



Pre-Budget Submission 2022-2023

Submission by the Australian Communications Consumer Action
Network to the Australian Treasury

28 January 2022

About ACCAN

The Australian Communications Consumer Action Network (ACCAN) is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards communications services that are trusted, inclusive and available for all.

Consumers need ACCAN to promote better consumer protection outcomes ensuring speedy responses to complaints and issues. ACCAN aims to empower consumers so that they are well informed and can make good choices about products and services. As a peak body, ACCAN will represent the views of its broad and diverse membership base to policy makers, government and industry to get better outcomes for all communications consumers.

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Introduction

ACCAN thanks the Treasury for the opportunity to submit to the pre-budget consultation and provide our views on priorities for the 2022-2023 Federal Budget.

ACCAN's response to this consultation is structured around our 2021-22 policy priorities,¹ which have been developed in close consultation with our members and our understanding of the needs of communications consumers around Australia. These priorities are informed by the acute impact that COVID-19 has had on consumers' use of communications services. Furthermore, technological advances, the dominance of digital platforms and changing consumer communications preferences are having a profound impact, making access to digital technology even more essential.² Consequently, ACCAN is increasingly called upon to provide consumer insights and policy responses on a broader range of issues, such as online safety and cybersecurity, in recognition that these areas have significant impacts on communications consumers, including small businesses.

The COVID-19 pandemic has clearly illustrated that communications services – such as phone and internet connections, over-the-top applications, and digital platforms – are essential enablers to how we live, learn, work and connect. Since the first lockdowns of 2020, people across Australia have on multiple occasions pivoted to and from online learning, working and socialising, as well as online trading for businesses. Communications services play a more critical role than ever in how consumers engage with private and public services, both in person and online. Furthermore, significant savings can be made by delivering services online rather than face to face, including greater productivity and efficiency benefits for both governments and individuals.³

However, the pandemic has also drawn into sharp contrast inequities in our society, including many relating to communications goods and services. Given the ongoing impacts of living with COVID-19, and the accelerated trend towards greater online service delivery, the 2022-2023 Federal Budget needs to urgently address these inequities. This can be achieved by:

1. Allocating funding to make essential communications goods and services more affordable for communications consumers.
2. Re-establishing the Communications Fund to improve communications infrastructure and increase the reliability of communications services across Australia.
3. Supporting mechanisms to make the communications market fairer, including by establishing an independent plan comparison tool.
4. Supporting digital inclusion initiatives, including co-ordinated and targeted efforts to improve First Nations' rates of digital inclusion.
5. Allocating funding to support consumer representation in digital platforms policy.
6. Guaranteeing long-term funding for ACCAN's Accessible Telecoms project and supporting other efforts to improve the accessibility of communications goods and services.

¹ Available: <https://accan.org.au/accans-work/policy-positions/1902-policy-priorities-2021-22>

² ACMA 2021, *Communications and media in Australia: How we communicate*, available: <https://www.acma.gov.au/publications/2021-12/report/communications-and-media-australia-how-we-communicate>

³ Deloitte Access Economics 2015, *Digital Government Transformation*, available: <https://www2.deloitte.com/content/dam/Deloitte/au/Documents/Economics/deloitte-au-economics-digital-government-transformation-230715.pdf>

List of recommendations

Recommendation 1: That the Federal Government funds an affordable broadband concession to support low income Australians to access services on the NBN, at a cost of between \$2,060 million and \$2,420 million for an initial four-year period.

Recommendation 2: That funding be allocated for the Federal Government to take on a coordinating role in the provision of accessible and affordable devices to people on low incomes without devices.

Recommendation 3: That the Federal Government allocates funding to provide an affordable voice service concession to support Age Pension and Disability Support Pension recipients to access home phone services on the NBN.

Recommendation 4: That the Federal Government re-establishes the Communications Fund with a mandate to invest its assets commercially and uses the proceedings for funding essential communications programs.

Recommendation 5: That the Federal Government invest in initiatives aimed at improving broadband reliability, including prioritising progress on the draft standards, rules and benchmarks for Statutory Infrastructure Providers.

Recommendation 6: That the Federal Government allocates funding from general revenue for the ACMA to investigate and monitor mobile outages and the reliability of mobile infrastructure across Australia, to identify if measures are needed to increase mobile reliability.

Recommendation 7: That the Federal Government allocate funding of \$100 million per annum for four years from general revenue or a re-established Communications Fund for further, expanded rounds of the Mobile Black Spot Program, and the Regional Connectivity Program.

Recommendation 8: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to support local communities to develop bids for RCP funding.

Recommendation 9: That the Federal Government allocate funding on an ongoing basis for the Regional Tech Hub to provide digital capacity building and troubleshooting services.

Recommendation 10: That the Federal Government continue to fund the ACCC Measuring Broadband Australia Program, including its expansion to NBN Sky Muster services and continued monitoring of Fixed Wireless services.

Recommendation 11: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to invest in local-level, community-informed and co-designed solutions to resolve connectivity gaps in First Nations communities.

Recommendation 12: A trusted and independent party should be resourced by the Federal Government to develop and maintain an online plan comparison tool for telecommunications services to support greater consumer choice.

Recommendation 13: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to support the implementation of the Indigenous Digital Inclusion Plan

Recommendation 14: That the Federal Government, as a priority, fund First Nations data collection and analysis to support data sovereignty as outlined in Target 17 of the Closing the Gap Agreement.

Recommendation 15: That the Federal Government allocate funding from general revenue or a re-established Communications Fund for the delivery of digital skills programs for First Nations peoples, including expansion of the inDigiMOB program.

Recommendation 16: That the Federal Government allocate funding to co-invest with the digital platforms industry to support a consumer organisation to represent the interests of the Australian community in decision making for digital platform policy.

Recommendation 17: That the Federal Government work with the telecommunications industry to establish a funding mechanism for the ongoing provision of the Accessible Telecoms service.

Recommendation 18: That the Federal Government allocate funding to ensure all Federal Government websites comply with WCAG 2.1 AA and successor standards.

Recommendation 19: That the Federal Government allocate funding to establish digital capacity building programs to support the engagement of people with disability in the broader digital economy.

Recommendation 20: That the Federal Government commit to annual funding for a minimum of 14 hours per week of audio described content on both the ABC and SBS.

Affordable telecommunications for all

Despite the quality and variety of communications services in Australia increasing over time, and improvements in affordability more generally, affordable communications continue to be a challenge for many people on low income.⁴ For households on low incomes, the cost of communication services can represent a significant proportion of their total income. The latest data from the Australian Digital Inclusion Index (ADII) found that in 2021, 14% of all Australians would need to pay more than 10% of their household income to gain quality, reliable connectivity.⁵ When taking income levels into account, ADII data shows that 67% of those in the lowest income quintile need to pay more than 10% of their household income for quality connectivity. Furthermore, 100% of those in the lowest income quintile, and 84% of those in the second lowest, would have to pay more than 5% of their household income to gain quality, reliable connectivity.

In 2021, 26% of those Australians in the lowest income quintile, and 18% of those in the second lowest, were extremely concerned about the cost of internet access. This constitutes around 910,000 households that are extremely concerned about the cost of accessing the internet. ACCAN recently commissioned research to assess the effectiveness of programs and offers being provided by the telecommunications industry to assist low income households and individuals with the affordability of their telecommunications services.⁶ It found existing low income measures offered by telecommunications providers can be effective, however the demand for low income offers outweighs their availability. Indeed, when respondents were asked about their experiences in finding suitable offers, more than half of those who ran into difficulties flagged affordability as a problem.⁷

The 2022-2023 Federal Budget must support programs and initiatives aimed at increasing the affordability of communications goods and services.

Affordable broadband – No Australian Left Offline

Much has been written about the economic benefits of affordable broadband and the take-up of broadband services, including increases in average incomes; the creation of new businesses; and the potential for governments to save billions in service delivery costs.^{8 9} Setting aside the macroeconomic

⁴ Productivity Commission 2017, *Telecommunications Universal Service Obligation: Productivity Commission Inquiry Report (No. 83, 28 April 2017)*, Canberra, p24, available:

<https://www.pc.gov.au/inquiries/completed/telecommunications/report/telecommunications.pdf>

⁵ Thomas, J., Barraket, J., Parkinson, S., Wilson, C., Holcombe-James, I., Kennedy, J., Mannell, K., Brydon, A. 2021. *Australian Digital Inclusion Index: 2021*. Melbourne: RMIT, Swinburne University of Technology, and Telstra. Available:

<https://www.digitalinclusionindex.org.au/>

⁶ Action Market Research 2021. *Addressing Telecommunications Affordability: Evaluating Support for Low Income Consumers*, commissioned by ACCAN, available:

<https://accan.org.au/files/Reports/Addressing%20Telecommunications%20Affordability%20Evaluating%20Support%20for%20Low%20Income%20Consumers.pdf>

⁷ Ibid. This finding relates to the number of respondents who stated they found it somewhat or extremely difficult to find a phone or internet offer that was relevant to them.

⁸ All of these benefits have been previously outlined in our 2021-2022 Pre-Budget Submission; available:

<https://accan.org.au/files/Submissions/2021/ACCAN%20Pre-budget%20submission%202021-2022%20final.pdf>

⁹ Australian Broadband Advisory Council 2020, *Riding The Digital Wave: Report on COVID-19 Trends and Forward Work Program*, <https://www.infrastructure.gov.au/sites/default/files/riding-the-digital-wave-report-on-covid-19-trends-and-forward-work-program.pdf>

benefits that arise as a consequence of affordable broadband, the benefits can be transformational at an individual, family and community level. As a critical enabler, affordable broadband can reduce the cost of living and increase educational and economic opportunities.

ACCAN’s home broadband priority is that No Australian is Left Offline¹⁰ – that all households that can benefit from connection to a fast National Broadband Network (NBN) broadband service are able to do so. ACCAN believes that all people in Australia should have access to an internet service that enables them to be online regardless of their personal circumstances or where they live, without putting them into financial stress.

As such, ACCAN considers that the most effective way to achieve affordable broadband for all Australians is for NBN Co to offer a 50mbps service at a wholesale price of \$20 per month available to households receiving financial support from the Federal Government.¹¹ We believe that a concessional service at the wholesale level will enable retail service providers to make competitive offerings available to low income consumers and allow consumers to shop around for the best offer to suit their needs. However, safeguards must be put in place, so it is sold as a standalone product for only those that need it (e.g. to prevent bundling with other services such as content offers) and to ensure that the full value of the concession is passed through to consumers. The creation of appropriate safeguards will allow consumers to shop around at a retail level, and for regulators and ACCAN to benchmark offers in the market to preclude potential abuse.

Initial estimates indicate that providing support to the 2 million households on the lowest incomes will cost \$600 million in the first year of funding, \$2,420 million (\$2.42 billion) over a four year period, and \$6,183 million (\$6.18 billion) up until 2032,¹² the cost of which can be significantly offset by savings through a reduction in the cost of service delivery.¹³ Noting that the percentage of households taking up the subsidy is unlikely to be 100%, this cost represents an upper bound. Given existing NBN uptake by consumers, it may be more realistic to predict that uptake of this subsidy may hover around 85%, reducing the total cost of this concession product to \$2,060 million (\$2.06 billion) for an initial four-year period. The cost of providing this assistance at the household level is materially lower than alternative policy instruments and leverages existing public investments to achieve cost-effective service delivery.

Recommendation 1: That the Federal Government funds an affordable broadband concession to support low income Australians to access services on the NBN, at a cost of between \$2,060 million and \$2,420 million for an initial four-year period.

¹⁰ Further information available: <https://accan.org.au/accans-work/no-australian-left-offline>

¹¹ ACCAN has undertaken research into which groups face the greatest affordability challenges and has identified the following groups as being particularly vulnerable: individuals and families with members on JobSeeker payments; individuals and families on Disability Support Pension payments; individuals on Youth Allowance payments; families on Parenting Payments; individuals and couples on the Age Pension; Indigenous Australians on low incomes; and families on FTB A.

¹² Estimates based on a contribution of \$25/month for 2 million eligible households, factoring in a forecast upper bound Communications Group Consumer Price Index of 0.7%.

¹³ Deloitte Access Economics 2015 op cit.

Affordable devices

Recent research into the phone and internet supports available for low income households asked survey respondents whether they had experienced certain difficulties relating to their phone and internet use in the last 12 months. 16% of respondents reported struggling to afford a device such as a mobile, tablet or laptop.¹⁴ Low income survey respondents were also asked to rate how helpful a range of potential supports would be to assist them with their phone and internet affordability. Hardware or device affordability supports were rated as second highest amongst respondents,¹⁵ indicating that supports targeting the affordability of devices would be very helpful to this cohort.

Efforts to improve device affordability or provide free or subsidised devices to those in need are currently piecemeal. There is an urgent need for greater coordination of the provision of accessible and affordable devices to low income households without access to devices that meet their needs. This would replicate international efforts in similar economies, such as initiatives underway in the United States.¹⁶

Recommendation 2: That funding be allocated for the Federal Government to take on a coordinating role in the provision of accessible and affordable devices to people on low incomes without devices.

Affordable voice services

Despite the use of fixed voice services declining in Australia to 24% in 2021,¹⁷ they are still essential for many communications consumers, including consumers experiencing vulnerability who require a reliable and affordable voice service.¹⁸ ACCAN has long argued that communications consumers have limited options when it comes to paying for a fixed voice service as they are often required to pay a relatively high price for this basic service.¹⁹ Indeed, around half of low income consumers with landline phone services are experiencing some difficulty in paying for their landline phones.²⁰

Although some assistance²¹ is available to support eligible consumers on income support to access a phone or internet connection, ACCAN does not consider this amount to be sufficient.²² This is

¹⁴ Action Market Research 2021 op cit., p80.

¹⁵ Ibid p85.

¹⁶ See, for instance, the Federal Communications Commission's Affordable Connectivity Program, which in addition to offering discounts on monthly internet service fees to low income households, is offering a one-time discount of up to \$100 for eligible households to purchase a laptop, desktop computer or tablet. More information available: <https://www.fcc.gov/acp>

¹⁷ ACMA 2021 op cit.

¹⁸ ACCC 2021, Communications market report 2020-21, p26, available: <https://www.accc.gov.au/system/files/Communication%20Monitoring%20report.pdf>

¹⁹ As explained in more detail in our 2021-2022 Pre-Budget Submission, p11.

²⁰ Action Market Research 2021 op cit., p66.

²¹ For instance, the Centrelink Telephone Allowance.

²² For further information about ACCAN's position on the Centrelink Telephone Allowance, see: ACCAN 2021a, Submission to the Regional Telecommunications Review 2021, p15, available: <https://accan.org.au/accans-work/submissions/1921-2021-regional-telecommunications-review>

particularly the case given the market has moved to providing fixed voice services as part of a bundled service with a fixed broadband service, despite some consumers having no desire or need for a fixed broadband service.²³

ACCAN believes that there is a strong case for Federal Government intervention to provide support to consumers and ensure everyone in Australia has access to an affordable home phone service. As outlined in previous submissions,²⁴ efforts must target those most likely to rely on fixed voice services, including people on the Age Pension and the Disability Support Pension.

Recommendation 3: That the Federal Government allocates funding to provide an affordable voice service concession to support Age Pension and Disability Support Pension recipients to access home phone services on the NBN.

²³ ACCC 2021 op cit.

²⁴ Including ACCAN's 2021-2022 Pre-Budget Submission, p11.

Increased reliability

As outlined above, our communities and small businesses are more reliant on telecommunications than ever before. Despite this, arrangements to support increased reliability have not changed substantially in 20 years, and the current consumer protection framework does not adequately reflect the essential nature of telecommunications services.²⁵ There is a need for network reliability measures to minimise disruptive outages and to strengthen arrangements for priority assistance customers to ensure those with serious health conditions and disabilities can stay connected.

ACCAN acknowledges that efforts are underway to improve the reliability and resilience of telecommunications services, including for instance the establishment and rollout of the Strengthening Telecommunications Against Natural Disasters program.²⁶ Despite the number of communications programs and initiatives aimed at increasing the reliability and availability of communications across Australia, funding for these programs is often ad-hoc and inconsistent despite the enduring need for service provision and investment.

ACCAN believes that the re-establishment of the Communications Fund, to be capitalised through the apportionment of spectrum auction revenues, represents the most appropriate long-term funding solution. The renewed Communications Fund would seek to maintain its capital base and use only the returns on investments to fund programs aimed at improving the reliability, affordability, availability, and accessibility of communications goods and services. ACCAN considers that an adequate proportion of spectrum revenues should be allocated to establish and create the capital base of the fund, with additional capital inflows as future auctions are held.

Recommendation 4: That the Federal Government re-establishes the Communications Fund with a mandate to invest its assets commercially and uses the proceedings for funding essential communications programs.

Broadband reliability

In early 2021, the Department of Infrastructure, Transport, Regional Development and Communications consulted on a draft Determination for standards, rules and benchmarks for Statutory Infrastructure Providers (SIPs) regarding timeframes for connections, repairs and appointment keeping. These standards, rules and benchmarks provide an opportunity to address reliability issues on the networks that provide wholesale broadband services. While the draft Determination was a significant step forward toward ensuring telecommunications services are reliable regardless of which network serves a consumer, more needs to be done to safeguard the delivery of high-quality, reliable telecommunications services. Furthermore, progress towards finalising this important Determination has currently stalled.

²⁵ ACCAN 2021b, *Submission to Telecommunications (Statutory Infrastructure Providers – Standards, Rules and Benchmarks) Determination 2021 Consultation*, available: <https://accan.org.au/files/Submissions/2021/ACCAN%20submission%20to%20DITRDC%20SIP%20Standards%20rules%20and%20benchmarks.pdf>

²⁶ Established in response to the 2019-2020 bushfires. More information available: <https://www.infrastructure.gov.au/media-technology-communications/phone/improving-resilience>

Efforts to enhance broadband reliability, such as the Determination, are essential to support Australia's vision of being a leading digital economy and society by 2030.²⁷ As outlined in the Digital Economy Strategy, investing in infrastructure, systems and regulation will support the growth of Australia's digital economy into the future. With the COVID-19 pandemic bringing about widespread working from home arrangements which are anticipated to persist beyond stay at home orders,²⁸ investing in and prioritising work on broadband reliability will provide enduring benefits to individuals, small, medium and large businesses, and Government.

Recommendation 5: That the Federal Government invest in initiatives aimed at improving broadband reliability, including prioritising progress on the draft standards, rules and benchmarks for Statutory Infrastructure Providers.

Mobile reliability

There is currently no reliability framework when it comes to mobile services. Unreliable access to mobile services is a widely reported consumer issue and disproportionately affects consumers living in regional and remote areas. Additional protections for mobile consumers are required, beyond what currently exists under the Australian Consumer Law.²⁹

Recommendation 6: That the Federal Government allocates funding from general revenue for the ACMA to investigate and monitor mobile outages and the reliability of mobile infrastructure across Australia, to identify if measures are needed to increase mobile reliability.

²⁷ Commonwealth of Australia, Department of the Prime Minister and Cabinet, *Digital Economy Strategy 2030*. Available: <https://digitaleconomy.pmc.gov.au/>

²⁸ Productivity Commission 2021, *Working from home*, Research paper, Canberra. Available: <https://www.pc.gov.au/research/completed/working-from-home/working-from-home.pdf>

²⁹ ACCAN 2021a op cit., pp25-26.

Better infrastructure

Despite significant investment in the NBN, Mobile Black Spot Program (MBSP), Regional Connectivity Program (RCP) and the telecommunications industry's commercial investment, there remain significant gaps in connectivity that can be more appropriately addressed through a greater range of targeted projects. ACCAN is regularly contacted by consumers and small businesses living in regional, rural and remote areas who are frustrated at the lack of connectivity in their area – for example, they live or work in a mobile black spot, their copper phonelines are degrading or due to the topography of their area Sky Muster Satellite services do not work sufficiently for them to engage fully in the digital economy.³⁰ Additionally, in many remote Indigenous communities last mile infrastructure is badly needed.

The Federal Budget 2022-2023 must allocate funding for place-based solutions to better match infrastructure to the needs of consumers, whether over NBN, smaller fixed line networks, local fixed wireless, mobile, or last mile connectivity. It is critical that all future service delivery arrangements support the best outcomes for regional and remote consumers, small businesses, and poorly served remote Indigenous communities.

Mobile Black Spots and Regional Connectivity Programs

As a member of the Regional, Rural and Remote Communications Coalition (RRRCC), ACCAN supports long term public funding for open access mobile network expansion in regional and remote Australia. However, mobile network providers are now at a point where there is minimal return on their investment in regional, rural and remote locations, and there is little incentive for them to build infrastructure in these areas. ACCAN has called for the MBSP to be expanded to include boosters, repeaters and other equipment that can be used to extend coverage to maximise MBSP investment, as well as support connections in bushfire prone/affected areas.³¹ We have also called for the MBSP to provide more funding for innovative solutions such as network neutral proposals, and strongly support the continuation of the successful RCP.³²

Recommendation 7: That the Federal Government allocate funding of \$100 million per annum for four years from general revenue or a re-established Communications Fund for further, expanded rounds of the Mobile Black Spot Program, and the Regional Connectivity Program.

ACCAN is very supportive of the RCP as it offers an opportunity to provide a range of location specific connectivity solutions. However, ACCAN would like to see more resources provided to communities to support them to work with network providers and different levels of government to craft an RCP application to address the connectivity issues they're experiencing.

³⁰ ACCAN 2021c, *Submission to the Regional Connectivity Program Round 2 Grant Guidelines*, available: <https://accan.org.au/accans-work/submissions/1931-rcp-r2-grant-guidelines>

³¹ ACCAN 2021a op cit., p19.

³² Ibid p20.

Recommendation 8: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to support local communities to develop bids for RCP funding.

Regional Telecommunications Review

Service reliability and improved infrastructure are critical for telecommunications services in regional, rural and remote Australia, with outages remaining an ongoing concern in these areas.³³

ACCAN is eagerly awaiting the report and recommendations of the 2021 Regional Telecommunications Review. In our extensive submission to the Regional Telecommunications Independent Review Committee,³⁴ ACCAN made a range of recommendations that would require Federal Government funding that should be considered as part of the 2022-2023 Federal Budget. These include:

Recommendation 9: That the Federal Government allocate funding on an ongoing basis for the Regional Tech Hub to provide digital capacity building and troubleshooting services.

Recommendation 10: That the Federal Government continue to fund the ACCC Measuring Broadband Australia Program, including its expansion to NBN Sky Muster services and continued monitoring of Fixed Wireless services.

Remote Indigenous Communities

ACCAN has long been concerned about digital exclusion in remote Indigenous communities, particularly due to the inadequacy and limited availability of communications infrastructure in these areas.³⁵ ACCAN's Remote Indigenous Communications Review of all current and past major remote Indigenous digital inclusion and infrastructure programs since the 1990s³⁶ found substantial developments and improvements in broadband access and availability in some states, but minimal investments in others. Indeed, reports indicate that the digital divide facing First Nations peoples in remote communities – and in other areas – is widening.^{37 38}

The Remote Indigenous Communications Review identified barriers preventing First Nations peoples in remote communities from engaging online, including issues relating to 'affordability, lack of last mile delivery or community access facilities, issues with service reliability and congestion, and barriers to

³³ ACCAN 2021a op cit., p23.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Featherstone, Daniel, 2020. *Remote Indigenous Communications Review: Telecommunications Programs and Current Needs for Remote Indigenous Communities*, Australian Communications Consumer Action Network, Sydney. Available: <https://accan.org.au/accans-work/research/1821-remote-indigenous-communications-review-telecommunicationsprograms-and-current-needs-for-remote-indigenous-communities>

³⁷ SBS News, 2021. *Indigenous students face a digital divide and were 'unfairly disadvantaged' during coronavirus lockdowns, says a report*, available: <https://www.sbs.com.au/news/indigenous-students-face-a-digital-divide-and-were-unfairly-disadvantaged-during-coronavirus-lockdowns-says-a-report/25c70b42-4594-407f-b47a-2aa12c9654bc>

³⁸ ACCAN, 2020. *Youth Check-In Research Report*, available: <https://accan.org.au/our-work/research/1813-accan-youthcheck-in-research-report>

engagement with online services.³⁹ The Federal Government has a clear role to play, alongside State and Territory Governments and industry, to invest in solutions aimed at improving equity of digital access for remote Indigenous communities.

Recommendation 11: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to invest in local-level, community-informed and co-designed solutions to resolve connectivity gaps in First Nations communities.

³⁹ Featherstone 2020, op cit., p9.

A fairer telco market

Poor customer service, irresponsible selling practices, unresponsive or uncontactable telcos, unfair policies, procedures and dispute resolution, and information asymmetry in the telecommunications market are causing considerable harm to communications consumers, especially those experiencing vulnerability. There is a lack of information and promotion of affordable devices and services, and at the same time a confusing array of complex offers which results in consumers entering contracts for products not suited to their needs.

Fairer market conditions, including greater choice and healthy competition between telecommunications providers, must be prioritised in the Australian communications sector. The 2022-2023 Federal Budget must fund efforts to address existing information asymmetries in the communications sector to support consumers to make well informed communications purchases.

Independent plan comparison tool

Despite the Australian telecommunications retail market being built on the premises of choice and competition, information asymmetry is rife. Consumers frequently have less information and knowledge about telecommunications products and services during their interactions and exchanges with telecommunications providers, leaving them unable to exercise full choice and control over their communications purchases. ACCAN's 'Spotlight on Telco Commissions and Targets' report found that common remuneration practices and bonus schemes for telco sales staff incentivise maximising sales, rather than ensuring customers purchase the products and services that are best suited to their needs.⁴⁰ Recent research has further illustrated that some individuals on low incomes have difficulty finding affordable telecommunications plans relevant to their needs.⁴¹

As such, there is a clear need for an unbiased and independent information and plan comparison tool for phone and internet products and services. This service could be similar to EnergyMadeEasy.gov.au, which provides tailored information to consumers in the energy sector via a searchable, government-operated database. An independent communications comparison tool could help address consumer knowledge gaps and provide accurate and customisable information about the availability and price of various phone and internet services.

ACCAN suggests the initial set-up and annual running costs for an independent plan comparison tool should be modelled on the costs incurred in setting up and running EnergyMadeEasy.gov.au.

Recommendation 12: A trusted and independent party should be resourced by the Federal Government to develop and maintain an online plan comparison tool for telecommunications services to support greater consumer choice.

⁴⁰ ACCAN 2019, *Spotlight on Telco Commissions and Targets*, <https://accan.org.au/our-work/research/1584-spotlight-on-telco-commissions-and-targets>

⁴¹ Action Market Research 2021 op cit.

Growing consumer confidence

Many consumers, young and old, lack the opportunity and confidence to use the internet and are challenged by technology that could improve their lives. Some consumers have concerns about the security of their personal information, manipulative practices, and fraud, while others feel disempowered by the lack of transparency surrounding how their personal information is gathered, stored and shared by third parties. Consumers are concerned about the rising spread of misinformation online and the security and safety of digital platforms and streaming services.

In relation to communications and digital platforms, there is a need for improved privacy protections and tightened safeguards for communications consumers in Australia. Efforts relating to digital inclusion are also essential. The 2022-2023 Federal Budget has an important role to play in funding initiatives and programs that will support more people to get online safely and confidently.

Indigenous Digital Inclusion Plan

ACCAN is pleased to note that initial progress has been made on the development of an Indigenous Digital Inclusion Plan. COVID-19 has highlighted the significant digital gap affecting First Nations people, with many people left offline during lockdowns without access to education, employment, health or basic services.⁴² Efforts to close this digital gap for all First Nations people are crucial. In 2021, this was formally acknowledged in a new Outcome 17 of the National Agreement on Closing the Gap, which includes the target that by 2026 First Nations people will have equal levels of digital inclusion. However, no resourcing has been identified to collect the data needed to create a reliable baseline of current digital inclusion as a starting point against which progress can be evaluated. Without this, ACCAN has concerns that the 2026 target will be very difficult to achieve.

ACCAN's position is that the Indigenous Digital Inclusion Plan must be comprehensive and ensure equity for all First Nations people. First and foremost, the plan must be developed and led by First Nations people and community-controlled organisations.

Given the essentiality of the Indigenous Digital Inclusion Plan, it is vital that initiatives emerging from this plan are appropriately resourced. This must include dedicated funding for First Nations people, communities and organisations to lead this work, and concerted initiatives to reach the Closing the Gap digital inclusion target in the next four years. The following recommendations will support these outcomes in the 2022-2023 Federal Budget.

Recommendation 13: That the Federal Government allocate funding from general revenue or a re-established Communications Fund to support the implementation of the Indigenous Digital Inclusion Plan.

Recommendation 14: That the Federal Government, as a priority, fund First Nations data collection and analysis to support data sovereignty as outlined in Target 17 of the Closing the Gap Agreement.

Recommendation 15: That the Federal Government allocate funding from general revenue or a re-established Communications Fund for the delivery of

⁴² First Nations Media Australia 2021, *Indigenous Digital Leadership Forum 2021 Slides – Shaping Our Digital Futures*, available: https://firstnationsmedia.org.au/sites/default/files/IDLf%20PPP%202021_compressed.pdf

digital skills programs for First Nations peoples, including expansion of the inDigiMOB program.

Digital Platforms

ACCAN is aware that while much of our work has traditionally involved representing residential and small business consumers of phone and internet services, the increasingly converged communications landscape has shifted the way that Australians communicate. We are concerned that at present the interests of everyday Australians are not being heard in the social media and online safety space. As the peak consumer representative organisation in the communications sector, we have an interest in ensuring that the online services that Australians engage with are safe and trusted. Australians need to be confident that their use of such services will not result in unwanted or unanticipated harms.⁴³

Recommendation 16: That the Federal Government allocate funding to co-invest with the digital platforms industry to support a consumer organisation to represent the interests of the Australian community in decision making for digital platform policy.

⁴³ ACCAN 2022. *Submission to the House of Representatives Select Committee on Social Media and Online Safety Inquiry*, p1, available: <https://accan.org.au/accans-work/submissions/1950-house-select-committee-on-social-media-and-online-safety>

Improved accessibility

Many people with disability continue to be excluded from our increasingly digital society, and there are many barriers to access that must be overcome. People with disability may experience digital exclusion for different reasons, such as the prohibitive costs associated with communications devices and services, the accessibility limitations of devices or online environments, and the lack of digital education or training programs that meet their needs. This digital divide can result in poorer education, employment, health and social outcomes for people with disability.⁴⁴

Available, affordable and accessible communications goods and services are essential for people with disability to be able to participate equally in society. The 2022-2023 Federal Budget must support programs and initiatives aimed at increasing the accessibility of communications goods and services.

Accessible Telecoms

Initially funded by an NDIA Information, Linkages and Capacity Building grant, ACCAN developed and implemented the Accessible Telecoms⁴⁵ service in 2018. Accessible Telecoms is a free, nationwide service which provides up-to-date and independently verified information about the accessibility features of digital communication equipment and services in accessible formats, as well as training resources available to people with disability. The NDIA grant was critical to the establishment and operation of the Accessible Telecoms service, however the NDIA does not provide ongoing funding for successful grants projects.

Since the cessation of NDIA funding, ACCAN has been in regular conversation with the Federal Government and the telecommunications industry to determine a long-term, sustainable funding mechanism for Accessible Telecoms. To date, this has only resulted in limited funding from the telecommunications industry for the 2021 calendar year. This is despite the service providing essential information about the accessibility of telecommunications products, and the service supporting the telecommunications industry to meet their obligations under the Telecommunications Consumer Protections Code.⁴⁶

To continue to provide this essential information service, an ongoing funding commitment is required. It is crucial that this service be provided with long-term funding to ensure that all people with disability have access to the communications services they want and need.

Recommendation 17: That the Federal Government work with the telecommunications industry to establish a funding mechanism for the ongoing provision of the Accessible Telecoms service.

⁴⁴ ACCAN 2020. *Submission to the National Disability Strategy consultation – stage 2*, p5, available: <https://accan.org.au/accans-work/submissions/1814-national-disability-strategy-stage-2>

⁴⁵ Available: <https://accessibletelecoms.org.au/>

⁴⁶ See, for instance, clause 4.3.1 j of the TCP Code, available: https://www.commsalliance.com.au/_data/assets/pdf_file/0011/64784/TCP-C628_2019.pdf

Accessibility of online information and services

Many people with disability in Australia do not currently have equal access to online, digital or non-digital information. This is despite the existence of standards regarding the accessibility of online content and information, including the Web Content Accessibility Guidelines (WCAG).⁴⁷ This creates a barrier to accessing websites, online content and services. Additionally, even if a website technically meets accessibility criteria, if people with disability were not involved in its development it is not uncommon for these 'accessible' online environments to be difficult or unintuitive for people with disability to use.⁴⁸

Given the increasing number of government services provided online, and the savings made through transitioning the provision of these services to online formats, it is essential that investment be made in ensuring government websites are accessible for all. To ensure that online information and services are accessible and usable for people with disability, it is essential that people with disability play an active role in the design, development, implementation and monitoring of accessible online content.

Recommendation 18: That the Federal Government allocate funding to ensure all Federal Government websites comply with WCAG 2.1 AA and successor standards.

Digital Capacity

In order for people with disability to benefit from online service delivery and the educational, economic and social opportunities supported by increased digital inclusion, they must first have access to digital capacity training programs that meet their needs. The 2022-2023 Federal Budget should support people with disability to participate in the broader Digital Economy Strategy⁴⁹ by funding free, digital capacity training programs tailored specifically to meet the diverse accessibility and information needs of all people with disability, including older people with disability.

Recommendation 19: That the Federal Government allocate funding to establish digital capacity building programs to support the engagement of people with disability in the broader digital economy.

Audio description

Audio description is an essential accessibility feature that enables many people who are blind or vision impaired to better understand and enjoy television. However, despite advocates from the blindness community calling for audio description to be made available on Australian television for over 20 years, this accessibility feature was only introduced on ABC and SBS in 2019. Both the ABC and SBS received Federal funding to deliver 14 hours of audio description per week on their main channels from 1 July

⁴⁷ More information available: <https://www.w3.org/WAI/standards-guidelines/wcag/>

⁴⁸ ACCAN 2020 op cit., p16.

⁴⁹ More information available: <https://digitaleconomy.pmc.gov.au/>

2020.⁵⁰ While this funding allocation was very welcome, equity of access to Australian television has not yet been realised for the blindness community, with audio description still not available on commercial free-to-air channels and questions remaining about the longevity of the ABC and SBS audio description offering.⁵¹

Permanent Federal Government funding for audio description is required to ensure that people who are blind or vision impaired have equitable access to television in Australia. ACCAN urges the Federal Government to amend the Broadcasting Services Act to mandate that all Australian television broadcasters provide a minimum of 14 hours per week of audio described content on each of their channels.

Recommendation 20: That the Federal Government commit to annual funding for a minimum of 14 hours per week of audio described content on both the ABC and SBS.

⁵⁰ Fletcher, P. 2019. Television audio description for blind and vision impaired Australians. Media Release 16 December 2019. Available: <https://minister.infrastructure.gov.au/fletcher/media-release/television-audiodescription-blind-and-vision-impaired-australians>

⁵¹ ACCAN 2020 op cit., pp17-18.