2018 Indigenous Advisory Forum (IAF) Meeting Report

Australian Communications Consumer Action Network

Wednesday, 18 April 2018, 11.00am – 3.00pm

PRESENT:	Jennifer Nixon	First Nations Media (via teleconference)
	Lynda Edwards	Financial Counselling Australia
	Peter Radoll	University of Canberra
	Unaisi Buli	Indigenous Consumer Assistance Network
	Andrew Crouch	Centre for Appropriate Technology
	Leigh Shacklady	Tangentyere Council
ACCAN:	Heron Loban	IAF Chairperson (ACCAN Board)
	Teresa Corbin	CEO
	Narelle Clark	ACCAN Deputy CEO
	Una Lawrence	Director of Policy
	Jeremy Riddle	Policy Officer
	Kelly Lindsay	Consumer Engagement and Membership Officer
APOLOGIES:	Grant Cameron	National Centre for Indigenous Excellence

The purpose of ACCAN's Indigenous Advisory Forum (IAF) is to discuss important telecommunications consumer issues from the perspective of representatives from Indigenous communities and organisations. The forum informs ACCAN's policy priorities and work plan.

IAF participants are welcome to use this document in reporting back to their organisations.

ACCAN Update

ACCAN staff provided a brief outline of several major consumer issues and a summary of ACCAN's outcomes in the past 12 months.

- ACCAN has been granted a new contract since the last IAF – this contract extends ACCAN's activities until early 2022.
- Universal Service Guarantee (USG) to replace the Universal Service Obligation (USO).Telco Reform Bill legislative package was introduced in Federal Parliament; this will guarantee access to data networks capable of 25mbps download and 5 mbps upload speeds.
- Tighter guidelines for broadband speeds in product advertising have been published by Australian Competition and Consumer Commission (ACCC).
- ACCC broadband speed monitoring trial commenced, with first results out soon. This will provide consumers with information about speeds over nbn services.
- New consumer protection measures from the Australian Communications Media Association (the ACMA) will commence mid-year.
- TIO complaint numbers are up 40%. These complaints are not solely attributed to nbn rollout issues, they are across all areas and highlight that much work needs to be done to address consumer issues across the whole of the communications sector.

ACCAN draft policy priorities

ACCAN staff gave a brief overview of our draft policy priorities for the current year, and invited IAF feedback. These are:

Improved consumer safeguards
We will advance protections needed for the delivery of essential communications services to consumers*.*

Better communications for poorly served areas
We will work closely with communities for improvements in existing services and mobile network expansion, and for a smooth transition to NBN broadband.

Empowering consumer decision making
We will support a competitive market by ensuring consumers are informed and have the tools they need to participate.

Affordable communications
We will strive to eliminate affordability barriers for all consumers.

Improved accessibility
We will work with our members for the removal of barriers to access to communications products and services for people with disability.

Privacy, security and online safety
We will work to maintain and protect consumer privacy, security, and online safety.

Points that were raised during discussion of our policy priorities included:

Consumer education and decision-making

– Ongoing, culturally appropriate educational materials and training would be very useful to
empower Indigenous consumers - organisations to distribute throughout their networks.
  o Lynda Edwards, FCA, suggested that specific training for on-the-ground workers such as
  financial counsellors would be useful. ACCAN could create webinars to be shared
  through the financial counsellors' networks.
  o Face to face training delivery is more effective as many consumers struggle with
  resources written in English.

Disability and accessibility

– The proposal for a National Disability Telecommunications Service is strongly supported by
participants.
– Participants offered their support NRS to make their communities aware of the changes to the
NRS.
  o Lynda Edwards will survey her network about the prevalence of NRS use by Indigenous
  Australians.

Sales practices and consumer protections

– Upselling is a huge issue for many Indigenous consumers, it is on the rise again. Broome WA case
study is demonstrating serious issues with the sales techniques at the Telstra store. Telstra
specialist team have been helpful.
  o Commission based selling was identified as an issue.
  o Suggestion that something like the banking Code of practice could reduce harm.
  o Telco contracts should not be sold at stores like Kmart and JB Hi-Fi.

Enforcement and community sector resourcing

– ACMA enforcement is an issue. The ACMA should have powers to claw back funds from telcos
and compensate community organisations for time spent on investigations and evidence
gathering.

Regional, rural, and remote issues

– Regional, rural and remote telecommunications have to be improved.
– Pay phones continue to be essential in some Indigenous communities.
– Privately provided Wi-Fi hotspots should not exclude consumers from upgrades to public
infrastructure - nbn and mobile access.

Identification issues

– DTA's Trusted Digital Identity Framework: creates further issues for Indigenous consumers who
lack ID documents and/or don't have a fixed address. Cultural issues around ID need to be
considered, including consumers using other family members' or their partner's documents.
  o Suggestion that we refer to the banking industry guidelines on identification.

o   Leigh Shacklady has a case study detailing issues arising from signing up for multiple telecommunications contracts using one ID.

TIO

−   There is a dedicated Indigenous phone line but you have to know about it as it's not listed anywhere in general materials or on the website.
−   Outreach for Indigenous consumers no longer happening.
−   The TIO does not provide specific Indigenous statistics. An issue was raised about how the TIO collects demographic information, and whether people who call the general TIO line can or should be asked whether they are Indigenous.
−   Culturally, Indigenous are less likely to complain when compared to general population.

Affordability

−   Support for the idea that there should be no data charges for government services like Centrelink and banking.
−   There is a need for more education on options and what catches to watch out for.
−   Pre-paid mobile need to be more affordable.
−   Community Wi-Fi hot spots are;
    o   subject to filtering
    o   not always available 24/7, turned on and off as they wish
    o   vulnerable to security breaches and not ideal for banking or myGov use.

The participants listed the following as the top three priorities for Indigenous consumers:

1.   Better communications for poorly serviced areas
2.   Empowering consumer decision making
3.   Affordable communications

ACCAN will work through the issues raised and incorporate these into our policy priorities and work plan.

ACCAN Indigenous policy priorities 2017/2018

ACCAN staff provided a brief outline of some of the major work areas outlined in the issue papers circulated prior to the meeting. Feedback was given as follows.

Affordability

Affordability is a major priority for Indigenous consumers. Mobile use is high, typically as a pre-paid product. Households could be spending hundreds of dollars on mobile phone credit. Where a post-paid, data sharing solution option might be offered as an affordable option, it is not used because it's difficult to administer.

Issues discussed:

−   Point of sale to ask the question to enable consumers to access any allowances or rebates

- Handset leasing in Alice Springs is less affordable but is being taken up as it's easier for the consumer to get the phone than via a telco.
- The emergence of handset leasing plans. Some consumers are not aware that their contract is to lease a handset rather than to own it.
- Education is vital – case studies and story boarders
- A percentage based rebate, linked to the Digital Inclusion Index and as described in the affordability one-pager would be supported by participants.
  - However, an issue with this approach is whether it could be applied to pre-paid products.
- Free Wi-Fi to be available to those who have run out of credit, allowing them access to Centrelink, banking etc.
- The fact that often one device is shared between multiple people means that credit is more important and more people depend on the device.
- Prepaid telco vouchers for financial counsellors to give out to assist consumers.

Australian Domain Name Authority (AuDA)

A number of issues were highlighter, relating to the Australian Domain Name Authority, Department of Communications review;

Issues discussed:

- The Review now on hold till 2019
- Should certain Indigenous words and language groups be reserved for use by Indigenous people.
- NZ has a dedicated Indigenous committee for domain names
- Participants asked for background paper to be able to understand the implications.

Reconciliation Action Plan (RAP)

ACCAN is undertaking a review of the RAP. The following points were raised by participants;

- RAPs are a good opportunity to link in; as long as they are authentic and manageable.
- ACCAN to continue to highlight that the RAP is to 'assist in reducing the digital divide'
- It is more effective to move the elements of the RAP into the organisations Strategic Plan – they should be built into the core of the business, rather than be a side-piece.
- Consider cultural competency instead of cultural awareness training for staff.
- It's important to detail *what you will actually do*.
- Participants indicated broad support for a review / update and to review alongside ACCAN's strategic plan.

Regional Review

The Regional review will take place later this year. Case studies will be an important part of demonstrating the current situation with telecommunications for affected consumers.

Issues discussed:

- ATSI businesses should be represented
- A call for case studies could be put out through the FCA network

- The success of Hot Spots – stretching mobile tower signals

Telecommunications Consumer Protection (TCP) Code review
The review of the TCP Code was not discussed due to time constraints, but issues raised during the discussion of ACCAN's policy priorities (above) are directly relevant to the review of the TCP Code. These include comments made with regard to:

- Inappropriate sales and credit assessment issues; and
- Training and education

Additional feedback

ACCAN requested that IAF participants consider useful training topics and materials;
- Additional training materials would be very useful. Particularly on the topics of:
  - Getting ready for nbn
  - How to make a complaint.
- Face to face training materials such as webinars are considered the most successful.

Research focus 2017/18

Suggested topics for research were;

- Pay phone use: gather an evidence base to build the argument that they are essential.

The participants agreed that working with established associations and organisations such as ICAN and FCA on issues that affect Indigenous consumers, will allow access to their established networks and communities.

Conclusion

The feedback and suggestions made at the Indigenous Advisory Forum will be used to inform ACCAN's future policy priorities, policy focus, operations plan and research activity plan. These will be circulated to members of the Forum when finalised.

ACCAN CEO, Teresa Corbin, thanked the IAF participants for their time and valuable contributions.