

23 July 2024

Australian Communications Consumer Action Network Disability Advisory Forum

Meeting Report

Wednesday, 12 June 2024, 2:00 PM – 3:30 PM

by videoconference

Attendees

Dr Scott Hollier
Peter Kerley
Gisele Mesnage
Ben McAtamney
Margaret Noonan
Shirley Liu
Siobhan Clair
Vaughn Bennison
Tamara Searant
Bri Norton
Dr Wayne Hawkins
Jonathan Craig
Prof. Gerard Goggin

Meeting chairperson and ACCAN Board member
Deafness Council of NSW
Digital Gap Initiative
Deafblind Australia
Assistive Technology Suppliers Australia
Deaf Australia
Disability Advocacy Network Australia
Disability Voices Tasmania
Guide Dogs
Australian Web Accessibility Initiative
Institute for Culture and Society
Vision2020 Australia
Institute for Culture and Society

ACCAN Staff

Dr Gareth Downing
David Swayn
Kelly Lindsay
Audrey Reoch

Acting CEO
Disability Policy Officer
Stakeholder Engagement Manager
Acting Policy Manager

Assistive Services

Kasey Allen	Captioner
Tiana Watane	Auslan Interpreter
Erin Drummond	Auslan Interpreter

Apologies

Bruce Maguire	Vision Australia
Andrew Stewart	Hearing Connections

Forum Purpose

The purpose of ACCAN's Disability Advisory Forum (**DAF**) is to identify the most important telecommunications consumer issues from the perspective of key representatives in the disability community, with a view to incorporating these into ACCAN's future policy priorities for the 2024-2025 year.

The following meeting report provides an overview of the main issues raised and discussed. DAF 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.

Topics Discussed

Update on ACCAN (Dr Gareth Downing, Acting CEO)

- New CEO, Carol Bennett commences 8 July, after resignation of Andrew Williams.
- Currently going through the process of reviewing the draft Telecommunications Consumer Protections (**TCP**) Code.
- Disability Royal Commission and recommendations a strategic item for ACCAN, including the potential Disability Rights Act / Disability Discrimination Act (**DDA**) reform
- National Relay Service tender outcome is pending, and we will continue to engage with the Department on the delivery of the NRS to make sure it is fit-for-purpose
- Regional Telecommunications Review (**RTR**) and Universal Services Obligation (**USO**) are two substantial reviews happening across this period. We continue to emphasise the need to have fit-for-purpose services that meet the needs of people with disability and meet the accessibility requirements of all consumers.
- We have engaged on Audio Description matters with various parties including FreeTV Australia, the Department and Minister's Office. No firm commitments yet.
- Currently an effort from the government to review their competition policy settings. This governs the underlying work that regulators need to undertake to accept or reject regulatory proposals. ACCAN is interested in this as there are options that relate to accessibility that sit aside from the DDA.

Update on policy inputs and advocacy (David Swayn, Policy Officer)

- Contributed to the consultation on a new act to replace the Disability Services Act 1986. The remade act (Disability Services and Inclusion Act 2023) has capability to fund programs in a variety of spaces related to disability, including potentially communications.
- Submitted to the sunseting of the captioning quality standard. ACCAN responded to this in consultation with members and supported redrafting of the standard to address issues raised over time by members, also noting that the ACMA should take a stronger role in compliance and enforcement of captions quality.
- Submitted to the Draft captioning quality guidelines. ACCAN provided encouragement for the department to continue to take a more active role in the monitoring of captions quality, and to proceed with a trial of a metric methodology for monitoring captions quality, specifically the Number, edition error and recognition error formula.
- Submitted to the ACMA relating to draft captioning reduction orders for Foxtel Pay TV and Telstra Pay TV. There is an ongoing matter with a channel, Aurora. ACCAN recommended the ACMA deny the reduction request.
- ACCAN is providing administrative support to run meetings for interested parties to share advocacy updates relating to the upcoming recontract of the National Relay Service. The tender is still underway – the outcome will determine advocacy requirements and options.
- ACCAN provided feedback to Standards Australia on the modified adoption of ISO 22458:2022 *Consumer vulnerability – requirements and guidelines for the design and delivery of inclusive service*.
- ACCAN provided substantial input into the telecommunications consumer protections code review (TCP Code). Regarding accessibility provisions in the TCP code, we provided feedback relating to accessibility which aligned with items from the Ideal Accessible Roadmap.
- Provided input about accessibility as part of the cyber security legislative reforms stating that cyber security software, interfaces and devices need to be built accessible to provide equal access to security.
- Provided feedback on the Draft Digital Accessibility advisory note that will form a part of the guidance about the DDA, currently under review with the AHRC.
- ACCAN represents consumers on Standards Australia’s ITI 040 ICT accessibility committee, which was originally responsible for the adoption of AS EN 301 549. The committee will review and consider other relevant standards for adoption as appropriate and ACCAN is currently reviewing the appropriateness of raising EN 202 975 – *Human Factors (HF) Requirements for Relay Services*.
- ACCAN is co-leading with V2020A the development of a shared position on a right to digital accessibility in Australia. This focuses on supporting advocates and government to ensure that any law reform because of the DRC considers digital accessibility and communications.
- ACCAN’s pre-budget submission retained important asks like appropriate funding for audio description across free to air television, that funding be allocated to the development and implementation of a national plan RE accessible communications (this fits into the disability strategy, and the DRC), and noting a requirement for long term funding for accessible telecoms noting the digital transformation strategies at all levels of government, and items relating to online accessibility.

Open discussion for DAF to raise priorities for 2024-2025

- It was raised that it would be good to see greater coordination relating to Standards, including compatibility with physical environment related standards like AS 1428.1-5.
- TCP code review – it was raised that it would be important to see the wording require CSPs to remedy existing websites and apps, instead of just new ones.
- It was raised that the standards environment is varied, including items like the Digital Service Standard, which sits outside the Australian Standards framework but is relevant as it includes timelines for remedy.
- “Getting the NDIS Back on Track Bill” was raised, regarding definition of supports. For example, assistive technology wording that suggests it is only for the physical environment.
- It was raised that the NDIS views high quality devices with assistive technology inbuilt as ‘mainstream’ and does not fund them at present, or only does so unpredictably.
- It was raised that for Audio Description advocacy, it is important to continue to focus on both Free to Air and digital, because of cost and other barriers.
- It was raised that unregistered providers for the NDIS sometimes include software, apps, or people who have skills to fix assistive devices but are not registered. Examples include a barcode reader that required a specialist to fix it, and aira.io which is not registered.
- The conversation about the Disability Rights Act vs. A Human Rights Act was raised. Views expressed that the detail is important and that there is an appetite for a Human Rights Act.
- It was raised that it would be good to see disability considered in all standards and legislation, as opposed to singular acts or items.

The key actions from this discussion were:

- ACCAN to engage with members on issues relating to Australian Standards, as raised.
- ACCAN to seek engagement in the ME-064 committee with Standards Australia, to provide input for consumers on standards like AS 1428.5: *Design for access and mobility, part 5: Communication for people who are Deaf or hearing impaired.*
- ACCAN to continue to engage in the TCP code process and seek options to improve requirements for digital accessibility to include existing apps and websites.
- ACCAN to provide comment on the NDIS, where possible, in the scope of assistive technologies and their essential part in communication.
- ACCAN to continue to advocate for improvements in Audio Description availability, for Free to Air and streaming services.

Overview of Disability & Digital Citizenship project (Professor Gerard Goggin)

- Project funded jointly by the University of Sydney and ACCAN.
- Aims to encapsulate the ways that digital technologies are so crucial to the world we live in.
- Captures conversations with ACCAN members and people with lived experience.
- Includes recommendations for governments relating to policy that would take us to thinking more broadly about digital technology.
- Authors welcome feedback from the DAF.

Conclusion (Dr Scott Hollier, Meeting Chairperson and ACCAN Board Member)

Dr Hollier, chairperson, thanked attendees for their time and valuable contributions and closed the meeting at 2:00pm.