

Media Outlet: *The Guardian (Money Blog)*

Date: 12.06.13

URL: <http://www.guardian.co.uk/money/blog/2013/jun/12/beat-rogue-builders-snooper-smartphone>

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the guardian

MONEY BLOG

Beat rogue builders or plumbers. Turn snooper with your smartphone ...

The consumer minister has suggested we all record routine conversations with tradespeople in case something goes wrong. But isn't that taking our surveillance society too far?



Should you record your agreement on your smartphone in case your plumber doesn't come up to scratch? Photograph: James Ingram

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Is this taking consumer protection to new and ridiculous levels? Unveiling the long-anticipated consumer rights bill, consumer minister Jo Swinson took the unusual step of suggesting we should record our routine phone conversations with builders and plumbers and even hairdressers and photographers. Her rationale is that, should things go wrong, there is a record of what was agreed.

We all know how frustrating it is trying to resolve problems with faulty goods and services – even when we apparently have the law on our side. Every year British consumers lose around £3bn and waste millions of hours sorting out everything from broken washing machines and tradespeople who don't turn up, to faulty broadband connections. The size of the e-postbag for our Consumer Champions column is a reflection of the practical difficulties of obtaining redress.

Credit where credit is due: the draft bill reflects the government's determination to simplify existing consumer law under a framework which should enhance consumer protection and give respectable businesses an advantage over dodgy rivals. It will bring in a 30-day rule that lets customers return products they are unhappy with, or receive a refund. Shoppers will be able to get some cash back after one failed repair of faulty goods or a replacement that does not work.

In an interview with the Daily Mail, Swinson said that openly recording a conversation would make it easier to resolve disagreements with rogue traders that could end with court deadlock. She said: "Information from the person giving the service in advance of signing up to it, even if that information is verbal, will effectively be seen as part of the contract. It could be anyone providing a service, such as a photographer, hairdresser or a tradesman. If they say they will do something within a particular period of time, or they will use a particular brand of paint, type of wallpaper or brand of tiles – if they say something about how it will be done, you will be able to hold them to that."

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Given the prevalence of smartphone ownership, and pressed on whether consumers should record conversations, the Lib Dem minister said:

"They certainly could. People will decide what the best way is for them. It is significantly easier for consumers to do these days, with the capability that people have on their phones. The legal force will be there, it doesn't need to be in writing."

But does that mean we will be secretly filming the plumber, just in case he connects the wrong pipe to the washing machine, or recording the hairdresser in case our request for a short back and sides is misunderstood? Will this turn us into a nation of cynics assuming things are likely to go wrong, just waiting to catch people out if they make a simple mistake?

The proposals have gone down like a lead balloon with the industry, although Chris Havemann, chief executive of trades people's website RatedPeople.com, said: "If recording conversations will give both parties greater peace of mind, and help to reduce this figure, then tradesmen should welcome the implementation of the bill."

At a time of huge sensitivity about web-based surveillance, is it really useful or practical for individuals to be gathering this kind of information? Others might argue, of course, that Swinson's advice is a reflection of modern times and is no different from the practice of taking detailed notes and keeping records of phone conversations relating to complaints. Once it was the quill pen, now it is the smartphone.