**Day 1, Wednesday 14th September**

12:15-12:30pm: Connected Smart Cities – What's in it for the Consumer?

We have one more speaker who's going to finish at exactly 12:30, which is your lunchtime, and I would like to ask Paul Budde to head towards the chat pit of fun. Paul is the executive officer of the Australian Smart Communities Association. Christian, can you quickly put the dog up on the screen? I have had a promise that dogs are going to be mention indeed this presentation on smart cities. So smart cities and how they can make us happy and the effect on the dogs. Can we have the dog? Will we have him at the end or have him now? Now? Could you bark, Paul, just while we're waiting?

(BARKING)

With that microphone, don't lean into it, just over the top. Could you bark again?!

(BARKING)

Fantastic. The dog is taking too long, we'll get the picture later. But ladies and gentlemen, please welcome Paul.

(APPLAUSE)

PAUL BUDDE: Hi, everybody, this is a great conference, and thank you to Teresa once again, this is really one of the best conferences because you are talking about real issues, and that's what makes this conference so special amongst all the other hype that you see in the industry – great, lovely stuff and love the tech, et cetera, but here you come across some of the real issues and if you heard the speakers just a minute ago, then you can't get – you must get a good feel or a bad feel about some of the things. But, you know, it really – it really reaches you, you know, here, not just in your mind or in your rational sort of things. And that is exactly what I think communications is all about – it's about us, it's about people, and particularly people that we can bring into this society in a way that is otherwise rather difficult. I'm always very, very proud to be part of this industry because of that fact, you know. We are not chemical weapons, we are not weapons of mass destructions, no, we bring good things to the market. We can help people, we can provide them with tools that they can help themselves and classic examples that we've heard here this morning – it's just really, really fantastic. What you then see is actually then everybody who was here, you know, you can actually say they are heading up smart communities, you know, there are no dumb communities, it is all smart communities and smart communities are starting with us. It's actually then starting to look at how you can actually build on that and particularly the leaders that we are seeing here at this conference today and tomorrow, you know, these are the people that can actually help in building those smart communities and extend those smart communities because these are the people that understand what you can actually do with the IT technology to make this happen, to extend the sort of reach of the services, to extend what people themselves can do, you know, that sort of activity – it's absolutely critical if you start moving our society forwards. We come across lots of problems at the moment. You have environmental problems, you have populism in politics, you have diverse communities, you have if you go to Europe millions of migrants coming into the country – there's lots of stress on society from all sorts of different directions. And we have to be smarter, yeah? We have to do things differently. We have to start looking at the old system, where it fails, and where we can actually use the skills and the knowledge and the experience that we, as people, have – how can we actually then use that to change society in the way forward that makes it better for us? Now, if you start looking at smart communities and smart cities, you know, a big buzz word at the moment, you know, around the world, it is actually a reaction to the fact that things are not working properly anymore. It doesn't really matter if it is the local garbage service or the transport service or a lack of affordable housing – it doesn't really matter. All of these issues are now coming together in our society and we are challenged to start looking at that and find better solutions because at the same time the economy is not growing to such an extent that you pump more money in it and you solve the problems. We have to be far more clever about how we actually start looking at these issues. Now, there are two parts to the story. Ideally, you know, it would be a grassroots sort of development – we get smart people and smart people are doing smart things and the society becomes smarter. Very, very important and that's why I'm honoured to talk to you guys, because you really are part of that grassroots force that we need to build up. But at the same time, you know, when you start talking about big things like affordable housing, sustainability, environmental issues, you know, renewable energy – you know, those are things that are also on the structural side in our society, that need to be addressed. So we need to have leaders from Federal Government, State Government and local government to actually understand that, you know, we have to be smarter and what can we do to become smarter. And that is a big battle because particular politicians, you know, they are short thinkers, they don't think long-term – very few, at the moment, in any case, around the world, not just in Australia, there is no vision, there is a lack of vision in what they want to do. The good thing actually is that if you go further down to our level and to a city level and a town level and a rural community level, things are totally different. We don't have this problem of populism, you know, we don't have this problem of racism or people are against each other because of whatever reason, yeah? It's far more softer at that level. So it's far more easier to work at a community level. At the same time, and particularly if you start looking at cities, cities are becoming the main political force in the world. If you go to the large cities around the world, China, India, America, whatever, Europe, you know, these cities are now becoming mini states. You go back to the old days of the renaissance when we have city states like Florence and Milan and Bruges and things like that, where the city started to organise itself and the city started to look after its citizens and work with its citizens and on that level it's far easier to work together, rather than on this level of a federal level or even on a state level. So how actually can you harness the activities that you see happening here – how can we harness this to change politics and to change cities and to change structures? Not easy, but the trend over the last 12-18 months, I can say, is getting much better. I started to work in smart cities back in 2001. Of course, looking at that point in time particularly around broadbanding, and I share a lot of the problems that you guys have been talking about, about the nbn and about Sky Muster. It's a bit of a disaster. At our place, for example, where we, you know, where the Sky Muster is slower than the ADSL one that we had before – you know, those sorts of things of course are not really progress. So we've got lots of problems in that respect that we need to address and that's where that – you know, you can't do much about it at the local level. You know, we can't change Sky Muster, we can't change the nbn, and that is a bit of a problem that we are facing and that's why you need the vision on the top to actually get things right in the first place. Rather than come up with lots and lots of bandages to start fixing an nbn, you know, rather than doing that – what you now see, for example, in a place like Ipswich, 70% are on the nbn because they were one of the first. 30% is not. And the mayor tells me, “Paul, now I have to go and tell those 30 people of my community that they get a second-rate nbn, you know, how do I tell that to my citizens”? Just yesterday, or the day before yesterday, quite a number of towns in Perth have indicated that they want to bypass the nbn and they're going to small fibre to the home themselves. OK, it will be a big battle with nbn, I'm sure about that, but you really start seeing that at the grassroots level, we understand that things need to be better than what we are getting now. Alright, so how do I work with local communities? Now, what we do is one thing – is, first of all, if you cannot start a smart city, if you don't have a smart mayor and a smart council. I mean, councils are silo-based and smart cities is multi-functional, so if you have lots of silos all working next to each other and they don't work together in a multi-functional way, I bypass the city and say, you sort it out first. Before you can start becoming smarter in your community. Once you actually have a smart community, a smart city, a smart council in place, then you can actually start working on smart projects and smart pilots. I can tell you there are literally thousands and thousands and thousands of smart city projects around the world, and I call them 'death by pilot', because they are very successful as a pilot but once you start to say, OK, now what are we going to do with it next, they're not up-scale-able, they are not replicable, there is no strategic plan within a local community or local council to actually take that then further. So it is a waste of money, a real waste of money, so we have to do that differently. Cities that are doing that properly – and it is a lesson we have to learn. I had to learn that lesson as well. How do you engage with citizens? Because the first thing is, "Not in my backyard", yeah? Yes, we love it, as long as not in my backyard. So that is a problem we have to face. So rather than town hall meetings where you get "Not in my backyard announcements" we gather certain communities around certain projects, you know, people who are directly affected by particular applications or particular sort of developments and actually start using them as missionaries, start using them as advocates, and then work with that – work with those communities and work with those people to actually then create the momentum around it and build it up from there. It works pretty well, yeah? The other thing – the couple of examples that I came across is that what I also advise to local councils is, you know, of course, absolutely bring the local people in. How do you bring the local people in? One of the possibilities is actually to say, have an app of the month, and the mayor gives an award – no money involved, just an award, you know, to one of the guys or girls in the community who come up with a beautiful app. I mean, I can tell you the majority of people who participate in that are under 20, yeah? So they are the people that are coming up with the apps. And they're really interesting apps. There was a disabled person in a wheelchair who won an award a couple of months ago and they had developed – he had developed an application that, on the smartphone, he could point at any building in town and could find out whether there was wheelchair access to toilets. A simple thing like that. And nobody had ever thought about it. You have to be a wheelchair person to come up with an idea like that. So bring those people in and let them help you. In Amsterdam, they had to do a whole new street, they had to replace the tramlines and they did it in multi-functional ways, OK, if we're going to do that, what else can we do? So a whole project came out of it – new street lights, a new garbage collection situation, with wi-fi along the street, wi-fi-organised parking spots, et cetera. One interesting element was that at one of the meetings there was a homeless person and the homeless person said exactly what you have just mentioned – everybody has a smartphone, but where on earth do I find a power point to actually get some power? So all of the train stations in Amsterdam are getting power points for that reason. So engage people directly themselves, bring them in and use the smartness of us ourselves, yes, and you start bringing that smart city concept to the front. Good things in Australia are happening – on a federal level we do have the Prime Minister really interested in this. We have one of the first to have a smart city national plan that we can actually work on. I work with local councils, you know, there are round tables over the next two weeks and we are at every single round table around the country talking about how we actually work together. So you have to work together, as I mentioned – you need the council and in the council you need the mayor and the CEO. Then we have an industry board, 30 national companies, because in the end you need business models, you need funding models, and that's where you bring the industry in, private industry, and they assist in a collaborative way how to do it and we have twelve universities involved in implementing and helping. You need data hubs, software development, security, privacy – all of these issues and they can be addressed nationally if we look at that in that particular way. So that is what the Australian Smart Communities Association is doing. At the end of November we have an international conference here in Sydney, where we bring international speakers together. It is a free event, so have a look at the website of the Australian Smart Communities Association if you are interested. So we are trying to actually create that on one level, that understanding, on a senior level, on a government level, on a mayor/city level, the understanding that they have to be strategic, not just pilots, but on the other side you will have to have grassroots people like yourselves to actually say, "And we can actually tell you how to do it, we can come up with applications and tell you where the problem areas and pain points are and work together in that situation". But the city, the council, has to create that sort of facility where we can work together and where we can actually address these problems in becoming a smarter city, a smarter town, a smarter community. Thank you very much.

(APPLAUSE)

JULIE McCROSSIN: Paul, thank you so much. I really found that incredibly interesting. I'm still trying to remember if Pauline Hanson comes from Ipswich. Can anyone help me? She did. 70%. It is so interesting what we've done in Australia that so many of our rural communities are linked up to such a great degree with the nbn before a lot of our urban environments. A fascinating decision. Ladies and gentlemen, you are now faced with lunch. Remember that immediately after lunch we begin again at, help me guys, 1:30. There will be another drawing of an incredibly gorgeous set of $236 wi-fi earphones. But until then, please enjoy your lunch and we will give you a ding when it's time to come back in. Thank you very much.

(APPLAUSE)

(LUNCH BREAK)

JULIE McCROSSIN: Ladies and gentlemen, it's just one minute till half-past, then I'll kick off. But you'll notice up on the screen is my dog. This is Bruno. He's a cavoodle, and he is the epicentre of my emotional wellbeing. Now, why do I have him up there? Because I was promised that, in the Smart Cities presentation, there would be a reference to how it would benefit not only us as citizens, but also dogs. Is there anyone with information about how dogs – yes? Teresa, come out. Thank you. How could dogs be benefited by Smart Cities?

TERESA CORBIN: I Googled recently weird things on Internet of Things. I came up with tracking your dog – you can put a tracker in that tells you how many steps the dog is doing during the day when you're not home. The dog can also have a censor so that, when he or she comes near the dog door, the dog door will open only for him or her. And there's all sorts of amazing Internet of Things things that you would never even think of that have to do with dogs.

JULIE McCROSSIN: Ladies and gentlemen, you're probably not going to believe this, but we didn't work this out in advance. That was a spontaneous response. Would you please give her a round of applause?

(APPLAUSE)

That little innocent creature is soon going to be under a degree of supervision that he's never imagined. Well, ladies and gentlemen, welcome to our after-lunch session, and welcome to those who've just joined us. I'm just going to begin by pulling the lucky-door prize. We have another magnificent wi-fi set of earplugs worth an inordinate amount of money. I think it's $236. I'm wiggling through the numbers. Remember, it's redraw if the person isn't here. It's purple, 31. Someone's got excited inappropriately...

Purple C31.

I don't like to say this, although it is Sydney – he's going through his handbag. Has he got it?

I don't want to challenge you – you have! Fantastic.

(APPLAUSE)

Congratulations. Here's your prize. Thank you. We have one more of those to do after the afternoon tea. Ladies and gentlemen, welcome to this session – Digital Government – The Way Forward. You'll see in your program we have five speakers who are each going to begin by telling us some of the challenges faced by the people that they represent and work with in their organisation and some of their initial thoughts on what can be done to improve access to government services. We also have a representative of the Department of Finance in the Australian Government, John Sheridan, who's going to talk to us about the Australian Standard for ICT accessibility, which is being developed. Our first speaker is Joseph Caputo, the chair of the Federation of Ethnic Communities Councils of Australia. Please make him welcome.

(APPLAUSE)

JOSEPH CAPUTO: Good afternoon, ladies and gentlemen, friends. First of all, I would like to thank the ACCAN team for inviting me as a representative of the Federation of Ethnic Communities Councils of Australia to be here today. Before I continue, I'd like to acknowledge the traditional owners of the land in which we meet and pay my respect to their elders past and present, and I do so in the spirit that – apart from Australia's first people, the rest of us, we all came here either by boat or by plane at some stage in our lives, or forebears.

All levels of government are currently moving to digital government service delivery to make it easier for individuals and businesses to access government services. FECCA has consulted with culturally and linguistically diverse service providers across the country to gather views and experiences of using digital government services. Different cohorts of migrants have different experiences when accessing digital services. Some groups may have great difficulties due to limited digital literacy and English language skills. For example, refugees and older migrants. For those who migrate to Australia with little or no experience using computer and internet, developing digital literacy is a crucial part of the settlement process, and this will take time. Other groups will adapt more quickly to using digital services. For example, skilled migrants, young migrants, and those with good English-language skills. Some people migrate to Australia with significant experience using computers, smart devices and the internet. The recently released Australian Digital Inclusion Index found that Australians who speak a first language other than English have a relatively high level of digital inclusion, which has been steadily increasing since 2014. Given the diversity of this group, care must be taken when considering these findings and the unique circumstances of different groups of Australians' culturally and linguistically diverse community should be considered. As governments move to digital service delivery, digital access is an important consideration. Currently, about 86% of Australian households have access to the internet. This access is more common in major cities and for households with children under 15. Cost is a significant barrier for many households who do not currently have internet access, particularly for refugee groups and families with young children. Migrants and refugees regularly raise privacy concerns with regards to accessing government services online with us. Many have lived in countries where government agencies are not trustworthy and are wary of anything that puts all of their personal information in one place – information about privacy and security of digital services, including who has access to an individual's data, and how this data is to be used, is currently well-communicated to the public. Many people use digital services on behalf of others – for example, relatives or clients. The most common reason reported to us for using online services on behalf of someone else was that the service recipient did not know how to use digital services. It is important that the data is collected about the use of digital platforms in order to design and deliver a person-centric service. This will allow agencies to understand whether digital delivery targets the actual service recipient or their nominees. As government moves service delivery online, tailored response must be designed to address accessibility issues with a view of overcoming barriers to access and achieving equity of outcomes. FECCA recommends that government agencies recognise the diversity of users and gaps in capacity in access, including the development of data collection plans across government. The accessibility of online government service delivery must be improved, including through the use of simple and consistent icons, icons across platforms, clearly identified information online in community languages, with availability of translated materials using a single and prominently positioned symbol across all government agencies, and indirect technologies to improve non-English speakers. Government must continue to provide multiple ways for communities to interact with government service delivery, including face-to-face interaction at shopfronts, and using prop-up assistant information shops, particularly in rural and regional areas. Targeted communication strategies should be implemented to reach ethnic communities to improve awareness of online services and reduce concern about privacy and security. Easy-to-understand information in plain English and community language can be used to communicate messages to existing and prospective users of digital services. To conclude, governments should look at what they can do to build community capacity and equitable participation in the use of digital services – for example, funding assistance for multicultural and settlement service providers to deliver training to migrants and refugees. For example, the Victorian Government has funded Victorian Tech Savvy Seniors, which is designed to give older people – particularly those living in rural and regional Victoria – the opportunity to develop skills to use technology. Libraries across the state of Victoria have offered training as part of this program, including libraries that have delivered training in language other than English. So, thank you very much for listening to me. Thank you.

(APPLAUSE)

JULIE McCROSSIN: Thank you very much, Joseph. If you'd like to take a seat, we'll have opportunities for questions later. It's my pleasure now to ask David Brady, the chair of Deafness Forum of Australia, to come and speak to us to give his thoughts on improving access to government services. Please make him welcome.

(APPLAUSE)

DAVID BRADY: Thank you. First, I'd like to acknowledge the traditional custodians of the land on which we meet today and pay respects to eldest past, present and future. I'd also like to thank the organisers for providing Auslan interpreters and captioners, and the loop, to ensure that we have full communication accessibility for everybody present. I would also like to acknowledge the language of Auslan, the language of the Australian Deaf community, with the interpreter here today being my voice to members of the Australian Deaf community here. I'm the chair of Deafness Forum Australia, coming up to my sixth year – exciting times ahead. I do have a full-time paid job as CEO of Hear For You, an organisation providing mentoring programs for Deaf and hard-of-hearing teenagers by Deaf and hard-of-hearing adults. Let me begin by disclosing that I was born deaf with hearing loss of 90 decibels in both ears. I'm support by two high-powered hearing aids to help me hear and speak, along with lip-reading. If I take my hearing aids off, this room will be completely silent to me. The only sound I can hear, if the ACCAN organiser can do it, is to bring a jumbo jet and put it on full blast.

One area of our lives is constant – the need to engage government service shopfronts in our lifetime to obtain drivers' licences, birth and marriage certificates, Medicare claims of inquiries, unemployment support inquiries, and so on. This will be done in offices of Medicare, Centrelink, motor registries, the Australian Tax Office, and the NDIS. As one in six Australians have hearing loss or deafness, these shopfronts are places we fear to tread. They are busy. Noisy. And sometimes confusing environments. And for communication accessibility perspective, it's often unfriendly. A recent personal experience – I changed my car registration from the ACT to NSW. It was a highly frustrating and difficult few hours for myself and the staff involved. There was a need to keep repeating information, causing frustration for both myself and the staff at the counter. I'm not Robinson Crusoe. As the chair of Deafness Forum of Australia, I hear similar stories wherever I go. Some from young people who attend my youth sessions, who maintain getting their driver's licence is not something they would like to repeat. They've been caused deep embarrassment, and the fear of missing out on critical information when they're going for their test. For Auslan users, it's even more difficult. Interpreters have to be booked in advance to accompany a person, weeks in advance, in the hope that the staff member is free with the service available. People like me – it's a scenario, asking for hearing loops to be available, and sometimes paying for remote captions out of our own pockets. If all else fails, desperately winging it. A little over four years ago, Deafness Forum checked the date. It was 2012. We thought, "Surely, Australia has the technology available to make things easier." We met with the then-Commonwealth minister of human services to make a start at a federal level, with a trial of remote Auslan interpreting services on demand at Centrelink and Medicare shopfronts in Queensland. There were reservations, but we persisted, and the trial produced extremely positive feedback from Deaf customers, interpreters and the staff at each trial site. All reported much better communication conditions and greater flexibility.

I am pleased to acknowledge that this video Auslan relay service has been rolling out across all Centrelink and Medicare centres, which I understand will incorporate the National Disability Insurance Scheme centres. The NSW Government was very open to our suggestion, and Service NSW centres in Sydney recently completed a trial of live captioning, audio loop, and video relay interpreters. VicRoads are watching. They're watching this trial, and we are quite hopeful that these shopfronts and other state and territory governments will soon follow. Our vision is for these services to be a standard feature in all government and business shopfronts, hospital reception desks, health clinics, banks, post offices, and many other places, making a more inclusive for all Australians wherever they live. This is an especially great benefit, particularly if you live in rural and regional Australia, where communication service providers might be in very short supply. Captions on demand, in particular, improve access for those for whom spoken English is their second language. And for people who better process the written word before it's actually spoken. So, let me summarise this simple case study.

Identify your target. If you can, start the advocacy at the top level with an organisation that has a broad reach, and will be a sampler for other organisations. Explain how the new, inclusive services will help them meet their customer service obligations. Build their reputation as an innovator. Save time. And make their jobs easier. Explain to political leaders and their advisors that new services will be popular with their electorate. And, be a lasting legacy from their time in office, no matter how long or short.

(LAUGHTER)

Most of all, be patient and persistent. It's taken Deafness Forum of Australia four years to get to this point. And don't expect to be recognised for your advocacy work. The relevant minister and departments will probably claim the glory. But, Australians – we – get the rewards. Thank you.

(APPLAUSE)

JULIE McCROSSIN: Thank you. Thank you so much. It's my pleasure now to introduce John Sheridan, the Chief Technology Officer in the Department of Finance with the Australian Government. He'll be telling us about the Australian standard for ICT accessibility. Please make him welcome.

(APPLAUSE)

JOHN SHERIDAN: Thank you, Julie. Several years ago in this very building, I attended a meeting about accessibility in public procurement. I wasn't convinced at the time certainly initially, that there was much that we could do to advance the cause that was being put to us. My concern was that, at the time, there wasn't an international standard that could address ICT accessibility in public procurement. And it had been my experience that, generally speaking, when people joined the public service with a disability, we spent what was required to make sure equipment was accessible to them. But it was put to me that that wasn't enough. Indeed, I was given a very good explanation that I have used since then to explain to people why we needed to do something about this. It was suggested to me that I take a chair from my office, go to the nearest multifunction device – the big printers and photocopiers that we use now – and we tend to have one or two of on a floor. That I should sit in that chair next to the device and see if I could see the screen. And if I couldn't see the screen, then that device wouldn't be accessible to anybody who was confined to a wheelchair. I tried and, indeed, it wasn't. And of course, these are devices not that we replace every year or every two years, but we are much more likely to replace every five years or longer. I was convinced as a consequence that we needed to do something to explore – could we have an Australian standard that would help us in this regard?

As a consequence of my contact with ACCAN and with others, including in the Human Rights Commission, I became aware of the US Section 508 of their Rehabilitation Act and of the then-relatively new European standard, EN31459. I read about those standards and decided the first thing that we would do was test the equipment that we already were procuring to make sure, to discover, whether it was, indeed, accessible. More than 50% of the multifunction devices – printers, et cetera – on our panels were, indeed, accessible. The next time we went out for a mobile phone panel, I discovered that all the devices were essentially accessible. And more recently, in going out to buy computers across the Commonwealth, we specifically asked vendors to declare whether or not they met either 508 or EN31459. Not surprisingly, many did meet those standards. It was clear to me then that, in order to fit in with the Commonwealth procurement rules for which I'm responsible, what we needed to do was establish, since there wasn't an international standard and an Australian standard, so that buyers could use a standard, could refer to a standard, and purchase equipment and, indeed, software and hardware that was accessible.

Working with Standards Australia, we determined that the best way to do this was through a direct-text adoption of the European standard. This required us to get permission from the owners of the European standard, and then set up a committee that would run the process. We did that a couple of months ago, and I'm the chair of that committee. It then requires public consultation, which we are about to embark on. Public consultation looks like it will be relatively positive, because vendors have already indicated to us that they meet these standards generally. Australia isn't that large a market, and they produce equipment with these standards already for the US and European markets. As a consequence, given that direct-text adoption requires actually taking the text of the standard and adopting it only changing the things that absolutely need to be changed – references to Europe, for example, in the title and related things – we anticipate that direct-text adoption and the public consultation will be achieved relatively soon after going to the public. It won't be open for all that long.

As a consequence, I hope that, by the end of this year, we will have an Australian standard for accessibility in ICT public procurement. That standard will be able to be used by buyers both at the Australian Government level, but also in other jurisdictions. And it will guide them as to what they should do in order to buy equipment that is accessible. That won't mean that things will change immediately. Panels need to be refreshed when their lifetime expires. But I'm confident that what we will see is something that agency procurers can use in order to ensure that, when they are buying equipment and software in the future, that it meets the standards of accessibility. Thanks very much.

(APPLAUSE)

JULIE McCROSSIN: I found that presentation excellent, for a number of reasons. One was your impressive capacity to rattle off the standard numbers...

(LAUGHTER)

..just extemporarily. Would you agree that was duly impressive? It built confidence in me towards him as a Commonwealth public servant.

(LAUGHTER)

But I was also impressed by the fact that you remembered so vividly what had been suggested to you here, despite initial scepticism, and then he'd gone to Canberra, got a chair and sat beside a photocopier. Is that right, sir? I've got the nut of it? A round of applause for this responsive gentleman.

(APPLAUSE)

I'd now like to welcome Sue McGrath from the Council On The Ageing. Sue is the national policy manager. Please make her welcome.

(APPLAUSE)

SUE McGRATH: Thanks, Julie. I'd like to start off by acknowledging the traditional owners and custodians of the land in which we are meeting, and their eldest past and present. And thanks to ACCAN – COTA is delighted to be here and support this fantastic conference that you hold every year. It's always a delight to be here, so thank you so much for that. I know that what we're supposed to focus on here are the solutions and the ideas and the way forward for supporting the population groups that we're representing, but I just need to set a bit of a frame before I get on to some of those suggestions, because when we talk about older people, as I do all the time, I always have to point out that it's a very diverse group of people, even if we start at 65, and if we're in different environments, we sometimes start earlier when we're talking about older people in the employment space – it can be 50 and over, because age discrimination kicks in at 50. But if we're talking about 65 and over, with longer lives that we're all living, that can still be a 25- or 30-year life. So, all issues differ across that age span. There's also lots of other diversity. As Joe would know, 3 out of 10 older Australians were born overseas, and so there are a whole series of issues there – functionality and physical ability varies a great deal over that age span as well, and also across individuals. So I just wanted to set that scene before I made general statements, because one of the things that I think that happens in regard to the issue of the digital divide when we talk about older people is we have a mix of stereotypes that we bring into play and some reality and a lot of simplification that we bring into it. So I just want to refer to two sets of recent research that give us a bit of a clearer idea about older people and the digital divide. The first one is from the Australian Communications and Media Authority, ACMA. They found that the level – while the level of online engagement by Australians over 65 is lower than other age groups, the vast majority of older people are now participating online. 79% of older Australians have accessed the internet at some point in their lives, and when this study was done in 2015, 71% had been online in the three months prior to the end of the study. In keeping with Australia's early tech adopter reputation, these figures put us ahead of the UK and the US for older users. But I want to break that down a little bit more. The same research shows that there's a 9% difference between men over the age of 65 user the internet – 67% of them – and women over 65 using the internet. There's only 67%. That gender gap widens within the older subgroups to reach 16% difference between men and women aged over 80. The difference in those who've never used the internet is even more marked as you go across the age groups. And it gets wider as you get older. So once you reach people over the age of 80, over 42% have never accessed it.

So, what does the research say that people do online? It's pretty much – older people? They do pretty much the same as everybody else, apparently. Email, banking, bill paying, buying and selling goods – it's just that older people do a bit less of it than other adult users in Australia. We also use social networking and communication sites, but to a much lesser extent than other adult age groups. The ACMA research found that, when it comes to the key activities of accessing government services and health and medical information online, older people have similar rates to the adult Australian population overall. But we lag a long way behind our older US and UK counterparts. And it's those underdeveloped habits in that area that are absolutely critically important as that growing push continues on. It's a juggernaut, towards digital by default government communications and service delivery. In income support, aged care, Medicare, taxation, the census, and many other spaces. This is particularly important in regard to health and the changes in health policy and health practice that are beginning to emerge and will affect older people significantly, and the ability for them to manage their own health records and data will be critically important. I just also want to refer to the Digital Inclusion Index, which unsurprisingly found that people over 65 are the least digitally included demographic. That's, of course, about the life course and that digital technology – it was a late entrant into the lives of older people. But the index authors also say that, in general, those with low levels of income, education and employment are significantly less digitally included, and older people, in general, fit that profile. And that's something to remember. It's not just about age and ability associated with that. I've got, like, 30 seconds left, so I'm going to say a few things that COTA argues for in this space. On the one hand, we say that it's a stereotype to consider older people resistant and incapable – many older people do learn. If they start from a low base, they learn to be digitally engaged, but we do recognise that – I think it's – yeah, it's around 1 million adult Australians, the bulk of whom are over the age of 65, have never accessed the internet. The COTA accepts that a group of those – particularly the older age group – will not become computer-literate. The question, Julie, is… Can I have another minute to say the things... I've gone over my time.

JULIE McCROSSIN: Yes, you can.

SUE McGRATH: Thank you very much! OK. Thanks for indulging me, everyone. What COTA argues with government and parts of the private sector, particularly the banking industry, is we speak up constantly for maintaining high-quality, properly resourced traditional communication channels, while face-to-face postal and telephone services, alongside digital transformation. We also argue that governments need to make transitions to online service delivery gradually, and to give those who are willing and capable the time to adjust. We argue for user-friendly, simple interfaces that remain as consistent as possible over a period of time without large numbers of rapid changes that people have got to adjust to. We also very much support the work done by a whole range of training organisations trying to support older people into digital literacy, and we note that the Federal Government's just made a commitment during the election campaign to invest $50 million into the digital skills and confidence of older people through a digital inclusion and online safety strategy for senior Australians. We'll be interested in engaging with them around that to take up some of the issues that I've raised here. So, thank you very much.

(APPLAUSE)

(APPLAUSE)

JULIE McCROSSIN: Just before I introduce our last speaker and then open it up to the floor, but just quickly, so I don't forget – I fall into that category with the middle-aged woman with the very elderly mother and there is a pack of us out there and we're crucial to access for older people. My mother is a self-funded retiree, so I know this is about access to government services, but if I could just say, in the private sector, there's an amazing variation about the degree to which it's easy as a person with enduring guardianship and enduring power of attorney, so the appropriate documents to allow you to stand in the shoes of a person and make both financial and other decisions, there's a real variety about the degree to which you can have digital access. So some banks will allow me to, as it were, pay my mother's bills online, and some won't. And I don't know if that's a factor in the government sector, but the other thing that I find really interesting from a security point of view is that you learn really quickly that if you try when dealing with human beings on behalf of your mother, whether it be by phone or by computer, but it's usually on the phone for this purpose, to actually say, "I'm not my mother, I am..." so my mother is Margery McCrossin, and I'm Julie McCrossin, you soon learn that is a disaster but if you pretend to be a 91-year-old that works really well. And I'm not the only person doing it but the discovery is just how easy it is to be a 91-year-old woman! I don't sound like a 91-year-old woman. Is that a stereotype? But I don't sound like my mother. But the fact that I have such documents is a hint of a cognitive or disability. But it's so easy to just pretend you are a person that and there's surprisingly little checking around whether you have the appropriate documents and as I used to work at a place called the guardianship tribunal, which is a legal arm to do with substitute decision-making, so having these legal rights, I'm afraid there are a lot of families out there who are anticipating their inheritance and want access now. So I think there are some real security issues for older people. I hope that was considered a relevant small ex-temporary comment but now let's go to the young and our final speaker is Jacqui McKenzie from Youth Action, where she is policy and advocacy manager. Please make her welcome.

(APPLAUSE)

JACQUI McKENZIE: So, as introduced, my name is Jacqui, I am the manager of policy and advocacy at Youth Action. Youth Action is a NSW peak body for young people and the services that support them. You can find us on Facebook, Instagram, Snapchat, Twitter – we also have a website. I would also like to begin by acknowledging the traditional owners of the land on which we meet and pay my respects to elders past and present. So I'm here to talk about young people and digital governance. Easy, right? Young people are online, government is moving online – I feel like a lot of the time when I talk about young people online, most people are complaining to me about how to get them offline. The government is moving online and into spaces and places where young people are and it is a really positive thing. But simply being online does not mean the service is accessible to young people. Most services are designed by adults for adults. But it means that these services often aren't suitable or don't cater to young people. When one in every five Australians are between the ages of 12-25, that's 4.6 million, then this is a really serious problem. And, yes, while young people are not children, nor are they adults. They're different to adults, they have different service needs and they have unique circumstances. So if you are online, but not connecting to young people, I'm here to tell you, it's not them – it's you. The biggest barrier to accessible services for young people is a lack of youth participation in service design. There are two primary drivers behind this – one, is the myth that young people are apathetic and the other is a misconception that they do not have the capacity or the expertise to contribute. Many people – and the mainstream media is a big player in this – portray young people as apathetic. They are not engaged they are selfish, they are the 'me' generation, they are hoodlums and frivolous and they are constantly connected to their iPhone. Does this sound familiar? Is this a theme anyone has heard come through in the media, on the train? I'm here to tell you that's incorrect. In July this year, Youth Action launched a milestone report called the Youth Development Index. It takes census data and NAPLAN and looks at how Australia is doing for young people. What this report showed was that the proportion of young people who are politically active has surged over the last decade. The thing is, young people are not apathetic, – they are just not interested in tokenistic, adult-centric systems. They are interested in genuine and real activities that are online or local – activities that enable them to take practical action and deliver real outcomes, outcomes they can touch and that are tangible. They are networked and they are organising. You need only look at, for example, the number of young people who are volunteering versus engagement and enrolment in political parties, for example. This is a trend that we need to tap into. The second persistent myth which stops young people being considered in service design is this idea of capacity and expertise – they're too young, they're too immature, they won't understand, we'll have to ask different questions, it's too hard, what would they know? And, yes, there is probably a whole lot of young people who are not experts in tax legislation or human service design, for example, but they are experts in their own experience and I think we've heard from other speakers today about how powerful that first-person experience can be in achieving change. We need to recognise that this experience is like no other we only need to look at the conversation that has been had over the past six months pointing out the inheritance of debt by this generation, changing in work, the cost of education, to see they are operating in a very different context even to what I experienced – and I'm not exactly an old soul. To fill the void when looking at service design we look at our own experience, whether we recall our teenage years and our experience of trying to get our first job, or as parents of young adults. But this will never equate to the understanding the diversity of young Australians, as was pointed out – young Australians are not a homogenous group. We need to hear their perceptions of services. One of the best examples – and it is not a good one, but it clearly kind of highlights the expertise that young people can bring, is a couple of years ago there was a push to reduce smoking in Aboriginal young people. So heaps of money was put into this campaign, lots of time spent trying to deliver this key slogan, and the slogan they came up with is, "Smoking is deadly". Now, for anyone who knows what deadly means, essentially this campaign was telling Aboriginal young people that smoking was cool. And for me, I think, how much time and money and how more efficient would this process have been if we had just asked young people? Bringing young people's experiences and ideas into service design – design of online services – is just one side of the coin. The hard thing is changing our own behaviours and attitudes to take these ideas seriously and factor them into the decision-making process. We need to be asking at every single point of service creation, what can we learn from young people? How can we harness their experiences, their energy, their imagination and their creativity to deliver better and more accessible services? So an innovative solution, ask young people. We need to change the attitude and culture in our institutions. We need to consider youth participation as necessary. Not as a last thought in the process, where everything has already been designed. We need to leverage the opportunity that young people present and consider digital media as a way of communicating with young people, rather than at them. If we don't, digital media will amplify the lack of engagement with one-fifth of Australia, rather than enable it. Thank you.

(APPLAUSE)

JULIE McCROSSIN: Thank you so much. Now, there's two microphones but I wonder if you could pick up the one that's on the floor and turn it on and if you could turn yours on as well. It's just on the side – thank you. Can I just come to you, first of all, if I may, Jacqui, if you could take the mic. And, guys, if you can hold them close to your mouth. I was just surprised by what you said because, as a 61-year-old, I spend my life turning to people in a sort of 15-20 age bracket and asking them what to do. And I would have thought that was actually a common thing. But are you saying, at an institutional level, people don't approach young people in sort of focus groups to do design?

JACQUI McKENZIE: I think a lot of the time we rely too heavily on data and we don't actually speak to young people to get the understanding of how they interact with the services and systems we design. Another crucial problem is that – I am from the NSW peak body of young people, we've been around for around 30 years, but the Australian or the federal level advocacy peak body has been de-funded so that severely restricts the ability of the federal sector to understand and engage with those crucial networks.

JULIE McCROSSIN: OK, look, thank you. Look, I just want to quickly acknowledge that – you know how I made those quick remarks about being a substitute active person online for somebody else? I was handed this while you were speaking, Jacqui, and it's called Going Online On Behalf of Others: An Investigation of Proxy Internet Consumers" and it was developed by ACCAN with the Federation University Australia and Monash University. This is living proof of the amazing responsiveness of ACCAN! Because that occurred in a five-minute interval! Ladies and gentlemen, this is an opportunity now, of course, to ask questions or make comments and I guess the primary focus is your thoughts and views on key barriers to access to government services, but, most importantly, your suggestions on how to overcome those barriers, how to gain that access. And if people had examples of government responsiveness to share with us, that would be great, as well. So, who would like to begin – a question or a comment? Thank you very much. I'll just come over. If you can just introduce yourself?

>> Sure, Julie from The Smith Family. I would actually back up – and I'm sorry, I've forgotten name of the lady from the aged care sector?

JULIE McCROSSIN: Sue McGrath.

>> Yeah, what you were saying about how it's great to move digitally but you also need to keep those traditional methods of communication open. What we find with The Smith Family, you know, you are talking about disadvantaged people, you are talking about that lower income – you get challenges with bills these days from lots of agencies. You might miss a bill if you don't do that and you think, “I might have internet that week so I'll check it, but maybe I won't get it”, so you are actually disadvantaging those that are already disadvantaged. So I absolutely support that.

JULIE McCROSSIN: The importance of face-to-face. Would you like to comment on that at all, Sue? Can you pass the microphones actively to each other?

SUE McGRATH: I completely agree with what you are saying and one of the points I think we need to recognise when we talk about government services is a lot of government services are directed towards more vulnerable people at whatever age and the – there are many reasons economically, socially, capability-wise, all sorts of reasons why people might not be able to access services online, and therefore it's, I think, a particularly strong argument for governments to maintain well-funded – not just legacy systems that they're letting run down in these other ways, particularly telephone services, which anybody trying to get on to Centrelink by telephone will tell you, you can sit on there for hours and then just not get through. So they have to be proper services that are meant to support people to receive their services.

JULIE McCROSSIN: Could I just ask you, too, and perhaps I should really bring David in on this, as well, but again, I don't want to draw too much on my mother's experience, it's just that I spent a lot of time being a daughter to an elderly woman, but mum has been too deaf now for at least three or four years to deal with service providers by telephone and yet many services do require telephone contact and I'm just wondering, has Council On The Ageing got recommendations about that? Is that something that comes up in your work?

SUE McGRATH: It does and it would overlap directly into David's work, but I suppose the position that we take is that traditional modes – a lot of people still use snail mail, still use paper engagements, filling in forms, sending them in, receiving it that way, and that is one way in which people who are deaf or hard of hearing, you know, can engage with government, if that's still on offer. And if they're not having to be charged to receive bills in that format, et cetera. And face-to-face, the capacity for face-to-face – although I was really taken with what you had to say about the face-to-face situation and how that could be really overwhelming, as well. And in those cases, clearly, digital engagement could be a really valuable thing. But if your mother didn't have you to be doing that digital engagement for her, then it creates a real vacuum for people in that situation.

JULIE McCROSSIN: David?

DAVID BRADY: I think for the trial a lot of the people there said we can use internet, they can read, et cetera, but a lot of the people who are over 65 love the personal side. They like to go to a Centrelink, they like to go to Medicare, they like to see somebody, but the challenge is it's quite noisy, and you have captions and you have loops. And Auslan is another language, it is a second language, it is not like English and you can't do captions for people who use Auslan so if they need video relay or they can't get an interpreter at the appointment able to communicate in their language with the staff member at the same time – so that's one of the challenges that we have. People who are deaf and use Auslan can't read the forms or go on the internet. So for people to go into a Medicare or Centrelink centre with the form and say, "Can you please help me read this and translate it into my language", and that was one of the big trials we had in Queensland, the interpreter would explain quickly to that person what the form is about, but also the fact that one in four Australians will be deaf or hard of hearing in the next five to ten years, so what the Deafness Forum of Australia guide said was, you have to prepare your centres for that, just knowing that Australians are going to lose their hearing, like your mother, for example, and many others.

JULIE McCROSSIN: And as an ageing baby-boomer, we're often referred to as a tsunami, but many older people, in my experience, actually don't perceive themselves as deaf in the way that you are describing. In fact, many older people will deny they are deaf or that they need hearing aids in the face of all evidence to the contrary. So it really is a service provision challenge for government sector to – I mean, presumably rooms where you can go and get people away from the noise would be one important aspect. But sorry, Joseph, your comment?

JOSEPH CAPUTO: Yeah, well, as well as all the other issues that both Sue and David have mentioned, if you happen to be an older migrant who can't speak – you know, English is not your first language, then, you know, you need to have those face-to-face services to continue. So we will be advocating that, as more and more people are getting – using digital services, that will free up the various offices to be able to provide that face-to-face system and we will advocate to make sure that government doesn't get – you know, fall into the temptation of them closing up a lot of the services, rather than using them. Because the reality is that, as Sue mentioned, that there will be a significant number of older Australians, of, you know, English and non-English-speaking backgrounds, who will never be able to use the internet or what have you, so they still will need the face-to-face offices, shopfronts, to be able to access government services.

JULIE McCROSSIN: And, David, you let me know if you want to make a – sorry, I beg your pardon, John, if you let me know if you wish to make a comment. Just before I come to you, sir, there's someone here, Nigel Waters, who has indicated to me – that is you, is it, Nigel? I will come with my microphone. A few people sent in questions in advance.

NIGEL WATERS: OK, thanks, Nigel Waters from ACCAN. It is a follow-up to that question. I am going to change the emphasis of my question because initially it was going to be, do you think that governments need to maintain those alternative channels but I will turn it around and be devil's advocate because won't there comes a point when the proportion of people requiring those alternative channels...

JULIE McCROSSIN: What do you mean by ‘alternative’?

>> Like traditional, face-to-face, being able to do things by phone or by post, there will come a point when realistically governments are going to say, "We simply cannot afford to put the resources into the maintenance of those channels for such a small minority of people". So, I mean, is that a reality and, if that's the case, then what are the alternative ways that we have to look at providing for that very small number of people, potentially, in 10 or 15 years' time, that can't use online services? Is it intermediaries? Family friends? And, you know, should we put more emphasis into re-designing the way we provide those alternatives, rather than necessarily clinging on to, “Oh, we've got to keep the offices open,” or, “We've got to keep the phone lines open,” when that will reach a point, inevitably, where government simply says, "We can't afford to do it".

JULIE McCROSSIN: Can I come to you, John? And I'm not asking you to speak for all government services, that would be absurd, but there seems to be an assumption in that question of inevitability to the loss of face-to-face or voice-to-voice services. Your response to that suggestion?

JOHN SHERIDAN: Noting that that is not the area in which I work, but the government clearly is maintaining a range of channels for services. Yes, there's an emphasis on providing digital services, digital online services, because there's a demand for that that's obvious in the work that people have done, to explore how people would like to use government services. But there's not an intention, certainly as I understand it, to abandon all other channels now or in the future, and just concentrate on only digital online services. One of the things that we do see is that by moving those users, customers, citizens, who can use online channels to those channels, that that can take pressure off other channels and allow them to be more used by people who don't have the option of using digital services.

JULIE McCROSSIN: I suppose I would throw in a comment here, too, that – we're talking about the digital revolution which, to me, is as big as fire and the wheel in terms of its impact, and even as we speak, many people of all ages are using Skype as a means of talking to each other. Even what we think of as a face-to-face service is in the process of changing. But would anyone else on the panel like to respond to that? Thank you.

DAVID BRADY: I would like to challenge the assumption you were going to say about the diminishing of face-to-face services, because I... um, face-to-face and human interaction services is part of the future of Australian industry and society, because if we lose the contact with people, we might as well just all live in a cubicle for the rest of our lives. From a deaf Australian perspective, language and being part of and being physically with someone is very, very important. I might have mentioned about online and offline interpreters going to emergency departments or offline – but that's only a temporary measure until somebody is in the room. There's nothing better than someone in the room. You can go with somebody online but someone in the room, it is a big difference. When I do Hear For You mentoring, with young teens, they love the Skype and Snapchat and all of that but they realise that being in the same place as someone is a lot more powerful and they get more things done and it is part of the learning curve as well. So technology should be used to encourage that and not take away from that.

JULIE McCROSSIN: And I guess this is a room of advocates, we will advocate for the government services in a democracy that we think we need but there is a magic between two people and it works the other way. If you have an internet dating experience and then you meet the person, you sometimes don't like them.

(LAUGHTER)

Not that I'm speaking from direct experience!

JACQUI McKENZIE: Can I add something to that? One of the things we find is for some young people calling up someone on the phone who they don't know is a really hard thing to do. So services need to be friendly, wherever they are, whether they are online or in person, because I mean there's some services in NSW who only have a call-up service and the dropout rate for young people is really, really high because they don't have the training on how to respond to young people in crisis.

JULIE McCROSSIN: Thank you.

>> Hi, look, this is a bit of a left-field question for this room but I had a question for John. I was just wondering if any of these problems could be addressed by advances in artificial intelligence and whether the government had been exploring any of those options?

JULIE McCROSSIN: Can you just explain what artificial intelligence is first?

>> I'm actually a robot, so it won't be hard!

(LAUGHTER)

The notion, of course, is that with increases in computing speed and computing power, what you can have is an intelligence assimilation, if you like, that somehow can react as if it were human. I think we are a long way short of that at this stage, but potentially in the future it could occur. There are a range of services that government already uses that, to some extent, use some of that intelligence. And not just governments – you can see them online, when there are sort of assistants on websites that say, "I think you are doing this, would you like to do that, could I help you with this?"

I know the taxation department uses voice recognition now – sorry, voice authentication, essentially, so they have the voice patterns of – people have done this voluntarily – of quite a large number of customers so they can be identified just by their voice, rather than by giving any other identification or something like that. So the use of technology is certainly increasing. There are the applications on mobile phones – those sorts of things that do make use of technology and allow people to get government services that way. But I think the important thing is the notion that they're not going to be right for everybody – there is still a need to maintain channels, other channels, for people who can't use those services.

JULIE McCROSSIN: Thank you. I have a gentleman here. Can you just introduce yourself?

>> Sorry, I'm Tim Holborn. There's a lot of noise about autonomous cars but I haven't seen any noise about autonomous wheelchairs. There's a lot of open data, but it's difficult to find the toilet. Has there been any further thought around how the notion of supporting the development of accessibility services by government may contribute towards the ideas boom and exportable product?

JULIE McCROSSIN: Who would like to answer that question? This man asks questions that make me want to say, "And what's the answer"! ! But you go, thank you.

DAVID BRADY: The National Disability Insurance Scheme has been a bit of a revolution for what you are saying about the apps and the technology and the opportunity to actually create accessibility on apps. There was an expo I believe last year and I think some of the people in this room might have been to that. There were companies in Australia, young people and older generations, and smart computers generating apps where they could find toilets for people with disabilities, the best way to the lecture theatre here, if you have a wheelchair or mobility issues. The other one is using captions on demand, and those types of services. So I think it's more about – your question is probably more for the National Disability Insurance Scheme. There is that opportunity because more people will be looking at those particular apps and computer things to help them get more accessibility.

>> Just being more specific, it's more about the ability to export innovative technology using a sociological method of looking at advanced artificial intelligence technology. You wouldn't want a wheelchair to get run over by a person driving over their driveway, for instance, that is a very difficult problem. So therefore I would have thought that there's a level of opportunity or discreet opportunity whilst improving quality of life for Australians.

JULIE McCROSSIN: Thank you. I might take that as a comment, if I may – so looking at commercial opportunities for new technologies that may improve access for our population, but that can be exported. Thank you. Is Jonathan Brown here? I think he wanted to ask a question.

>> Johnathan Brown from Consumer Action Law Centre. My question's about privatisation and commercialisation of services. Clearly, for quite a while now, there's been a push for government services to be commercialised or privatised. And so, say if you take the example of job networks for people going through Newstart, going through the Centrelink system – how do you make sure that, as our expectations of government in regards to access are getting higher and higher, that when governments shooting off all of these services to commercial services or not-for-profits, how do we make sure that those organisations reach those standards, particularly when they are so diverse? Again, back to the job network example, you might have one job network is a struggling not-for-profit that has computers from 10 years ago and is falling apart, and then another job network you as a job seeker might be going to is a commercial enterprise that isn't really interested in investing in access – they're trying to make a profit. So, as that process of commercialisation happens with government services, how do we make sure that those commercial operations keep their standards up?

JULIE McCROSSIN: Thank you. John, if you want to have a go...

JOHN SHERIDAN: I would answer that question from the point of view of procurement, which is essentially what I'm responsible for. The trick, in good government procurement, is making sure that you have the right requirements when you go to market, and then, if you're buying a service from the market, you ensure that you have the right service levels and you manage a contract properly to see that you are getting the service for which you are paying, and it's meeting the requirements that you contracted for. Now, it's relatively easy to say that, as you'd expect. And the Commonwealth procurement rules cover ways of achieving value for money, in setting service levels... We have a range of advice available online for Commonwealth buyers to do those sorts of things. But essentially, any service that you're going to need to – that you're seeking to buy, needs to run through those steps of discovering what is required, making sure it's defined in the right way without being too prescriptive – there's a challenge that says, um... Sort of, apocryphally, if you pay someone for time and materials and say, "The grass must never be longer than six inches," if you don't tell them not to over-fertilise it, they'll mow the grass every week and it'll cost five times as much as you were planning. You've got to manage those things fairly carefully. But there are a range of ways that governments would approach the market for services to ensure those things – including saying that there needs to be access in terms of people with disabilities or covering those things off. We regularly see that sort of requirement in approaches to the market.

JULIE McCROSSIN: So it's basically done by the law of contract.

JOHN SHERIDAN: Indeed.

JULIE McCROSSIN: I've got other questions that have been sent in, but I'm always happy to go to live questions by preference. Any other questions or comments people would like to make? I'd love it if you had examples where you think governments have been highly responsive. Teresa, could you help me if I need help with understanding this gentleman? Did you have a question?

If you don't mind, I'll just say what you've said so far. What I've got – and you correct me if I'm wrong – is that you're saying that, under the NDIS, there's attention, or potential conflict, between the desire of the provider to innovate, and the desire of the individual like yourself. Can you help me then?

TERESA CORBIN: I think Johnathan is saying – just nod if I've got it right – there's a competition between, there's competing interests between the individual's needs and the providers wanting to innovate and drive competition, but that the individuals' needs are not necessarily at the forefront.

TERESA CORBIN: I hope I'll do this justice, Johnathan! I got most of it. Basically, the users want to be at the coalface of the design, and they want to – Johnathan wants to know what the government might be able to do to help that. That really shortens what you said.

JULIE McCROSSIN: Can I just ask you – I know you're talking about users driving innovation, but can you give me an example of how you might want to drive innovation, just to help the panel respond?

>> For instance, emerging technology is virtual reality.

TERESA CORBIN: Emerging technology being virtual reality. What was the use that you were going to use it for?

JULIE McCROSSIN: Thank you very much. Again, I'm not sure who would like to respond, but it's a cry for being at the forefront and for government being responsive. Do you want to go first? Could you put it close to your mouth, David?

DAVID BRADY: Thank you for the question. Um... Yeah, I think there is fear in people with disability, especially in the National Disability Insurance Scheme about providers using technology and innovation to go forward and take over and not let the people with disabilities have their say. The National Disability Insurance Scheme, which is designed for people with disabilities to actually have a say in what they want and what they do, this is the role of the advocacy organisations like People With Disabilities Australia, Deafness Forum, all of those organisations – if the advocates are not advocating to make sure that – especially the government, who oversee the National Disability Insurance Scheme – have standards, to make sure that the technology doesn't overtake what the consumers have. You have a really good point. And yes, it is a fear of a lot of people with disabilities, especially around the NDIS. I also would like to point out that, with the young people, it's a great opportunity for young Australians to get together – especially those with disability – to work with young and even older Australians – to make that technology. Own it, and innovate. Our Prime Minister said we're going to be innovative, Australia. I'm not sure we're there yet.

JULIE McCROSSIN: He's having troubles numerically. It's called the numbers. Did you want to say something about that?

>> I disagree with the comment you made, David. I think we see lots of examples of young people who see a problem and they design a solution themselves, then they upscale it. There's the example of a young man who made a prosthetic arm from Lego when he was 14, and later at a conference met a young lady who described this prosthetic arm she had would cost $80,000, and it would take a couple of years. He designed a prosthetic arm that cost $400. So, there's young people leading in this area already. I think we need to pick up on that and scale up.

JULIE McCROSSIN: I have time for one more question or comment. Who would like to ask one? I know Nigel's got another one, but is there anyone who hasn't spoken yet, or has spoken, who'd like to ask a question or make a comment in this session? Did you put your hand up there? Here, thank you.

I have got some that are written down, so I'll just go to one of those that I have. Give me one second.

(PAUSE)

This goes to the standard. This new Australian standard sounds like it would be a useful resource. How can we ensure that it will be used by government procurers? Will there be a need to educate procurement officers on when and how – sorry, when, how and why accessibility matters?

JOHN SHERIDAN: Thank you for the question. We've already, actually, started doing that. We have regular networks that we speak to government procurement officials about. We publish guidelines on our intranet site so that people can get advice as to how to better buy and, indeed, how to better sell to government. So we provide that regular information to them. There is already a clause in the Commonwealth procurement rules that says when you should use standards and why you should use standards. So, the jump to doing that isn't enormously large. That said, the things that we buy in this area – desktop hardware, software, many of those are bought centrally by my team, so we have an advantage in that the people involved in that are already aware of this, and we've practised doing that now.

JULIE McCROSSIN: Thank you very much. Look, ladies and gentlemen, would you please give our panel a warm round of applause?

(APPLAUSE)

Could we do the hand clapping?

Thank you. If I could ask our panel to return to their seats, you can just leave the mikes where they are. It will give me pleasure now to introduce a speaker about something that has already changed my life. I'm talking about the nbn, and it's my pleasure to invite to the stage Peter Gurney, the general manager of community affairs with the nbn. He's going to talk about the public communications strategy for this major infrastructure project. Please make him welcome.

(APPLAUSE)

PETER GURNEY: Thanks, Julie, and a very good afternoon, everyone. Many thanks for the opportunity to be here today. It's really exciting and I'm grateful for the opportunity to talk to you a little bit about the nbn and where we're at in the life cycle of this major project. Most of you will be aware that this is a long-term strategic project for the government that takes us through until 2020, so we're still a fair way off being completed, but the great news is – and I've been with the company for 3.5 years – is that we now have over 3 million homes and businesses that can order a service on the nbn across all of our technologies. Of those 3 million, 1.3 million are actively connected at this point in time. FY17 and FY18, for us, are the biggest challenge in our corporate career to date. There's a huge amount of homes that we need to get ready for service. And we're really excited about doing that. One of the great challenges, I guess, that we have at the nbn is the way we need to communicate with people in the community, and all of the different verticals that we engage in – business, health, and education. We have multiple technologies and, for all of those different types of technologies, we have to have multiple conversations. Some of our technologies have a mandatory disconnection. Some do not. And we're really conscious of wanting to make sure that people have the right information at the right time. We also have a requirement, as part of our legislative framework, to have a public information migration campaign. That talks to things like migration – it talks to things like medical alarms, it talks to things like fire and Lift, and all those sorts of things that, for a lot of people, it wouldn't necessarily affect. But for those in particular industry verticals, have a specialised interest in a lot of these particular areas. I guess, in and amongst all of that, and as taxpayers, we're very keen, obviously, to try and make sure that we drive early revenue into the company. This is what I want to talk about today. Obviously the main focus of my discussion with you today is around how we communicate with those in the community and those in the various industry segments. We do it in a variety of different ways. I just wanted to walk through a little bit today – what they each look like. We have four, I guess, main focuses in our marketing campaign. Mass marketing, which affect all of us. Above-the-line – those that we run publicly. The types of things you see on TV, in newspapers, are considered above-the-line. Then our below-the-line advertising campaign. So those things that you receive directly – mail in your letterbox, flyers, that type of thing. Really important way for us to communicate with people. I'll get it into what that looks like in just a little bit. RSPs – I guess we work really closely with our customers. Our customers are the retail service providers. And in turn, you are the customers of the retail service providers. So, we need to work really closely and in harmony with them to make sure that the messaging is consistent and the narrative is correct across all of our technologies. Again, there's nuances in what we say and how we say it, and we just need to be really aware of that. Community engagement – this is the area that I speak with the most degree of confidence about, because it's my patch. Again, something that we're very passionate about, and making sure that we communicate to all of those people who have particularly special needs and hard-to-reach segments of the community, in particular. So those that may not resonate with mainstream media, who might not have the ability to go to our website. How do we cater for those people and make sure they're getting the information that they require? And distribution ready – it's a very marketing-type term, but we're referring to other channels that people may resonate with when it comes to the nbn. And retail is one of those things that we're currently exploring, and we've rolled out to Harvey Norman. Again, I'll talk about that in a little bit.

Mass marketing and advertising is one that us, in metro Sydney and a lot of the other metro capitals, wouldn't have seen yet. I expect we'll start to see nbn TV commercials in Sydney some time in around February next year. We've just launched in Melbourne, and all the other capital cities, and regionally we've been on for quite some time. It's a really effective way for us to talk about the network and what we're doing, and give me the insights to be able to make that informed decision about what the nbn means for them and how they need to move to the nbn. You may have seen, if you've been travelling or looked on YouTube, some of the videos that we've created. But in October 2015, we launched a concurrency campaign which was really important, talking about the practical benefits of the network. It was a really logical campaign for us, where we demonstrated that people needed bandwidth if they had multiple devices at home. If they had multiple people in the house. And therefore the nbn was a better experience for them as they had more bandwidth to undertake their day-to-day activities. And that was a really successful campaign for us. Just recently – and this is, I guess, one of my personal favourite campaigns that we've run – we launched our silent reunion campaign. You won't have seen it in metro Sydney yet. Has anyone seen the silent reunion campaign? Super-exciting, and we worked really closely with Deaf Services in Queensland on this. I'd really encourage you to go to the YouTube channel, if you have the opportunity, and have a look at it. This, I guess, was to acknowledge that there are other people in the community who have a way in which they like to learn about the nbn, and there are people who have different requirements when it comes to the nbn. It was a really successful campaign. It's only been in the market around 4-6 weeks currently. We'll start to get some results on how that's going. But overwhelmingly, anecdotally, people have really resonated with this. It's a much more emotional connection with the brand. Some people will respond to facts and information. What are the benefits for me? Other people will want to understand the things that will make a difference to their family, to them personally in an emotional sense. This is what we tried to achieve with the silent reunion campaign. Then we have an infomercial campaign. Again, this is getting down to the cold, hard facts of the nbn. How do I get it? What do I do? And how do I get online? So this, again, tries to address that gap in the market of helping people understand that they obviously need to talk to a retail service provider to order their service, and go through the path to get a service that way.

The other area that we obviously communicate with people quite frequently is via direct mail. Despite the fact we're in an increasingly digital world and moving towards online communications, we can't get away from the fact that, for some people, that just doesn't work, and they don't have the ability to look at those types of avenues that are available. So for that reason, it's really important that we tell people when they can get the nbn network and the importance of migrating it. So for those of us in our fixed-line environment, we need to make sure that they have the ability to understand what they need to do to get on the nbn before we disconnect their phone and internet services. This is one great way we do it – we send a number of letters throughout the 18-month migration window, which outline all of those issues.

One of the other key channels that we have is the website. Obviously this is the one that is front and centre for those of you surfing the web. We had our 6 millionth visit to the website in FY16. Last month alone, we cracked 1 million site visits – again, giving you a sense of the magnitude of interest in the project, and those wanting to know when they're going to get it and the types of technologies they're going to receive. We've also got our blog where we talk about some of the things you can do on the nbn – so more benefits-led conversations for people in that respect.

This is just an example, I guess, of some of the ways we talk to our retail service providers. We're really conscious, I guess, of some of the confusion that can arise, or the overwhelming choice that people have. In some areas, we have over 150 different service providers offering the nbn into the community. They, I guess, at times find that really problematic to work out and differentiate the different product sets that are available, so we work hard to make sure that all of the communication is clear and concise. This is just, I guess, some of the ways we do that through their marketing, directly to you as end users. Just conscious of time, so I won't spend much here. This is some of the initiatives we do with our customers. We work really closely with them from planning, to undertaking surveys on a quarterly basis, to weekly marketing updates. Our success is really dependent upon their success. We need to make sure that they're communicating effectively along with us in total alignment. This is a new thing for nbn – the retail environment. We're obviously a wholesaler, and that means that we don't sell services direct to the public or to businesses. That said, I think our experience and insights tell us that not everyone will want to engage in a telesales environment to order an nbn service. They will want to understand what it means from somebody educated about the nbn. So we've just launched two stores in Harvey Norman in Queensland and NSW, with an nbn set-up – they can check their address, talk to trained Harvey Norman staff about the nbn, and have a conversation if they didn't want to directly talk to a retail service provider. Community engagement, again, is another really key area for us in the nbn. I'm really passionate about this. One of the cool things we did, that I think is relevant to the last session we just had – last month, we hosted, for the first time, an nbn information session for those that were Deaf and hard-of-hearing, and those communities associated with them. We had 40 participants join us for that via Skype. So we had one of my team in Tasmania – ironically on one of our Sky Muster sessions – doing a session up in Queensland with an Auslan interpreter on that session. So we're really keen to make sure that we're communicating with the right people who may need some specialised information. In and amongst that, obviously, we have things like engagement with local government, we have experiential marketing in shopping centres, and helping people to understand what all of that means.

The last thing I thought I'd finish on is to share with you what is a really cool part of, I guess, the job, which is going to talk to people about the nbn and helping them understand. These are our satellite demonstration vehicles. We have six of them. They're currently touring around Australia at the moment. We've got one up in the Kimberley in Western Australia, we've got one currently in Canberra in front of Parliament House, another one in Cairns heading to Longreach. Again, we're really conscious that not everyone will have the ability to get to a major metro centre and engage with the nbn. So we want to go to them and help them understand the types of things that are available in terms of information and content. I'm conscious that's really brief, but I will be around for afternoon tea, so if you do have the opportunity to stick around, I'd love to say hello. If you've got any feedback of things that we can do better or things you think we should be thinking about, again, really grateful for any suggestions you might have.

JULIE McCROSSIN: Thank you so much. Thank you. A round of applause, please, for Peter.

(APPLAUSE)

Very pleased to hear a reference to Tasmania! Did anybody notice?

(LAUGHTER)

At the beginning of the day, we heard about their needs. We just have one more item before we'll have afternoon tea. Then our final session for this first day of the conference. It's my pleasure to invite Natalie Collins from Media Access Australia to come up to the stage. She'll be introducing the launch of the Affordable Access Project. Please make her welcome.

(APPLAUSE)

Oh, yes, there's just a little bit happening. And so, classically, I would chat as if I was on ABC radio and the little hand is going to the top of the clock just prior to the news, and you learn to sort of chat – it doesn't have to have content.

(LAUGHTER)

Ideally, it has a warm, engaged feeling, a sort of a feeling. I've been thinking, for example, that one of those blue vans should get on that boat, cross the Bass Strait, and go to Tasmania.

(LAUGHTER)

It's something the nbn have probably already thought about. Are we all connected? I think we're triumphing. Ladies and gentlemen, Natalie Collins.

(APPLAUSE)

NATALIE COLLINS: Thank you, Julie. I'd like to begin by acknowledging the traditional owners of the land on which we're meeting today, and pay my respects to elders past and present. I would also like to acknowledge the new CEO of Media Access Australia, Manisha Amin, who is up the back up there.

(APPLAUSE)

I would also like to acknowledge Dr Scott Hollier, who is the producer of the Affordable Access Resources and the researcher who, unfortunately, can't join us today, but we will hear from him hopefully in a few moments. So, welcome to the launch of Affordable Access, and the Affordable Access Project and Resources. I'd like to begin by just providing those of you who don't know about media access just a few words. Media Access Australia is an independent, not-for-profit organisation dedicated to ensuring media, the web and digital technology is accessible for people with a disability and all other Australians. Our mission – inclusion through technology – means that, whatever we do, we ensure that people... Sorry, people are empowered to be more independent to gain knowledge, make their own informed choices, and be active and engaged members of our society. Media Access Australia is focused on improving accessibility through our advocacy work. Through education and the provision of digital accessibility services. We demonstrate how media accessibility can be improved in practical ways by providing innovative ideas with everyday web and digital interactions. And the Affordable Access Project is an excellent example of how we develop practical resources, but also fulfil our mission. So the original idea for the project initially came about six years ago, when I first joined Media Access Australia. Through my introductory conversation with Dr Scott Hollier, where he showed me a netbook that he was using. The net book had everything my computer had on it. It was connected to the internet, it had word processing tools, it ran open-source software, but most importantly, it had accessibility features which enabled Scott – who is legally blind – to invert the colours of his screen. So he was reading white text on a black background. And also magnified the screen to 700%, whereas we normally look at, ah, the screen at 100%.

So I thought that was really fascinating, but when he told me the price of what he purchased it for, it was less than $199. So I was kind of flabbergasted and thought, "Wow, that's pretty incredible. Imagine if everybody could gain access to that information." The problem was that neither the technology nor the fact that there were accessibility features embedded on that device were mainstream or available to anybody in an easy-to-read format. So, over that time, obviously technology has changed a lot, and in many areas it's become even more accessible and more affordable. That's what makes this time an excellent time to make these resources available. So without further ado, and hopefully it works, um, I would like to launch the Affordable Access Project and Resources.

No? That's not... My face is not it. Anyway. So, what I might do is... Is it at all possible to go to the video of Scott Hollier, and maybe we can hear from him as he speaks a little bit more about some of the specific affordable technologies and specifically about the resources?

SCOTT HOLLIER: Hi, I'm Scott Hollier, specialist advisor for digital accessibility. I want to step through a few things with you about the Affordable Access Project. Firstly, my apologies for not being able to make it to the conference this year, but it is wonderful to have a chance to take this opportunity to demonstrate a few of the things that are in the Affordable Access Resource. I'd also like to acknowledge Visibility, our partner in doing research for this project, and big thankyou to ACCAN for making the funding possible. I'd like to talk about the four categories of the project. The website is divided into four parts – what's accessible, looking at the accessibility features in popular products. What's affordable – products under $250. We look at what's suitable – we look at the products best suited for different groups, such as families and children, seniors, looking at people in the workforce, and students. And then we also look at what's possible – these are some of the more cutting-edge things, and great products which maximise accessibility at a budget price. Some of the things I'd like to quickly show you today – I'd like to start with this Android smartphone. This Android phone has a lot of accessibility in it. I've got this and this at the moment – I can move my finger around the screen and it will read things out to me. What's also a great addition to the budget Android smartphone having accessibility features is, for $50, we can use what's called the Google Chromecast. You can see behind me, not only is the information on my phone, but thanks to the Chromecast, I've been able to put it out to my 60-inch TV, and being visually impaired and not being able to see very well, I can now read my SMS in giant text telling me that my mobile phone plan has been renewed. So, for $50, you can make whatever's on your phone on the TV, and that is a great thing to support people with disabilities. A few other things to show you in demonstration – one of the other products that we have in our resource is this, the Intel Compute Stick. This looks a little bit like a USB stick, but it's actually a full Windows 10 desktop computer. Plug this straight into a monitor, and you can connect it with a mouse and keyboard, and have a full computer basically in the palm of your hand. It's fantastic, around the $150 mark, and for that price, you can get a full Windows 10 desktop computer full of accessibility features. The last thing I'd like to show you today is the raspberry pine. In terms of what's possible, this computer is a credit-card-sized computer. Most of what you're seeing here is actually the casing. The actual computer inside is tiny. If you want to maximise accessibility, you can install this as a media player, you can install this as a retro games-playing console, you can have lots of options and lots of access where you can change the interface to be large print or high-contrast. It has full captioned video playback, lots of great accessibility on it. Those are just a few features that we cover in the resource. Again, thank you to ACCAN for funding the Resource, and really excited to see its launch. Thank you.

(APPLAUSE)

NATALIE COLLINS: Once again, I'd just like to thank ACCAN for funding the project, because without ACCAN's funding, we wouldn't be able to have created these resources, and also the people at Visibility for their research support. So, obviously we know that there are lots of great products and services in the market that have accessibility features and are available at affordable prices. This initiative provides information for everybody, irrespective of their life stage, computer proficiency, ability, and also provides information on popular devices such as tablets, smartphones, telecommunications plans, TV/media players and desktop computer options, priced below $250. So, um, the website – we've got it up, which is fantastic. As you can see, and as Scott outlined, there are four areas where there's accessible information. What is accessible? What's available? What's suitable for you? And what's possible? The Resources section at the end here actually has some really fantastic resources that can be downloaded, and they're all in accessible formats. So there's a fact sheet and a number of tip sheets there. And the Affordable Access Guide At Work has information there on what technologies are available at work.

JULIE McCROSSIN: Just the Web address?

NATALIE COLLINS: It's affordableaccess.com.au.

There's also information on what products are affordable and accessible. There's information for students, for parents, people at work, and seniors. So, um... Now, with thanks to support from Telstra, at afternoon tea outside, we have a couple of Media Access Australia staff – we've got Matt and Heidi up the back roaming around with some Samsung Galaxy tablets demonstrating their accessibility features, and we'll also be handing out some of the printed versions of the Resource sheets and the tip sheets. They're also available on the table outside, and for any of you that have been doing a little bit of scouting through your delegate pack, or your satchel, there's also a very handy USB stick with all of the accessible tip sheets on the USB stick. So, um, please join me for afternoon tea, and thank you very much.

(APPLAUSE)

JULIE McCROSSIN: Thank you very much, Natalie. Yes, ladies and gentlemen, our final session will start promptly at 3:30, and we have one more lucky door prize to give out today. Enjoy your afternoon tea. Thank you.

(AFTERNOON TEA)

JULIE McCROSSIN: Ladies and gentlemen, if you could take your seats, I'd like to begin our final session. Shhh. If people up the back could just take your seats, please. And I really want to thank you for staying for our final session today. Not only is it going to be intellectually stimulating, but we have had a fairly long day with a lot going on, and so I'm grateful for your fortitude. Now, if you could get your numbers out, I'm going to pull my lucky-door prize and I'm afraid you only win if you're seated. Otherwise it's re-draw. It is a strict rule but I'm sticking with it. Purple C1. Has anyone got number one? You have, sir! Congratulations! And if I could thank ACCAN for providing seriously marvellous lucky-door prizes, you know, these with excellent.

(APPLAUSE)

I'm prepared to trust him. He looks trustworthy. Don't be afraid, I'm sure that you will find that no-one else is crying out that they've got one. So, ladies and gentlemen, I will give it to him and trust him. Thank you.

(APPLAUSE)

Well, our first speaker in our final session this afternoon is Kate Carnell, who is currently the Small Business and Family Enterprise Ombudsman, she is going to talk about the challenges of connecting to small business and to family enterprises. So please make her welcome with a round of applause.

(APPLAUSE)

KATE CARNELL: And there you go – we've even got a presentation up! Incredibly well organised. Can I say, it's an absolute pleasure to be asked to come and have a chat to you today. I'm going to just speak to you a little bit about what this horrible acronym – I understand you might have been talking about nasty acronyms in all industries, but in terms of a name, the Australian Small Business and Family Enterprise Ombudsman – ASBFEO – is probably about as bad as it gets, I have to say! Now, unfortunately, the legislation that sets us up is called that, so it's really hard to change it. But I thought I might just change it anyway! But then we would have to work out what it was going to be and – anyway, therein lies the problem. The legislation that set us up went to parliament midway through last year, came into law last September, the office was set up in March. Why was it set up? I suppose the reason was that the then-small business Minister, Bruce Billson, believed very strongly, that there was an important – it was important there was a voice for small business inside the Federal Government, so that small business was heard in new legislation regulation policy. Because the issues surrounding small businesses are so important for the future of our economy. Now, all sides of politics tell us that small business is the engine room of our economy, and that's very true. Let's just have a quick – just a moment, I'll just see if that works – there we go. Now, that's more than 2 million small businesses nationwide. That's where they all are, as you can see – right around Australia. Now, that's businesses that turn over less than $2 million a year. Now, if you put that up to $10 million, you end up at about 3.4 million businesses. Now, when you think about that, most businesses have – - well, obviously, at least one employee, and that includes often a family, a couple of employees, so the number of people in Australia that are affected by small business is huge. In fact, in those 2 million businesses, there is just under 5 million employees. If you look at under 10 million turnover, and the 3.2 million businesses in that space, you're pushing 7 million employees. So that's an awful lot of Australians who are either involved or own small businesses. So in many ways, you know, we have to look at small business as having a lot in common with consumers. Of those 2 million businesses, 1 million of them have one person. So they don't employ. They might have two people, because they're regularly a partnership, often two women, often a partnership – you know, mum and dad, husband and wife, all sorts of different partnerships that exist have decided to go out on their own. There's carpenters, there's people in the building industry, there's IT consultants, there's all sorts of people in this space. So Bruce Billson believed really strongly that small business had more in common with consumers than it did with big business. So these businesses have more in common with consumers than they had with BHP. Well, that's a big surprise, isn't it really?! But it is really interesting that in Australia we have a tendency to think about business as, you know, a homogenous group of people and they're fairly obviously not. BHP are fundamentally different from the IT consultant who has set up his or her own consultancy on their own or with maybe one or two other people. So Bruce believed that it was really important to have, ASBFEO, the Australian Small Business and Family Enterprise Ombudsman, to set up and represent businesses with less than 100 employees – which is really high. That means 97.5% of businesses in Australia fall into our space. Our job is to advocate and to assist. So we advocate, research inquiries, comment on government proposals, input into new regulations and legislation and, interestingly, the legislation requires me to provide advice to the Minister for Small Business and other ministers as needed on small business issues. The assist function is more the traditional ombudsman function. So that's where we handle complaints, issues generally, and as we put it, our job is to keep small business out of the court system. Because one of the things we know is that the court system, whether it's consumers or small business, are a disaster. They chew up and spit out small businesses – they simply take too long, courts take too long, and they're too expensive. So we do those things and I'm going to through this quickly – one of the really good things in our legislation is that it says that we're not allowed to duplicate. Wouldn't it be good if all pieces of legislation in Australia stopped different levels of government duplicating each other? Or different entities duplicating what other people do. If that was the case, we'd have a lots more efficient operation. But it means that when complaints and issues come to us, we send them to entities that are most appropriate. People like the ACCC, ASIC, Fair Work Commission, other commissioners, other government agencies, the telecommunications ombudsman – you know, all of those sorts of entities. I'm going to just run through a few things. We did a big consultation after I took over to determine what mattered to small business in Australia. These were the things that they came up with. Payment times – that is big business and governments not paying small business quickly enough, and that is we're seeing more and more big businesses paying in 120 days plus. Now, no small business can operate that way. It messes up cash flow and I could give you a whole speech on the impact, the fact that 90% of small businesses in Australia that go to the wall, it's based upon cash flow. Not necessarily that they've got a bad business but that their customers don't pay them at the same sort of rate as they have to pay their landlords, their employees and their suppliers. Red tape generally, again, you know, we all know about that. Banks – big issue. And telco issues. So telco issues were right up at the top of issues that small businesses raised with us. This is an interesting graph – this shows payment times in Australia. You see Australia right at the bottom is the worst of this whole group, this whole survey of 300,000 invoices across the world. Japan is the best and we are the worst, which shows just what a problem payment times are for small businesses generally. Now, I wanted to just zip through a few of these issues – red tap – that's what's happening. Have a look at the graph there. That's pages of legislation in Australia since 1901. We just get worse, so it's getting more complex to operate in Australia. I want to talk to you about telcos, because that is the issue here today. There we go. So what are the issues that they brought up with us? Lots of small businesses – slow speeds, wireless problems, mobile black spots, high prices, contracts that don't make sense, and, of course, as you would know, the unfair contract legislation comes into place in November this year, which will mean that, take it or leave it contracts where one party can change the rules unilaterally without the agreement of another party, those clauses will become illegal. Plus a whole range of other clauses. So for those of you who are right up to speed on the unfair contract legislation, which of course has existed for consumers for a long time, it's about to exist for small businesses as well. For businesses with under 100 employees. So why does this matter? Why does it matter that telco issues are a problem for small businesses in Australia? Well, it matters because small businesses that are digitally engaged are more efficient. They're twice as likely to be growing. On average, they have an income that is $350,000 a year more than those businesses who are not digitally engaged. They are four times as likely to be employing more staff. Of those businesses that are digitally engaged, 83% of them believe that they will be growing in the next twelve months whereas those that aren't digitally engaged, it's only 46%. Only 28% of businesses with low digital engagement are growing at all. Now, if I come back to my initial comment that, if we are going to get Australia growing, our economy growing, we've got to get the small business sector growing – . It means unless we can nail the digital engagement of small business – get them on to the internet, get them digitally engaged – we can't get the economy moving. So it is that is important. And there are some serious gaps – particularly in terms of knowledge, small businesses still think it is expensive, they think they can't understand it, and they don't know what's in it for them – all of which are simple answers to not-so-simple questions. I'm really happy to take questions on this, but I wanted to leave you with the view that my office is there to help, both with policy, but also with complaints and those sorts of issues. So please use us in the federal arena, but let's have a chat about how we get more of those small businesses digitally engaged, because that will deliver jobs. Thank you.

(APPLAUSE)

JULIE McCROSSIN: Thank you very much, Kate. So I'll open to the floor, if I may, for questions or comments. I suppose what struck me is the extraordinary number of...

KATE CARNELL: It's alright, I will go...

JULIE McCROSSIN: I will just give you one. If you just turn it on, thank you. It just struck me what an extraordinary number of people are employed by small business and so this really does matter for jobs. So questions or comments? Thank you.

>> Hi, I'm from the ACCC. I had a question in relation to small businesses and migration to the nbn. I wanted to know more about their awareness and any problems they're having in migrating and also positive stories, if there are, as well.

KATE CARNELL: I think there is huge expectation in small businesses for the nbn. Knowledge – a little bit low. I'll give you a good example. I will at a business round table in Bundaberg about four weeks ago. Now, Bundaberg has been switched on to the nbn and, you know, here's what can happen, because small business desperately want nbn. So nbn switched on, which means, of course, ADSL services can no longer be switched on. So I had a couple of people at this round table, who were opening new businesses in Bundaberg. They were very excited they were going to be able to open with nbn – except that the waiting list for business turn ones in Bundaberg was really long and the major telcos, of course, who are the selling agents, had decided to put in a stop-sell order. Now, what that meant for the small businesses involved is that they couldn't get anything – because you can't get ADSL once nbn is on and they couldn't get – so some of the dilemmas are, on a positive note, they're really looking forward to it, because, you know, those businesses who know about the importance of digital engagement want the nbn, especially in areas where coverage is not as great as it could be, and some areas around Bundaberg are in that space. One of the guys who was talking to me was opening a factory, or had just opened a new factory on the wharfs down in Bundaberg, down on the coast and the dilemma was still mobile coverage wasn't that great and he had no fixed line because mummy couldn't get on. So he had staff members hanging out windows with dongles trying to – you know. So positive note is, yes, really keen for those that know about it. Problems with time-lines. You know, in business, you can't afford to not have the internet for four weeks. Or for four days. So I think we've got to focus on the issues around, if you are running your business and you are hugely digitally engaged, that means you've got to be engaged all the time. It's like running a business without a phone – pretty hard.

JULIE McCROSSIN: We have a question here.

>> Laurie Patton from Internet Australia. Can you do everyone in this room a favour and have a chat to Mitch Fifield and tell him these sorts of things?

KATE CARNELL: I do all the time, poor Mitch!

>> I will come with you and tell him again because they've passed a million homes but only signed up a million homes and they have all sorts of reasons for explaining that but that doesn't help and what we have been finding is examples of people who have moved from their ADSL 2 to their nbn and their speeds have been slower and yet Bill Morrow and Mitch Fifield keep telling us everything is fine.

JULIE McCROSSIN: Who is Bill Morrow?

>> He runs nbn.

KATE CARNELL: It is a really good point and, again, from my perspective in the small business space, you know, again, connectivity, your internet connection, your phone connection, your mobile connection, and so on, now is so fundamental to the way you operate your business that it's not a nice little add-on. It's fundamental. So we just can't have that sort of – those sort of things happening. We can't end up with the Bundaberg problem where, you know, the queues are too long and therefore we can't connect anybody. I have to say, on that particular circumstance, the Bundaberg scenario, it took us a while to convince anybody that this was really a problem. But in the end we did and I think Telstra and others have got rid of their stop-sell order. But for all of that, still really long time-lines between, you know, for connection and if nbn is on, there's not the option of something else, is there really? Anyway, sorry, I just – but you are absolutely right and we've got to make sure that the people with, shall we say, the power, or in that space, really get that these things matter. To businesses.

JULIE McCROSSIN: We'll just have our last question here. If you can boost this level up a little bit for me.

>> Hello, Kate. Good presentation, I'm here from Hear For You and we're a very small charity business, there is only one employee and four part-timers around the country so we rely a lot on internet, et cetera. One of the things I've just discovered is digital platforms is one of the major challenges because we're starting with documents and information from government and other businesses, and they're not compatible with the platforms we have, and I understand this morning some people have XP on their computers. There are a lot of family small businesses out there with digital platforms – what advice are you going to give governments to make sure people on those platforms are able to keep up?

KATE CARNELL: I think that's really important but you know what has got to happen? Small business has to tell us first. My office isn't that big – I have 15 people and we cover a whole range of different areas. And so we rely really heavily on small businesses like yours – it is a charity, but you are a business – or we see you as in the not-for-profit space as businesses. So we need input. Then we spend a lot of time talking to the ACCC – the ACCC has a really great small business area with a small business commissioner, and so on, and with the telecommunications ombudsman, with the minister, and so on. So we're in this good position of being able to link between the various people who have some power in this space. But we can't do it unless you tell us what the problem is. I've put all of our details up there and I'll leave some cards, as well. Please let us know the actual problem. I think some of the issues of updating current software are very real, particularly in the charity sector, and it's something that I think is a sensible thing for the government to look at seriously.

JULIE McCROSSIN: Look, Kate, that's the end of our session but would you please give Kate Carnell a warm round of applause?

(APPLAUSE)

And just before I go on to our next session I would like Robyn to come down the front and I think Christian is going to put something up on the screen and we're just moving now into fun because I do believe fun is critical to human survival. Now, you remember the issue of dogs and smart cities? And we had some information about the capacity of the digital revolution to allow us to keep in touch with our dogs. I would like to introduce Robyn who invented something and we only have time for two quick slides. What is this?

>> It is a little divides I invented back in 2003 to feed my Vice-President of security, until my accountant said you can't really claim a dog as Vice-President of security! So it was triggered by a mobile phone from anywhere in the world over the internet and it would dump its payload, on to the floor, sound a buzzer and the dog would come gratefully and you could see that he was OK.

JULIE McCROSSIN: If we could just go to the next slide? What does this tell us?

>> It's all the places that my dog was fed from! So probably it's the only thing I will be famous for when I'm gone is having the world's most globally fed dog.

JULIE McCROSSIN: Is that great or what?

(APPLAUSE)

Thank you so much, and thank you to Christian for going to the trouble of making that possible. Well, ladies and gentlemen, I'm now going to introduce Judi Jones, who is the new Telecommunications Industry Ombudsman, and she joined the organisation in March this year, she came from electricity and gas complaints commissioner scheme in New Zealand, and we sort Tasmanian and New Zealand theme today, and she will talk to us a bit about new strategies and vision for the Telecommunications Industry Ombudsman and then we will hear about a whole lot of other people who deal with complaints in their work.

JUDI JONES: Tena koutou. I would like to start with transporting you to a world far, far away and a slightly different time frame, so we're back off to New Zealand and back to 2014. And in 2014, I had been leading the electricity and gas complaints commissioner scheme – another very long title – for 13 years. And we thought we were going pretty well. We were quite well-respected by the industry and other stakeholders. Staff were engaged and happy and, as awareness amongst consumers grew, so did our complaints. Or complaints to us, not about us! We were not perfect but we felt pretty good about where we had got to. But we wanted to be better. Our complaints process had been developed at a time when we were not so well-respected and when there was low trust in the industry of us and even between providers. And the design of the complaints process had also been compromised by evolving in response to nine different funding arrangements in the 13 years of operation of the scheme. So I believed it was time to re-think the way that we worked. In preparation for this, I tapped into knowledge from books in our library on innovation and thinking differently. I read journal articles and looked at the way other schemes did things. I was pretty happy with my planned pitch to staff to re-think our process and the way we worked. So I gathered the team together and pitched the concept. I wanted the team to be in the right mind-set to think really differently about the way we worked. I explained that I wanted us to use first principles thinking – to look at things like we were starting over. I spoke about getting some quick wins and getting those low-hanging fruit, and finally I wanted everyone to think outside the box and to adopt blue skies thinking. As I finished my speech, I looked around the team and checked to see how inspired they were. And in the break between me speaking and when I could only assume they were getting ready to applaud, a voice rang out very loudly saying, "That's rubbish"! It was Lewis. Lewis was a new employee, a conciliator, the TIO's equivalent of an officer. He had been a consultant, a psychiatrist and finally a ship's cook. He described himself as being rescued from the retirement couch when we employed him. Lewis said, "We should be focusing on green skies thinking". Feeling a little irritated, I asked him, OK, Lewis, tell me more, what's green skies thinking? He said, it's when the ship is upside down and all you can see is green water. So green skies thinking is about throwing everything you know upside down and seeing what you need to do to get the right way up. And I liked it. Lewis had seen through me and undermined my preparation with two words – but I liked his suggestion. Because it isn't about starting over, it's about starting from where you are and with what you have learned and looking towards what's coming up next and then designing for that future. So green skies has become my metaphor for re-thinking and for innovation. Now, I'm not saying that when I came to the TIO we were a sinking, or even capsized ship. There have been admirable captains steering us but I think there is value in throwing everything upside down and looking at what is best to do to get ready for the next stage. And that really is our journey with our new strategy. We've thrown everything about the TIO upside down and looked at what we're here to do and what we're here to do is dispute resolution. So we're putting that at the heart of everything we do. In the formal sense, our primary purpose is to provide a fair, independent accessible dispute resolution service for the telecommunications industry that complies with the benchmarks for industry-based customer complaints resolution schemes and we believe that will contribute to enhanced confidence in the telecommunications industry. We are clear about the scope of our work. We cannot be all things to all people. And to us, dispute resolution is not only about resolving individual complaints, but also dealing with systemic issues. It's about promoting fair and effective resolution of complaints, and providing information and analysis to community, government and members. So going forward, we have four strategic goals. We will build a sustainable organisation that embraces change, with a key focus on our people and infrastructure. We will provide an independent dispute resolution service that's efficient and effective, but doesn't compromise our integrity. We'll collaborate with and share knowledge with members and other stakeholders, with the aim of reducing avoidable complaints and improving telecommunications services and, finally, we'll be known, respected and accessible. And the key to achieving our purpose and goals is our people – our biggest and most critical asset. I believe strongly in the phrase, "It is people, it is people, it is people". Organisations often talk about their people as a valuable asset, but that's not always the reality. I fundamentally believe in our people. Whether you call us to discuss a complaint or email us about our complaints data, when you see us at an outreach event or speaking at a conference, it's our people that are the face of the TIO. Our people make the decisions, are our knowledge base, design and build our business systems, deliver our service, come up with our dispute resolution services and deliver our learning and development. So we will focus on people leadership. When you interact with us, we want you to know you are interacting with the right person, who knows what they're talking about. And our people will focus on our primary purpose – that of resolving complaints. So we've reorganised our organisation to put excellence in dispute resolution at the centre of everything we do and organise the support services around that. Now, we know that some of our members think the cost of our service is too high and while this may or may not be true, we owe it to members and consumers to ensure we're working as efficiently and effectively as we can. So we're going to look at our dispute resolution processes more broadly. We need to take a flexible approach so every time we are thinking, "For these parties and for this complaint, what is the next best step"? We should be able to switch between investigation and conciliation at any stage of handling our complaint, choosing the best method to achieve resolution. We'll focus on learning and development, up-skill our staff. I want my team to learn something new every day. By constantly extending themselves and making sure they have the right tools to do the job. We'll also have a focus on optimising and authorising the environment in our systems. This isn't about taking short cuts at the expense of the service we provide – we must do our job with integrity and continue to be independent. We're told by some people we can see too consumer-focused and by others we focus too much on members. We need to get the balance right so the community and our members respect our decisions and trust us to be independent. We want to be respected for our expertise in dispute resolution and also in telecommunications issues. Whether you are a provider, a consumer or other stakeholder, when you contact us, I want us to understand the detail of what you are talking about. And then we need to be able to explain some complex issues in clear and simple ways. And it's also important that we have a service focus. We need to explore what it means to be accessible in 2016 and beyond. We might need to extend hours of availability, use social media or interact with consumers on Snapchat with a deer filter. More likely, however, it is likely that we will introduce a live chat and allow more consumers to communicate with us in real-time, using a channel that's flexible and convenient for them. In the context of our outreach work we need to know more about the people we provide a service to, so we can focus our attention on the communities that are not so familiar with us. We'll be smarter with our outreach and work in partner with other industry ombudsman schemes. I'd like to see us using and sharing our collective knowledge base better. We can provide value to members by sharing information about the complaints and resolutions we see. And we can also be smarter about how we share this information with you. I want stakeholders to have confidence and get meaning from our complaints data. I want to provide it to you sooner and make it available to help you do your job better. My vision is that when you work with us in the future, you will receive an excellent dispute resolution service that is efficient and effective, without compromising integrity. And as we go on the journey to reorient our ship, there may be some rough seas and some ill winds, but that's part of any journey. And finally, we'll be accountable. So while I'm saying, "This is what we're going to do" I'm happy to come back next year and tell you how we're sailing.

(SPEAKS MAORI)

JULIE McCROSSIN: Thank you very much. If you'd like to take a seat on the chat panel, Judi, we're now going to segue into the Resolutions and Recourse – Practical Options to get Resolutions segment. This is our second-to-last segment for the day, in which a number of people who are involved in handling complaints or associated activities are going to brief you on the role of their organisation and the type of complaints that they deal with, and then they'll take a place on the panel and will look at patterns of complaints, powers to investigate patterns, how they communicate, and so on, and give you plenty of opportunities for questions. So if it's OK with people, I'll bring you up one at a time and ask you just to make some brief opening remarks from the lectern, focusing just on the basic role of your organisation and the types of complaints that you handle. Richard Bean, if he could come first – the acting chair of the Australian Communications and Media Authority, a regulator. Please make him welcome.

(APPLAUSE)

RICHARD BEAN: Thanks, Julie. Thanks, ACCAN, for giving me the opportunity to be here this afternoon. The ACMA, as most of you know, is Australia's sectoral regulator for telecommunications, radio communications, broadcasting and the internet. Unlike some other organisations on the panel this afternoon, our focus is not on mediating the complaints of or obtaining redress for individual consumers. Our focus is on promoting industry-wide compliance with all of the consumer-facing rules that there are, and an environment in which consumer cause for complaint is minimised. We have a higher-level role. We do that in a few ways. We work to get the regulatory settings right in the first place. For example, we only register codes which contain appropriate community safeguards, and that includes, for example, the rules in the TCP code about complaint-handling processes. We ensure that telecommunications companies are members of Judi's ombudsman scheme, and that they abide by the decisions of the ombudsman to help ensure that the industry's own scheme works effectively. And we look at identifying and addressing systemic or recurring problems through outreach investigation, outreach and enforcement. That's not to say we don't receive and engage in individual consumer complaints – we do do that too. We use those complaints to identify hot spots – specific businesses that may be in breach of the rules, rules which aren't perhaps well understood. Industries with high rates of non-compliance... But not all complaints – in fact, only a small number of complaints – result in formal investigations and enforcement action. Often, the consumer's preferred outcome isn't within our gift. Much of our regulatory work is focused on the future, on forward-looking compliance. So, for example, when a telco contravenes a registered code, such as the TCP code, we can give them formal warnings, we can direct them to comply with the code, we can't punish them specifically or direct them to pay compensation, for example. But where a complainant raises an issue under the TCP code, we will provide them with advice about how the code works, the escalation of complaints, the processes and so on. We receive relatively few complaints of that kind in telecommunications – maybe a few hundred a year. In other areas, we receive far more. Last financial year, 23,000 complaints related to the Do Not Call Register. 1,700 about email and SMS spam, for example. We also received more than 500,000 reports of spam, which are mostly filed using automated click-and-refer/report mechanism. So we do respond to each individual Do Not Call complaint, either directly or through the contractor that we use to operate the register. We provide advice and assistance, and we can help identify the businesses concerned. Typically, in those circumstances, complainants just want the calls to stop. So that's where our focus is. Relatively few businesses are taken to court. Many thousands receive informal compliance warning letters – around 400 or 500 a month. Now, that sounds reasonably toothless but, in fact, it's extremely effective, and the vast majority of businesses who get one of those letters are never complained about again. Some years ago, we did quite a bit of research into what consumers' expectations of their telco providers were. The answers, I think, are relevant still today, and they're not surprising. They are – timely resolution, follow through on promised actions, and staff knowledge and helpfulness. So I might leave it there, Julia.

JULIE McCROSSIN: Thank you. What's TCP?

RICHARD BEAN: Telecommunications Consumer Protection Code. I beg your pardon.

JULIE McCROSSIN: Thank you so much. Please give Richard a warm round of applause.

(APPLAUSE)

This is a fascinating process. I'm learning a lot. I hope others in the room are as well! It's my pleasure now to welcome Rod Stowe, the Fair Trading Commissioner, NSW Fair Trading. Please make him welcome.

(APPLAUSE)

ROD STOWE: Thanks, Julie. NSW Fair Trading is a multimarket sector regulator, and we administer the Australian consumer law, along with other states and territories and our Commonwealth colleagues. The ACL, as most of you would know, is that generic overarching consumer protection legislation that sets business rules for most marketplace transactions, and it also provides a number of protections for consumers, includes provisions around consumer guarantees, prohibitions on unconscionable conduct, false or misleading representations, unfair contract terms, et cetera. NSW Fair Trading also regulates a number of specific industry sectors in our state. So we're responsible, for example, for the residential building sector and the retail motor sales and repair sectors. One of NSW Fair Trading's key roles is to deal with consumer complaints about traders who supply goods and services, and we receive something like 50,000 complaints every year. Our dispute resolution service is based on mediation between the parties, and we don't have a power to compel a business to a particular outcome. But having said that, we still have a very high dispute resolution rate. So between 85% and 90% of matters we were able to resolve for consumers. Once a complaint's lodged, our customer service officers usually contact both parties by phone, and they seek to negotiate a mutually acceptable outcome. Where resolution is not achieved, we will advise the consumer of other options that they can pursue, including things like going to – here in NSW, the NSW civil administrative tribunal, which can make enforceable orders. If a complaint falls within the scope of an industry ombudsman scheme, then we refer that complaint to that service on receipt. Should a consumer service officer detect a possible breach of legislation when they're dealing with a consumer complaint, they will refer that matter for assessment, and that assessment process will determine whether that matter should be referred for investigation, and it draws on factors like our agency's compliance and enforcement policy, which looks at things like the degree of consumer detriment, concern with the matter, the trader's track record, and those sort of things. Should an investigation prove evidence of non-compliance, then we have a range of enforcement options that range from trader education, warning letters, through to corrective advertising, enforceable undertakings, and then through to civil and criminal prosecution. I thought you might be interested in some data in terms of complaints. Since January 1, 2013, Fair Trading has received 3,028 complaints, and 6,021 inquiries about communication services, the area of interest today. The majority of those complaints related to cable subscription and broadcasting – about 23%, computer software and system design services – about 20%. Data processing, web hosting, electronic information storage services – about 15%. Most of the complaints raised were about things such as unsatisfactory quality of service, refunds, non-partial supply of service, or service altogether, cancellations, and cooling-off periods. The numbers of both inquiries and complaints have declined since 2013 – in particular, complaints have decreased from 996 in 2013 down to 657 in 2015. To date, for 2016, we've received 612 complaints in that particular category. Julie, I might leave it there.

JULIE McCROSSIN: Thank you so much. A round of applause, please.

(APPLAUSE)

Our next person is Vanessa Stanford, who's the general manager of complaints with the Australian domain administration organisation. I'm not sure what noun to pop on the end! Please welcome Vanessa.

(APPLAUSE)

VANESSA STANFORD: Thank you, Julie. auDA, as we like to refer to ourselves – essentially, we're a policy or the authority for the '.au' domain space. We're not a government body. But we are endorsed by the Australian Government in 2000, and we operate under a self-regulatory model. We derive a lot of our powers from ICAN, the Internet Corporation for Assigned Names and Numbers, based in the US. They have recognised us as the '.au' operator under a sponsorship agreement. That simply means – it's actually not that simple. It's the technical management of the '.au' zone file. Please don't ask me questions about what that means – I have no idea. It's very vague. It means we do need to keep it accurate, current and continuously available. We do that via technical management, via the managing of primary and a whole bunch of secondary name servers that actually make up the domain name space. auDA is a small group. In terms of what it is we do, it's a couple of things – develop and implement policy, of course. Licence the second-level registries. We licence and accredit registrars, the organisations who actually do provide domain name registrations. We implement consumer safeguards. We facilitate the '.au' resolution policy, a step you can take before going to court. We represent the '.au' at fora. Technical management of the '.au' file, and we maintain and secure a domain name system. And of course, my baby, the complaints world. We manage them in two streams – domain name complaints, about the registration of the domain name and possibly what they may be doing with it, and what we call industry complaints, which is about the people who facilitate and provide those domain name registration services. And that's it, in a nutshell.

JULIE McCROSSIN: Thank you very much. A round of applause, please.

(APPLAUSE)

It's my pleasure now to welcome Robyn Hobbs, the NSW Small Business Commissioner. Please make her welcome.

(APPLAUSE)

ROBYN HOBBS: Hello, everyone. First off, can I say how fantastic it is to see the various forms of communication? I speak, as my colleagues do, at lots of conferences, but it's fantastic to see it coming up on the screen and the signing, so well done to you. So, I'm the NSW Small Business Commissioner. My role is to be the advocate for the 690,000-odd small businesses in NSW. 96% of the NSW economy. What I refer to as not only the backbone of the NSW economy, but indeed, the heartbeat. The main areas which we look after, we have a dispute resolution area, which I'm sure we'll get to in question time. We have an advocacy unit where we look at resolving, reducing regulations, and working with stakeholders. One of the key stakeholders that we have such a strong relationship with is my colleague, Rod Stowe, from the Department of Fair Trading. We also provide business advisory services. We have about 100 business advisors on the ground. This year alone, we've provided 48,000 hours of business advice. Our small business bus travels over NSW visiting 300-odd communities. And literally we will help anybody in terms of start-up, scale-up and innovate. Very important, too, for us to actually recognise that, one-third of NSW small businesses are the owner/operators who were born overseas. So we provide services in the primary languages of Arabic, Chinese, Korean and Vietnamese. We actually have advisors who work in those particular areas and who are from those communities. We also work in disrupted industries, and some of those – when I mention what they are, you'll say, "Ah, yes, aren't you lucky to get those?" The most interesting one at the moment – greyhounds. Some of the Greyhound Transition Task Force. The light rail project, going through Sydney, Uber and taxi, supermarket chains selling lottery tickets, the price of milk – some examples of working heavily with disrupted industries. But other industries which get terribly disrupted – of particular interest, I think, to you is when we have... This is a term I actually think is an odd name, but it's called an event. If it's a disaster, it is an event. Seems a bit slightly odd. But – bushfires, floods, which are the natural events, and the man-made events – in the 2.5 years I've been a commissioner, the bombing in Rozelle and then the Martin Place siege. In particular, in that space, the work that you do in telecommunications is critical to getting small businesses up online. So, thank you very much. I look forward to the questions and answers. Again, congratulations on your conference.

JULIE McCROSSIN: Thank you very much.

(APPLAUSE)

I've got one more person, and I realise I don't have another chair, so if someone from the team could assist me by popping another chair up on the stage... But could I now welcome Jodie Sangster, the CEO of the Association for Data-driven Marketing. Please welcome her.

(APPLAUSE)

JODIE SANGSTER: I think I was the first person to notice there wasn't a chair for me. I'm the CEO of the Association for Data-driven Marketing and Advertising. Many of you will have known us in our original form, which was the direct-marketing association. But as the world of marketing has evolved, we as an association have evolved as well. So we now represent around 700 corporations in Australia who have or who use personal information, who use your personal information, to send marketing to you.

That obviously has greatly expanded, so it started off probably with direct mail, which is where we started, moved into telephone marketing, email marketing, now mobile marketing, social media, and now obviously online advertising and moving through to all of your kind of online devices. So each time that you receive that marketing, data is used, and they are the organisations that we represent. And we set standards around the type of marketing that is sent, but also the use of data in marketing. So this is obviously quite a contentious issue, and I think all of us being consumers have a viewpoint on marketing that we receive, and whether that marketing is appropriate, whether it's misleading, whether it's telling the truth, and we also have an opinion on whether our data should be used, and how it is used for marketing purposes. So it is quite a contentious issue, and for that reason we have Code of Practice and guidelines which outlines what our members can and can't do, and each of our members will sign up, to say they subscribe to the Code of Practice. But in order for that Code of Practice to have any real teeth, and meaning, there has to be an independent complaints-handling body who can look at the complaints that we receive about our members and decide whether that complaint is valid or not. Obviously we can't do that as an association, because we would have a conflict of interest, because we represent our members. So for that reason, we set up an independent complaints-handling body called the Code Authority. So the Code Authority is independent from us. It has an independent chair who comes from the consumer side and is made up of four consumer representatives and three business representatives. The reason for that is to make sure that the complaint can be fully investigated, taking into account the industry skills and expertise, but also the consumers' viewpoint as well, so both of them sit there. The job really is to get a quick resolution. The type of complaints that we receive will cut across a lot of the regulatory bodies that exist, so many of them could go to Fair Trading, they could go to the Privacy Commissioner, they could go to the TIO, but they'll come to us because it's about our members, and we can have a very quick resolution with our members and get their complaint resolved. So a lot of it is around quick resolution. Our remedies are self-regulatory remedies. A lot of it is around us educating and making sure the complaint is quickly fixed, and then making sure that they have compliance programs in place that those complaints don't happen again. If it is systemic, the code authority can recommend to the association that a Code of Practice be put in place, and that further rules be put in place for our members that they have to abide by. Two other things worthy of mention. Our role is changing. At the moment, we are very much... The way that the code authority grew up was that it was looking at both marketing and data. So it was looking at – is the marketing that you receive honest and truthful? Did you get what you thought you were going to get? Did the marketing tell you what you were going to get and you actually got that, both in terms of the product and the service that you received? If someone has used your personal information to contact you, have they done so in a responsible manner? As the world is changing, and as data is becoming so central to so many businesses, the wave of complaints is swinging towards data. So, whether consumers are comfortable with their data being used in a certain way, whether there has been enough transparency on the part of the business about what's going to happen with that data, and particularly if they don't want to be contacted anymore, how do they stop a company contacting them anymore? There is a swing into that data world, and that seems to be the large bulk of complaints that we now receive. Thank you.

JULIE McCROSSIN: Thank you very much.

(APPLAUSE)

My panel, I've got a couple of live mikes down there, and I'm just going to ask two or three questions, then I'll open on the floor. But one of the key things – and some of you have partially addressed this – that people are interested in is trends in complaints, and your capacity to deal with systemic issues, either alone or in cooperation with others. So, which of you would like to begin by giving us some sense of trends, whether you're able to deal with them, and also how you make – the degree to which you make that transparently available to the public. Who'd like to kick off? Thank you. Do you mind grabbing the mike down there? And if you pop it close to your mouth – we've got a group that have been going since 9:00, so give them energy.

ROBYN HOBBS: One of the things for us that will get a complaint – I'm shower it's similar across the board – we want to make sure the complaint is evidence-based. I'm Robyn Hobbs, the NSW Small Business Commissioner. So we want to make sure that the complaint is sound, it actually has an evidence base. In a particular complaint which we have just handled that you might be familiar with, we began to see complaints coming in about an organisation called the Community Network. This was a business, or it is a business, that actually supplies marketing. You often see it in professional services rooms or hospitals about promoting particular businesses and products. We began to receive complaints that contracts were being rolled over, the promised advertising wasn't being delivered, and there was a lot of money moving around. Once there was a Small Business Commissioner – there's one in nearly every state, and we began to engage with them to find out if they were receiving complaints about this organisation. In fact, they were. So we actually coordinated all of that from our office here in Sydney. We handed it over to the ACCC. They then investigated and, they took the Community Network to court. They were fined, and they have provisions attached to what they need to do. They're now in breach of those, and further action is being taken. But the critical thing is – it does need to be evidence-based. You do need to be tenacious with these sorts of things. There are no quick fixes. It does take a little bit of time. But then, it does pay off. So that's a particular one that I can talk about.

JULIE McCROSSIN: Can I ask you – do you issue public reports that indicate trends and those sorts of initiatives that you've taken to give redress to the community?

ROBYN HOBBS: No, we don't, but my colleague, Rod Stowe, I know, will be very keen to talk about his complaints register, which he has launched just about a month ago, and I – we support it, and we've worked with Fair Trading on that, so I'll pass over to Rod.

JULIE McCROSSIN: Pass it down, thank you.

ROD STOWE: To pick up on the issue of trends – in fair trading, we've got a number of systems that allow things to be treated. If you get a certain number of triggers, we also have a data analytics platform that allows us to match a lot of data and come up with trends that otherwise wouldn't be discernible. We also keep an eye on things like social media. One of the things we've learned in recent years is people don't just come to Fair Trading with complaints, they go to a whole lot of areas. We need to be cognisant of that. With UN of the big developments in recent times for us has been our complaints register. So, since last month, we will now publish every month those businesses who have received 10 complaints in the preceding month will be put on a complaints sheet. It will do two things – firstly, help consumers make better-informed decisions in the marketplace, and probably more importantly, change business practice. As Robyn and I have discussed, the people who are appearing on our complaints register aren't so much businesses that are breaking the law, but businesses who have a bad track record when it comes to customer services and the like. So, putting a bright spotlight on those businesses is already having a difference. We started this process back in March when we released our guidelines, we've been engaging with the businesses that had a bad track record if the register had been published in March, there would have been 33 businesses. When we published last month, there were only 20. Many of those names that were on our original internal list weren't there when we went public in August.

JULIE McCROSSIN: Can I ask you – I'm an outsider, obviously, here, I'm an MC. But I've learned a lot listening to each of you speak, and I'm just thinking the general public must be unclear sometimes – who do you go to? Is there a lot of cross-referral between all of you?

ROD STOWE: Look, there certainly is. I think we've all got pretty good staff who triage the complaints as they come in, and they are able to very swiftly, usually, refer them on. We certainly take advantage of it. When we're working on similar issues, as Robyn pointed out, the network of the Small Business Ombudsman are able to work together, similarly in the Consumer Affairs field, the Australian consumer law regulators work together on a regular basis to cooperate, identify issues and deal with them.

JULIE McCROSSIN: Look, thank you. Judi, do you want to speak I know you spoke earlier, but can you give us a sense of trends in your organisation, and complaints?

JUDI JONES: Sure. At the moment, the most complained about single issue – where someone is complaining both about a bill or a service provider, but also complaining about customer service... The most complained about single issue in the past year has been data speeds and internet complaints. We do monitor trends and complaints. We do have a systemic issues function. We do publish our statistics on our website. In terms of patterns – 35% of our complaints are about mobile, 35% internet, and 30% about landlines. That's the first time this year that internet has caught up with mobile complaints. So we're monitoring them all the time, but we do have data on our website too.

JULIE McCROSSIN: Thank you. Who else would like to offer some thoughts on this? Just put it really close to your mouth.

JODIE SANGSTER: I can offer some thoughts on systemic issues. We do track systemic issues – we have a register as well of the type of complaints that we're receiving. The important thing from our point of view is to be able to respond to it and to provide business with some guidance or guidelines by which they know what they have to now do. A great example of this – a couple of years ago, something that's probably we've all heard of – group by buying. This was a really big issue at the time, where people were going to Groupon and Scoopon and buying vouchers for things, and not quite getting what they thought they would when they went to redeem their voucher. It was a good example of how regulators and self-regulatory bodies can work together. Fair Trading raised the issue and said we needed to do something about it. We then stepped in and developed a Code of Practice, but also brought in all of those companies, made them subscribe to the Code of Practice, and made them accountable for their actions. And it worked really well to try and tackle some of those bigger issues, or the systemic issues. Rather than trying to pick them off one by one. I thought it was a good example of how regulators and self-regulation can work together.

JULIE McCROSSIN: Thank you. Richard, is there anything you'd like to say about trends in your work relating to complaints?

RICHARD BEAN: Well, not so much perhaps about specific ones but we are always on the lookout for trends and we work closely with Julie's organisation to look at what looks to be a systemic issue and we look at whether the codes of practice, for example, that are existing at the time that are intended to cover a particular type of behaviour are working or not, whether they should be changed and of course we work with the telecommunications peak body, Communications Alliance, on those issues. So we try and remediate the system, I suppose, rather than any particular complaint. But we do identify from time to time peaks and troughs in different kinds of things. Judi has mentioned internet speeds and another one that has recently been coming to our attention is consumer concern about third party willing, so things turning up on their phone bill for services or something that they hadn't realised they had subscribed to or bought. And the billing mechanism is that you pay through your phone bill. And this is kind of a new incarnation of the old problems that used to exist with 1900 premium calls and that kind of thing. So these things change over time and there are new incarnations of those. And we see in more traditional areas peaks and troughs in complaints about landline connections and those things are often seasonal. But what is most interesting is if there's a whole new category or a particular problem. So a few years ago, there was a really big problem in the telecommunications industry about complaints handling and that led to a major public inquiry of ours and big changes to the consumer protection code that I mentioned earlier.

JULIE McCROSSIN: We heard earlier about the nbn and that's obviously a huge event in the Australian community. How does that fit with the work that you are all doing in terms of complaints around the nbn? Where do they come to?

JUDI JONES: It depends on what it is. We can't consider complaints about the inability – the fact that nbn is not being rolled out in your area. But we can certainly consider complaints about delays and problems with installation and installations not working and our complaints about nbn-related services are increasing as the rollout increases. So that's something that's coming through our office, certainly.

RICHARD BEAN: I was going to add that obviously everyone who is interested in telecommunications consumer issues is watching the rollout of the nbn and the switchover, so to speak, from traditional services to nbn-related services and of particular interest to us, and I'm sure others on the panel, is that consumers understand who it is that is responsible for issues and who it is that they can complain to, and we're working with the Commonwealth Department of Communications on that as well. Because we will be moving to an environment in which nbn co is the wholesale infrastructure provider and then everybody else that consumers actually deal with is a retail service provider. And we will all need to be very clear about where responsibility lies for any difficulties consumers have and that there are really effective channels for consumers to go to and also for the retail service providers, with who you as the consumer have the relationship and then nbn co as the provider of the infrastructure upon which all these services are built.

JULIE McCROSSIN: Thank you. And just finally, Vanessa, from the Australian Domain Administration mob, any trend in complaints in your role?

VANESSA STANFORD: We do have some trends but firstly I would like to disagree with the interrelationships. Wooer a small group and a little bit different to some of the other organisations out there. One of the biggest trends we've got going is the registration of domain names by international bodies but using Australian legal identifiers. The AB R tool is publicly available and in our space in order to get a '.au' domain name – and across the world it is incredibly trusted as a domain name, it sits in the top ten of trusted domain name spaces, so they want a website ending in '.com.au' and so on and so forth because people will go there and buy things from it. What we are seeing in our space is, sadly, organisations or individuals overseas simply picking up an ABN or ACN off the publicly available tool and going ahead to register a domain name. So I guess there are two issues there. One is how do we check that is in fact the ABN holder. But the flip-side in terms of managing the consumer is organisations – sorry, Rod – such as NSW Fair Trading, don't necessarily know that we exist. We actually have a reasonably good relationship by the way! So it's not Rod but I'm using that as an example. But I got the ATO calling me the other day saying, "I didn't know you existed" and we need to try and take this domain name down and we have been trying to get the name servers removed but because there is a '.com.au' there are policies around it and they can't do it but apparently if we go through you, we can find this out. We're doing that today – they still don't know we exist. So I'm beating my head up against the door asking to be let in and developing the relationship. By the way, I will be staying back afterwards so if anybody wants to chat, that would be great! I was busting to say that!

JULIE McCROSSIN: It is another big Mr Us to ACCAN that you are here in the line-up getting better known. Would you give them a preliminary clap of approval and encouragement?

(APPLAUSE)

I would now like to open the floor to any questions or comments. Any questions or comments? Thank you.

JULIE STOTT: Better internet for rural, regional and remote. I have a query for the TIO lady. We get a lot of complaints on our group from people with nbn that can't get a connection. They get four or five installer cancellations. And another one is they get their installation and it doesn't work. This is mainly Sky Muster installations. And it doesn't work. One person I know is over three months and he still hasn't got a working connection. And we're told that they can't complain to the TIO about nbn – they have to complain to the TIO via their service provider, so their service provider, like Activ8me or Sky Mesh have to have the complaint lodged with them and it's not their fault at all.

JULIE McCROSSIN: Can you speak really closely into your microphone? Thank you.

JUDI JONES: Is that better? To some extent, that is correct. So the TIO looks to the contracting party so it's the contractors that contract with the SMT to get the delivery mechanism and that's probably where we need to have a conversation. But it doesn't matter that they are complaining about the RSP. What it's important is that they get the complaint to us and we can help and that we are not then having a fight about who should the complaint be about. But we're certainly aware of those problems and we're aware of the difficulties and particularly that the RSP feels the unfairness of a complaint being lodged against them when they can do nothing to fix it and we've been talking with both the nbn and the RSPs about how to get the complaint quickly to the right place to get the problem sorted.

JULIE McCROSSIN: And where is the right place?

JUDI JONES: Well, at the moment, we're doing it through the RSPs and making sure nbn knows it is happening.

JULIE McCROSSIN: And the RSPs are?

JUDI JONES: Retail service providers.

JULIE McCROSSIN: Thank you. Any follow-up?

>> I feel it is a little bit unfair. The RSPs pay a fee to the TIO for every complaint that goes through and they're paying a fee to have the application processed and they can't do anything, no matter how much they try to solve the problem. It's an nbn problem and so the complaints should be going to nbn, not the service providers.

JUDI JONES: Yeah, we understand the issue.

>> Peter Gartland. I have a question for Judi in respect to systemic issues. I think the TIO as you quite rightly pointed out is the largest dispute resolution organisation in the country with over 120,000 complaints a year but as I understand it, there's probably only about 50-odd systemic issues that are looked at annually by the TIO and probably three or four that are hand-balled across to the regulator for some sort of response. So in terms of trying to, you know, have consumer confidence in the independence of the ombudsman and their capacity to address issues that go past the individual complaint, in your role, how do you see systemic issues? Do you see it as – I mean, would you like to see public reporting of systemic issues, for example? Do you think that the number of systemic issues that the TIO is currently looking at is adequate? And in general, how would you be addressing some of these issues in your new role?

JUDI JONES: Thanks, an excellent question and I don't know if I necessarily have the answer to it. I know we're reviewing the way we do systemic issues, with the reorganisation that we're just almost in the middle of completing. We want to review the way we do systemic issues. We're putting the systemic issues function back into the dispute resolution area so that we're putting it more closely to where everyone is dealing with complaints, so that we're more likely to pick them up and we're having senior staff dealing with them. So I think it's a work in progress. I'm not sure whether we report on outcomes for systemic issues – it's what I'm used to doing. I'm not necessarily naming the provider, but certainly reporting on the outcome of the systemic issues work we do, the changes that we get as a result of it. So I guess it's a matter of watch that space, but I'm really conscious that unless we do that work well, we won't achieve our goal of being known and respected.

JULIE McCROSSIN: And you've already offered to come back next year and tell us!

JUDI JONES: Absolutely!

JULIE McCROSSIN: Thank you.

>> Laurie Patton from Internet Australia again, just a point of clarification. I think there is a fundamental systemic problem in the relationship with nbn and the RSPs and we are keen to try and work with them so if anybody has any examples, please let us know because basically what we heard about happening in Bundaberg is just one examples. There are other examples in places like Ballarat where one side of the road gets fibre and the other side gets copper so there are a whole range of issues that we think need to be resolved and we are the people to do it, if you let us and help us.

JULIE McCROSSIN: Can everybody hear? I have a terrible cold and my head is filling up and I'm a bit deaf, so I'm just checking everyone can hear. Thank you.

>> Tim Holborn. As we digitalise our world, systems seem more about the service provider. So we still get receipts and calls are recorded but the citizen doesn't get a copy of that. If these types of systems were enhanced so that citizens had evidence, how would that impact your roles? Your jobs?

JULIE McCROSSIN: This man asks very interesting questions! Can I come to Robyn Hobbs. Do you wanting to first on that one? Do you have a microphone?

ROBYN HOBBS: I do and I actually don't really wanting to first on that one!

(LAUGHTER)

JULIE McCROSSIN: Don't you? Who has an urge to speak? And irrepressible desire to respond to this man?

JUDI JONES: I'm happy to. I agree that call recordings are my old job. Energy companies in New Zealand routinely recorded their calls and we found that dispute resolution went a lot faster because there was a record of what the conversation was. We were no longer going, "I said and he said". So we found that tremendously helpful and in New Zealand you were able to get a copy of your call. So that's interesting.

JULIE McCROSSIN: It is a radical nation, New Zealand, isn't it?!

JUDI JONES: In some ways. The other one we're experimenting with and hoping to move on to with the online chat, what I love is at the end of the chat you get the chat emailed to you so it's there in your own electronic records.

JODIE SANGSTER: Under privacy law, you should be able to get a copy of that anyway. If it's personal information about you that has been recorded by the company on the company's side and you want a copy of it, you should be able to get a copy of that under our existing privacy laws, or get a copy in some way, shape or form anyway. And would it help the complaints process and resolving complaints? Absolutely it would help, because it's just evidence of what has happened in the complaint and it would make it a lot easier to decide whether the complaint is valid or not. And often that's where our complaints run into problems, is that you are literally going with a, "He said, she said" and you don't know where the balance falls. But if there was evidence on both sides, obviously that does significantly help.

JULIE McCROSSIN: Anyone else like to respond to that? Thank you, I have a couple of questions waiting, thank you.

>> Bruce, regarding mass service disruptions or MSDs. I have been challenging this for over a year with ACMA and TIO. I'm having a lot of trouble getting positive outcomes for consumers. We have mass services disruption that applies from date A to date B but within the notice has got DC to date D – completely different dates. I can get neither the ACMA or the TIO to rule what the dates should be or what that exemption is. How hard is it to get a ruling that an exemption is or isn't valid?

JULIE McCROSSIN: Could someone explain both the question and then the answer?!

(LAUGHTER)

I am an outsider but I know we have other new people here. So what is this issue this gentleman is raising and then what is the answer? Do you wanting to first, help me, sir?

>> Me? Mass service disruptions are – well, they are a thing which exists... under which for example Telstra is able to say that there has been, for example, a cyclone and so it ought to be relieved of its obligations to install or repair or whatever, someone's telephone service within the sorts of time-frames that they should. So these things do exist. There are mass service disruptions – there are cyclones and bushfires and so on. And from there, that's sort of simple to state that. But then immediately it becomes more complicated. Because resources are then diverted to the location of the disruption, so other parts of the country which were not, you might think, affected by the cyclone then suffer from degradation of service because everyone is up in North Queensland fixing stuff or whatever.

JULIE McCROSSIN: And the dates are significant?

RICHARD BEAN: Well, I'm not going, I think, to be terribly helpful about this. I don't really understand the specific issue, but it seems to me that where a mass service disruption is notified, then the terms of that notification are presumably reasonably clear, so that it has a location and a time period. But I'm afraid I don't have the details of that at my fingertips.

JULIE McCROSSIN: Are you able to help us, Judi?

JUDI JONES: I'm not sure I understand the particular specific issue either. I understand what Richard has just explained and I would have thought that – and, you know, perhaps this is, I don't know, cheering you up or making you more frustrated. I would have thought a date was a date. But I can't comment, obviously, on a specific example in this kind of forum.

JULIE McCROSSIN: Can I just get a comment from this gentleman and I will come back to you if I may.

RICHARD BEAN: Well, I was going to say there may be other people in the audience who have more detailed experience of this than either Judi or I who can help but by all means go back to the questioner.

JULIE McCROSSIN: Can you explain your concern again?

>> With regard to the dates there is a difference between the published date online or in the newspaper and what is contained in the actual exemption notice. Now, there has been something like 20 examples since 2011 that I've notified both the TIO and ACMA and I can't get anyone to say, "No, you can't have two opening and closing dates". For example, a storm. An event occurs on 1 October and we get a mass service disruption notice that says that from 25 September to 25 October there is an exemption. Which clearly cannot happen because the event hasn't occurred. But online, it has a date, the 8-28th October.

JULIE McCROSSIN: And what is the impact on your consumers?

>> Currently the TIO and the phone providers will say that exemption applies for the complete dates from the start and end, even though the event hasn't occurred. And they miss out on compensation under the standard.

JULIE McCROSSIN: So you miss out on compensation. Is there anyone else who would like to comment on this? I feel the group are listening intently but is there anyone else who would like to comment in relation to this matter or can assist us in any way? I think we add that to the list of things, Judi, that we come back for in twelve months' time to hear! But thank you, sir, for raising it. I had someone else, thank you.

>> Helen Campbell, Women's Legal Service NSW. My question is primarily for the TIO. I'm participating on an industry committee which is reviewing the code for dealing with life-threatening calls. We are interested – we are interested in women who are victims of domestic violence and being threatened and we need our women to get access to calling records of the abuser, like not access to their own records, but records of the abuser, in order to demonstrate the risk for the purpose of court proceedings. In the context of that industry code we've been told that the Privacy Commissioner has said that the perpetrator's privacy is so important that it should be protected over and above the woman's safety. Obviously we're not happy with that outcome. My question for the TIO is that I believe the TIO has a place on that committee, but has not put in an appearance at any of the meetings that I have attended and I'm wondering whether that is an effect of your restructure of your office that you were describing? Because I would very much value active participation from the TIO.

JULIE McCROSSIN: And the name of the committee again?

>> Life-threatening and unwelcome calls.

JUDI JONES: How long has the committee been meeting for?

>> Since about March.

JUDI JONES: Then no, completely unrelated to the restructure. I will look into it when I get back. I have never heard of it, no-one has mentioned it to me, I did not know we were not attending.

JULIE McCROSSIN: OK, thank you very much. I think I saw a hand here. Thank you.

DAVID BRADY: I'm David Brady, Deafness Forum of Australia. A lot of my clients in Australia rely on captioning and descriptions on videos and things, a lot of small businesses in the future are moving online and moving to content videos. One of the biggest problems we have, they're not captioned and we're also seeing a reduction in captioning, or accessibility, across the broad spectrum, especially in media and television, and also for translation from a TV show to the internet, or companies, small businesses or large businesses putting up videos or advertising with no information. So we find that we're being left out and we don't know where to complain – or is it better for using to straight to the top of government to make it law that it should be mandatory for captioning on every video content online and TV 24/7.

JULIE McCROSSIN: Now who is the most relevant person? Help me guys.

>> That would fall into my area. You might recall I said if we're going to advocate for regulatory reform or change, everything we do needs to be evidence-based. So while you have a particular point of view that that's what you would like to see, we would want to have a conversation with you – more than happy to do that – we would want to actually understand what it was, what the impacts of it were. And then if we felt it was valid to actually raise that for consideration, we would take that forward. There are lots of concerns that people have that they feel this is how their businesses should be treated, but I think it's really important to make sure that we're moving from the right base and getting the right changes.

JULIE McCROSSIN: Can I just ask you, isn't state and federal discrimination legislation relevant to something like captioning for the deaf? I mean, it's so fundamental.

DAVID BRADY: Yes, but, there are regulations and policies people use to get around it or say they can't do it. I also know for example ABC just cut back on captioning because of the budget cutbacks and they are using that excuse. We're also seeing, for example, some of the reality TV shows on Channel Ten like Survivor, it goes on Channel Ten online and there's no captions. We put a complaint in – nothing gets heard and there's no legislation on that from media companies. And also the other fact is that when small businesses and even medium-sized businesses put advertising on their website, there are no captions at all. So where do we go for that? I mean, we like to complain but it just seems to be overwhelming for one in six Australians.

JULIE McCROSSIN: Anyone else like to comment, please? If you could grab a microphone.

>> I was just going to say that the ACMA administers the captioning requirements for broadcast television and there are requirements that television broadcasts between 6:00am and midnight be captioned and they have been introduced over a period of time. We don't regulate internet content in this country. So that includes requirements for captioning of online content. The Human Rights Commission does have a role and in relation to other stuff online, so, for example, if you go to someone's website and there is a video explaining what you need to do – there are standards which I know about because we seek to comply with them on our ACMA website, for example. So there are various ways of assisting sight- and hearing-impaired people. But it is true to say that there is not an overarching legal requirement that all audio-visual content that's accessible in this country is captioned.

JULIE McCROSSIN: Anyone else like to respond?

>> I think there's two ways to approach it and one you've mentioned yourself. One is top-down, "I need a regulation or law that says you have to do this" and the other one is the bottom-up. Because I say in the marketing and advertising industry there is probably a lack of awareness more than anything, or lack of thought around, that we should be captioning our advertising to make it more accessible. So I think perhaps, as well as looking at the top-down, the bottom-up would be worthwhile and working with – there's probably four or five marketing and advertising associations to raise this as an issue and put it in front of businesses and marketers so they can think about it and respond to it as well and we would be happy to have that conversation with you. The other thing I should say is actually at a conference just last week we were talking about content marketing and online marketing and the trend actually is that captioning has come back in, and it's because us all on Facebook, we scroll down and we haven't got the sound on and so now all Facebook ads, you are starting to – well, ads or videos – are starting to have captioning put back on because that's the way we're consuming the contents. So some of it is happening just by osmosis, should we say.

JULIE McCROSSIN: And we were talking earlier about because of the age of the population the number of people with hearing impairment is going to skyrocket over the next few years. But of course, I can't be the only person who sits in bed and my partner also has the computer on and for exactly that reason you don't want to turn the volume up in order to maintain your relationship! So captioning is also good for sustaining the family, which is good for health in every aspect of life and wellbeing! We're almost finished. I've got time for one last question. If you don't mind, sir, I will go to this gentleman here.

>> I'm sorry, I've actually got two questions.

JULIE McCROSSIN: Who are you?

>> I'm Andrew Colley, I'm a freelance journalist. For Judi I wanted to see what the trend in complaints was around nbn – is it activations or is it line speeds or speeds?

JULIE McCROSSIN: Hold on a second. So the first one, please?

JUDI JONES: Um, that is a good question. I don't have the data at my fingertips. It's a combination. Go back to the single... the most popular single issue complaint is about speeds. But the complaints are a mixture of activations, delays and point of sale problems.

>> Sorry, and the other one was just more out of curiosity in relation to the previous comments about threatening calls. I was just wondering, I thought that there was a provision in the Telecommunications Act that you could record a call if you believed there was a crime in process. I was wondering if I could get some clarity on that from any of you.

RICHARD BEAN: Well, I'd... I do know a bit about the Surveillance Devices Act but it does vary from state to state and my understanding from my dim, dark past is that in fact if you – you may do so in order to protect your own – you know, your legal position, yes. But I think the issues about threatening calls and so on are also to do with not only access to information about the caller, the threatening caller, which I would have thought would have been a matter for warrants and so on through the police, but also for the protection of the person being called – so calling number and identification and that type of thing.

JULIE McCROSSIN: Ladies and gentlemen, I just want to say, I do a lot of conferences but these people have been having intellectually dense and engaging interaction since 9:00 this morning and would you agree they've come to the issue of complaints and resolutions with a sort of arousal and passion that is rare!

(LAUGHTER)

And I commend you for your commitment to the best interests of the Australian citizen population and I ask you to thank these people for coming here and giving us their answers.

(APPLAUSE)

So if you would like to leave the stage, if you would, and we just have one last session before there's drinks. And you are most welcome to stay if you are able. This will all be finishing in 15 minutes. So just as they leave.

JULIE McCROSSIN: Ladies and gentlemen, we now move to the end of our Day 1. Just a reminder that we will be reforming here in this room at 8:55 tomorrow morning. We're now going to launch a report. It's about Improving the Communication of Privacy Information for Consumers. It involves the communication law centre at UTS, and some work done under a grant from ACCAN. I'd like to welcome Dr Elizabeth Coombs, the Privacy Commissioner NSW. I'd also like to acknowledge Jonathon Hunyor, the CEO of PIAC, and Professor Michael Fraser, the report author, the director of the Communication Law Centre at UTS. Until very recently, I think this law centre may be closing. Let's begin with Dr Elizabeth Coombs. Please give her a warm round of applause.

(APPLAUSE)

ELIZABETH COOMBS: Thank you very much. I really appreciate the opportunity to be here today as a former commissioner of fair trading and now current NSW Privacy Commissioner. This report brings together two areas which are, I feel, extremely important – that of the rights of consumers, but also the right to privacy. I was recently in New York at a United Nations workshop convened by the United Nations special raconteur on the right to privacy, a newly created position as of July last year. One of those five workshops was on the actual use of personal information by businesses, and the rights that that brought up in the whole area of consumer opportunities, rights and the protection of their personal information. So not only is this report particularly commendable in terms of the thoroughness of the research upon which it's based, the timeliness of the recommendations, but also, too, what's happening internationally. So, I'm in the very fortunate position of being able to have the opportunity to speak to the reporter and its launch, but also just to say a few brief words about its authors and its content. Many of you may know that it was produced by Mr Mark Briedis, Ms Jane Webb and, if you heard, Professor Michael Fraser. They will be speaking to you later this evening, but I just want to say that, not only does it represent an intensive study, but it also goes to those points of collection, presentation, and retention policies by four key outlets. The complexity of privacy information is a key thing to consider here. So we have social media companies, mobile app publishers, web browsers, and search engines. As you appreciate through, probably, no doubt, your own use of these privacy policies, which far too many of us quickly click on and move on, is that the terms and conditions tend to be too complex and rarely read. They frequently lack balance, and they can also at times be unfair and not fit for purpose. And they raise very significant issues. So the report advances privacy considerations and it takes into account the need to be more relevant, helpful, accessible, but importantly, to provide choices for consumers as to how they can protect their privacy. So, I applaud the report. I'm very happy to be in this position where I launch it and hand it over to you, and I would just like to say what a credit it is both to its authors, but also to the centre and the legacy that it has created and leaves. So, please join with me in commending the report, and those who've worked so hard to produce it.

(APPLAUSE)

JONATHON HUNYOR: Thanks very much. I'm the CEO of the Public Interest Advocacy Centre, and PIAC's had a long association with the Communications Law Centre. I'm really delighted to have been asked to come here and meet with you on Larakia... Sorry, I've just moved down from Darwin, you'll have to forgive me – on Gadigal land to accept this fantastic publication. I was a bit worried when I was asked to do it that I wasn't the right person to take on the job, because the first thing I did, of course, was print off a hard copy to read it... Which perhaps suggests I'm not the most online-literate person around. But, coming to this report, the first thing that struck me was it achieves what privacy policies, either accidentally or by design, do not. It is clear. It is informative. And it's accessible. Communication of privacy information for consumers is obviously an issue that matters, not least because, at a basic level, we should know what we're signing up for. But I don't need to tell this audience. It is also important because of the use to which that information can be put, and that's becoming increasingly important beyond its use in marketing – we've obviously seen things like the role BigData plays in political campaigning, not only in the United States, but also in Australia. The report makes the point that improving the understanding of consumers is critical if we're going to be able to exercise control over how our information is being handled, and in empowering us individually as legal actors. I think what's also interesting is the potential role that it may play in empowering collective action by consumers if, indeed, consumers want to take up the power of the internet to demand and take control over how their information is being used – but that can't happen unless we understand what it is we're clicking on before we click on "Accept". So I'm very pleased to accept a report on behalf of PIAC, and I commend ACCAN and their authors for this fine piece of work.

(APPLAUSE)

MICHAEL FRASER: Thank you, Commissioner Elizabeth Coombs and Jonathon Hunyor. Thank you, Teresa Corbin and Narelle Clark and Tanya Karliychuk and ACCAN for the generous grant which funded this research. Thank you, also, for the great encouragement and the disinterested scholarly support that you gave us from ACCAN. I'd like to acknowledge the excellent work of Mark Briedis and Jane Webb, my co-authors. This was the last piece of research done by the Communications Law Centre. I'd also like to thank the members of the industry and regulatory reference group for making the time to meet and discuss the issues raised in this research. In 2010, when Gamestation included a clause in their privacy policy giving Gamestation an "unlimited, non-transferrable right to consumers' souls", 7,500 consumers consented.

(LAUGHTER)

Privacy policies and online contracts do not serve consumers well. They're rarely read or challenged, and I wonder if they're actually unconscionable and unenforceable. Consumers give away large amounts of their information to companies – some of the biggest companies in the history of the world. Those companies aggregate and analyse it and sell it to third parties to reveal consumers' purchasing habits, their interests and their personal lives. This research examines how online service providers – many of which provide wonderful services – handle our personal information. It looks at their privacy policies and notices, and examines how service providers communicate privacy information to consumers. This knowledge can be used to create the knowledge that we researched and gathered – it can be used to create and test models for better privacy communications to empower consumers to read and engage with privacy policies. Privacy standards and settings should help to establish fair policy norms that favour the privacy of the consumer and the citizen. We also consider whether consumer and privacy law offer sufficient protection for our private and our sensitive information. There is an opportunity for service providers to innovate and compete in providing consumers with better information about privacy and more opportunities for informed consent. They can improve trust in their relationships with their consumers. Consumers should be able to withhold or give express, informed consent for the use of their information, and to actively exercise a high level of control over how their information is collected and exploited. Consumers should be able to make choices in dealing with service providers that allow them to enjoy the benefits of online services without having to provide personal information for marketing purposes. This report makes simple recommendations to improve the standard of communication and consent to empower consumers to take active control over their personal information. Privacy communication should provide consumers with flexible, meaningful and actionable privacy choices and controls at the time consumers read the privacy information and afterwards. We also recommend further empirical research should be done to test the effectiveness of different multimedia privacy communications and control models. The way... I think that the way we manage our privacy will go a long way to shaping our society and our rights as citizens. Thank you.

(APPLAUSE)

JULIE McCROSSIN: Well, ladies and gentlemen, we're due now to have drinks and canapés and so, with the consent of my group on stage, I'd like to thank them for launching this report and ask you to speak to them in the course of your drinks and food, if you have further questions to ask. I won't be with you tomorrow, but I'll be handing over, of course, to Teresa Corbin, who will be opening the conference, the second day of the conference, at 8:55. But let's go out now and have a chat on the terrace. A final round of applause, please, to our report launchers.

(APPLAUSE)

And a very special welcome to our new head of the Public Interest Advocacy Centre – very exciting to meet you!

(APPLAUSE)

Thank you, ladies and gentlemen. We'll see you outside.

(End of session.)