

27 September 2021

## **VICTORY FOR 2.3 MILLION OVERCHARGED CUSTOMERS – £600 MILLION CLAIM AGAINST BT GIVEN GREEN LIGHT**

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**Today, the courts approved a bid to launch a £600 million class action compensation claim against BT on behalf of over 2 million customers that it allegedly overcharged.**

**Now Justin Le Patourel can bring the landmark case to recover hundreds of pounds for BT landline-only customers, many of whom are older and from low-income households.**

**Le Patourel says, *“We believe that BT has been overcharging millions of its most loyal customers for years. We are thrilled that this decision will bring us one step closer to putting right this injustice.”***

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In 2017, Ofcom investigated BT and discovered that it had been overcharging its landline customers. Although the costs of providing landlines had been falling since 2009, BT continued to put up its prices. BT agreed with Ofcom to reduce the future bills of these neglected customers, but it did not compensate them for past overcharging.

Earlier this year, determined to put this right, Justin Le Patourel, founder of CALL (Collective Action on Land Lines) launched *Justin Le Patourel v BT Group Plc and British Telecommunications Plc* in the Competition Appeal Tribunal (CAT).

Under the UK's competition regime, a person wishing to bring a class action on behalf of customers (and/or businesses) must first secure approval from the CAT. Le Patourel's application was heard by the Tribunal in a two-day hearing from 24 to 25 June 2021.

BT argued that the claims were not suitable to be brought in collective proceedings, often known as class actions. However, today, the Tribunal has granted Le Patourel permission to bring the claim on behalf of the following BT customers:

- (i) "Voice Only Customers", who had a BT landline service between October 2015 and April 2018, but did not also receive a broadband service (from BT or any other provider).

- (ii) "Split Purchase Customers", who had a BT landline service alongside a broadband service (from BT or another provider) at any time since October 2015, but who did not 'bundle' these services together into a single, discounted package.

All affected customers will automatically be represented, and therefore do not need to take any steps to join the action. Customers can however choose to opt out if they wish<sup>1</sup>.

In its judgment, [available here](#), the Tribunal states "[Mr Le Patourel's] application for a CPO succeeds [...]. This Judgment is unanimous".

In the next step, the case will proceed to full trial and, if successful, the 2.31 million BT customers who are believed to have been overcharged could receive up to £500 each in compensation – for many customers, this cost equates to significantly more than the cost of their average winter fuel payment.

Le Patourel says *"We think that these customers could be entitled to a substantial repayment of up to £500 each. This decision is a great step in the right direction and we look forward to the full trial, where we will continue fighting for BTs loyal and mistreated customers."*

Justin Le Patourel and the consumer group CALL are being advised by leading law firm, Mishcon de Reya. The partner leading the action is Rob Murray, who said:

*"The claims clearly connected with the Tribunal which dismissed every argument made by BT to try and prevent them proceeding. This is the first case to be certified on all of the terms proposed by the Class Representative. In addition, we are grateful for the Tribunal for already having fixed a hearing on 19 October to decide consequential issues and move the claims forward efficiently."*

**If you are a BT customer you do not need to do anything at this stage to be part of the claim. If you would like to find out more information or register for updates, please contact the Collective Action on Land Lines (CALL) at:**

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<sup>1</sup> Details regarding how to opt out can be found on the CALL website - [www.callclaim.co.uk](http://www.callclaim.co.uk).

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**Note To Editors:**

**About Call**

Consumer Action on Land Lines (CALL) is a group launched on behalf of BT landline customers to confront the abusive nature of BT's pricing structure from 2015 onwards. Mishcon de Reya, along with expert economists Frontier, have presented to the court a review of how BT abused its market dominance to maximise profits and significantly and persistently increased the prices charged to its loyal standalone fixed voice customers (SFV).

Despite BT's voluntary commitment to reduce the line rental price by £7 per month following OFCOM's review of the SFV services market in 2017, BT did not compensate its customers for overcharging prior to this. CALL's goal is to ensure BT customers are compensated for the overcharges they were subjected to from 2015 onwards.

CALL is seeking compensation for both "Voice Only Customers" and "Split Purchase Customers". Voice Only Customers are customers who had a BT landline service between October 2015 and April 2018, but did not receive a broadband service (from BT or any other provider). Split Purchase Customers are customers who had a BT landline service and also a broadband service (from BT or any other provider), any time between October 2015 and today, but who did not 'bundle' these services together into a single, discounted package.

### **About Justin Le Patourel**

Justin is leading CALL and is responsible for representing and acting in the best interests of all affected BT customers. During his career, including as a former Ofcom employee, Justin has worked to help consumers get good deals from their telecoms providers, and to make it easier for them to switch when they're unhappy or want to take advantage of a better deal elsewhere.