I'd like to welcome you to our final session prior to the AGM - I know a couple of people are still coming in from outside, but I'd like to acknowledge the presence of the shadow minister for regional communications and regional services territories and local government, Stephen Jones, who I'll call up in a moment. There's just a couple of things I want to do. Before I do the lucky-door prize, would you come forward...? Come forward now...? No, sorry, shadow minister - do you want to come...? I am very prompt. Helen, do you want to introduce yourself and what you do?

>> I'm Helen Campbell. I'm the executive officer of Women's Legal Service NSW, which is a free Community Legal Service, especially for women.

JULIE McCROSSIN: The reason I've got Helen up now - you know how a number of times yesterday issues around domestic violence, family safety, were referred to in the context of what I now think of as the 5G fourth industrial revolution - the revolution, the digital disruption and the extraordinary capacity for control and monitoring the domestic space - just the two or three key issues from a family-safety point of view - challenges associated with this technology?

>> Domestic violence relationships are, at their core, controlling relationships. This technology enables that control to become more frightening, more ubiquitous, and more damaging for women who are suffering from it. The three big issues are - the surveillance, the threats, the posting of intimate images without consent, impersonation, and forcing women out of their social spaces, such as Facebook, because of bullying. We know a lot about cyberbullying for children, but when we look at the adult consumers, this industry tends to assume that the household is a bunch of happy campers and their security needs are between inside the house and outside the house. But we need to make that much more nuanced and remember that there may be difficulties inside the house where you will need to treat your customers differently. You will need to value the privacy of the woman who is the victim more highly than the privacy of the man who was the perpetrator. We need international regulation, I admit - we can't get that here. We need rapid takedown notices. We need better use of the life-threatening calls code. We need better security adjustments and devices. And I know some of you are doing some great work. I'd like to thank Telstra for its program of providing free smartphones for women escaping domestic violence. It's not a solution, but it's a great safety valve, and we're really greatly appreciative of that. I would like to see better privacy protections and, like I said, we've got to find a rapid-takedown. It is so essential for respect and dignity.

JULIE McCROSSIN: Thank you so much, Helen. Thank you. Give her a round of applause.

(APPLAUSE)

Is Nic Suzor here? Can you come out? Nic is from the Queensland University of Technology. I didn't get a chance to include you yesterday. This is one of those nutshell interviews, but just tell us what you're doing and what streaming is and what you're doing in relation to it.

NIC SUZOR: Great, thanks. We've just completed one of the project from the ACCAN Grants Scheme that we're very pleased to have the support of ACCAN for - it allows us to give real data about how Australian consumer media markets are actually working. There are stories all the time in the newspapers about how Australians are flagrant pirates and responsible for so much infringement of copyright in films and TV. But when we speak to consumers, we also find that there's this consistent complaint that they're not being treated fairly - that Australian markets are more expensive, that there's big delays, and that they're not as well stocked - the subscription services are not available to purchase the titles that they actually want to purchase. So our report - which you can pick a up a copy of at the front desk - for the first time, really provides the technical infrastructure that allows us to track how well these markets are going across different countries, across different providers, and over time, to see whether these are getting better or not. The headline figures are still pretty disturbing. Australians still pay 24% more for access to music albums. We still pay 20% more for access to games. In subscription, TV and film markets, we only get access to less than 40% of the titles that are available in the US.

JULIE McCROSSIN: Thank you so much. Please grab a copy, if you have an interest in this topic. Thank you very much.

(APPLAUSE)

I will just ask Peabody to come forward. This is our last lucky-door prize, which is the Bluetooth speaker. Notice I'm turning over in a transparent and accountable way, not blame-shift, and offering equal access to all... The number is F1. Hello! You're excited, great. Congratulations. A round of applause.

(APPLAUSE)

Ladies and gentlemen, we're due to finish at 3:30. You know I love to finish early. We have a genuinely exciting afternoon. It's very rapid-fire. We'll keep you electrified. We'll begin with the Shadow Minister for Communications, regional services and territories and local government, Stephen Jones. I'll ask you, Stephen, if I may, for you to take your place on the stage. He's a member of the Joint Standing Committee on the National Broadband Network and the Select Committee on Regional Development and Decentralisation. Please make him welcome.

(APPLAUSE)

STEPHEN JONES: Thanks, Julie. Great to be here. Thanks for that warm introduction - and for removing Paragraph 3 from my speech - that's great. We're very, very efficient. I want to start by acknowledging the Gadigal people of the Eora nation, the traditional owners of this wonderful, wonderful place that we meet on this afternoon. Teresa, can I also acknowledge you and your organisation - thank you for the invitation to speak. I want to give a big shout-out to Johanna, who I understand is finishing up as the president after the AGM today after five or six years of fantastic advocacy on behalf of consumers of communications, so a big thankyou to you, your organisation - all of your board - for all of the work that you do. As Julie said, I sit on the parliamentary oversight committee for nbn. I'm Shadow Minister for Regional Communications - I'm trying very hard to remove one of the diminutives from that title - the "shadow" bit.

(LAUGHTER)

Today, I'd like to explain why I think that is so important for communications consumers, particularly for people in regional and rural Australia. It's now probably a little more than 12 months, but no more than 18 months, until the next federal election. We're more than halfway through the rollout of the nbn, and it's four years since Mr Abbott and Mr Turnbull made that fateful decision to ditch Labor's fibre-optic nbn in favour of the multi-technology mix. It's been described as a national tragedy by many. The result for people - particularly outside of the cities - means that we could be, for a long, long time to come, condemned to a second-rate network. Despite all the assurances, it's not going well at all. I want to put some context around why I make that statement. At the moment, there's a really strong support for a banking industry royal commission. It comes after a series of scandals, allegations of systemic failures, failures of governance, unethical selling and marketing behaviours, and an almost insurmountable wall of consumer complaints. Against that background, you probably wouldn't be surprised to hear that, in 2015/16, the Financial Ombudsman Service, the Credit and Investments Ombudsman and the Superannuation Complaints Tribunal together received 41,221 complaints or disputes. I'll repeat that again. 41,221 complaints or disputes. What you might be surprised to learn is that, in the same year - that is, 2015/2016 - the Telecommunications Industry Ombudsman received 112,516 disputes or complaints. So we have one critical industry that's in our economy that touches every household, every business in the country. It's critical to our national economic development. Critical to social equality. Where there is sufficient outrage to support what I agree is an extraordinary call - the power of a government to call for and to create a royal commission is an extraordinary call - one that should not be used lightly. But there is sufficient outrage at what is going on in the financial and banking industry to say that we need a royal commission, and yet we have a sector - which I would argue is just as critical - where there are in the order of three to four times the number of complaints to the official dispute-resolution body, as there are in the banking and financial sector industry, and yet we have an industry, and indeed we have a minister in government that says, "Don't worry about it - it's all going OK." Well, it's not going OK. Let's be very frank. I think we've got a crisis. I think we've got a crisis going on within the sector. It demands a response, and the consumer organisations are critical to that response. We need to send a very clear message to government that "business as usual" is not going to cut it. Yes, as Australians, we love our phones. But that does not translate into loving our phone companies. Just as loving our homes does not translate into loving our home loans. We're addicted to the stuff, but we are definitely not satisfied with the level of service that we are getting within the industry. I want to make it quite clear - and I hope it is clear from the observations that I'm about to make - that I'm not interested in getting into the Australian Olympic sport of blame-shifting - the nbn ping-pong. I think we've got a problem across the industry that needs to be rectified across the industry. And if the industry cannot rectify it, it falls to government to do something about it. Can I give you a few examples of where I think we have a crisis going on? Let's talk about the migration from the old network to the nbn. The switch-over, as anybody who has been engaged it in it or involved in it, is clumsy, disruptive, and costly to businesses and households. Missed appointments, failed installations, phones and broadband services cut off for weeks and months at a time with absolutely no recourse for consumers - people give up a day's work only to have nobody turn up. They've lost pay. They've given up annual leave. There seems to be no concern about that either within the industry or within the government. Businesses are in the same position. Last week, I was up in Central Queensland visiting businesses. I then came down the Coast to Redcliffe. I met with a guy who runs a home-based business distributing agricultural equipment from his home in Redcliffe - a guy by the name of Tony Linford. Been waiting for nine months to get a connection. His business relies on broadband. He'd just about given up. He had a mate with him - Dennis Austen, a local real estate agent, a bit of a local legend. He's had nine months of constant service loss and drop-outs. It's not confined to one pocket. I was in Newcastle a couple of weeks ago. I spoke to florists and smash-repair businesses. They should not be required to be full-time communications experts or dispute-resolution experts. They just want their bloody phones to work.

These aren't isolated incidents. In my own electorate last week, I had a meeting with the Illawarra Business Chamber. Same sorts of stories. In fact, I invited the NSW Business Chamber to talk as well. They've recently done a survey - 43% of their members say they've had problems - significant problems - with the nbn. 39% of them have had to wait more than four weeks to get a connection to come online. They estimate their average loss to members across NSW is $9,000 a year. I reckon that's on the low end for many, many businesses. The nbn CEO, Bill Morrow, says, "We get it right about 85% to 90% of the time." I dispute this figure. With a number of hats on, I've demanded that the nbn, or the government, or the department - I don't care who - publishes the monthly report that the nbn provides to the department and the minister, which includes faults and fixes, and how they are going. They have refused to do it. If things are going so well, you have to ask yourself - why not publish the report? But let's just assume that this 10% figure - 90% of the time it goes well, 10% of it doesn't. Can you think of any other business - can you think of any other business - where 1 in 10 of your customers wasn't getting the service that they paid for or that they are entitled to and we would say that was OK? Can you imagine if my local fish-and-chip shop was selling hamburgers and 1 in 10 of them was creating food poisoning - do you think that would be OK? The answer is clearly not. Why should it be any different for an essential service? Fault rectification - if the problem was just the initial connection, you'd say, in a complex, big rollout, that's OK - we get it. But when there is not a sufficient process to deal with fault-rectification and you are caught in that bounce between the service provider and the nbn with nobody taking responsibility, then we've got a significant problem. It doesn't have to be this way. In New Zealand, where their rolling out fibre-to-the-premises at roughly the same cost as we're rolling out fibre to the node, delivering an excellent service where the average household is taking up a 50-meg package - they have a very active handover. The wholesaler does not leave the premises until the connection is guaranteed. It's not bad enough that we are being whipped by the All Blacks in rugby union - they are showing us up when it comes to broadband. We could learn a lot, and in fact we have called upon the nbn to look at the New Zealand model to ensure that, at least at that first connection point, there is a much more active role for the nbn ensuring that we do not have the first experience of the nbn being one of massive failure. The second issue is service reliability. You know the problem - there's actually two issues rolled up here together. The first is people being sold a product that they simply aren't getting. They've been sold a 50-meg product or 25-meg product - they're getting maybe 10, on a good day. I've been campaigning hard to get this issue rectified. I welcome the fact that the ACCC, after a lot of urging, has entered the field. They've issued a draft guidance for marketing of broadband products that insidious "up to" underneath the product they're selling in small print - they have put the industry on notice that you can no longer get away with this. They've issued a draft guideline. I think we need to go further, but it's a good first step. It is a good first step. That, together with the broadband monitoring program that I know Teresa and ACCAN have been advocating for - it's a good initiative as well, which we welcome. The other part - the lesser-known part of the ACCC's guidance to the industry, and to the nbn - if you know that there is a service problem within the network, if you know that you cannot deliver a particular service over a part of your network or all of it, you must disclose that to the customer at the point of sale. There is no point - if you are 800m from the node and you're being sold a 100-meg service - it's technically impossible to get. That sort of marketing practice has to be stamped out. Friends, dispute resolution - if I could focus on this for some of the time that I have left... Consumers know that we do not have a dispute-resolution process that is fit for purpose. We have the Telecommunications Industry Ombudsman - an organisation set up to solve a set of problems in a different era. I've got to say that the self-regulatory, light-touch regulation process that we have at the moment is not working. It's not working for the initial rollout where customers - whether they are small businesses or households - have nowhere to go and they need to get their complaints or lack of service dealt with. Why do we think it is going to be any better in the future? Hope upon hope, it will not. It needs an overhaul. The overhaul needs to give the TIO more teeth. A good start would be requiring the nbn is bound to the TIO scheme for all of its relevant customer-facing functions, by which I mean the network services that they are providing - it's simply not good enough that the industry, or retail service providers, are held accountable for problems that are, at the source, the nbn's problem. We need all of the parties in the room to be able to resolve that issue to get beyond the nbn ping-pong. Friends, we need to look at what needs to be done - the Regional, Rural and Remote Communications Coalition - which ACCAN was a key mover in having established - has set out a list of demands. A universal service obligation on government and the industry - sorry, universal service obligation that's technologically neutral and provides access to both voice and data. Customer-service guarantees and reliability measures to underpin the provision of voice and data services to deliver more accountability. Fair and equitable access to Sky Muster for those with genuine need for the service. We've got to ask ourselves - is there a good reason why the benchmark for access to Sky Muster services under the fair-use policy is not the average use of households in other parts of the network? Is there a good reason why that is not the case? Because if there's not, it seems to me to be a reasonable benchmark. You've also called for fully resourced capacity-building programs that build digital ability and development of effective problem-solving for regional, rural and remote businesses and consumers. There is much that we can agree on here. We do not think that the government's answer to the initial connection process - the migration assurance framework - as the main instrument of the nbn - it's not working, and it doesn't provide end users with any rights. It provides contractual rights between nbn and the phone company - it does not provide end users with any rights. And an overhaul of this system needs to ensure that end users have a place to go and rights and remedies available to them when everything goes wrong. There's nothing like a remedy to put a bit of discipline in the system. We think it's time that occurred. ACCAN has called for wholesale service obligations that set time frames for connections, fault repairs, and network reliability benchmarks - and these obligations need incentives in the form of end-user compensation penalties and wholesale pricing considerations.

I agree that the current reliance on the wholesale broadband agreement between the nbn and the RSPs is inadequate for this purpose. But even if it was fixed, even if it was fixed, it would provide consumers with little remedy. So we need to go back to that point. We need an arrangement which provides consumers with a remedy, not just the wholesalers and the retailers.

So the customer service guarantee, for that reason, needs an urgent update. It has been sitting in the Minister's in-tray for too long. We need to have a system in place which creates the right incentives between the wholesalers and the retailers, which creates much greater transparency when things go wrong, as well as when they're going right. As well as when they're going right. At the end of the day, we need rights for consumers.

I want to finish on this point - if we get all of this stuff sorted out, all of this stuff sorted out - and we can, and Labor will be taking policies to the next election which deal with all these issues, I have given you some pretty clear signposts of where we will land on those matters but, if we get all of these things right, we are still not going to resolve the issue of the in-built digital divide which exists between the technology-rich and the technology-poor, between those which have access to the best technology and those that are relegated to technology which simply will not be fit for purpose for the remainder of this century.

The further we get from where I'm standing today to where many of you live and where I represent, the greater that digital divide increases. So we need to hear from the nbn. We cannot wait 'til the next election. We need to hear from the nbn about what their upgrade plan is for those parts of the network which we know today, which we know today, are not fit for purpose. It is simply not good enough to have a network which has been built which ensures that a digital divide has been built in to every neighbourhood in the country. Every neighbourhood in the country. That's what copper from the node provides.

Friends, I'm looking forward to engaging with you over the months ahead. I think this is going to be a very active area for public policy. I am not exaggerating when I say that we have a crisis in the industry. I am not interested in us getting into the game of nbn ping-pong to say who is or who isn't to blame. We have a collective responsibility and it's right for you as consumers to look to government to help us rectify these problems. Thanks so much for your time today.

(APPLAUSE)

JULIE McCROSSIN: Ladies and gentlemen, I will thank on your behalf Stephen Jones for that comprehensive speech. I'm sorry we don't have time for questions but we really appreciate you coming and being so specific and so detailed in what you're thinking. Please another round of applause for Stephen Jones.

(APPLAUSE)