



THIS EDITION: OUR BROAD-BAND BAND FUTURE

ACCAN ANALYSES THE <u>GOVERNMENT</u> & <u>OPPOSITION'S</u> BROADBAND POLICIES ноw то: <u>CAMPAIGN ONLINE</u>

PLAY CONFERENCE B-I-N-G-O PLUS MUCH MORE



ACCAN.ORG.AU <u>ACCAN</u> <u>MAGAZINE</u> ISSUE:02

# **OUR CEO:** TERESA CORBIN



We are delighted to be launching the second issue of ACCAN Magazine to coincide with our second ACCAN National Conference, Our Broadband Future.

In the Spring Edition of ACCAN

Magazine we analyse the competing visions for the future of high-speed broadband in Australia. We take a look at the Youth Advocates Program being run by the Brotherhood of St Laurence, and find out how the ACMA and ACCAN Reconnecting the Customer Summit went.

Finally, if you're reading this issue while attending the 2011 ACCAN National Conference, flip to the inside back cover to take part in our special game of Conference Bingo!

As always, if you have any comments, suggestions or feedback, please email me via ceo@accan.org.au

Warm regards Teresa Corbin

Chief Executive Officer Australian Communications Consumer Action Network

### ACCAN OUR STORY

ACCAN is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. We provide a strong, unified voice to industry and government as we work towards availability, accessibility and affordability of communications services for all Australians. Consumers need ACCAN to promote better consumer protection outcomes ensuring speedy responses to complaints and issues.

We aim to empower consumers so that they are well informed and can make good choices about products and services. As a peak body, ACCAN will activate its broad and diverse membership base to campaign to get a better deal for all communications consumers. Member groups include community legal centres, disability advocates, indigenous organisations, financial counsellors, regional organisations, farmers' federations, parents groups, seniors organisations as well as 30 or so interested individuals.

The operation of ACCAN is made possible by funding provided by the Australian government.



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# 6-8 AFFORDABILITY ◀ OURBROADBANDFUTURE 0 0 OUR**BROADBAND**FUTURE 0

## **CONTENTS**





**UP FRONT** Consumer news and industry updates

**INDUSTRY IN FOCUS** ACCC Deputy Chair Peter Kell talks about consumer protection and broadband

**THIS IS HOW I CAMPAIGN ONLINE** Exploring the dos and don'ts of online campaigning

#### **COVER STORY: TWO ROADS TO OUR** 6 **BROADBAND FUTURE**

ACCAN analyses the Government and Opposition's broadband visions

**CONSUMER TIPS** How to choose an Internet Service Provider



9

5

**10** POLICY IN FOCUS A round up of the Reconnecting the Customer Summit

**II** GRANTS IN FOCUS The Brotherhood of St Laurence has been helping young people call for change

#### **12** MEMBERS IN FOCUS

We chat to the Indigenous Consumer Assistance Network's David Yorkston

13 B-I-N-G-0

Play along at the ACCAN National Conference



# LATEST NEWS

# *Communications access for PWD & older Australians under review*

July saw the Federal Government launch the long-awaited Review of Access to Telecommunications Services by People with Disability, Older Australians and People Experiencing Illness. ACCAN has been working closely with its member organisations to make a detailed submission to this review, lobbying for improved access to telecommunications for the many Australians who experience a digital divide due to access requirements. Services such as captioned telephony, video relay services and Total Conversation are already being utilised by other comparable countries and this review process offers the opportunity to make these new technologies available to more Australian consumers.



# NBN trials go live in mainland Australia

The first trials of the National Broadband Network (NBN) are now live in Armidale, Kiama and Minnamurra in NSW and Brunswick in Vic. More than 87% of Armidale residents and businesses have had NBN Co roll fibre optic cable to their door. In Brunswick, the first metropolitan trial site in Australia to be connected, 14 residents have begun trialling the NBN before it is available to all residents in October. The suburb is the first metropolitan trial site in Australia to be connected to the NBN, with 1405 of the 2689 premises in the trial site in favour of connecting to the network. Residents in Townsville, Old, and Wilunga, SA, are the next places that will receive the NBN rollout. The entire, country-wide NBN rollout will be completed in 2020.



### THUMBS UP OR DOWN



# **BIG UP**

- For accessible information provided by the DBCDE for the Review of Access to Telecommunications – information was made available in Auslan, Easy English, audio and Braille.
- The 80+ consumer and industry representatives who attended the ACMA and ACCAN Reconnecting the Customer Summit held in August (see page 10).

### WAY DOWN

- To the predatory telemarketing strategies being used in some remote Indigenous communities where one homeless woman was sold two concurrent two-year phone contracts.
- Vodafone who has had a very bad start to the year and last month reported the loss of 375,000 customers in just six months as a result of network coverage and customer service issues.



# *Three decades sees Australians ditch the 'brick' and demand more data*

It has been 30 years since the first mobile phone call was made in Australia and we've come a long way since then. Many people would not recognise the first 'mobile' phone – the 45cm handset was linked to a car phone system which weighed 14kg. This cost \$5000 or \$17,000 in today's terms! Australians have since said goodbye to the "brick" and embraced the mobile phone as an integral part of daily life. Mobile subscriptions could reach 28 million by the end of 2011, meaning our nation will have significantly more mobile phones than people. Some 43% of Australians now use a smartphone and data consumption has skyrocketed by 462% in the past year alone.



# Teens and parents encouraged to confront risky online behaviour

In September, the ACMA's Cybersmart team will launch *Tagged*, a short film for teenagers. *Tagged* encourages students to think about the ethics of life online including the impact of cyberbullying, managing online reputations and discussing consequences. The film is complemented by resources for parents and teachers to assist young people in adopting positive online behaviours.

An increasing number of schools are adopting lesson plans on 'sexting'. 'Sexting' involves sending sexual messages, photos or videos and can result in serious personal, social or legal consequences. 'Sexting' has increased in recent years—18 per cent of 14-17 year olds said they have received a 'sext' while 47 per cent regretted some of the messages they had sent. Check out *Tagged* and a range of cyber safety resources at **www.cybersmart.gov.au**.

# Crunching the Numbers:

195,868

Terabytes of data were downloaded in Australia over three months (That's 205,382,483,968 megabytes or approximately 41 billion minutes on YouTube)

77%

*Of Australians have an internet connection in their home* 

# 11,600,000

Australians over 14 use the internet at least once a day

11%

*Of Australians over 14 have never used the internet* 

**7, 383,000** Australians visited Facebook in December 2010



# **PETER KELL**

### DEPUTY CHAIR, AUSTRALIAN COMPETITION & CONSUMER COMMISSION (ACCC)

#### What do you do in your role of Deputy Chair at the ACCC?

Commissioners at the ACCC take part in all major decisions, whether they involve a merger, enforcement action or authorising a code of conduct. In addition, I have a particular role in the ACCC's consumer protection work, which has recently had a strong focus on the telecommunications sector. Consumer protection work is quite varied, ranging from enforcement cases against suppliers who have engaged in misleading conduct, to assessing industry codes of conduct, through to issuing consumer education material. In all of these areas the ACCC has exceptional staff who do a great job in dealing with consumer issues.

In my consumer protection role I represent the ACCC at the Ministerial Council of Consumer Affairs and I am currently the chair of the Australasian Consumer Fraud Taskforce.

# What is your career background and how did you get where you are today?

Prior to joining the ACCC I was Chief Executive at CHOICE and a board member of Consumers International. I also spent six years at the Australian Securities and Investments Commission as Executive Director Consumer Protection.

# What are the main issues and responsibilities for the ACCC in the communications marketplace?

The ACCC has a responsibility to ensure fair conduct in the communications market. We have put a lot of effort into confronting misleading marketing in this sector, through enforcement actions as well as industry and consumer education. In doing so we work with the ACMA and DBCDE as well as the TIO and stakeholders such as ACCAN. The ACCC also has considerable resources devoted to the vital task of regulating competition in the communications sector. This involves a very significant role in the development and implementation of the National Broadband Network.



#### What do you think of the Federal Court's recent decision to fine Optus \$5 million for misleading advertising?

The ACCC is very pleased that the Court has sent a strong signal to this industry about the importance of clear marketing. Justice Perram said in his decision "Such a penalty will operate as an appropriate deterrent not only to Optus but also to other traders who might be tempted by the thought that misleading advertising is a profitable strategy. These penalties will demonstrate that it is not." I'd really encourage everyone to read this judgment, which is not something I'd always suggest! (Note: Optus is appealing the quantum of the penalty).

More broadly, this case demonstrates the importance of the recent law reforms that have given the ACCC additional consumer protection powers, and we are pleased at the early penalty results that have been achieved in a wide range of matters.

#### What is the basic message from the ACCC's recent guidance paper on advertising of broadband speeds?

It's simple – ISPs that make speed claims must have a reasonable basis for asserting performance levels are attainable in practice, not just in theory. The increase in the availability of high-speed broadband services should generate greater competition between retail ISPs. However, if this is to occur then providers must ensure that they do not market their services in a way that misleads consumers and results in an unfair competitive advantage. We don't want to see the problematic marketing practices we've seen in other parts of the communications sector, so we won't hesitate to take enforcement action if necessary.

# ONLINE CAMPAIGNING **FOR** BEGINNERS

Community and not-for-profit organisations are embracing online campaigning as an inexpensive way to get an issue out there and encourage others to get behind a cause. But many organisations are wary of social media – the public nature of it, how to manage it internally – not to mention inviting frank, often anonymous feedback and criticism of your campaign.

Social media tools, from Twitter to your basic blog, have a lot of potential. Use them well and you've created a powerful way to spread

## NUMBER WOMAN, FAIR CALLS, AND THE VIRTUAL WORLD

ACCAN has been using Twitter and a blogging site, Tumblr, to promote Fair Calls for All, a campaign about the cost of calling 1800, 1300 and 13 numbers from mobile phones. The face of our Fair Calls campaign is Number Woman – who blogs and tweets. We've found this to be an incredibly effective way to "brand" the issue and mobilise other groups and individuals who want to work towards a solution. Online campaigning has helped us to:

- Gather new supporters we've found some unexpected business and telco allies through our Twitter account.
- Answer complex questions Number Woman has explained various aspects of the 1800, 1300 and 13 campaign via her blog.
- Respond to the small stuff Tumblr lets us write about issues that we wouldn't put in a press release but still think are important.

Follow @Number\_Woman or www.numberwoman.tumblr.com to find out more about Fair Calls for All and generate ideas for your next campaign!



your message, get people engaged and drive them to take action. But it can go wrong. Remember Vegemite 2.0? Or when Westpac made a video likening their mortgage increases to the cost of bananas? Ultimately, using social media tools opens up a dialogue with people and you can't control what they'll say.

Here are some dos and don'ts to ensure your online campaigns hit the right notes.

## DOS

**Plan ahead**. Think about the audience you'd like to reach, what messages you want to convey and make a clear plan of how you'll achieve this.

**Be interesting and engaging.** Think of the social media world as a dinner party – a good dinner guest engages others in conversations and is as good at listening as they are at talking.

Accept constructive criticism. Be prepared to take the good with the bad, answer tough questions and don't delete criticism – respond to it.

## DON'TS

**Over-do it**. You don't need to use Twitter, Facebook, YouTube, Tumblr and Blogger accounts. Pick one or two sites that suit you best and use them well.

**Argue with trolls.** Trolls are essentially online bullies who will do anything to make you react. Accepting criticism does not mean you have to put up with offensive comments. Block or report online pests and don't engage.

**Make it a sales pitch.** People can see through it instantly. Be authentic and engage in honest exchanges with other people online. Communicate, but don't yell.



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# TVO ROADS TO OUR BROADBAND FUTURE



UBIQUITY



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AFFORDABILITY

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#### Early in 2011, ACCAN played host to several of Japan's leading

academic experts on broadband policy. After being in Australia a few days, they expressed amazement that in their short stay, broadband policy seemed to feature on the front pages of the newspapers every single day. Coming from a country where these issues were confined to discussion among experts, it was rather a shock.

As we locals know, the fact that so many Australians, particularly in rural and regional areas, lack a reliable broadband service or are in broadband black holes makes it an enormously live issue. The tyranny of distance we face in Australia also makes the stakes higher than in other countries. Combine that with the unique political circumstances which emerged from the last federal election, and you have an issue that could make or break a government.

While the debate has been heated at times, it is useful to remind ourselves how fortunate it is that an issue so central to ACCAN's agenda – available, accessible and affordable broadband for all Australians – is now front and centre.

We are indeed unusual by world standards when, for example, the finer technical points of fibre-to-the-home (FTTH) or fibre-to-the-node (FTTN) are earnestly dissected in the mainstream media.

However, with so many acronyms being thrown around, the basic consumer interest in better broadband can sometimes be lost.

So lets clear away some of the fog and look at what's on offer.

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We now have two differing visions for improving availability, accessibility and affordability of broadband services to all Australians.

On one hand, with all the necessary legislative changes bedded down, the Government is progressing its National Broadband Network (NBN) agenda for fibre-optic cable to 93% of Australian premises with the remainder of premises served by fixed wireless and satellite. As the NBN is rolled out over the next nine years, the Government says that it will stimulate retail competition and benefit consumers. People will be offered entry-level services at 12Mbps download speed, with those in the fibre area having the possibility to buy services at higher prices with download speeds of up to 100 Mbps.

NBN Co, the Government Business Enterprise tasked with building and operating the network, will charge telcos the same wholesale price across Australia. Their wholesale prices will enable them to deliver a city to rural subsidy, allowing consumers in sparsely populated (and therefore commercially unattractive) areas to have broadband services at prices that are closer to those in the cities.

In August, the Coalition laid out its alternative agenda, which it says will be cheaper for taxpayers than the NBN. It pledged to deliver, within two years, download speeds of at least 24Mbps for everyone except those in remote areas, and higher speeds wherever possible. The plan would provide a mix of incentives and subsidies to the private sector to upgrade their networks in order to meet this minimum speed target.

For the majority of premises (these are suburban and regional premises that do not have access to the existing Telstra or Optus Hybrid Fibre-Coaxial cable [HFC]), the plan envisages using fibre-to-the-node, which means that fibre-optic cable gets rolled out to a cabinet in the street, and the existing copper is used from that cabinet to customer premises.

The existing HFC would be used for the 28% of premises that can access it. New developments would be fitted out with fibre to the premises, as the cost is not much higher than the alternatives.

The Coalition would allow the copper network to remain in use, and allow anyone to build competing networks.

Similarly to the Government, the Coalition plan would see the most sparsely populated areas receiving their services via fixed wireless and satellite. The Coalition plan proposes subsidies, either direct or via an industry levy, to give consumers in rural areas services at comparable prices to the city.



# THE GOVERNMENT'S POLICY & THE OPPOSITION'S PLAN

The Government is looking at their policy as a 'future-proofed' way to deliver cheaper faster internet, phone services, and as a platform for possible future utility services that are separate from the internet. The Coalition is looking at their plan as a way to deliver cheaper, faster internet in the quickest timeframe and lowest cost to taxpayers.

GOVERNMENT

#### OPPOSITION

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RURAL SERVICES	The Government policy subsidises services in rural areas through the NBN Co cross- subsidy. Their uniform nationwide wholesale price has people in cities paying a bit more so that people in rural areas can pay less.	The Coalition plan subsidises services in rural areas directly by giving funds to the private sector companies that build the networks and provide services.
COMPETITION	The Government policy promises lower prices enabled by retail service competition on the NBN.	The Coalition plan promises cheaper prices enabled by allowing competition both on retail services and also on competing infrastructure – HFC, fibre and copper networks.
AFFORDABILITY	The Government says the NBN will provide a financially sustainable way of providing affordable broadband to people no matter where they live.	The Coalition says the NBN policy undermines affordability particularly for entry-level services by removing competing networks and making consumers in cities pay more than they otherwise would.
FUTURE BROADBAND APPLICATIONS	The Government's NBN would put everyone on one network that covers every premise. That's what those in the field like to call "ubiquity". The Government says that with ubiquity comes the potential to use the NBN as a platform for utility services of the future like e-health, smart grids, tele-working and e-learning.	The Coalition says there are no applications of value to consumers today which would require the very high speeds available on fibre-to-the-home. They say that if applications do develop that make it valuable, then a commercial incentive will emerge for network upgrades to be done.

#### WHAT ACCAN WANTS: OUR FOUR BROADBAND PRINCIPLES

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**Broadband for all.** The Universal Service Obligation must be reviewed and re-defined to include a high quality, affordable and accessible broadband service.

No consumer should be worse off because of the transition to high-speed broadband.

Robust consumer protection rules for services delivered over broadband.

**Services need to be provided in a competitive and fair market**. Regulators must actively intervene to prevent the development of market power or unfair practices.



# HOW TO: CHOOSE AN INTERNET SERVICE PROVIDER (ISP)

# The internet marketplace is notoriously confusing but it can be made easier if you know what to look out for.

You will need to take some time to go through the various products on offer. Sit down with a pen, paper and calculator and think about how big you need your download allowance to be. If you already have an account with another ISP, they will be able to tell you how much on average you download each month.

To help you decide what plan is best for you, here's a guide to how much data is used up by common online activities.

3 minutes	YouTube video	15 MB	
1 minute	mp3 audio	up to 1 MB	
1 hour	Skype Audio Chat	30 MB	
1 hour	Skype Video Chat	170 MB	
	Movie download	700 MB	
	TV show download	350 MB	
Note: All figures are approximations.			

1000 Megabytes (MB) = 1 Gigabyte (GB)

Generally you will be signing up via a conversation over the phone with a sales person. When you are ready to make that call, there are lots of traps to look out for. Below are the questions you should ask.

# What is the real price I will be paying?

Ignore the headline, per-month amount included in the advertising. Pay attention to the asterisks and read the fine print. Look at the total cost for the whole contract period and divide it by the number of months – usually 12 or 24. Second, check what the set-up fee is. It may include a modem or that might be extra.

### How much data is included in the plan?

Almost all plans will have a data allowance which includes both downloads (i.e. watching a YouTube video) and uploads (i.e. when you post your own video onto YouTube or Facebook). The data allowance is measured in gigabytes (GB).

### Will I pay excess charges if I go over my data allowance?

Some deals involve hefty "excess use" charges if you go over your data allowance. Sometimes these charges are referred to as "overage" fees. If you want to protect yourself from nasty surprises – what we call "bill shock" – then you should choose a service that is "shaped".

### Is your data usage "shaped"?

A "shaped" service means if you exceed your data allowance, you won't be charged more, but your internet connection will be slowed down for the remainder of your billing month. If this happens, at least you can still do the basics like check your email.

### Will I save money by bundling?

The price can be better when your broadband and your phone service is "bundled" together, but not always – this is where the pen and paper come in handy. The main advantage of bundling is that you receive one bill for both internet and phone and perhaps a pay-TV service or mobile. The disadvantage is there's little room for flexibility in a bundle and if you are say, a heavy internet user but don't make many landline calls, you might be better off ditching the landline and going for a (much cheaper) VOIP home phone and a mobile instead.

# What is the duration of the contract and what is the cost to end it early?

Most are 12 or 24 month contracts. It is important to ask what happens if you break your contract early. Some ISPs will demand you to pay out the entire remaining contract months but others will only charge you a small contract break fee. It's worth finding out in advance in case your circumstances change.





# RECONNECTING THE CUSTOMER SUMMIT

Consumer advocates from around the country arrived in Sydney on 3 August for a one-day summit about how to best implement the recommendations stemming from the ACMA's Reconnecting the Customer Inquiry.

The Reconnecting the Customer Summit, co-hosted by the Australian Communications and Media Authority (ACMA) and ACCAN, brought together a diverse range of voices to discuss and debate the way toward an improved communications environment for Australian consumers.

Participants from every state and territory shared their ideas through roundtable discussions and scribbled questions and comments on post-it notes, which were collected and displayed after each session. During the day we heard from people with complex communications needs, Aboriginal and Torres Strait Islander consumers, older people and regional and remote communities. We were also joined by industry representatives from Telstra, Amaysim, Internode and Communications Alliance.

A series of case studies provided by the ACMA gave participants a sense of how unit pricing and spend management tools would work in practice. The feedback was useful and constructive. For example, while participants recognised the need for standardised spend management tools that allowed customer to monitor their usage, the emphasis was on the tools being easy to access and to use.

Following the Summit, ACCAN submitted a report to the ACMA outlining the questions, comments and feedback from participants, which will help to shape the ACMA's final report that was due for release at the end of August.

To read the full Reconnecting the Customer Summit report visit www.accan.org.au/campaigns



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Why not measure industry performance by consumer surveys and not just "complaints" statistics? Ian Jarrett, Queensland Consumers' Association

Prepaid as a spend management solution for bill shock is too simplistic a solution. Post paid plans are marketed as "better value: and "free" phones are included – this is attractive to lower income consumers. Redfern Legal Centre



GRANTS In Focus:

# BROTHERHOOD OF ST LAURENCE, YOUTH ADVOCATES PROJECT



The Brotherhood of St Laurence's (BSL) Youth Advocates Project (YAP) brought together 100 Year 11 and 12 students from four Victorian schools to conduct peer research into the experiences, financial implications and pitfalls common to young mobile phone users. Over two school terms, YAP students from Padua College, Carrum Downs Secondary College, McClelland Secondary College, and BSL's Certificate of Applied Learning Program, honed their research and consumer advocacy skills in training workshops and then evaluated the findings to come up with a set of recommendations for positive change in the industry.

### The Findings

A research report detailing the student researchers' findings will be published in October. The recommendations stemming from the report will be shared with government, industry and consumer groups.

One survey, conducted by students at Padua College, found:

- One third didn't know where they would go to make a complaint against a telco
- Almost 70% thought that mobile phone advertising was misleading
- Only 30% read their mobile phone contract, including the fine print
- Many found words like 'capped plan' confusing, saying the confusion could lead to bill shock
- It was felt that telcos should shorten contracts and simplify products

### A Call for Change

The Youth Advocates Project culminated in a special event at which YAP students presented their findings to a room of representatives from Telstra, Amaysim, Vodafone, the Australian Communications & Media Authority (ACMA) and the Telecommunications Industry Ombudsman (TIO) at Melbourne's Town Hall. The advocacy and discussion forum, aptly titled "A Call for Change", shone a spotlight on the realities of being a young mobile phone customer in Australia.

YAP researchers also had some advice for young mobile phone consumers: check for hidden costs, ask questions, do your homework collecting information and use your right to complain to the TIO if your telco isn't able to resolve your problem within a reasonable timeframe.

### About ACCAN Grants:

ACCAN awards \$250,000 annually to projects that provide consumer education and research that contributes to communications consumer advocacy. Visit *www.accan.org.au/grants* 



# **INDIGENOUS** CONSUMER ASSISTANCE NETWORK



**DAVID YORKSTON** FINANCIAL COUNSELLOR INDIGENOUS CONSUMER ASSISTANCE NETWORK (ICAN)

#### Tell us about your organisation.

Situated throughout tropical Far North Queensland and the Torres Strait Islands, ICAN provides consumer education, advocacy and financial counselling services to Indigenous consumers across the nation.

Indigenous people living in regional and remote communities are one of the most disadvantaged consumer groups in Australia. A combination of low literacy levels, lack of services and an uncompetitive marketplace leave the population open to financial exploitation.

#### What is your main goal?

ICAN's vision is to empower Indigenous consumers through education, advocacy and financial counselling assistance. The organisation has embraced a community development approach to service delivery through the professional development of eight local Indigenous staff. The staff have undertaken a Diploma of Community Services, a qualification focused on financial counselling.

#### What are the communications challenges/issues your members face?

ICAN financial counsellors have identified telemarketing of mobile phones contracts as an ongoing concern for Indigenous people throughout Australia. Contracts are often sold to people that don't have mobile coverage, understand the verbal contract conditions or have sufficient income to pay for the product.

Many ICAN remote clients are yet to receive the benefits of the digital age, not having access to the internet or mobile services. For those that have access, cost for services is often prohibitive or is the cause of extreme financial detriment. The fast-paced development of communications technologies and the product/service costs associated provide a real threat for the financial wellbeing of Indigenous Australia.

#### Why are you a member of ACCAN?

ICAN believes a national communications advocacy organisation is vital in providing Indigenous Australia with a voice. The issues that affect Indigenous Australia are often shared with other interest groups; by working together under the ACCAN banner there is an opportunity to develop positive consumer outcomes for all.

### AND MEET A NEW MEMBER

The National Association of Community Legal Centres Inc (NACLC) is the peak national body of state and territory community legal centre organisations in Australia. Its members represent the approximately 200 community legal centres that provide referral, advice and assistance to more than 350,000 people each year, focusing on the disadvantaged and those with special needs www.naclc.org.au





# ACCAN NATIONAL CONFERENCE BINGO

## How to play:

- 1 Cross off each box as you participate in the ACCAN 2011 National Conference.
- If you complete all tasks, find an ACCAN staff member at the registration desk during day two's afternoon tea break to claim your prize!



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