouraged to report a violation by a business through [Consumerline](#). Note that the report will be used for enforcement, not for settling individual disputes. Moreover, since formal action requires due process, involving many resources for investigation and procedural work, not all reported cases will be investigated as prioritisation takes place.

Advice

The Trading Standards offers advice on your rights regarding general consumer laws and some other consumer-related laws¹. The staff receive and respond to queries and complaints from citizens through [Consumerline](#). The [government's website](#) also contains plentiful information about general consumer rights, common problems, and practical advice.

¹ For example, Consumer Credit Act 1974, Estate Agents Act 1979, and Fraud Act 2006.

It should be noted that consumer laws are mostly civil law, which means the Trading Standards has no authority to take administrative action against violating firms.

Ofcom (the Office of Communications) is a non-governmental UK-wide regulator responsible for communications such as mobile telecoms, broadcasting, video-on-demand services, and post.

Ofcom promotes user protection in its regulating field, for example, by:

- encouraging providers to introduce and extend social tariffs, which are cheaper alternatives for those with low income;
- working with relevant agencies to promote better telecom infrastructure for everyone;
- strengthening protection from inadvertent roaming outside of the UK or in border areas (the [proposals](#) for new rules were under consultation until recently); and
- conducting research on user safety in the online sphere.

Ofcom also deals with complaints about providers in some of its regulating sectors. However, in many cases, complaints are for monitoring purposes and not for setting individual disputes². Its [website](#) tells us which types of complaints Ofcom can deal with, also providing practical advice on your rights and the way to proceed with disputes in its regulating sectors.

The Utility Regulator is a non-ministerial government department responsible for regulating the electricity, gas, water, and sewerage industries in Northern Ireland.

Consumer protection is a statutory objective of the Utility Regulator, protecting the long and short-term interests of electricity, gas, water and sewerage consumers for example by:

- scrutinising the costs incurred by the price-regulated electricity and gas suppliers* and capping profits;
- encouraging competition in the gas, electricity, water and sewerage services markets;
- setting the standards of service which regulated companies provide to customers in Northern Ireland;

² For example, while Ofcom accepts complaints about mobile, phone or internet services, those are used to help take regulatory action and individual disputes are encouraged to be taken to an Alternative Dispute Resolution scheme.

- establishing codes of practice which set out the minimum standards that suppliers must follow to ensure all consumers (particularly those in vulnerable circumstances for example those who are of pensionable age, disabled or chronically sick) are protected.

In the first instance, if consumers are dissatisfied with the service they have received from their electricity, gas or water supplier, complaints should be made to the energy or water company directly. If the customer remains dissatisfied, the case should be brought to the Consumer Council. The Utility Regulator has the legal authority to act as a dispute resolution authority for certain matters in relation to electricity, gas and water.

The Utility Regulator also has a Consumer Protection Programme that includes a suite of bespoke projects aimed at enhancing consumer protection for all consumers.

*Power NI (Electricity), Firmus (Ten Towns) and SSE Airtricity Gas (Greater Belfast and the West)

Advice NI and its member organisations can help you with your consumer issues, or guide you to an appropriate organisation(s). You can call the Advice NI Helpline number 0800 915 4604, or you can find your local advice centre [here](#). Note that member organisations include not only ‘generalist’ advice centres but also ‘specialist’ services focusing on particular issues such as migration, housing, or employment; and ‘targeted’ services focussing on particular client groups such as older people and minority ethnic groups.

Local advice centres conventionally have their areas of responsibility by postcode and serve clients within those areas. Advice NI offers a centralised training system for advisers in member organisations to ensure quality advice is available; support with policy issues; case management support and a range of other membership services³.

Other organisations

In addition to those listed above, other regulatory bodies, business associations, or charitable organisations also work on consumer protection in their respective areas of focus.

³ A great deal of self-help information and policy publications are available on the [website](#).

In the following sections, we will have a close look at **scams** and **illegal money lending**, providing an overview of the issues and summarising the types of help and support available.

3. Scams and Scam Prevention

Scams are prevalent in Northern Ireland as in the rest of the UK. A recent [survey](#) by the Consumer Council reveals that almost half of adults (46%) in Northern Ireland have been targeted by a scam in the past three years; the vast majority were contacted by email, text messages, and phone calls⁴. Ofcom also conducted a UK-wide scam [survey](#) and reports that nearly nine in ten adult internet users (87%) have encountered online content that seemed a scam. The survey also reports that people with 'unmet needs' such as seeking love and connection or with cognitive difficulties are particularly vulnerable to scams.

However, in those surveys, scams for those who do not often use the Internet might be underreported. The Trading Standards [warns](#) that doorstep fraud is also common, particularly targeted at older and vulnerable people. The Consumer Council also [raises awareness](#) about scams against farmers, which are frequently observed after they receive subsidies from the government.

Arguably, many people who have responded to a scam or suspicious email are put onto what are called '**suckers lists**.' Those are a form of criminal database which holds the personal details of fraud victims and are traded globally between fraudsters who are looking to target vulnerable people⁵. Therefore, fraud victims are likely to be targeted by fraudsters repeatedly, making it difficult to get out of the situation. There has been a case where a victim was found to have been receiving 30 pieces of mail and 10 phone calls per day.

Although they can be categorised in some way, scams are extremely diverse and often far exceed what we assume. Scammers employ very sophisticated technology to trick people, leading them to fake websites or sneaking into legitimate communication. It is not too much

⁴ Scams using email, text messages, and phone calls to gather personal information are often called '**phishing**', '**smishing**', and '**vishing**', respectively.

⁵ It is likely that scammers specialise in their own form of scam, using the same techniques to trick people on those lists.

to say the risk of scams is everywhere, and any purchase or money transfer can be a scam.

Investigation/Advice Organisations

Various public agencies, business entities, and charities are involved in fraud prevention and victim support from different perspectives in a multi-layered way.

Scamwise NI is a partnership across organisations working on scam prevention and victim support in Northern Ireland. Over 45 members are working together to keep citizens safe from the risk of scams.

The partnership also works hard to raise awareness, providing information on the government's [website](#) about the common types of scams and advice to protect yourself. One of their tips to spot a scam is using the following scam test;

S - Seems too good to be true

C - Contacted out of the blue

A - Asked for personal details

M - Money is requested

Action Fraud is the UK-wide fraud and internet crime reporting unit. They offer a central point of contact for information about fraud and financially motivated internet crime, aggregating the information on fraud and cybercrimes across the UK.

The PSNI (Police Service of Northern Ireland) can safeguard you if you are in immediate danger or at risk of harm. They also can investigate suspected fraud as it is a criminal offence.

The Trading Standards can also investigate suspected fraud in cooperation with relevant agencies where appropriate. They also reach out to victims to support them, based on the information from citizens or the 'suckers lists' they have seized. The officers provide mental support and empower victims so they would not fall into a scam again.

Advice NI and its member organisations can advise you on the actions you should take. Also, they can provide holistic support to help you get out of a vulnerable situation. The areas of

advice range from benefits, and debt, to referral to charitable support (often combined).

Banks play a crucial role in fraud prevention and victim support. For ‘authorised’ payment fraud, where a customer confirms to send money to a fraudster, banks should verify with them the legitimacy of payment under a duty to show reasonable care in executing payment orders. Also, many banks signed up for a voluntary code of practice⁶, where they reimburse victims with no fault for the fraud. This scheme is planned to be extended to all regulated banks following the recent legislation⁷.

Moreover, for ‘unauthorised’ payment fraud, where money is taken out without a customer’s knowledge, banks are obliged to refund them unless they neglect care to keep their details safe (this is called ‘gross negligence’). Nonetheless, it is also true that some refund claims are refused due to the customer being found at fault⁸.

Reporting a Scam

Who to contact is tricky since multiple organisations are involved in different ways. Although many of them are in partnerships, it would be the best approach to contact them separately to access as much help as possible.

- You should always contact **your bank** as soon as you notice fraud, by which you can discuss potential ways to reclaim your money⁹ and help prevent further fraud.
- You can report fraud and scams to **Action Fraud** via [online reporting](#) or by calling 0300 123 2040.
- You can also report them 24/7 to the **PSNI** via [online reporting](#) or by calling 101 or 999 in an emergency.
- You should also report the scam to the **Trading Standards** through [Consumerline](#). The staff might be able to investigate the case and provide customised support to protect you

⁶ The Contingent Reimbursement Model Code (CRM Code). The information about the scheme and banks joining it is available on the [website](#) of Which?.

⁷ Financial Services and Markets Act 2023

⁸ For example, they shared their PIN or password with someone else, or they wrote down those on the back of their bank card and had it stolen.

⁹ If your refund claim is refused without a convincing reason, you can make a complaint against your bank. If you remain dissatisfied, you can bring it to the Financial Ombudsman. The process is explained on [its website](#).

from further harm.

- **Advice NI** and its member organisations can advise you on the steps to take and provide hands-on support depending on your situation. The Helpline number is 0800 915 4604 or you can contact your local advice centre, which can be found [here](#).

4. Illegal Money Lending

Illegal money lending is a hidden, widespread problem in Northern Ireland. It is extremely serious not just because lenders often set unreasonable interest rates, but because paramilitaries are usually involved either directly or indirectly, and the consequences of failed repayment involve significant threat and coercion.

As highlighted in previous briefs¹⁰ from Advice NI, debt advisers have seen and assisted many clients with debt from paramilitary-affiliated lenders. Indeed, many clients they advised had experienced physical violence, attacks on the properties, harassment in public spaces, moving away from the area, and unwanted involvement in criminal activities, which had a significant impact on their physical and mental health.

One of the underlying factors associated with this lending is a generational societal trait, embedded within strong community ties, and residents have a practice of informally lending and borrowing money, many not knowing it is illegal to profit from lending money as a business without a licence. As people know each other well within their community, lenders can target those with vulnerabilities, such as ill-health, addictions, or a disability. Unlicensed doorstep lending also takes place at a considerable scale, particularly in deprived areas.

Despite its seriousness, illegal money lending in Northern Ireland is considered hugely underreported. The primary reason is the fear of reprisal given its potential consequences, e.g. a threat to life, harm, and violence not only to the person but also to the wider family. Borrowers also would not want to be seen as a ‘tout’ (or an informer) in the area. Therefore, they feel intimidated to repay, and if they miss, the repayments escalate quickly. Often, people have difficulty to get out of this type of debt.

To raise awareness, the Department of Justice launched a campaign called ‘[Ending the Harm](#)’,

¹⁰ [Illegal Lending – The Human Story](#), Advice NI, 23 May 2021 and [Illegal Lending – the story continues](#), Advice NI, 12 September 2023

showing its cruelty, delivering educational projects, and supporting victims. However, given that there has been a lack of accessible and affordable credit available to vulnerable people, compounded by the current cost of living crisis, the rise in bills, and the budget cuts to benefits, the situation in the coming years is concerning.

Getting Help / Reporting the Case

Given its potential consequences, your repayment of debt from illegal lenders is a priority.

- **Advice NI** and its member organisations offer practical advice and support to people dealing with debt. Advisers will look at your financial situation and provide options for dealing with your debt and negotiate with your creditors on your behalf. Freephone: 0800 915 4604 or email: advice@adviceni.net
- **Crimestoppers** is a charity which works in partnership with relevant authorities to help fight crime. It offers a free phone number to call totally anonymously and give information about any criminal activity. Freephone: 0800 555 111 or [online reporting](#)
- **The PSNI** safeguards you or someone you know if they need urgent help and support. Call 999 in an emergency, or 101 or [online reporting](#) in non-emergency. They also help you get out of suffering from illegal lending through referrals to necessary support.

5. Consumer Advice in the Member Organisations

This section provides perspectives from advisers in the Advice NI member organisations. A brief piece of research was conducted with them to gather views on their work in relation to consumer advice. Below are some of the key findings.

- Scams are among the most common consumer issues¹¹. Indeed, most respondent advisers (77%) have assisted clients with scams.
- Other common consumer issues are related to (i) building repairs and improvements, (ii) second-hand vehicles, and (iii) telephone, internet, and TV.
- Disputes under consumer law could have difficulty accessing remedies, involving legal action as a last resort.
- Almost half of respondent advisers have assisted clients with the [Small Claims](#) process.

Advice NI offers a variety of training courses to advisers in its member organisations. The respondent advisers find the following courses particularly relevant to their consumer advice work: Understanding Consumer Law, Consumer Credit Act (NI) - the Basics, and Understanding and Supporting Clients in Vulnerable Situations.

Despite consumer advice being a relatively small part of overall work, we believe sustaining and developing our consumer advice work is of great importance, especially in the current challenging time. Each case matters to the client, and advisers play an important role in making the situation easier.

¹¹ A comment from a respondent: 'Scams are everywhere these days and for some of our clients, they can't decipher what is real and what isn't'

6. Conclusion

This brief provided a summary of the role of major stakeholders in consumer protection. It also focused on scams and illegal money lending among other consumer issues, and laid out relevant authorities, businesses, and charities that can help you. Despite the difference in mandates, they all aim to provide consumers with the best possible help and often work together to achieve that effectively.

Understanding '**who does what**' will help you make the most of your rights and get the best help or advice in the case of problems, while it would also be vital that you act cautiously about potential issues in everyday life.

All that said, it might be tricky to access help or advice. In many of the mentioned organisations, thousands of queries and complaints are dealt with by a small number of staff. More funding to them and an increase in recruitment are essential to expand their capacity to provide enough support.

Meanwhile, you can find plenty of information about your rights and guidance to the complaint process on the websites of relevant organisations, which helps you articulate your claim in complaining against traders. If you need any help, you should be able to find the people who best suit you for offering help and advice, whether directly or through referrals, by finding someone in charge and vocalising your needs. We hope this brief will help you find the right person to contact.

Disclaimer

All the information provided is based on our research and interviews with some of the abovementioned organisations. The description might not reflect or fully cover the roles of relevant organisations and the relations among them. Also, this brief could not cover many other important stakeholders due to the space restriction.

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