



Australian Communications Consumer Action Network

Members Advisory Forum

Meeting Report

Wednesday, 21 April 2021, 2:00 – 5:00
by videoconference

PRESENT:

Ross Joyce	Australian Federation of Disability Organisations
Amy Pereira	Choice
Brigette Rose	Consumer Action Law Centre
Gordon Renouf	Consumers Federation of Australia
Peter Strong	Council of Small Business Organisations Australia
Sophia Petrov	Council on the Ageing
Lucie Krahulcova	Digital Rights Watch
Julie Barrow	Financial Counselling Australia
Diana Hayes	Financial Counsellors Association of WA
Jane Hutchinson	Hobart Legal Centre
Unaisi Buli	Indigenous Consumer Assistance Network
Alana Molan	Isolated Children's & Parents Association
Robyn Nolan	National Council of Women of Australia
Joel Pringle	The Benevolent Society
Ebony Bake	WEstjustice
Karen Bentley	WESNET
Kate Munro	Youth Action Network

ACCAN:

Deirdre O'Donnell	Chair
Teresa Corbin	Chief Executive Officer
Una Lawrence	Director of Policy
Stephanie Whitelock	Policy Officer
Rebekah Sarkoezy	Policy Officer

Kelly Lindsay	Consumer Engagement and Membership Officer
Meredith Lea	Disability Policy Advisor
Megan Ward	Economic Advisor

APOLOGIES:

David Vaile	Australian Privacy Foundation
Veronica Johnson	Broome CIRCLE
Lauren Solomon	Consumer Policy Research Centre
Tanya Cameron	Country Women's Association of Australia
Mohammed Al-Khafaji	Federation of Ethnic Communities' Council of Australia
Mike Darby	National Farmers Federation
Scott Brown	Queensland Council of Social Service
Greg Ogle	South Australian Council of Social Service
Helen Campbell	Women's Legal Service NSW

GUEST SPEAKERS:

Pauline Triggiani

The purpose of ACCAN's Member's Advisory Forum (MAF) is to identify the most important telecommunications consumer issues from the perspective of ACCAN's members and the people they represent, with a view to incorporating these into ACCAN's future policy priorities for the 2021-22 year. This year ACCAN took the opportunity to consult on its draft 2021-24 Strategic Plan.

The following meeting report provides an overview of the main issues raised and discussed. MAF participants are welcome to use this document in reporting back to their organisations. This report will also be sent to invited representatives who were unable to attend.

ACCAN distributed the following documents prior to the meeting to provide background for the discussions:

- ACCAN Environment Scan
- Draft Strategic Plan
- Policy Priorities for 2020-21

1. Overview of current communications context and ACCAN activities

ACCAN CEO Teresa Corbin outlined several major consumer issues and a summary of ACCAN's outcomes in the past 12 months. These are set out in detail in the ACCAN Environment Scan, circulated to attendees before the Forum.

Key achievements highlighted include:

- ACCAN contributed 69 submissions, 36 advocacy letters, and sat on 33 different committees and advisory forums over the past year.

- Some positive outcomes for communications consumers during the COVID-19 pandemic, including the allocation of more bandwidth over the NBN.
- \$37.1m being invested in measures to improve communications in response to the 2019-20 bushfire season.
- Half of ACCAN's recommendations regarding the COVIDSafe app were implemented.
- NBN Co is publicly consulting on a broadband product suitable for people on limited incomes – a key initiative put forward by ACCAN.
- Australian Government funding has been allocated to small business' digital transformation.
- ACCAN and the National Farmers' Federation's joint consumer information project, the Regional Tech Hub, has been successfully launched.
- Audio description has been introduced as advocated by ACCAN.
- The Telco Reform Bill has been passed by Federal Parliament.
- Funding for ACCAN's Accessible Telecoms project has been secured for one year.

Emerging issues

A summary of the emerging issues ACCAN has been and will continue to expand into was provided, including digital platforms, and the Media Reform Green paper which will have a significant impact on communications consumers.

ACCAN has been getting involved in digital platforms consumer issues, for example by advocating on the Misinformation/Disinformation Code of Practice, the News Media Bargaining Code, and the ACCC inquiry on choice and competition between search engines. ACCAN anticipates the number of consumer issues in this space to grow exponentially.

Attendees were informed about an upcoming ACCAN event on the Media Reform Green Paper which examines the future of broadcasting and online services related to free-to-air television, with a view to freeing up spectrum for 5G. These are some inclusivity and accessibility concerns in this area that ACCAN will be advocating on.

Members agreed emerging digital platforms issues were important for ACCAN to address. Some attendees raised the issue of misleading or misrepresented sponsored ads in Google's search engine – for example, the ACCC court action against EmploySure, where a commercial business that offers employment relations advice was alleged to have misrepresented itself as affiliated with a government agency. This is also an issue for consumers seeking debt help, who find that debt management ads pop up when searching for free financial counselling or financial hardship help.

2. ACCAN Strategic Plan 2021-2024

Members were updated on ACCAN's development of a new strategic plan and a summary of the plan was provided. External facilitator Pauline Triggiani ran a group consultation to gather feedback on the draft Strategic Plan. Members separated into breakout groups and were allocated a section of the draft Strategic Plan to provide feedback on.

3. Discussion on Policy Priorities 2021-2022

ACCAN welcomed feedback on its policy priorities, and invited members to share the phone and internet issues of importance to their work. Key themes that emerged were:

- **Accessibility:** ACCAN needs to continue to focus on accessibility for people with disability, as the accessibility divide still exists.
- **Consumer education and information:** The telecommunications market can be extremely overwhelming and complex for consumers to engage with. Consumer confidence needs to be improved, and more accessible and simple consumer information is one way of addressing this.
- **Privacy and security:** There are many issues with the way companies collect data and can discriminate against consumers, using consumer data – for example, discriminatory pricing based on big data in the insurance industry. This practice can embed existing disadvantages. The review of the Privacy Act is underway, and it is very important that the consumer angle is represented and taken on board.
- The impact of **COVID-19** is still being felt by individual consumers and small businesses.
- **Domestic and family violence:** There are still significant communications challenges for survivors of family violence, for example, telco-imposed barriers to removing perpetrators of family violence from customer accounts.
- **Customer vulnerability:** Financial hardship and telcos' management of customers experiencing vulnerability remains a pressing issue. Disconnections were a problem last year during Covid lockdowns due to poor responses from the industry. Existing work on Consumer Safeguards Review Part C is a platform from which to push for better consumer protections, and COVID-19 is a good case study for the essentiality of communications services. Consumers continue to have difficulty accessing representation from advocates via the telco industry's authorised representatives' processes, more for legal representatives than financial counsellors at the moment. Members have seen debts of less than \$100 sold to debt collectors.
- **Consumer law, unfair trading and mis-selling:** The ACCC is doing some work on developing an unfair trading provision within consumer law which would be an excellent win for consumers and something for ACCAN to consider. Telstra's recent mis-selling case has exemplified the need for an unfair trading rule. Members indicated that they continue to see consumers being sold unsuitable phone contracts.
- **Communications for First Nations people:** ACCAN was encouraged to continue to advocate for better communications for First Nations people, and look into the issues facing First Nations people in urban communities as well as remoter areas. Affordability and a lack of consumer education remain persistent issues in remote communities, especially in relation to device lease offers by companies such as Radio Rentals, Max Rentals.
- **Affordability:** It was agreed that affordability continues to be a huge issue that affects many communications consumers. The affordability of telco bills remains a problem for people in limited incomes and contributes to financial hardship and credit management issues. Community legal centres are seeing many of these issues. Affordability is also an issue for mobile-only customers and there needs to be some sort of low-income measure for mobile-only users. There is a lack of information and promotion of more affordable products, and at the same time a confusing array of complex offers which result in consumers entering unsuitable contracts for services/devices not suited to their needs.
- **Customer service and complaints:** Some members raised poor customer service issues, including inappropriate upselling, unfair and offensive comments, failure to provide documents,

unresponsive or uncontactable providers, and failure to factor in vulnerability when managing issues eg. fleeing family violence.

- **Rural, regional and remote consumers:** Reliability and availability of quality services remains an issue for RRR consumers – this has been highlighted by the Royal Commission into Aged Care, which recommended increasing home services that are dependent on reliable communications for health monitoring. The Rural, Regional and Remote Communications Coalition is updating its goals for 2021 which ACCAN will be supporting.
- **Older people:** a trend for more confident older people opting out of using nbn and going mobile only was noted, as this is more affordable. The cost of an nbn service is considered to be higher than previous home internet connections.

4. Research focus 2020-21

Members were updated on ACCAN's research focus and its current project on assessing the appropriateness and effectiveness of telecommunications industry affordability measures. ACCAN will be doing a blog on the affordability supports available for consumers. The need for a searchable database of affordable offers and supports was discussed.

There was general consensus that this project will be of use to some members, and there was discussion of extending ACCAN's Still Waiting – Costing Consumer Wait Times research project to community organisations, to understand how long consumer advocates spend resolving telco issues. Examining the telco issues experienced by First Nations peoples living in urban settings was also suggested.

5. Meeting close

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

ACCAN CEO, Teresa Corbin, thanked the MAF attendees for their time and valuable contributions.