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Australia's peak body for communications consumers



**THIS EDITION:**  
**Get Connected**  
A resource for consumers struggling to get an ADSL service

**Broadband speed claims**  
cause confusion

**PLUS:** Interview with the Australian Small Business and Family Enterprise Ombudsman

PLUS: Interview with the Australian Small Business and Family Enterprise Ombudsman

ACCAN is the peak organisation representing all consumers on communications issues including telecommunications, broadband and emerging new services. Our mission is to ensure the availability, accessibility and affordability of communications services for all Australians.

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## Our CEO: Teresa Corbin

**W**elcome to the Summer 2017 edition of the ACCAN Magazine. This edition covers our recently launched resources and research from the past few months.

The Summer Feature article looks at our Get Connected resource, which aims to help consumers find broadband services when there are no ADSL services available in their areas. Issues accessing ADSL services have become a common complaint for consumers. The resource consists of a mapping tool and a set of steps consumers can use to find the best service that suits their needs.

Also on the topic of broadband, the Policy article outlines ACCAN's call for consumers to be given clearer information on broadband speeds. Our submission to the ACCC's consultation on broadband speed claims highlighted consumer confusion over broadband speeds. With broadband plans advertised using terms like 'speeds up to 25Mbps', consumers are often left confused when their services don't deliver the advertised speeds.

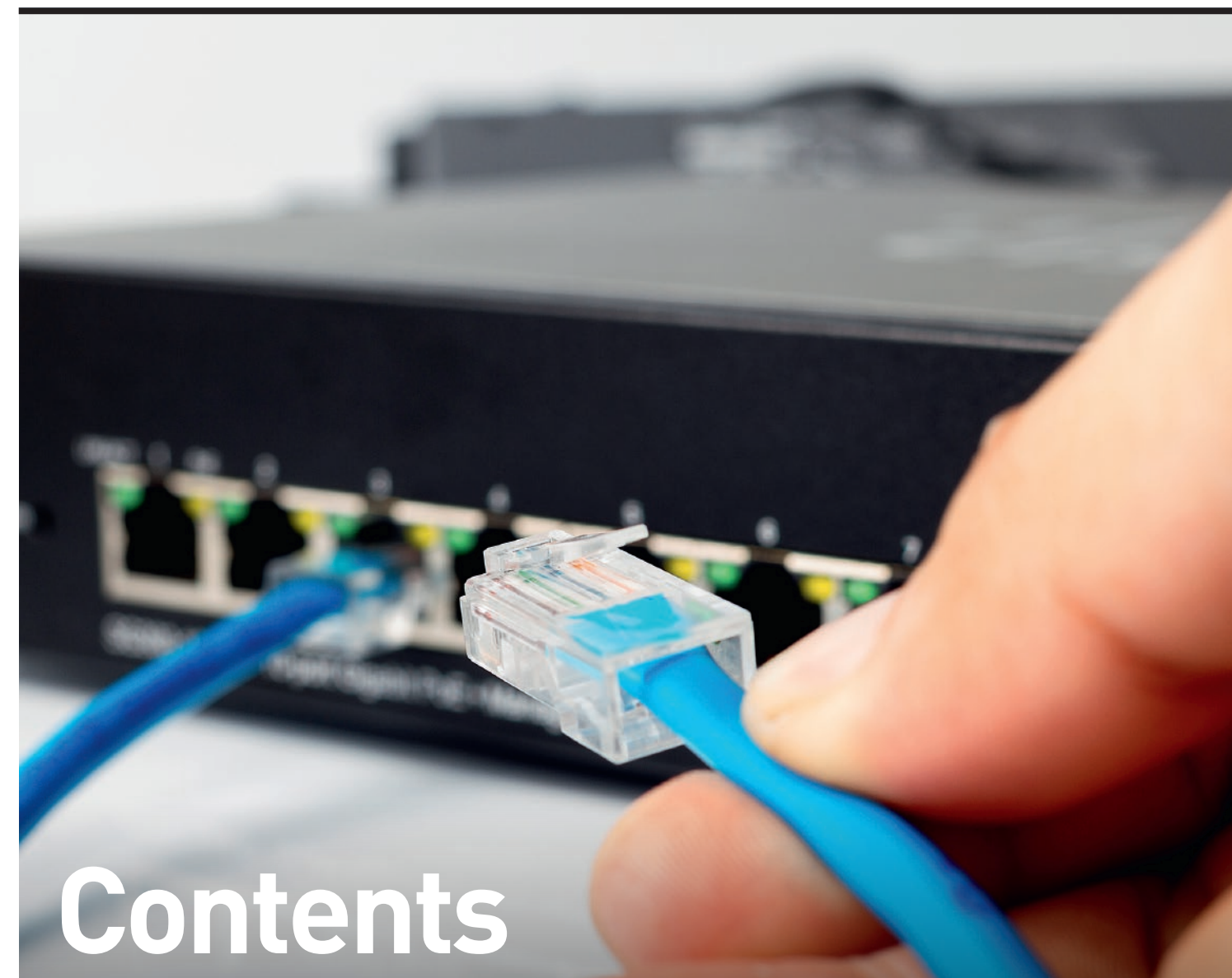
*The Confident, but Confounded* research, launched at the ACCANect Conference in September, measured consumer understanding of telco contracts using a knowledge test. The research found that often consumers

do not adequately understand the contents of the contracts they are signing up to. Read more about this fascinating research in the Spotlight article.

In early 2015 we saw the launch of streaming services Netflix, Stan and Presto. Since then, many Australians have embraced these services with open arms, however, there's one group that is being left behind in the video on demand 'streaming wars.' ACCAN Grants research by Curtin University found the streaming services to be lacking in accessibility features and policies, leaving out the core audience of people with a disability. The project produced tip sheets with information on accessibility features of streaming services.

For all the latest ACCAN updates, follow us on Facebook (facebook.com/accanau) or Twitter (twitter.com/ACCAN\_AU). Our smartphone app, My Phone Rights, is full of useful information for communications consumers and is available on Android and Apple smartphones. As always, if you have any comments, suggestions or feedback, please email ceo@accan.org.au or call me on 02 9288 4000.

Warm regards  
**Teresa Corbin**  
ACCAN CEO



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## ACCANect explored how to get everyone connected

Our 2016 Conference, ACCANect: Equipping consumers to stay connected, was held in Sydney on 14-15 September. The Conference focused on how to empower consumers to get and stay connected to the phone and broadband services they need.

The event covered a range of important consumer topics including digital inclusion, consumer decision making and affordability of services.

"ACCANect explored the issues that consumers face in getting connected, particularly as our reliance on broadband to access services, education and employment opportunities grows," said ACCAN CEO, Teresa Corbin. "Over the two days we heard from experts about new research into digital inclusion and affordability."

The keynote speaker, Consumer



NZ CEO, Sue Chetwin, gave insights into the consumer experience of getting connected in NZ. Attendees also enjoyed presentations from the new Small Business and Family Enterprise Ombudsman, Kate

Carnell, and the new Disability Commissioner, Alastair McEwin.

To access presentations, transcripts and select videos from the Conference, go to: [accan.org.au/accanect](http://accan.org.au/accanect).



## Unsolicited calls a nuisance to many

Research launched by CHOICE and National Seniors in late September showed that the majority of Australians prefer not to receive unsolicited telemarketing calls. The research found that 89 per cent of people received at least one unsolicited call in a six-month period, and that 93 per cent find unsolicited calls annoying.

This is not surprising as there are more than 10 million phone numbers now registered on the Do Not Call Register.

The report raised significant issues surrounding charities contacting vulnerable consumers, including seniors, to solicit donations. ACCAN supports tightening current Do Not Call Register Regulations and has recently called for a review of the Do Not Call Register Act to introduce protections from aggressive fundraising calls for vulnerable consumers, to ban robocalls and to reassess the exemption for political calls.

In the UK, a new law to target aggressive charity fundraising that requires charities to state in their contracts how they will protect vulnerable people has been introduced. This is an example of how the Australian law could be changed to protect vulnerable consumers.



## Low-income consumers struggling to stay connected

A report, launched by ACCAN and SACOSS in November, highlighted concerns about low-income consumers staying connected to telecommunications services.

*Connectivity Costs: Telecommunications Affordability for Low-Income Australians*, was based on a survey of over 500 Centrelink recipients and low-income Health Care Card holders, as well as a series of focus groups. The report found that:

- 66 per cent of respondents rated telecommunications among the five most important factors in their household budget; but
- 62 per cent reported difficulty paying, having to cut back or that they had stopped using one or more telecommunications services for financial reasons in the last 12 months.

The research also found that the existing government support for low-income consumers to stay connected, the Centrelink Telephone Allowance (CTA), is not doing what it should and is in need of reform to

reflect modern telecommunications usage and demands.

"In 2016 all consumers need to be connected to broadband and telecommunications services. Without these services, consumers are cut-off from accessing education, job opportunities and Government services, as well as entertainment and the social benefits of being able to keep in touch with friends and family," said ACCAN Director of Policy, Una Lawrence. "This research shows that connectivity is a priority for low-income consumers, but affordability barriers are hindering their ability to pay for these services."

The report recommends reforming the CTA to assist with access to mobile phone and internet services with reasonable call and data allowances; that it should be available to all Centrelink recipients; and that this is part of the need to ensure that all income support payments are adequate to cover essential services like telecommunications.

## ACCAN's 2016-17 policy priorities

In a speech at the CommsDay Melbourne Congress 2016, ACCAN CEO, Teresa Corbin, outlined eight major priority areas for ACCAN in 2016-17. The consumer centred priorities relate to ACCAN's core focus area of achieving affordable, available and accessible communications products and services for all Australians.

ACCAN's 2016-17 policy priorities are:

- Better communications for poorly served areas
- Improved consumer safeguards and better regulation
- Improved consumer decision making
- Digital literacy and digital government
- Affordable communications
- Improved accessibility
- Privacy and cyber security
- Competition and market structures

"We've worked with our member base and stakeholders to ensure that our priorities match the needs and wants of Australian communications consumers," said Ms Corbin. "Many of these are a continuation of last year's priorities. We will work to ensure that communications services are accessible, affordable and available for all consumers."

When talking about the priorities, Ms Corbin highlighted the Get Connected resource under the better communications for poorly served areas priority. Resources and practical guides to help consumers navigate the complexities of NBN services, similar to ACCAN's Sky Muster satellite guide, will be a focus for ACCAN in the coming year.



## New resource for consumers struggling to **'Get Connected'**

**M**oving house is a stressful experience. For some consumers this experience becomes even more stressful when they discover they can't get an ADSL or NBN broadband service in their new home. Issues with accessing ADSL services have become a common complaint for many consumers, particularly those who move into new areas and find out there are no ADSL services available to their new home.

To help consumers overcome these issues, ACCAN launched the 'Get Connected' resource ([accan.org.au/get-connected](http://accan.org.au/get-connected)). Get Connected includes a mapping tool and a series of helpful steps for consumers who are struggling to get an ADSL connection while they are waiting for NBN to arrive in their area. The helpful steps are included in this article.

The NBN will offer fast broadband connections for consumers. However, some may be waiting months or years for the NBN to reach them. Get Connected will help consumers make a decision about what services would meet their needs in the short to medium term.

### **Mapping tool**

The mapping tool helps consumers to understand the reasons that may be preventing them from getting an ADSL service. For example, if there are few ports available at the local exchange, if the neighbourhood is too far from an exchange or if the exchange is not ADSL enabled.

The mapping tool will be useful to consumers who are moving house as they can use it to check if there are any issues with broadband services in their new area before they move.

### **What can consumers do to get a service?**

The steps outlined in the Get Connected resource provide consumers with actions they can take to get a service. For example, they can check if there is an ADSL waiting list with their service provider or check if other providers can offer services to them.

We are seeing a lot more consumers who are unable to get any connection, are told there is no waiting list, and have no affordable and suitable alternative options available to them. Consumers need access to sufficient amounts of data at an affordable price. The average household connected to the NBN uses 131GB per month and our data usage is likely to increase.

The tips look at some of the other options that might be available. We know there is a lot of confusion and consumers don't know their options. Get Connected will empower consumers to get the broadband services they need.

### **More investment and transparency needed**

ACCAN is calling on providers to maintain and increase investments in areas where there is a lack of ADSL services available. Investing now will make a big difference for consumers, while providing a sufficient return for providers.

We are also urging the industry to increase transparency to consumers on what alternative services are available. When putting together these resources, we found it difficult to identify service coverage and availability. Greater visibility would help consumers who are struggling to get connected to know where to turn to.

# 6 HELPFUL STEPS if you can't get a broadband service

Below is a shortened version of our online resource.  
For more information, go to: [accan.org.au/get-connected](http://accan.org.au/get-connected).

## 1 Waiting list

Ask your provider if you can be added to a waiting list for services in the future.

Providers should keep your address and notify you when services become available.

## 2 Check other fixed providers

If one retail service provider (RSP) says they can't provide you with services, other RSPs might be able to give you a service.

Below is a list of such companies that may have services available in your area:

- Aussie Broadband
- EFTel
- iiNet
- Internode
- My Soul (NSW)
- OnTheNet (Queensland)
- Optus
- Primus
- Telstra
- TPG

There may also be other fixed line networks that operate in your area that you may be able to use, including:

- iiNet VDSL2 (ACT)
- Optus Cable (Sydney, Melbourne, Brisbane)
- Telstra (Velocity, South Brisbane, Cable)
- Wondercom FTTB

If you are in a new development you may have access to other networks. You can check the Government's new developments map to see if you are covered ([nationalmap.gov.au](http://nationalmap.gov.au)).

## 3 Check fixed wireless options

Fixed wireless broadband options, where an antenna is installed on your house, may be a valid alternative for you. There are a range of providers that offer services in different areas around the country. Go to the website for more information on these RSPs: [accan.org.au/get-connected](http://accan.org.au/get-connected).

## 4 Check home wireless options

Home wireless may be an alternative option. These usually work through a modem device (which may cost extra) that allows a number of devices in the house to connect. It is important to check that there is coverage at your house. Check out the options from these providers:

- Optus
- Telstra
- Vivid Wireless

## 5 Check mobile broadband options

Mobile broadband may be an alternative option. These plans are designed to be used on the go, usually through one device such as a tablet (which may cost extra to purchase). For more than one person to connect you need to 'hotspot' the device. It is important to check that there is mobile coverage at your house. Check out the options from these providers:

- Optus
- Ovo

## 6 Share your experiences and solutions

Contact ACCAN ([broadband@accan.org.au](mailto:broadband@accan.org.au)) if you are unable to get a service, or if you are a provider who can offer services.



# Broadband speed claims cause confusion for consumers

**A**CCAN believes that consumers need more information on broadband speeds and that this information should be clear and presented upfront.

ACCAN is regularly contacted by consumers about slow broadband services. In 2015-16 slow data speed was the biggest problem with internet services reported to the Telecommunications Industry Ombudsman. New complaints about internet data speed increased by 48 per cent.

ACCAN's submission to the ACCC's consultation on broadband speed claims highlights that information provided to consumers about broadband speeds is often confusing, and can also be misleading as claimed speeds frequently don't match reality. Use of terms like 'speeds up to' contributes to consumer confusion.

ACCAN fully supports the ACCC's investigation into this issue and urges the Commission to implement guidelines and

other measures that will result in clearer information for consumers.

## Why do consumers need clearer information?

The lack of clarity in what speed is offered is worrying given that a 2016 ACCAN survey found that 58 per cent of respondents agreed with the statement 'you get the same speed at home as advertised in your plan.' Opinion was split when consumers were asked if providers differ in the level of quality that they offer.

Greater information around broadband performance is needed to help consumers:

- Compare products and choose the service that best suits their needs. Descriptions such as 'fast', or 'up to', do not provide the tools for consumers to compare actual likely performance and match their usage needs in a rational way. Greater information will help inform decision

making, especially when considering switching providers to get better services.

- Diagnose faults more accurately, and identify whether a fault is in the home, or due to the retail service provider, network provider or the applications being used.
- To seek recourse when the service does not meet expected standards.

## Performance issues

One of the issues that ACCAN identified is that the term 'speed' is simplistically used to describe the performance of a service. A number of issues that consumers encounter are often described as 'speed' issues, the solution to which is often presented as faster speeds. This approach misses other factors that affect service performance.

ACCAN asserts that consumers should have access to information which helps them compare services and describes how the service will work for them.

The proposed Broadband Performance Monitoring and Reporting Program, which aims to test service performance, would also help to support and verify the speed claims made by retail service providers.



# Interview with **Kate Carnell**

**W**e interviewed the Australian Small Business and Family Enterprise Ombudsman (ASBFEO), Kate Carnell, to get some insights on the telecommunications issues small businesses face.

## **What are the telco issues ASBFEO is hearing about from small businesses?**

In a word, the number one telco issue for small business is 'access'. Access to a landline phone; access to good mobile coverage; access to the internet; access to fast internet speeds.

Small businesses who are digitally engaged, are more likely to be healthy small businesses. Of those businesses that are highly digitally engaged, 83 per cent of them believe that they will be growing in the next twelve months. For those who aren't digitally engaged, only 46 per cent have any confidence in their growth potential.

Small businesses that are digitally engaged are more efficient; they're twice as likely to be growing, they are four times more likely to be employing staff, so it's an understatement to say connectivity matters to small business.

## **What improvements could telcos make to deliver a better customer experience for small businesses?**

Responsiveness to issues when they arise is an area I believe telco companies could improve upon. If a small business – even for a few hours – is without a phone or internet access, it's money down the drain; telcos need to understand these business owners need resolutions to service interruptions quickly and efficiently, in order to prevent their customers from going elsewhere.

There are some serious knowledge gaps among the small business community about the cost and capabilities of modern telecommunication services; many don't understand how it can help make life easier, while some think it's cost prohibitive. I think telcos certainly have a greater role to play in terms of educating small businesses about their services, and how these services can enhance small business profitability.

## **With the high profile telecommunications outages earlier this year, have you heard increased complaints from small businesses about these?**

Irrespective of outages which occur from time to time, small businesses simply want to be able to go forward with confidence that – unforeseen circumstances aside – they'll have access to the services they need, to get on with the day-to-day business of running their small business.

Fast resolutions to problems when they do arise however, go a long way to supporting small business sustainability. As I mentioned previously, prompt customer service that acknowledges the serious flow-on effects a telco outage can trigger, is critical to developing and sustaining small business confidence.

## **What impact will the new unfair contracts law have on telco contracts for small businesses?**

The unfair contract terms law is a game-changer for small businesses who in the past, have had little – if any – power to influence the terms of a standard form contract. Telco contracts were among those recently examined during an industry review by the ACCC who – together with ASIC – will administer the new law. The review looked at the standard form business contracts offered by five of Australia's telecommunication firms. The ACCC identified a number of commonly used terms that raised potential concerns, including unilateral variation clauses, early termination charges along with limited liability and indemnity clauses. As a result, some telco providers have removed, amended or are reviewing terms to ensure they're fair and reasonable.





How accessible are  
**VOD services?**

In 2015, Australians saw the beginning of subscription video on demand (VOD) 'streaming wars' when streaming services Stan, Presto and Netflix were introduced to the market.

As niche audiences can add up to significant numbers, it was surprising that people with a disability seemed to be ignored by the streaming services with most not even offering basic accessibility features.

An ACCAN Grants project, by Curtin University, conducted the first Australian study to examine disability access to subscription VOD services.

**Lack of accessibility policies**

Before the launch of VOD services in Australia, Federal Government policy papers recognised the need for accessibility features for audiences with vision and hearing impairments. They predicted that VOD companies would include services, such as captions and audio description, without the need for Government intervention.

But a content analysis of the policy sections of Stan, Presto, Netflix, QuickFlix and Foxtel on Demand in November

2015 found that none of these VOD providers had an accessibility policy.

There has been some progress however. Earlier this year, Stan introduced closed captions for around 300 titles, with promises of more to come. Presto was said to be 'working on' adding captions, and Quickflix had adopted a distributor-led approach, making captions available if the distributing studio offered them.

Despite not having a clear accessibility policy, Netflix is ahead of its competitors in terms of accessibility with captions available for most content. Audio description for some content became available in April 2015. This came about due to the impact of the Communications and Video Accessibility Act in the US.

**More accessibility features needed**

Audio description services introduced on Netflix is one example of how legislation in a single country can prompt improvements benefiting consumers internationally.

A European Commission study found digital and online television accessibility was more widely available in countries where legislation is in place.

Despite successful trials in Australia, there is no legislation regarding the provision of audio description in Australia, and other VOD providers have yet to introduce the service.

The research shows that people with disabilities, including people with vision impairments, do use VOD services and continue to have unmet access needs.

The research includes a recommendation for the Government to extend the Broadcasting Services Act to include minimum requirements for television and VOD services.

It also calls for VOD companies to recognise a significant portion of their customer base could be people with a disability, or their families and friends, and for these companies to hire accessibility consultants to make their platforms accessible and useable for these consumers.

**The project produced a range of tip sheets to help people with a disability access streaming services and an app with accessible VOD news. For more information, go to: [accan.org.au/completed-grants](http://accan.org.au/completed-grants).**





# Confident, but Confounded

**H**aving a smartphone (or at least a mobile phone) is now seen as essential in 2016. Many of us sign up to contracts with telecommunications providers to obtain these essential devices. But how much of these contracts do we actually understand?

New research, undertaken by Dr Paul Harrison from Deakin University, examined the extent to which consumers understand the information provided to them by telecommunications providers.

## Telco contracts

Understanding the terms and conditions of a contract has been repeatedly argued to be beneficial to the consumer. Having access to an appropriate amount of understandable information protects consumers from making purchase decisions based on periphery information like a company's reputation or brand and price signals. However, there is significant evidence to suggest that consumers often do not adequately understand the

contents of contracts, should they read them at all.

We know that many consumers do not, or barely read contracts when purchasing products and services. This happens for many reasons including: that they have no choice but to accept if they want the underlying product, they are too long and time consuming, they are full of legal jargon, they are considered all the same, the level of detail in agreements is mostly irrelevant and that vendors are usually reputable.

The telecommunications industry has indicated a long standing desire for more flexibility with fewer restrictions in the information provided on a mandatory basis to consumers. Providers argue that information should be provided as consumers require it. It's also argued that current mandatory consumer information requirements, particularly the amount of information that must be provided at point-of-sale, are not necessarily useful to consumers and result in substantial cost to the industry.

## Testing consumer knowledge

The *Confident, but Confounded* research sought to investigate consumer comprehension of telecommunications agreements, not by asking consumers whether they understood their agreements, but by testing what consumers actually did understand in their agreements, through a knowledge test.

The results showed that in general, consumers displayed confidence in their self-assessed ability to understand telecommunications agreements. However, only a very small proportion showed an adequate understanding of how their contract worked and how to address potential problems that could arise after signing.

The results of the empirical research and knowledge test suggested:

- There was a negative relationship between self-assessed understanding and the correct answer. That is, the more someone believed they would do better, the less they actually answered questions correctly.
- When consumers considered information to be relevant, they performed better, answering more questions correctly. Some groups performed better than others, with those with vocational qualifications, or those whose primary language was not English, performing worse, suggesting consumers may benefit from targeted information.

Interestingly, the research also found that different stakeholders had different expectations about the capacity of consumers to solve every day telecommunications problems. On average, regulators had the most realistic expectations of consumers' understanding of their agreements, while consumer advocates underestimated, and telco representatives overestimated consumer capacity to understand their agreements.

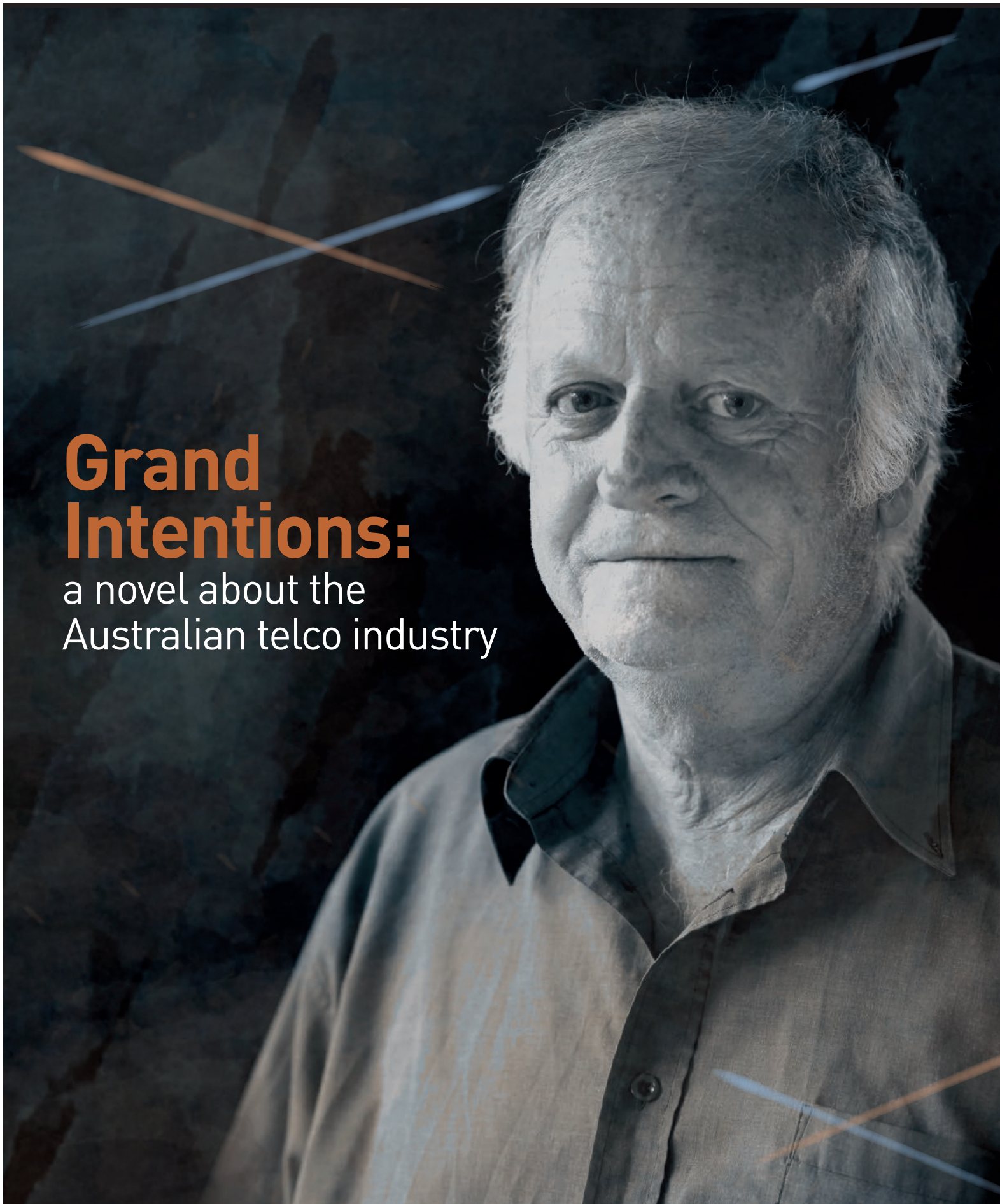
## How can consumer understanding be improved?

The research outlined recommendations to work towards improving consumer understanding of telco contracts:

- As part of its current research on the operation of the Telecommunications Consumer Protections (TCP) Code since the Reconnecting the Customer Inquiry, the ACMA should include an evaluation of the Critical Information Summary to determine the extent to which they assist consumers to understand the key features of their agreement.
- Telecommunications retailers should ensure that plans and market offers are kept as simple as possible with clear elementary features that their customers can easily understand.
- In order to promote better understanding of telecommunications contracts, more work is required by the industry to understand consumer needs during the sale transaction and lifecycle of a contract, and to tailor the time delivery of core information for maximum comprehensibility.
- It is recommended that telecommunications retailers adopt a proactive strategy by conducting follow up courtesy contact with new customers after three billing cycles to see if the customer needs further assistance in understanding their obligations.
- This research finds a need for expert independent research to provide an evidence base when introducing or reviewing customer information obligations, to reduce the risk of inaccurate presumptions about consumer behaviour informing regulatory obligations.

# Grand Intentions:

a novel about the Australian telco industry



**G**rand Intentions, a new novel by Professor Trevor Barr, was inspired by the Australian telco industry.

The novel tells the story of a fictitious telecommunications company, Telco One, as it undergoes major changes.

While it's inspired by true events (the story draws inspiration from the privatisation of Telstra between 1991 and 2010), it uses fictional characters to explore the human consequences for those involved in the rapid transformation of the company.

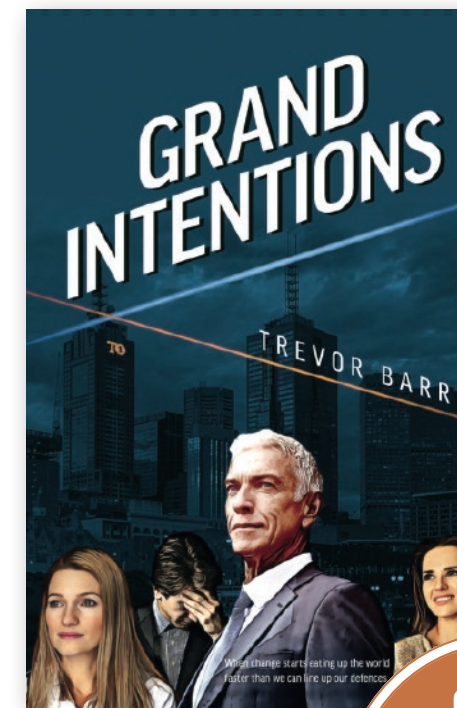
Professor Barr is a veteran of the Australian telecommunications landscape and witnessed the real life changes explored in the book. He currently holds the position of Emeritus Professor at Swinburne University of Technology. His distinguished career saw him win the Charles Todd Medal in 2007 for his contributions to the industry.

We spoke with the author (and ACCAN member), to get some insights into the motivation and inspiration behind the novel.

### Inspiration behind the novel

At the beginning of the novel, Telco One, has recently been privatised and is undergoing major changes as a result. Grand Intentions follows characters including the new Telco One CEO, Clint Mason, recruited from New York who "relentlessly imposes new strategies." The characters of former financial counsellors, Max and Paul, find their lives radically changing after they join Telco One's consumer division.

The novel explores the impact of the changes on these individuals and those around them.



Grand Intentions is a "page-turner of a novel"

When looking to write about the telecommunications industry, it was the lack of books focusing on the industry that motivated Trevor to write the novel.

"I thought it was odd that there were so many books about media institutions and personalities (Murdoch, Packer, Stokes) and for IT (Gates, Jobs, Zuckerberg), but almost no comparable books about telecommunications," he commented.

"Strange too given that the telecommunications industry in Australia is more than ten times larger in revenue than for the whole of our commercial television industry."

The book uniquely examines the internal telecommunications industry culture that so strongly influences consumer practices and services.

### Response to the novel

Trevor has been delighted by so many positive responses to the novel.

From the outside looking in, the telecommunications industry can seem quite 'unapproachable,' but according to literary critic, Helen Elliot, the novel manages to be "pacey and thoughtful." John O'Hara, former Director, The Australian Film Television and Radio School, called the novel "a stunning account of the changes with a major player in Australian and international telecommunications."

The book has also received a positive response from industry figures and stakeholders, including

ACCAN's CEO, Teresa Corbin, who praised the book as "very entertaining."

"Having been involved in many of the events the book is based upon, it was a surreal experience to re-live them through the

characters in the book," said Ms Corbin. "I had a great time trying to guess which real life people the characters are based on!"

Adjunct Associate Professor at Monash University, Peter Gerrand, called Grand Intentions a "page-turner of a novel," while Jim Holmes, owner of Incyte Consulting, labelled the book "an exciting read that involves many themes and works at many levels."

While there are no plans for a follow-up at the moment, Trevor said that there may be screen options for the novel.

Grand Intentions is available from book stores now.