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## **Media Release**

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## Optus admits it exploited vulnerable consumers through disturbing sales practices

Australia's peak communications consumer body, **ACCAN**, has welcomed news that Optus will pay one of the largest consumer law penalties in Australian history - a \$100 million fine, subject to court approval, for unconscionable conduct.

ACCAN CEO Carol Bennett said, "Unconscionable conduct is a high bar and one that Optus has spectacularly surpassed in its behaviour preying on some of our most vulnerable communities and consumers, including Indigenous communities. We thank the ACCC for acting on behalf of those who were exploited by this appalling behaviour."

Optus has admitted to the unconscionable conduct, committed to remediation and compensation, and has made a number of undertakings regarding internal processes. The ACCC has provided further details of shocking conduct towards First Nations people, consumers with intellectual disabilities, consumers with limited financial means and other vulnerabilities.

"Phone and internet products are not a luxury – they are fundamental and essential services. To manipulate, abuse and exert control over people reliant on the product or service being sold represents a cruel and uncaring approach. It beggars' belief that Optus or any telco could feel this behaviour is acceptable," Ms Bennett said.

"Australians are not naïve – they are onto Optus and the way they behave. In ACCAN's recent consumer sentiment research, 41% of consumers said they didn't trust their telco to act in their interests. Another 24% said they felt pressured into signing up for a more expensive plan than they wanted."

"It's no wonder that Optus ranks 3rd in the list of most distrusted companies behind only Woolworths and Coles in a recent Roy Morgan Poll. Optus have a lot of ground to make up to regain the trust of the Australian public for this and other behaviours in recent years" Ms Bennett said.

ACCAN and 22 other consumers groups have consistently raised the need for the self-regulatory Telecommunications Consumer Protections (TCP) Code to be overhauled to better protect consumers. The Fair Call campaign is calling on the Australian Communications and Media Authority (ACMA) to take a stand and overhaul the industry-oriented TCP Code.

"While the action from the ACCC is welcome, there is a significant amount of conduct that falls below the very high legal bar for unconscionable conduct, that needs to be regulated to provide appropriate safeguards for the community."

"It's beyond time for change. The industry regulator, ACMA, needs to step up and do its job. It must not ignore this very serious behaviour and again just go along with industry self-written code rules. Consumers need direct regulation of sales practices and credit assessment to ensure this kind of exploitation never happens again," Ms Bennett concluded.

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The Australian Communications Consumer Action Network (ACCAN) is Australia's peak communication consumer organisation. The operation of ACCAN is made possible by funding provided by the Commonwealth of Australia under section 593 of the Telecommunications Act 1997. This funding is recovered from charges on telecommunications carriers.

ACCAN is committed to reconciliation that acknowledges Australia's past and values the unique culture and heritage of Aboriginal and Torres Strait Islander peoples. Read our RAP