JULIE McCROSSIN: Thank you very much. Thank you. Ladies and gentlemen, we move to our next session and I'd like to invite Judi Jones the Telecommunications Industry Ombudsman and Rose Webb the commissioner for NSW fair trading and you'll see I have two chairs in the chat pit with microphones there. Will I pull a lucky door prize for fun? What do you reckon? I have a spare. Have your numbers ready. Watch this. I'll do it transparency. Purple E58. As long as people are disappointed! Has anybody got purple E58? Yes, come on down, I'll give you a present, a round of (APPLAUSE). (APPLAUSE)

JULIE McCROSSIN: Congratulations. She never wins anything, but she did today so that's really great. Ladies and gentlemen, we are moving now to a discussion about complaints resolution, what's working and what's next and it's my pleasure to welcome Judi Jones the Telecommunications Industry Ombudsman, do you want to wave so they know that's you and Rose Webb, commissioner for NSW fair trading. We have people in the room who are incredibly experienced and acknowledged but we have newer people, so I thought I'd begin by asking you each just to explain what your role is for consumers. I might start with you Rose if that's OK and also, what is it about your personal professional history or other history that informs your capacity in this role. Nice and close to your mouth.

ROSE WEBB: Thank you very much. I've been NSW fair trading commissioner for just coming up to 18 months so a little bit over but before that had a long period working at the ACCC both in their consumer and their competition area and before that ten years ASIC. I've been a regulator. Immediately before I got this position I was working in Hong Kong where they were setting up their competition commission so have some very interesting interactions with the Hong Kong telecommunication regulator there as well, of course that was a very interesting dynamic all round, working in a different jurisdiction so had a long history of working in consumer and/or competition related areas and therefore in various aspects telecommunications issues have come up in relation to that. NSW fair trading has a very wide remit as I found out after I took the job, not only is it responsible for implementing the Australian consumer law in NSW in conjunction with all the other consumer regulators around the country and with the ACCC but it has a lot of very specific regulation as well so we are responsible for building regulation in NSW and that plight not surprise people if taking up a fair bit of our time at the moment but we also have over 60 micro bits -micro statutes that we're responsible for ranging from tattoo parlours to paint ball guns to various aspects of specific sort of regulation to do with rental tenancies and the real estate industry so pretty wide remit and a lot of it is pretty specific I would say even maybe slightly old fashioned regulation of the licence to people and then have very specific requirements on them so coming from my background I quite like the idea that we also have the Australian consumer law in the background which is a catchall for us and we work closely with other industry specific regulators including of course the TIO.

JULIE McCROSSIN: Obviously we'll come to more detail, but Judi can you explain the TIO?

JUDI JONES: It's the external dispute resolution service provider for the telecommunication industry and Australian consumers so we are the independent dispute resolution service. If you can't resolve your complaint with your provider, you can come to us and we'll see what we can do to help. Our remit is very speck, it's the telecommunications industry that's the industry we know well and we work with both providers and consumer agencies but I did also want to say in the list of things that New Zealand did better than Australia which certainly is rugby, Australia does some things much better than New Zealand and I think it's a fact that Australia does consumer advocacy particularly in the telco space better than New Zealand, having a funded consumer advocacy organisation like ACCAN is amazing, it adds to the industry as well as adding value for consumers and the other thing I have an opinion about is that we do complaint resolution much better here in Australia.

JULIE McCROSSIN: Can I just ask you, you can probably hear that little tingling sound, if you can put the microphones almost like you're licking them? It enables risk up the back to turn them down and then we won't get that little squeak because they're recording it. I'll stay with you Judi in the telecommunications industry Ombudsman, if I may. What are the current trends in telecommunication complaints, can you give us a sense of the number and the type you're getting?

JUDI JONES: That's an interesting question right anyhow. I'll go back to your earlier question which was what is about my background that lets me do this role. It's everything that I've done many my life so far so being a mother, being a university lecturer, studying and practising dispute resolution and then running the energy complaints organisation in New Zealand for 14 years. You ask a question about the complaint trends at a very interesting time for us because on 25 September we are launching our annual report for the year, so I don't want to spoil it and I want to keep the surprise for the 25th of September. I can say there is a general theme in what we're seeing so we have we regard our complaint trends over the decades we've been operating as a mountain range and it goes up and down as there are events in the industry and disruption. In our 6-month update we were reporting a starting of a decline and we hope that that would continue. We've been talking to people about is increasing complexity. That's about perhaps something that you might learn more about on 25 September.

JULIE McCROSSIN: I've been asked to to ask you more about that now. I'll bat and you'll answer as appropriate. One of the interests here is are you getting the more complex matters and are the less complex matters being increasingly resolved by the providers or the retailers presumably to get the more complex matters is the goal?

JUDI JONES: That's the goal of every Ombudsman, industry Ombudsman scheme is to have the complaints that can be easily resolved, resolved by the providers directly with their consumers and that we see the complaints where perhaps people have been talking past each other, they've been looking at different information, or looking at the same information with a difficult lens a so the communication has stopped certainly when we look at the complaints and just sit and read them rather than look at the data we generate what we see is particularly for faults and connection delay complaints is the reason the consumer has come to us is yes there is a problem, they've been trying to resolve but the reason they pick up the phone or jump online and contact us is because people have stopped talking to them. That is the complaints we're getting where people are being left without knowing what's going on or perhaps the issue is more complex.

JULIE McCROSSIN: Are you able to help them?

JUDI JONES: Yes, we are. We are able to help them. Sometimes it takes a while and sometimes we can help them quite quickly.

JULIE McCROSSIN: Give us an example, what the help might constituent?

JUDI JONES: Depends on the issue. If there's a problem with a bill we can check whether the bill is right or whether there needs to be a correction made. We can check whether the contract has been complied with or not or whether the marketing so misleading breaches of the ACL that means that the consumers entitled to a remedy or not and I always believe that an Ombudsman service, it's as important to tell people that there the bill was right that the contract has been complied with and there hasn't been a breach of the ACL as it is to find a problem. It's about that trust and confidence in the industry that also comes out of our work where if there's a fault we can work with the provider and the consumer to see what the consumer is experiencing and get the fault fixed. We don't fix it ourselves, but we facilitate that process.

JULIE McCROSSIN: One more and then I'll come to fair trading. The issue of systemic issues as I understand it you've been publishing systemic reports, can you tell us about some of those recent reports and then what impact you've been able to have in response in raiding those systemic issues to get an improvement?

JUDI JONES: We have been focussing a lot no more on our systemic issues work and I think we'll continue to see that develop investing more time and resources into it looking more at our data to see the pattern and complaints so when we notice a pattern of complaints affecting a group of consumers in the same way we will then investigate it and see whether it's a systemic issue that needs fixing not just for the people who happen to complain to us but for everybody affected by that particular issue. We work with the providers to resolve those issues and put things right for the consumer to do what Allen talked about earlier to do the right thing. And if we can't work with the provider f we're not satisfied with their response then what we do is refer it up to the regulator and say, "You have a look, we think there's something not right and decide what action to take" we saw that yesterday with the announcement from the ACCC of penalty being paid by PVID for Police leading information about nbn connections and a an undertaking that they'll release the consumers affected without penalty. So that's how we can have a direct impact. We've been publishing the reports we really think there's important information to go out to consumers more broadly.

JULIE McCROSSIN: Could you give us another example. I'm not trying to get you to release September's annual report. This is a group of people who will lead the annual report. Let's give them a little present!

JUDI JONES: I'll talk about the ones we have already published so another one that someone asked about earlier was the sales practices increasing consumer debt and that's where we found a pattern of complaints from people who are being sold products and services that they simply couldn't afford from the outset and we think that is pullback. That's poor practice and it should stop. Where one example in our case study was a woman who was unwell, she was an assisted living English not her first language, she went to a telco provider store to top up her prepaid plan, and came out with a range of new services and products that she just immediately went into debt for and at the time she did that she already had thousands of dollars of debt with that same provider so that just simply shouldn't have happened.

JULIE McCROSSIN: Thank you so much. I've more but I'd like to the I may come to Rose Webb our commissioner for NSW fair trading. Can you give us a sense of community trends and complaints relating to telecommunications and a rough sense of the nuns?

ROSE WEBB: I do have a couple of slides. I'll just get the clicker up here maybe. Is that going to make it work?

JULIE McCROSSIN: Can you put it really close to your mouth?

ROSE WEBB: Sure. Come back to our complaints register? A moment.

JULIE McCROSSIN: Do you mind standing on the side while she does it?

ROSE WEBB: So, this slide has a deliberate mistake in it to make sure everyone is awake. In fact, the trend should be, it went up 15% between 16 and 17 and 17 and 18 and then has quite dramatically dropped don over the past year. I think one of the things that we think that might relate to is that people are becoming a accustomed to going to the more specialist complaint bodies and we have certainly tried to emphasise to people that that's the best way to proceed if their complaint is about a telecommunications provider because obviously going to the TIO with a specialist knowledge is better so we have done quite a bit of work on our website and in our complaints handling service to direct people off. I think that's what we suspect is the main reason for the trend that we're seeing rather than -Judi might have a view on this -rather than that there are fewer complaints out there.

JULIE McCROSSIN: What sort of things are they persist in coming to you for despite your referral efforts?

ROSE WEBB: I think what we are seeing maybe is an -and I'll come to this -is complaints about phones themselves rather than the telecommunications service, so we had quite a big case about a company called Android Enjoyed, it also traded as Camera Sky and it was more to do with offering people cheap mobile phones for sale, it operated out of Hong Kong and it was an online trader and we got a big spike in complaints about this body and so that could have been where we were getting some complaints, people are complaining more about the physical mobile phone not working rather than the telecommunications service. In this case one of our concerns was also that people were not getting their phone at all or it wasn't working, and they were also getting sent a phone charger that didn't comply with Australian electrical standards, so was potentially a dangerous charger as well. We were quite concerned about this entity and we got a lot of complaints. This is our complaints register where we publish our complaints and one of the phenomena we see if we start publishing that we were Greg a lot of complains about a body it brings people out of the woodwork who think they'll complain as well so it builds on itself a bit. We were ultimately successful in taking a case under the Australian consumer law against this company and it unusually in NSW because we hadn't taken many big cases like this that were involved conduct Australia-wide we got a very large pent over $2 million.

JULIE McCROSSIN: Can you go back one please? Over on the right-hand corner, NSW Supreme Court action resulting in pecuniary penalties of $3150,000 for the company and director, that is a big, because of the electrical fault because of course fires?

ROSE WEBB: No, I think it was because we were able to work with our other regulators around Australia and show that there was a very clear pattern of this company continually not supplying phones when it offered to add so we had lot of information from around the country. It was also I think the sort of fact that it was an online trader and we were able to show that it had led people into quite misleading conduct. I have to confess though because this company was based in Hong Kong we kid have a few issues at the beginning about serving our proceedings against them but we are having a few issues about obtaining the penalty out of the person so while it was a very good precedent do set and very good to have the court judgment unfortunately for NSW revenue we haven't actually got the $3 million.

JULIE McCROSSIN: Don't you love the law? There's always a twist in the tail. Do you have any more to show?

ROSE WEBB: I was going to talk about our complaints register more generally if that's OK. I might just go back to those couple of slides I had about those, which is not so much to do with telecommunications complaints as such but just we are the only fair trading agency in NSW that has a complaints register and this sort of came out of NSW Government's liking for open data and the Minister at the time thought that we have all this complaints data about the companies that we're getting complaints about, we should be doing something about servicing that for the benefit of consumers but it was a controversy measure because lots of companies do not like us publishing every month that we've had complaints against them. We've been very clear to say what we are publishing is complaints, we're not publishing findings of a breach of the law, we're just saying a consumer has expressed dissatisfaction about this company to Australia with we've verified that their dissatisfaction was firmly based, but we haven't investigated it yet because we're doing it as a point in time.

JULIE McCROSSIN: In the public registration der do you name the companies?

ROSE WEBB: We do. Every month we name every company that we've had more than ten complaints about so companies like Apple tend to come up every month, I think just because of the volume of transactions, they have, Harvey Norman, JB Hi-FI, regular appearance and less regularly we have the spikes like with the Android company where we see obviously something going very wrong with a particular company.

JULIE McCROSSIN: Before you leave that, what are the key points to take from that slide?

ROSE WEBB: This one about the number of complaints have reduced by 30% on average has been very telling so what we're seeing is that people don't like appearing on the complaints register, they improve their complaints handle service if they think they're appearing a lot and definitely conversations we've had with companies any time that they appear on the register St bad internally for them. So, we have seen a 30% reduction in the complaints which thing is a really good sign that are doing better customer service rather than getting themselves on this register.

JULIE McCROSSIN: Because obviously the particular interest is telecommunications, do you take on systemic issues and systemic reporting and if so, are there any examples from the telecommunications area?

ROSE WEBB: Anything that's to do with telecommunications service we would be sending them off to the TIO and/or the ACCC because they're usually Australia-wide. We don't often, it's more to do in the telecommunications sector, it's more probably to do with the physical telecommunications products that people might by like that stuff I already talked about.

JULIE McCROSSIN: Thank you. Do you want to take your seats again? Can we have a clap to far because it's going very well? I have some more issues, but I'll go to questions first, are there any re-question or comments for either of our presenters, Judi Jones or Rose Webb, commissioner for NSW fair trading.

>> I'm Tess from West justice which is in Victoria. I have a question about the complaints register. Or two questions really. Firstly, are you aware of whether other states have a similar register and secondly in terms of the data groupings is it just by company or is it also by complaint or industry type for example, telecommunications used motor cars etc?

ROSE WEBB: We are the only one at the moment that has a complaint register but I know many of my colleagues in other jurisdictions are looking quite closely at how it's going and/or their ministers are quite interested in it. I think it might be something that catches on. Sorry I'm just trying to get this other slide up.

JULIE McCROSSIN: Rick, can you get it back up, darl?

ROSE WEBB: There it is.

JULIE McCROSSIN: It's so small we can't read anything.

ROSE WEBB: It's just to this point about servicing by industry so you can etch search by industry, company, location, there's a locate lot of ways and then the data comes up in that's various charts it is searchable by type of business as well.

JULIE McCROSSIN: There was another hand over there. Do you mind waving at me again? Thank you.

JUDI JONES: It's interesting on the handsets and devices because the TIO can consider complaints about those things if they're sold as part of a plan but not if they're bought outright from a store. There's bits we can cover and bits we can't.

>> I'm with the Isolated Childrens’ Parents Association with NSW, one of the issues coming to mind for me and I'm not sure whether that's an issue you cover but probably in Judi's area, at the moment we're getting a whole host of hoax phone calls spam phone calls pretending to be the nbn so I'm just not sure whether that's something you can take on board or you've hat complaints about but it is really very annoying and they just are hounding people?

JUDI JONES: They're really scary. My sister in law gets a few of them and rods them for me. They will very frightening. They are suggesting that you have to take immediate action. There's a variety of voices the last I listened to was like a James Bond, very English, very proper but sounds like you have to take action meetly, press one for technical help and they are hoax calls so they're robo call, hoax calls, we put a statement on our website explaining to ignore them. Because our scheme is based around membership, those -whoever is doing that is not a member of our scheme so it's not a provider, it's a scammer and so all we can do is warn and certainly the ACCC with their scam register is aware of those as well.

JULIE McCROSSIN: What is the potential benefit to the scammer?

JUDI JONES: I've never press one for technical help but what they try to get you to do is allow them to remote control your computer and then they try and get access or get you to pay something, get access to your bank account detail, the answer is hang up.

>> I'm thinking about the older generation out there and it's in the evening, they're probably people living at home on their own, what more could be done to help these people that you know it really just not now answering their phone even if it is an important call from somebody else and it's you know snowballs really and we have to look at some way of trying to fix this?

JUDI JONES: The ACMA did an inquiry into scams using phone technology to they're certainly working with providers. They are very clever, lightly innovative the scammers, so you have to keep getting ahead of them. The trick is to figure out what to do to disrupt them and then they move on and create another scam. That's work the ACMA is doing. They're not doing what they're doing in the public domain otherwise the scammers would know what they're doing.

JULIE McCROSSIN: Could you say ACMA. Don't worry, I have two more people coming but what does that stand for?

JUDI JONES: The Australian communication and media authority. Hand is waving at the back from someone.

JULIE McCROSSIN: One moment please, we'll break for a small advertisement.

>> We're engaged at the moment in a scam technology project and we're looking at how you can block and verify calls. It's not easy because as soon as you block certain calls they'll pop up in different areas but ultimately scams can be reduced and have some comfort that the scam technology project will report by the end of the year and we'll have tangible recommendations for telcos to progress with.

JULIE McCROSSIN: Hands up if you knew about this particular scam? So, lots of people in this room. Because I took the questioner this man's waving at me so I'll come to me, just one second, I took the question would be saying what can we do more perhaps in a media way to get the word out to the ordinary person who gets such a call. Was that the intent?

>> That's certainly the intent but they're isolated people on their own, feeling vulnerable because they're getting these calls constantly. It's not one a day. It's hundreds a day and if more they answer them, the more they seem to be getting them and then it's the snowballing effect of it's actually family trying to get in touch with them but Tasmania that's that hour at night they're not answering the calls from anybody.

JULIE McCROSSIN: I'm coming back.

>> I am from nbn and it is a big problem and in your packs we have a one flier that tells you how to protect yourself from scams and the two points I'd make is nbn will never make unsolicited calls so you can let these people now if they're getting the calls that you haven't asked for it's not from nbn or door knock or request for payment so hang up because the second point is what they are trying to do is if you continue the conversation they will get minute details that you may not think is important but then they'll keep using that for further calls so if you get the call hang up but look inside your little pack there's a one page flier which refers to the website and I don't say this for you because you're all well engaged, this is for the people you're talking about not well engaged so give them to them and communicate it to them.

ROSE WEBB: I think the experience with scammers is well known to everyone in the consumer movement and absolutely endorsed by Judi and the ACCC and ACMA and everyone.

JULIE McCROSSIN: We have someone here.

>> I'm Lauren Solomon from the Consumer Policy Research Centre. One of the big things we found with our research is there's a lot more information flowing around economy which is exposing consumers to more scams. This is quite a structural issue for departments and regulators to think about, how are you thinking about that, are you investigating how personal information is resulting in more people being exposed to scams through your work?

ROSE WEBB: I can see Delia is here. I'm going to say the ACCC is probably the lead on a lot of this work including data and people thinking that they're getting goods for free and actually paying with their data and what impact that might have. Maybe Delia might be a good person.

JULIE McCROSSIN: I'm now with the ACCC.

>> An awful lot of work is being done on this and it is worth being aware that around 25% of scam calls these days will already have some personal information on you and there's a range of work that we and other agencies are doing to try and crack down on this. In terms of nbn scams, we put out regular warnings, do a evident lo radio including country radio just trying to tell people about this and basic messages such as never give anyone remote access to your computer but it is a big problem, but Fiona referred to the scam disruption project and I think some of the results of that are already flowing through, not going to go through the details but we know the telcos are getting better at identifying potential scam calls and stopping them so progress is being made but we have a long way to go and I think we all need to have the conversations with friend and relatives about scams we know that are occurring and what to watch out for and how to protect themselves.

JULIE McCROSSIN: Who are you?

>> Delia Rickard from the ACCC.

JUDI JONES: The other thing people need to be conscious of is being careful about their personal information if you want to put your birth date on Facebook for example don't put the year, be very careful about the information you share in the public domain because if it's there people can harvest it.

JULIE McCROSSIN: You spoke very positively about New Zealand, earlier didn't you?

JUDI JONES: I spoke positivity and somewhat negatively as well.

JULIE McCROSSIN: Did anyone just discern a slight kiwi sound coming out of her? I did.

>> Malcolm. Just want to come back on the -I used to work in Telstra doing network investigations chasing exactly what you're talking about, I know everything about it but when you're talking about hanging up immediately don't, just say just a moment, put the phone down and come back in a couple of minutes, it just buggers up their system because they have to wait for you to get off the line because they're waiting for you to talk, while they're doing that they're not doing somebody else. On another side of things, I'm in a Probis group which is a professional what do you call them ­

JULIE McCROSSIN: Gather together and hear interesting speakers

>> End of life people. One of the people there was being scammed really badly, but when I came down to unscam him -which he was out for hundreds of thousands at the time -a few things I found out straight away, one was when the nbn people the contractors came into put the cable into his house, they didn't ask him where the cable went, they told him where the cable was going to go, so there's one -you can get rid of thousands of complaints by correcting the process to get the nbn contractors to first of all negotiate and sort out where they're going to put it with agreement with the customer before they start digging their trenches because they're looking at getting in and out as fast as they can. The second thing is there's a thing called customer premises network. The nbn people do not seem to understand that the customer premises network is the network that hangs off the access network they're putting in and what the nbn contractor does, they want to get out as fast as they can, they get the immediate wi-fi network running a phone if they have and they're out. In this case, they took the modem from the customer's premises in one end of the house, left his computer completely unconnected for four weeks and he didn't know how to fix it so there's another 1,000 problems a month that could be fixed by getting that process sorted out.

JULIE McCROSSIN: Why are you telling these two women this?

>> These are standard engineering processes that can be sorted out. A tennis bloke, Barry said he had the nbn boys out and he said that it looks like it was going to rain and "no it's not you'd better start digging the trench right now." He said that you start putting that in now, you're not going to get your $80 or whatever it is for visiting ten or 12 people and not doing any work, and then coming back later on and maybe doing the work later on. That's another rort. That should be fixed up if you have engineering people in your group and not lawyers.

JULIE McCROSSIN: Thank you for that. Do either of you wish to comment on what's just been said?

JUDI JONES: I've listened. We'll certainly have a look at it. We certainly notice patterns of complaints. And we'll pick those up so thanks.

JULIE McCROSSIN: Would anyone from nbn like to comment just on those remarks that were made? Are you from nbn? I just thought because it's all been said I should give you right of reply.

>> I'm from NBN Co. To Judi's point we track and trend the complaints that come through. It's worth noting that the technology that we're rolling out goes to the existing infrastructure within the house predominantly, with that installation it will go to that point which will then network into the other point. It's not nbn that will go a do the connection within the home, that's the telecommunications providers, you need to speak to your RSP.

JULIE McCROSSIN: Two more questions and then I have a couple of questions I've been asked to ask. I believe when an audience is keen let's go with them. >> Gordon, among other things deputy chair of the consumers federation, going back to scams I think that legitimate businesses and possibly illegitimate businesses need to take some responsibility for the way they train customers to give information over. All of us have had cold calls from our bank or a random law firm ringing us up saying, "Are you Gordon?”, or whatever your name might be and you going, who is this and why do they want to know? They insist that even when they're calling your mobile phone, they need to identify you. Their training you to hand over information. Really those businesses should stop doing that.

JULIE McCROSSIN: Can anyone if you ever can't hear would you wave. I just so that you let me know, would anyone like to comment on that, that's very hard. In the banks and so on that I deal with I have to go through layers of questioning before anything happens, it's a very elaborate series plus a secret password.

>> If you at all them that's fine, that's when they call you out of the blue and expect you to identify yourself and they're getting used to the fact that people like me say that we won't. They should stop using system one and use the alternative system, if they need to do it for me, they can do it for everybody else, so they don't train people pretending to be the Commonwealth Bank or whatever.

JULIE McCROSSIN: You look intense. I like the Australian ACCC, the Australian Commission and Consumer Commission the look is intense at a moment like that? I let it go in '67.

>> It's a very important point that Gordon is making just then. Banks have learnt for instance that we now know banks will never ask us to click on a link, they'll always us to go to the website and log in. What happens these days is that scammers and others of nefarious ways are able to put together parcel of information so every time you're doing one of those surveys that pop up on Facebook that promises you a free Woolworths card or something, it's done by a scammer, they're collecting your personal information and I think we all have to be on guard the entire time about saying why do you want that information, never give out your driver’s licence to anyone and he's hard to cancel. They want your passport number, Medicare number, every centre bit of information they get, makes it much easier for them to scam you, to pretend to be you, to take out debts in your name and if even if you release that is happening unravelling that is a nightmare. It's a message we can't repeat often enough.

JULIE McCROSSIN: Just because Helen Wellings gave us interesting history, I'm old enough to remember a thing by the Federal Government to have a thing called the Australia Card. I feel like our licence with our photo is the de facto Australia Card.

>> It is probably one of the least secure ones. If you have your licence stolen it's impossible to replace in many jurisdictions. This is another thing -lock your letterbox because one of the things I learnt recently is some of these crooks employ local kids to give them $5, go down to street, get all the mail you can and in some states licences are mailed to you, once that's gone, people can use it over and over again to commit fraud in your name.

JULIE McCROSSIN: Thank you.

>> Just commenting on Gordon's comment about business -expect you to give out details over the phone. My husband had a cold call to check on his right plan, please tell me your date of the birth. My husband said, "you tell me yourself." There's a very funny stand-off and I think he told them half the date of birth and then the telco provider told him the other half. They were assured that they were talking to each other and he was told he was on the wrong plan but couldn't change it!

JULIE McCROSSIN: Anybody noticed the extraordinary role that Judi's family plays in her in her life. Rose, there's a new development in NSW the consumer guarantee directions powers can you tell us what that's all about and how it's relevant to our conversation.

ROSE WEBB: Sure. Funnily must have I do have a slide about it. I'll get that up and maybe stand up as well. This is something that NSW has done and what we're finding was that for many of the consumer guarantees which are the guarantees that the Australian consumer law gives you that goods will be of a certain quality or that you'll be as described to you, your remedy if that is not done is to either get a refund or a repair of the product but you have to get that remedy yourself, it's not something that the regulator can get for you, it's sort of implied term. But we were finding that particularly for small value goods people weren't going very far with trying to get their remedy. They plight try once with a supplier of the good, come to fair trading, fair trading would attempt to negotiate it but we had no power to order a supplier to give a person refund or a repair even if we thought they were entitled to it and then the next source point of call for someone was to take a case in the consumer tribunal but if it's a small value good and I think most consumer tribunals around Australia have become more and more formal, a bit legalistic, they were meant to be low cost easy solution places but people's experience is not that, so people were just tending not to get the remedy so what the NSW Government has done is give us the power to direct a business that a person should get a refund or a replacement just for small value goods between $25 and $3,000, doesn't include cars, but what our experience has been is that has helped us massively with resolving matters early. We haven't had to do many of these actual direction, done two since this came in at the beginning of the year, because mostly now once we get to the point where we say to a particular trader "we're going to consider issuing a direction because we think this consumer is clearly entitled to a repair," they will come good and do that and then there's been a few other cases where we've had consumers who have been particularly aggressive maybe and insisting they had a right to repair and we've side that we'll look at I it and not issue an direction, they've realised where their rights or their rights are limited and the tribunal hasn't had to go through a process as well. So far, it's been working pretty well as a quick easy access to justice measure.

JULIE McCROSSIN: It's likely to cover phones, iPads, watch, drones and GPS navigators, would they all fall into that $3,000.

ROSE WEBB: I assume you weren't buying a higher end model.

JULIE McCROSSIN: Is there also the new department of customer service, can you tell us about that?

ROSE WEBB: After the NSW state election, I don't have a slide about us being in customer service, the Government has a reorganisation of the bureaucracy and we are part of now a department of customer service, service NSW might be familiar to many people who are in NSW as a sort of Government service but the idea is to have a keen focus on citizens being customers of the Government. For us as regulators, who sit within the customer service department along with our colleagues from customer service NSW, it is a slightly schizophrenic thing because sometimes people aren't really a customer that we're putting them in jail for example, but we are still treating them with respect considering that they have their rights known to them and we sort of frame it sometimes as the customer that we are serving in those sort of cases is the ultimate consumer so we may not deal with a consumer if we are resolving something but we are by our actions in regulating people or licensing people that consumers are dealing with, we're offering them some customer service.

JULIE McCROSSIN: Nick Greiner, he was a former Premier he brought in customer service as a way to try to drive a service culture so it's quite interesting to see it come back as an attempt to get that culture. Judi, there's a proposal that the telecommunications industry Ombudsman take on the role as Ombudsman for digital platforms, what's that about and what sort of complaints would you handle?

JUDI JONES: That's a recommendation from the ACCC's inquiry into digital platforms, they made 23 recommendations and recommendation 23 was that there be a digital platforms Ombudsman and that the TIO work with the ACMA to explore the feasible of us taking it on. It's very early days still in the first stage of that, so we've done a lot of thinking about it, we're open to the possibility,

JULIE McCROSSIN: What kind of complaints might it attract?

JUDI JONES: We've done a lot of work on looking at what the complaints are that are unresolved. The digital platforms to have internal complaint resolution processes and we've looked at the what is spilling out into social media, about what things aren't resolved. Tends to be small business complaints about advertising, being locked out of contracts something where there's some detriment on the consumer. Lots of thinking and work still to do. It was brought out in Allen's presentation earlier today where he was talking using the term digital -that joining together of the digital platforms are empowered or facilitated by the telecommunications infrastructure and there is increasing convergence in that space, certainly worth looking into.

JULIE McCROSSIN: What does that connection of devices mean for complaints handling, the sort of working you do?

JUDI JONES: It's going to be increasingly interesting I think is the way to describe it, so you may have a drone that drops down on someone because the telecommunication infrastructure stops we have small business complaints already about not being able to trade when the telecommunication infrastructure goes down because they're so reliant on mobile technology, so all sorts of things are happening in terms of that end to end consumer experience that is agnostic to how it happens, they just know that they want it to happen. This is the way they live their lives these days.

JULIE McCROSSIN: When I was younger, I used to try to go to San Francisco to try to find out the experience where I got off a plane and there was a billboard with this thing at the bottom www., I wonder what that is. I don't need to go there anymore. I come to the ACCANect conference. And you hear about everything. It's unbelievable. Just before I bid them farewell, is there someone with a question or a comment and you will just head bang if you don't get to ask it. There is someone, we'll just stake one more.

>> I'm from Coffs Harbour. We are trying to demystify where the issues occur, and we found that a lot of flak that nbn gets is unjustified. There's a lot of data that supports there's a lot of issues within home network, wi-fi cabling and it would be good to see the data that is going to TIO, what complaints and how they are resolved. Is there any open data policy?

JUDI JONES: When we resolve complaints, we don't necessarily do the root cause analysis. We don't need to because the provider and the consumer agree on what should be the outcome and it gets fixed and we don't know how. We don't have that root cause analysis that you would be looking for but certainly it's true that the problem that the consumer experience is an nbn problem, could be anywhere from a problem with the underlying infrastructure through marketing, through contracts through congestion, through coexistence through a whole range of things, the technology type through to the network and the consumer's own home but maybe talking to retail service providers plight be able to give you that data.

JULIE McCROSSIN: What is coexistence?

JUDI JONES: When you have the old and the new network and people are operating on both, it can slow the network down for some people. Short answer. There's a much longer answer.

JULIE McCROSSIN: Short answer is tremendous. We heard from that

Helen Wellings earlier. She was extolling the short punchy answer. There was a gentleman who asked a number of questions referred to Probis as end of life. I think that was a little harsh. They all seem quite alive and planning to stay around for some time. Ladies and gentlemen, Judi Jones and Rose Webb, please thank them.