



# Numbering: Consultation paper 4.

Implications of research into consumer issues  
Submission by the Australian Communications Consumer  
Action Network to the Australian Communications and  
Media Authority



July 2011



### **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 availability, accessibility and affordability of communications services for all Australians.

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 activate its broad and diverse membership base to campaign to get a better deal for all communications consumers.

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# Introduction

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ACCAN welcomes the opportunity to provide comments to the Australian Communications and Media Authority (ACMA) in response to the fourth paper in the Numbering Plan review.

As this is the last opportunity to provide comment before the ACMA's directions paper we have considered how numbers should be used and regulated more broadly. All the recommendations in this report are important but the first recommendation provides the ACMA with overall guidance for reviewing the Numbering Plan.

## **Recommendation one:**

- **In its review of the Numbering Plan that the ACMA considers how numbering resources and regulation can facilitate social inclusion and achieve broad social goals, including the promotion and protection of human rights.**

An approach to numbering that considers the social impact of any change will result in a fairer, more just system that ensures communications are available, accessible and affordable for all. It provides even stronger justification for changing the charges applied to 1800, 1300 and 13 calls from mobiles, demonstrates a need to consider costs of opting-out of directory listings and encourages the use of numbers in a way that will work in the interests of all consumers.

# Response to Numbering: Consultation Paper 4

## 1. The need for social inclusion outcomes to be considered in numbering review

Beyond the four general principles of efficiency, flexibility, resilience, and simplicity and transparency, there is another aspect of number use that the ACMA should consider for the numbering work program - how numbering resources and regulation can facilitate social inclusion and achieve broad social goals, including the promotion and protection of human rights.

This additional principle is consistent with the main object of the Telecommunications Act which states that:

*The main object of this Act, when read together with Parts XIB and XIC of the Competition and Consumer Act 2010, is to provide a regulatory framework that promotes:*

- (a) the long-term interests of end-users of carriage services or of services provided by means of carriage services; and*
- (b) the efficiency and international competitiveness of the Australian telecommunications industry; and*
- (c) the availability of accessible and affordable carriage services that enhance the welfare of Australians.<sup>1</sup>***

On 16 May 2011 the UN Special Rapporteur Frank La Rue presented a report to the Human Rights Council that explored how the internet, as an Information and Communications Technology (ICT) tool, enables individuals to exercise the right to freedom of expression and opinion as well as a range of other rights.<sup>2</sup> Numbering can also be considered a tool to enable human rights. It is through numbers that consumers are able to connect, not just to family and friends, but to essential services. Via 1800, 1300 and 13 numbers many consumers access social security, medical services, housing assistance - government and non-government programs that aid in a standard of living that allows adequate health and wellbeing. In providing a way for consumers to access key services, numbers assist in the achievement of the rights specified in the International Covenant on Economic, Social and Cultural Rights, which Australia has signed and ratified.<sup>3</sup>

<sup>1</sup> *Telecommunications Act 1997*, Part One (3), Accessed 1 July 2011:

<http://www.comlaw.gov.au/Details/C2011C00237/Download> Emphasis ACCAN's.

<sup>2</sup> La Rue, Frank, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*, Presented to the seventeenth session of the Human Rights Council 16 May 2011, Accessed 1 July 2011:

[http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27\\_en.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf)

<sup>3</sup> United Nations, *International Covenant on Economic, Social and Cultural Rights*, Accessed 28 June 2011: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-3&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&lang=en)



With human rights outcomes in mind, the ACMA will be able to consider how the numbering work program could better work towards enhancing the welfare of consumers, particularly vulnerable consumers.

An approach to numbering reform that considers human rights and social outcomes is timely. Australia's human rights record was reviewed for the first time before the United Nations Human Rights Council under the Universal Periodic Review in Geneva in January 2011. Several of the recommendations made called for the development and/or strengthening of a comprehensive poverty reduction and social inclusion strategy.<sup>4</sup> Ensuring Australians have accessible, affordable and available communications services that meet their needs is an important part of such a strategy.

#### **Recommendation one:**

- **In its review of the Numbering Plan that the ACMA considers how numbering resources and regulation can facilitate social inclusion and achieve broad social goals, including the promotion and protection of human rights.**

## 2. Numbering and charges

There is no doubt that there has been a failure in the promotion of price transparency, a key policy objective of the Numbering Plan. ACCAN believes this failure is only partially related to the public's understanding of the pricing information in numbers and more closely linked to poor industry practices that the ACMA is now attempting to rein in with the Reconnecting the Customer (RTC) inquiry and draft report.

While research in the Numbering Plan consultation paper indicates that some consumers don't value or use the pricing information in numbers<sup>5</sup> ACCAN posits that it is extremely difficult for consumers to use this information with current plan structures, extensive terms and conditions and advertising practices. Even pre-paid customers and those who are not on 'plans' or 'caps' have difficulty determining the cost of an individual call due to confusing terms and conditions and billing practices which make it difficult to untangle how much each call costs. These issues are explored in the Reconnecting the Customer draft public inquiry report and accompanying research papers which clearly demonstrate that many consumers *"do not and cannot fully understand the services that they purchase, especially bundled services. In particular they do not understand the charging arrangements at the time of purchase."*<sup>6</sup>

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<sup>4</sup> United Nations Human Rights Council, Draft report of the Working Group on the Universal Periodic Review Australia A/HRC/WG.6/10/L. 8, 3 February 2011, Recommendations 86.32, 86.33, 86.63 accessed 30 March 2011: [http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/AU/Australia-A\\_HRC\\_WG.6\\_10\\_L.8-eng.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/AU/Australia-A_HRC_WG.6_10_L.8-eng.pdf)

<sup>5</sup> 43% of consumers don't pay attention to individual landline call costs, 32% don't pay attention to mobile call costs; ACMA, *Numbering: Implications of research into consumer issues, Consultation paper 4 ('Numbering consultation paper 4')* Full report, May 2011, accessed 1 July 2011: [http://www.acma.gov.au/webwr/assets/main/lib312144/numbering\\_paper\\_4\\_complete.pdf](http://www.acma.gov.au/webwr/assets/main/lib312144/numbering_paper_4_complete.pdf) p 13.

<sup>6</sup> ACMA, *Reconnecting the Customer: Draft public inquiry report ('RTC Draft inquiry report')*, June 2011, Accessed 1 July 2011, [http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/06/RTC-Edited\\_Master-Version\\_Final\\_Web-edition1.pdf](http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/06/RTC-Edited_Master-Version_Final_Web-edition1.pdf) p63, see also pp 46-48, 50-53.



ACCAN would like to draw attention to just some of the findings from the RTC research reports that demonstrate why consumers have difficulty understanding call costs:

- Majority of people (46%) select a CSP because of price<sup>7</sup> suggesting that cost remains important to telecommunications users.
- Many focus group participants admitted that they did not understand the billing details and complained that itemised billing was no longer provided. The amount of plans, caps and bundles were very confusing and made it almost impossible to verify the accuracy of prices.<sup>8</sup>
- Less than one in five 3G bill-payers read their entire contract. Difficult aspects of the contract included language, charging arrangements and the consequences of exceeding a cap.<sup>9</sup>

The difficulty consumers experience in attempting to determine individual call costs is reflected in the Numbering Plan consumer research. It is telling that half of Australians with a mobile or home phone plan are concerned about exceeding their plan and incurring extra charges but are no more likely to pay attention to the cost of individual calls than those who are not concerned.<sup>10</sup>

The RTC research considered alongside of the Numbering Plan consumer research indicates that consumers are confused about call costs and that billing practice, charging arrangements and complex terms and conditions play a large role in this confusion. These factors obscure the pricing information that numbers are able to provide.

ACCAN members have indicated that they do not use the pricing information available in numbers but, if it was easier for them to do so, they would.

*“I do not know what the cost of a telephone call is when I call. Would help to know how much different numbers cost. Cost of phone calls is very important so we can budget costs.”*

– Anonymous ACCAN member.

Proposals in the RTC draft report will make the information in numbers more important to consumers. Specifically, the proposal to have all advertisements (not related to products with a hard cap) display the effective price of each unit included in the plan value alongside of the stated price and the proposal that will require a critical information disclosure summary (to include effective rates).<sup>11</sup> When consumers can easily determine the cost of a call within a cap, plan or bundle it is likely that they will pay more attention to cost of individual calls.

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<sup>7</sup> ACMA, *Community research into telecommunications customer service experiences and associated behaviours*, June 2011, Accessed 1 July 2011: [http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/06/Telco-customer-service-report\\_Roy-Morgan\\_FINAL.pdf](http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/06/Telco-customer-service-report_Roy-Morgan_FINAL.pdf) p2.

<sup>8</sup> *Community research into telecommunications customer service* p7.

<sup>9</sup> ACMA, *3G mobile bill-payers' understanding of billing and charging arrangements report*, June 2011 Accessed 1 July 2011: [http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/05/3G-report\\_FINAL.pdf](http://engage.acma.gov.au/reconnecting/wp-content/uploads/2011/05/3G-report_FINAL.pdf) p1.

<sup>10</sup> *Numbering consultation paper 4*, p 4, 22.

<sup>11</sup> *RTC Draft inquiry report*, pp 84 – 89.

#### Recommendations two and three:

- Any implications drawn from the Numbering Plan consumer research are considered alongside the ACMA's Reconnecting the Customer draft public inquiry report and accompanying research that demonstrates the difficulty consumers have in determining call cost and the reasons for this.
- That the ACMA carefully consider any changes to the Numbering Plan in the context of likely changes to the telecommunications industry as proposed in the Reconnecting the Customer inquiry report.

### 3. 1800, 1300 and 13 numbers

#### 3.1 Conclusions drawn from current research and the need to investigate other pricing options for free and local-rate numbers (FLRNs).

Research undertaken by the ACMA has confirmed that there is a problem with consumer understanding of 1800, 1300 and 13 numbers (FLRNs). A significant percentage of consumers cannot correctly state the cost of calling these numbers from a landline or a mobile.<sup>12</sup> Based on this, the ACMA has concluded that “call price information is becoming less relevant and numbering may no longer be an effective strategy to deliver such information”.<sup>13</sup> Drawing the conclusion that consumers don't value call price information because they don't understand call price information misses the point. The ACMA assumes that call charges will become more complex<sup>14</sup> rather than challenging the complexity of call charges to begin with.

Rather than dismissing the usefulness of these numbers, ACCAN suggests that the ACMA look at the underlying cause of confusion - the variety of charges that can apply to FLRNs across different technologies.

The 080 number range in the United Kingdom is used by the public and private sector to offer a 'freephone' service for sales lines, helplines and service delivery. Much like the 1800 range in Australia, 080 numbers are only free to call from a landline phone, with per minute charges applying to mobile calls even though the organisation that receives the call is also charged. Ofcom, the UK telecommunications regulator, found that consumer awareness of call cost for the 080 range was low and declining for mobile and landline calls. Declining consumer confidence in these numbers has coincided with increased mobile use.<sup>15</sup> Ofcom came to the conclusion that:

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<sup>12</sup> 61% of respondents could not say how much it cost to call a 13/1300 number from a landline, 48% don't know how much it costs to call a 1800 number from a landline. 41% can't state how much it costs to call a 13/1300 number from a mobile, 47% with a 1800 number. 13% of respondents think it is free to call 1800 from a mobile. *Numbering consultation paper 4*, pp 31-32.

<sup>13</sup> *Ibid*, p 33.

<sup>14</sup> *Ibid*, p 33.

<sup>15</sup> In 2010 46% of respondents knew the cost of calling '080' from a landline; in 2009 62% of respondents accurately stated the call cost. 2010 mobile - only 25% of consumers could confidently state the cost of calling from a mobile phone. See also page 4. Ofcom, *Simplifying Non-Geographic*

*“It is plausible that high mobile retail charges may affect the reputation of 080 calls from fixed OCPs [Originating Communications Provider].”<sup>16</sup>*

This explanation fits with the Australian data. High and varied mobile call charges for 1800, 1300 and 13 numbers may have affected the overall reputation of these numbers, leading to confusion about call cost across all technologies. The ACMA findings that younger consumers, a group that has higher than average mobile use, are more likely to be unsure of FLRN call costs from landlines adds weight to this hypothesis.<sup>17</sup>

As a solution to restore price transparency to the 080 range, Ofcom is exploring the options around making these numbers free-to-caller from mobile phones.<sup>18</sup> Extending the landline price information and charging arrangements for FLRNs to mobile calls (i.e. making all calls to 1800 free and 13/1300 a low-flat fee from mobile and landline phones) will clear up confusion around the different call charges between technologies.

Ofcom has researched the structure of the telecommunications market, the ‘flow of funds’ for non-geographic numbers and the potential impact on businesses, consumers and mobile service providers if a freephone system for mobiles was put in place. Ofcom has come to the conclusion that a freephone range from mobile phones would be of the greatest benefit to consumers and other key stakeholders [see Box One]. While it is difficult to make a direct comparison between international markets, the UK example suggests that Australia would also benefit from such a change.

ACCAN believes that the ACMA needs to conduct detailed research into possible changes to the 1800, 1300 and 13 range and suggests looking to the UK regulator for an example. As explored in section 3.2 of this report and touched on in the Numbering Plan research report<sup>19</sup> there is a body of evidence to suggest that consumers experience great detriment when they are unable to access the free and local call rates for 1800, 1300 and 13 numbers, with the greatest detriment experienced by vulnerable consumers.

ACCAN recommends that the ACMA investigates the advantages of changing the charging system for 1800, 1300 and 13 calls from mobile phones. Research could focus on the impact and benefits of such a change on consumers, businesses, charitable organisations, government bodies and telecommunications service providers. Research could address the areas considered by Ofcom, specifically the effect of any change to: transparency and consumer price awareness; price; service quality, variety and information; access to socially important services; and the regulatory burden involved in enforcing any change.<sup>20</sup> This information would be incredibly useful for all stakeholders in terms of planning for future

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Numbers, December 2011, Accessed 1 July 2011:

<http://stakeholders.ofcom.org.uk/consultations/simplifying-non-geo-numbers/> p 4, 346.

<sup>16</sup> *Simplifying Non-Geographic Numbers*, p 346.

<sup>17</sup> 18-24 year olds were least likely to understand that a 13/1300 call incurs a local charge from a landline (23% compared to 34%) and that 1800 numbers are free (41% compared to 52%) - while older consumers are more likely to know landline based charges. *Numbering consultation paper 4*, p99.

<sup>18</sup> *Simplifying Non-Geographic Numbers*, p 348.

<sup>19</sup> *Numbering consultation paper 4*, p 33.

<sup>20</sup> *Simplifying Non-Geographic Numbers*, pp 348 – 362.

change. This investigation could also cover the information gathering recommendations that ACCAN made to the ACMA in previous submissions.<sup>21</sup>

**Recommendations four, five and six:**

- **That the ACMA investigates the impact of changing the charging system for 1800, 1300 and 13 calls from mobile phones, focusing on the impact this would have on consumers, businesses, charitable organisations, government bodies and telecommunications service providers.**
- **The ACMA should look to the UK regulator’s recent report, ‘Simplifying Non-Geographic Numbers’ for guidance on this research. Research should involve modelling different change scenarios and cover the effect of any change to: transparency and consumer price awareness; price; service quality, variety and information; access to socially important services; and the regulatory burden involved in enforcing any change.**
- **This research should also cover information gathering requests made by ACCAN in previous submissions. Specifically the ACMA exercise its information gathering powers to identify the changing nature of traffic being directed to freephone and local rate numbers. All organisations that provide 13/1300/1800 numbers should disclose the proportion of calls (by number and duration) directed to freephone and local rate numbers from geographic and mobile numbers and the net revenue from these calls for each of the last three completed financial years.**

**Box one - Ofcom conclusions: benefits of a freephone range that works from mobile phones<sup>22</sup>**

Our preliminary view is that ensuring that all Freephone numbers are free to caller (i.e. setting a maximum price of zero for all calls) potentially provides the best approach for achieving our objectives in relation to the 080 range. The reasons for restoring a full “free-to-caller” regime for 080 numbers are as follows:

- There are obvious benefits both for service providers and for consumers in there being a readily recognised number range that has a zero price point.
- Freephone numbers are a product for which there is clear and specific demand from both callers and SPs [Service providers]. Some of the SPs responding to the 2010 SPS survey have stated such a preference, as have 080 SPs responding to the Call for Inputs. The absence of true Freephone is a central example of the vertical externality problem;
- The Freephone brand is reinforced by the fact that it exists in many markets abroad, most of which are “free-to-caller” when available;
- Mobile only customers are particularly disadvantaged at present and, in the case of

<sup>21</sup> ACCAN, *Structure of Australia’s telephone numbering plan*, December 2010, Accessed 1 July 2011: [http://accan.org.au/index.php?option=com\\_content&view=article&id=231:structure-of-australias-telephone-numbering-plan&catid=141:phones&Itemid=174](http://accan.org.au/index.php?option=com_content&view=article&id=231:structure-of-australias-telephone-numbering-plan&catid=141:phones&Itemid=174) p3.

<sup>22</sup> *Simplifying Non-Geographic Numbers*, p91.

low income users, potentially excluded from services over Freephone, despite this number being the key access portal for many services; and

- A clear problem with the current system is that despite this demand, it is effectively not possible for the large majority of service providers to offer such a service. We, therefore, believe that there should be a clearly recognised free to caller number in the numbering scheme.
- Although consumer confusion around 080 has grown in recent years, it is nonetheless still the most widely recognised of the NGCs [Non-Geographic Call] number ranges. Moreover, this recognition is still associated with Freephone.
- The current trend in confidence in 080 suggests that without change its reputation will decline despite strong consumer and SP demand.
- There is therefore a strong case to draw on existing consumer awareness by making 080 free to caller. This provides the most obvious point in the numbering scheme for a toll free tariff.

### 3.2 Further evidence that FLRNs need to have uniform charging arrangements across landline and mobile phones.

ACCAN has raised the issue of cost disparity between mobile and landline calls to FLRNs numerous times.<sup>23</sup> In particular ACCAN would like to draw attention to the current **Fair Calls for All** campaign that encourages mobile service providers to take action on the issue. If mobile service providers and the Communications Alliance continue to avoid this issue ACCAN strongly recommends that the ACMA takes decisive regulatory action.

#### Recommendation seven:

- **ACCAN urges the ACMA to support the aims of the ‘Fair Calls For All’ campaign by encouraging Telstra, Optus, Vodafone and the wider telecommunications industry to change revenue sharing arrangements for mobile calls to 1800, 1300 and 13 numbers. If mobile service providers and the Communications Alliance continue to avoid this issue ACCAN strongly recommends that the ACMA takes decisive regulatory action.**

This problem affects all consumers who own a mobile phone but has a major impact on consumers who only have a mobile phone, 14% of the overall population.<sup>24</sup>

More consumers will be affected by high per minute call rates to FLRNs in the near future as the number of Australians without a landline in the home increases. 12% of Australian adult consumers are considering removing their fixed-line telephone in the next 12 months in favour of other communications such as mobiles and VoIP – while all of these consumers may not switch it is a reflection of the changing attitudes to fixed line communications.<sup>25</sup> ACCAN has received reports from younger consumers indicating that they only have a

<sup>23</sup> See ACCAN, ACOSS, AFCCRA, *The Cost of a Free Call: Accessing 1800, and 13/1300 services from mobile phones*, September 2010; ACCAN, *Fair Calls For All*, May 2011; *Structure of Australia’s telephone numbering plan*.

<sup>24</sup> *Take up and use of voice services by Australian consumers*, pg 2.

<sup>25</sup> ACMA, *2009-2010 Communications report*, 2010, Accessed 1 July 2011:

[http://acma.gov.au/webw/ assets/main/lib311995/2009-10\\_comms\\_report-complete.pdf](http://acma.gov.au/webw/ assets/main/lib311995/2009-10_comms_report-complete.pdf) p 30.

landline phone as part of a deal or to enable access to the internet and still choose to make all calls from their mobile phones.

*“I always end up on hold to Centrelink for ages on my mobile because the landline is just for net.”*

- Anonymous consumer.

It is predicted that landline ownership will decrease even further with the introduction of the National Broadband Network (NBN), which will make it easier for Australian’s to connect to the internet without a landline.<sup>26</sup> The introduction of the NBN makes reform of FLRN charges a pressing issue. The cost of calling 1800, 1300 and 13 numbers from mobile phones needs to be addressed before consumer confusion and detriment increases.

By supporting universal charging systems for 1800, 1300 and 13 numbers the ACMA would be facilitating social inclusion and promoting human rights through numbering reform. In Australia 1800, 1300 and 13 numbers are the primary way of contacting state-run and non-profit services. By ensuring that all Australians are able to use these numbers for minimal or no cost the ACMA would be enabling the protection and promotion of the rights laid out in the International Covenant on Economic, Social and Cultural Rights. Enabling access to these services assists in the achievement of Article 9 (right to social security), Article 11 (right to an adequate standard of living covering food, housing and clothing) and Article 12 (right to the highest attainable standard of physical and mental health).<sup>27</sup>

There are numerous government and social services that are delivered via 1800, 1300 and 13 numbers and ACCAN believes that these numbers will remain important despite the development of online modes of service delivery. A recent research report has shown that vulnerable consumers cannot rely on services delivered online, now or in the immediate future, demonstrating the continued importance of the freephone and local-rate range of numbers for consumers. ‘Another Barrier?’ focused its research on the Northern Rivers Region in NSW which has a high concentration of disadvantaged and vulnerable consumers and has one of the highest welfare dependency rates in the country.<sup>28</sup> Non-profits in the area believe that online service delivery or contact was not appropriate for many of their clients due to the low digital literacy rate and a general lack of confidence in using ICT.<sup>29</sup> Most clients did not have access to the internet because of cost, did not know how to use email and relied on mobile phones to communicate. For some non-profit services, online delivery was deemed inappropriate due to the kind of service offered and the needs of the client. In these cases contact via phone become essential:

*“There are a lot of trust issues with the internet...so women rely on the phone and they call me and ask me and we build rapport over the phone and then they may give me their email address to be put on an e-group ... issues around sexuality can be quite sensitive for*

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<sup>26</sup> Griffith, C and Bingemann, M. ‘NBN will kill of fixed line telephony’, The Australian. 11 February 2011, Accessed 28 February 2011: <http://www.theaustralian.com.au/business/industry-sectors/nbn-will-kill-off-fixed-line-telephony/story-e6frg9hx-1226003971400>

<sup>27</sup> *International Covenant on Economic, Social and Cultural Rights.*

<sup>28</sup> Notara, D. *Another Barrier? Regional consumers, non-profit organisations and the NBN in the Northern Rivers Region*, 2011, ACCAN. pp 4-12.

<sup>29</sup> *Ibid*, pp 7-8.



*individuals and they may be wanting to protect themselves and understand confidentiality and the BCC function and all of that*<sup>30</sup>

In addition to comments in previous submissions ACCAN would like to add the following evidence that demonstrates how specific consumer groups experience detriment due to per minute call rates from mobile phones to FLRNs. Comments focus on the FLRNs that are important to these groups and the added difficulties they experience with high mobile charges for these numbers. ACCAN members and supporters have made significant contributions to this body of evidence. The ACMA should use the following research and evidence as an addition to the Numbering Plan research into consumer issues which, although it examines perception and use of FLRNs, does not look in detail at specific needs and uses for vulnerable consumer groups.

### **Low income consumers and consumers in need**

The ACMA Numbering Consultation paper 4 acknowledges that low income consumers are more likely than other groups to have access to only one form of telecommunications and that mobile call charges to FLRNs are more likely to impact consumers on low incomes.<sup>31</sup> While the ACMA research suggests that low income consumers are just as likely to have a landline or a mobile phone<sup>32</sup>, other research and comments from community organisations demonstrates that low income consumers are more likely to only have a mobile phone. 14% of Australians are mobile-only users<sup>33</sup> and consumers who are more likely to be on low incomes have greater representation in this group. For example, fixed-line usage in single parent households is at 84 per cent, dropping to 60 per cent of single parents under 34 years.<sup>34</sup> It makes financial sense for consumers on limited budgets to switch to mobile-only communications given the cost of setting up and maintaining landlines.<sup>35</sup>

While calls to 1800, 1300 and 13 numbers may occur infrequently for many consumers, comments provided by community organisations and ACCAN research suggests that low income consumers and consumers in need (whether that be personal or financial) make calls to these numbers more frequently and are often only able to call from a mobile phone. [See boxes two and three].

Important services to this group include government agencies, particularly Centrelink. The difficulty consumers experience in contacting government services from a mobile phone has been raised repeatedly by ACCAN and other community organisations including the National Welfare Rights Network.

*“Contact with Centrelink is increasingly by telephone in an environment where significant numbers of payment recipients rely heavily on mobile phones and may have limited or no access to landlines. Centrelink clients are actively discouraged from attending offices to do their business and regularly directed to the phones in the Centrelink office or sent home to*

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<sup>30</sup> Quote from non-profit worker *Ibid*, p 25.

<sup>31</sup> *Numbering consultation paper 4*, pp 30 – 33.

<sup>32</sup> *Ibid*, p 62.

<sup>33</sup> *Take-up and use of voice services by Australia consumers*, p 4, 22.

<sup>34</sup> ABS, 4102.0-Australian Social Trends, December 2009.

<sup>35</sup> *Fair Calls For All*, p 5.



*phone Centrelink. ... With all the high-minded discussion in Government and other circles on the idea of "social inclusion" this issue is a clear example of how the use of technology is leading to further social exclusion.*<sup>36</sup>

Disadvantaged consumers who need access to legal services will often turn to a 1800, 1300 and 13 number to access a service that offers free or low-cost legal information. The NSW Legal Assistance Forum (NLAF) has provided comprehensive feedback to ACCAN that details the key legal services in New South Wales that use 1800, 1300 or 13 numbers.<sup>37</sup> These include the Legal Aid Youth Hotline, the Child Support Advice Service, the Disability Discrimination Legal Centre and the Aboriginal Legal Service (NSW/ACT). Law Access is a free government telephone service that uses a 1300 number to provide legal information, advice and referrals with a focus on assisting vulnerable consumers. NLAF has informed ACCAN that over the last 12 months 49,953 calls (23% of calls overall) to the LawAccess 1300 number came from a mobile phone. Mobile callers to this service are seeking free legal advice or information but are being charged up to \$1.78 per minute<sup>38</sup> to access this service that would be free from a landline.

NLAF have expressed their concern about the costs associated with making phone calls from mobile phones to 1800, 1300 and 13 numbers. It should also be noted that a number of Community Legal Centres and organisations that offer legal referral or advice have officially endorsed ACCAN's **Fair Calls For All** campaign. These include Kingsford Legal Centre, the National Association of Community Legal Centres (NACLC), Consumer Credit Legal Centre (NSW), Gosnells Community Legal Centre Inc, Hume Riverina Community Legal Centre, Illawarra Legal Centre Inc, National Welfare Rights Network, North & North West Community Legal Service Inc, Pilbara Community Legal Service Inc, Redfern Legal Centre, Shoalcoast Community Legal Centre, Western NSW Community Legal Centre Inc and Women's Legal Services NSW.<sup>39</sup> Many of these organisations offer services via FLRNs and have noted the difficulty vulnerable consumers experience when they call these numbers from a mobile, their only telecommunications device.

Consumers experiencing financial hardship also face difficulty when contacting FLRNs. In May 2011 ACCAN asked 63 financial counsellors about their clients' experiences with 1800, 1300 and 13 numbers.<sup>40</sup> While this is a small sample we believe it is an accurate reflection of the problems consumers who experience financial hardship face. The financial counsellors who responded to the ACCAN survey came from every corner of Australia, many from remote and regional areas. They work with thousands of clients each year who are experiencing financial hardship and many are from other welfare agencies.

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<sup>36</sup> National Welfare Rights Centre, *Submission to Better Dealings with Government: Innovation in Payments and Information Services' Discussion Paper for Industry Consultation* 19 November 2009, Accessed 1 July 2011: <http://www.welfarights.org.au/Policy%20papers%20%20submissions/Human%20Service%20Paper.doc> p 12.

<sup>37</sup> See attachment two for full details

<sup>38</sup> *Fair Calls For All*, p 4.

<sup>39</sup> For a full list of organisations that have endorsed the **Fair Calls For All** campaign go to: [http://accan.org.au/index.php?option=com\\_content&view=article&id=319&Itemid=274](http://accan.org.au/index.php?option=com_content&view=article&id=319&Itemid=274)

<sup>40</sup> See attachment one for survey questions and breakdown of statistics.

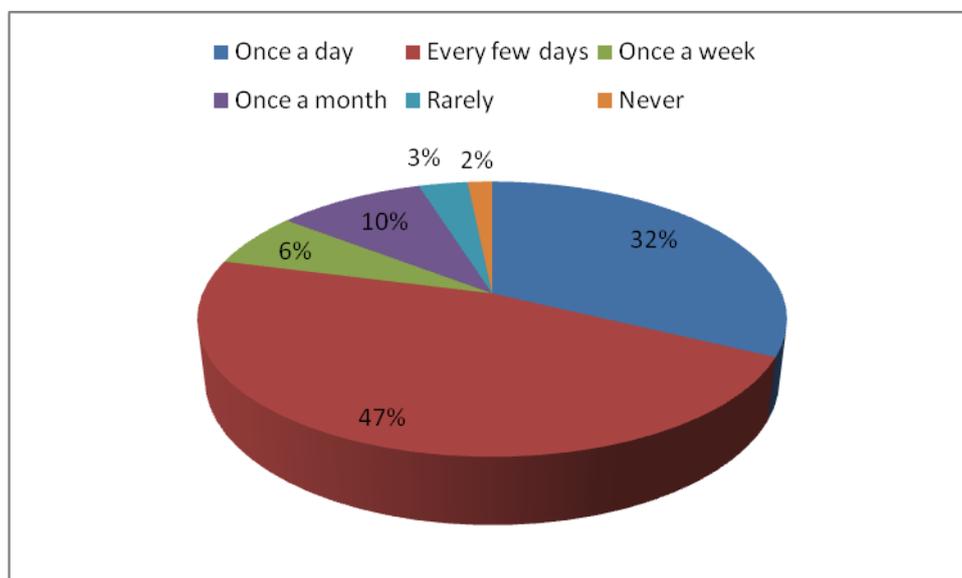
98% of respondents had seen clients who experienced difficulty contacting services due to the cost of calling 1800, 1300 and 13 numbers from a mobile phone. Comments suggest that clients of financial counsellors are unlikely to have landlines and that calls they make from mobiles are expensive due to long wait times and complex issues that arise from multiple needs.

*“Clients on Centrelink regularly recharge their \$30 prepaid [mobile phone] once a fortnight. They do this even when they can’t afford it. They say they have to ring Centrelink and the job agency or they’ll be cut off. Most of my Centrelink clients cannot afford landlines anymore. This is about equal access for poor people.”*

– Fiona Hawkins, Financial Counsellor, Youth and Family Service Logan

*“They [clients] normally use most of their credit in long calls waiting to be answered – constantly on hold”*

- Anonymous Financial Counsellor



**Image one:** Breakdown of responses to ACCAN survey: ‘How regularly do you see clients who have had difficulty contacting services that use 18/1300 numbers because of mobile call cost?’

79% of respondents saw clients who had difficulty contacting a service that was connected to a FLRN at least once a day or every few days. These issues were spread across all age groups, including the 45+ age range. 1800, 1300 and 13 numbers that were important for the clients of financial counsellors included government agencies (especially Centrelink), charities and telecommunications companies. Utilities were the most mentioned services, with counsellors noting that calls to power, gas and water services were especially important for their clients. Comments indicated that difficulty contacting utilities and service providers exacerbated financial problems and contributed to the spiral of debt.

*“Clients cannot contact their creditors because they are on hold for so long and run out of credit. This causes them to ignore their issues because they feel helpless.”*

– Anonymous Financial Counsellor



*“Client tried to contact utility company to make payment arrangements but did not have enough pre-paid credit to complete call. Disconnection was escalated. This is a necessity not an option.”*

- Anonymous Financial Counsellor

*“Client was ringing on mobile phone due to home phone being disconnected to incoming only; client had mental illness, large arrears and no transport or ability to go to a public phone. Client ran out of credit and couldn’t complete phone call.”*

– Susan Williams, Anglicare SA, Financial Counsellor

**Box two: Comments from the Consumer Credit Legal Centre NSW**

The Credit and Debt Hotline (1800808488) and the Insurance Law Service (1300663464) receive a lot of calls from people on mobile phones. We often offer to call back or are asked to call back because the person is running out of credit. Some callers can simply not afford to ring from their mobile at all and call from a phone box. We have had callers standing in a phone box in a thunderstorm trying to get urgent help. Although we are always happy to ring back a mobile some consumers are embarrassed to ask for this help. Our Credit and Debt Hotline and Insurance Law Service provide free legal and financial counselling assistance to consumers with credit, debt and/or insurance problems. This advice can often be required urgently, for example, if legal action is threatened, the consumer is at risk of repossession of their car or home.

**Box three: Comments from the Consumer Action Law Centre – background of consumers contacting financial and legal assistance helplines.**

Consumer Action is an independent, not-for-profit, campaign-focused casework and policy organisation. Consumer Action provides free legal advice and representation to vulnerable and disadvantaged consumers across Victoria, and is the largest specialist consumer legal practice in Australia. Since September 2009 we have also operated a new service, MoneyHelp, a not-for-profit financial counselling service funded by the Victorian Government to provide free, confidential and independent financial advice to Victorians with changed financial circumstances due to job loss or reduction in working hours, or experiencing mortgage or rental stress as a result of the current economic climate.

Our comments reflect our experience as a service provider, based on the past week of calls to each of our services. We don’t collect information specifically about whether the cost affects the clients we contact, but we note that people often seek our services when they are in dire need of assistance when the cost of a phone call might be the least of their financial or legal problems. Please note that we can’t identify every number that calls us, as noted in the information set out below. Also note that this information is based only on the past week and is intended to give a flavour of how people contact our services, rather than be a definitive data set.

Legal services are provided to clients via a 13 number. Over 50% of callers didn’t tell us their income level; however nearly 25% of the rest of those callers were what we categorise as

low or no income (low income being under \$26,000 per year). Last week 228 people called our legal practice, taking an average 6 minutes for calls to be answered. Unfortunately, some calls do drop out – the vast majority under 2 minutes, and a third definitely from mobiles. Of the 228 calls, 52 were definitely from a mobile, 100 were definitely from a landline and the remaining 76 were not identified. Lawyers report that only very rarely will callers ask to be phoned back when they get through to a lawyer. In our experience, the most disadvantaged consumers we deal with typically only have a mobile phone as means of contacting them back (due to the expense of having a landline).

Our financial counselling service (MoneyHelp) is provided via a 1800 number. In the last week, our statistics indicate that close to half of those callers earn under \$26,000 per year. This is significant, given that nearly a third didn't nominate their income level at all. Last week we took 124 calls; 17 people hung up before their call was answered. The average wait time for calls to be answered was 2 minutes. Of the 124 calls, 79 displayed a number and 31 of those were a mobile, meaning 48 people rang from a landline and 45 came from an unknown source. It is difficult to draw conclusions due to the gaps in the unidentified calls, but is worth noting that counsellors estimate a very high proportion were from mobiles (well over 50%).

Financial counsellors believe that clients who call MoneyHelp are extremely cost-sensitive. Financial counsellors ask clients if they would like to be called back on a mobile in the first instance, and the vast majority take up this offer. They also indicated that people limit the duration of their calls to the service if calling from a mobile, and also suggested that fewer of their clients have fixed services due to the cost.

### **Aboriginal and Torres Strait Islander people**

Community organisations have raised concerns that some Aboriginal and Torres Strait Islander (ATSI) communities may experience particular difficulty accessing government services when they are on income management systems for welfare payments. This is well documented in the comments from the Equality Rights Alliance, which also demonstrates the difficulty other groups on income management experience [see box four]. The BasicsCard that these comments refer to can only be topped up or checked online, at a Centrelink office, at one of three locations in the entire Northern Territory that has a BasicsCard Kiosk or via a 13 or 1800 number.<sup>41</sup> For indigenous people on income management in the Northern Territory who are based in remote locations with little to no internet access, the phone service is the only way they can check the balance of their BasicsCard or transfer funds.

Physical distance from services forces some ATSI communities to rely on phone services and for those who are mobile only the cost acts as a barrier to accessing services. As part of the survey undertaken at the Financial Counselling Australia conference ACCAN was provided with the case study of a person living in the Torres Strait who had a mobile phone but no phone credit. This client missed a critical meeting with Centrelink and, because they were unable to call and cancel their appointment, their income payments were placed at risk.

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<sup>41</sup> See Centrelink website, Information for individuals, Accessed 30 June 2011: [http://www.centrelink.gov.au/internet/internet.nsf/individuals/basics\\_card.htm](http://www.centrelink.gov.au/internet/internet.nsf/individuals/basics_card.htm)

*“Client had an appointment with Centrelink but was stranded on another island due to bad weather and could not make it. The client missed the ferry between islands and the appointment. Could not call Centrelink from a payphone as there are no payphones on the outer islands in the Torres Strait.”*

- Anonymous Financial Counsellor.

**Box four: Experiences using a BasicsCard – comments from Emma Davidson, Project Coordinator, Equality Rights Alliance (ERA).**

In May 2011, I visited Alice Springs and Darwin as part of a research project to document women’s experiences of Income Management in the Northern Territory.

The high cost of calls to 1800 numbers from mobile phones is a serious problem for Centrelink customers who have a BasicsCard. Checking their BasicsCard balance before going shopping prevents the shame and humiliation that can occur when their card is rejected for insufficient funds. It also prevents a wasted trip to town – a serious issue when town is a long and expensive journey from home in a remote community. For some people, getting to the Centrelink office and shops is a long walk in the hot sun, for others it means borrowing petrol money to drive to the nearest town. There are people in remote communities who get together to charter a plane to fly to the nearest town with a supermarket.

The easiest way to check a BasicsCard balance is a phone call from home before heading to the shops. For many people, it is more economical to have a mobile phone than a landline, particularly for people who are not in secure housing or travel regularly to see family or for cultural purposes. When your mobile phone is out of credit, but you can’t check whether your BasicsCard can buy you more credit without making a phone call, it’s a classic rock and a hard place situation.

In the Northern Territory, there are approximately 50,000 Australians who speak an Aboriginal or Torres Strait Islander language but are not fluent in English. There are also many refugees in Darwin who are not fluent in English. Aboriginal and refugee women are over represented in the numbers of people on Income Management compared to the general population. For these people, dealing with Centrelink can be made easier by having a friend or family member with English language skills call on their behalf. Even booking an appointment at their local Centrelink office and asking that an interpreter be there is easier if someone else can do it over the phone in English. These are not short phone calls – complex issues and translating take time. Making the call from a mobile phone is expensive, especially with long hold times during peak periods.

Here are some examples:

**16 year old girl in town camp outside Alice Springs**

Wanted to go food shopping but unsure if she had credit on her BasicsCard. No home phone and her mobile was out of credit. Asked for someone to give her a ride to town only to find her BasicsCard was out of credit and she had a long walk home.

**Grandmother in town camp outside Alice Springs**

Needed to fill in forms and provide paperwork to Centrelink, but she doesn't speak fluent English and doesn't read. Needed a friend to go with her to translate, so she wanted to set up an appointment. She had to walk to her friend's house to find out when her friend could come with her to Centrelink, then use her mobile (friend doesn't have a home phone) to call Centrelink and get her friend to make the appointment. It was a long call because she waited on hold for a while before it was answered.

**People from non-English speaking backgrounds and refugees**

In addition to the comments from the ERA we would add those in box five from The National Ethnic Disability Alliance (NEDA). The Translating and Interpreting Service (TIS) line is a local rate number (131 450) and is often the only way people from non-English speaking backgrounds can access government or important services including medical practitioners, non-profit organisations, Members of Parliament, local government authorities, trade unions and some real estate services.<sup>42</sup>

Another important point is that access to fixed-line communications for people in on-shore mandatory immigration detention can be very difficult.<sup>43</sup> This means that refugees and asylum seekers, many of whom have lengthy waits in detention, are more likely to rely on mobile phones to communicate with essential services.

**Box five: Comments from the National Ethnic Disability Alliance (NEDA).**

NEDA is the national peak organisation representing the rights and interests of people from non-English speaking background (NESB) with disability, their families and carers throughout Australia.

The reality is that it is difficult to contact services that are delivered via 1800, 1300 and 13 numbers from a mobile phone because of call cost and confusion around this. People from a non-English speaking background, particularly younger people, like many Australian consumers are using mobile phones but not landlines. As mobile phones are meant to be cheaper and more convenient, they'll choose this technology over a landline.

For some people from non-English speaking backgrounds with low English proficiency, who also have a disability, access to information still poses a formidable challenge, even if it is available in alternative formats. Some concepts may be difficult to comprehend and they may need to call 1300, 13 or 1800 numbers several times for further clarification. Yet this group of people are often in low socio economic conditions where owning a mobile phone is more conducive in monitoring their expenditure. Frustratingly though, calls to 13, 1300 and 1800 numbers chew their credit, thus preventing them from obtaining the clarifications they may require.

<sup>42</sup> Department of Immigration Website, Accessed 29 June 2011: [http://www.immi.gov.au/living-in-australia/help-with-english/help\\_with\\_translating/](http://www.immi.gov.au/living-in-australia/help-with-english/help_with_translating/)

<sup>43</sup> Wadiwel, D and Hayter, C, National Ethnic Disability Alliance. *Communicating Difference: Understanding Communications Consumers from Non English Speaking Backgrounds (NESB)*, 2010, ACCAN, Sydney, p 51.

Important numbers linked to 1800, 1300 and 13 numbers for this community include many government services like Centrelink, settlement services, health line numbers and the Translating and Interpreting Service (TIS) line 131 450. When NESB consumers try to access services using the TIS it naturally takes longer, and for consumers calling from a mobile it costs a lot more. Callers may have to wait on hold for 5 to 10 minutes before they are allocated an appropriate interpreter and then the call to the service they wish to access takes more time as the conversation is relayed between an interpreter.

### **People with a disability**

Vision Australia have provided ACCAN with comments demonstrating how people who are blind or vision-impaired rely on 1800, 1300 and 13 numbers and experience detriment due to high mobile charges for calls to these numbers.

#### **Box six: Comments from Vision Australia**

Many of our clients are either unemployed or on low incomes (our research shows that 63% of people who are blind or have low vision are unemployed). The use of mobile phones is no longer a luxury for people who are blind or have low vision, because such usage provides a level of independence, convenience, safety and security that cannot be achieved in any other way, but which sighted people take for granted. Being unable to easily determine the cost of a call has a disproportionate negative effect on our clients who in many cases have to make financial sacrifices in order to own and use a mobile phone. We believe strongly that a fixed, predetermined charge for all calls made from mobiles to 1800, 1300 and 13 calls should be introduced. This is the only way people who are blind or have low vision will be able to predict the cost of calls they may need to make to such numbers.

Our experience suggests that companies and organisations that make 1800, 1300 or 13 numbers available often seem to implement queuing strategies that can lead to extended waiting time while on a call. While this may be less of an issue when these calls originate from landlines, it is certainly an issue when calling from mobile phones. Our clients who need to use such numbers to call, for example, Telstra's Customer Service Centre (132200) generally have no idea how much they are being charged, and whether they are being charged a flat charge or a per-minute charge. Calls to numbers such as this often involved waiting times of 15 minutes or more, and many clients have reported to us that they find it stressful making these calls because they are not sure if it will result in large bills. Some clients do limit their calls, but sometimes this is not possible, and there is no alternative to using the 1800, 1300 or 13 numbers.

Our clients make calls to 1800, 1300 or 13 numbers from their mobiles for various reasons:

- a) Given both the importance of mobiles for people who are blind or have low vision and the costs of ownership and usage, an increasing number of our clients are finding it necessary to forgo the use of a landline. This means that their only way of making calls is via their mobile. Calls to government departments, utility companies, banking services, and community organisations that they would usually be expected to be made from landlines must, in these cases, be made from mobiles.
- b) Our clients frequently make calls to 1800, 1300 and 13 numbers when booking taxis,

or to get transport timetable information while travelling. Such information is readily available to sighted people in hardcopy form or via indicator boards at bus stops, railway stations or ferry terminals, but people who are blind or have low vision cannot read such information because it is only presented in a visual format, so they have no choice but to phone the various “information lines” that provide these services. Having access to timetable information is clearly essential for independent travel, but our clients thereby incur extra costs that sighted people do not incur.

### **Older people**

Older consumers are more likely to rely on a landline rather than a mobile phone but key subsections of this larger consumer group experience issues contacting 1800, 1300 and 13 numbers from mobile phones [see box seven].

While there has been little research on this particular consumer group, ACCAN would like to raise the possibility that the many older travellers who choose to travel around Australia during retirement may be affected by high call rates to 1800, 1300 and 13 numbers. This is a group of consumers who can be based in caravans or mobile homes for many months at a time without access to a landline phone. These consumers are faced with per-minute charges when they call government, social or business services (such as road side assistance) from a mobile phone.

#### **Box seven: Comment from Combined Pensioners and Superannuants Association of New South Wales Inc.**

CPSA’s membership, mostly being made up of age pensioners as well as disability support pensioners, carers and superannuants, are highly dependent on landline phones for communication and access to information. Mobile phone and internet use are less prevalent among our members, as reflected in the research of the ACMA Consultation Paper 4. When calling CPSA, members highly value the ability to call a freecall 1800 number or local call cost 1300/13 number, particularly those that live in regional areas. Anecdotally, they are aware that calls to such numbers are either free or at the cost of a local call. This is possibly because most make such calls from landlines, and they therefore may not be aware that this is not the case when calling from a mobile. Because most members do not have access to the internet, a phone number is often the sole avenue for accessing information and conducting day-to-day tasks.

Although most of our members call from a landline phone, CPSA and the services we auspice invariably receive calls from members of the public by mobile phone because they do not have a landline. As a practice, we request that person’s number so that we can call them back in order to save them the cost of the call. On some occasions we are asked to make calls on people’s behalf to other institutions because of the costs of calling, even though such institutions usually have a 1800, 1300 or 13 number. Although we will take a person’s number and call them back, many of the above institutions, particularly vital Government agencies such as Centrelink, offer no such service which could result in significant call costs to the consumer. For those with only a mobile phone, the information

provided by the phone number is irrelevant.

The following are some institutions that members call on a regular basis with which 1800, 1300 or 13 numbers make information and assistance more accessible:

Centrelink; Medicare; Independent Pricing & Regulatory Tribunal NSW (to use their energy comparator service); Department of Veterans Affairs; Welfare Rights; Housing NSW; ombudsman offices; banks; utility retailers; telecommunication companies; legal services; tenant advisory services; home care services.

It is therefore important that 1800, 1300 and 13 numbers are maintained as they inform our members that such calls are untimed and affordable.

### **People living in regional and remote areas**

*“Remote communities give up ringing anyone because they have limited credit”*

– Francie Hogan, Anglicare Darwin, Financial Counsellor.

Although many people based in regional and remote areas have landlines in their home, they still need to make essential 1800, 1300 and 13 numbers from their mobile phones. The NSW Farmer’s Association has told ACCAN that:

*“Farmers like anyone else find it difficult to pay these high rates. Unlike those in the city who are less likely to have a fixed line service, some farmers may be on smaller plans as they may use their mobiles for more essential uses. For this reason they may not have the ‘unlimited talk’ style plans that would make someone less likely to worry about the cost of these types of calls. Furthermore, quite often those outside cities will not have the ability to use services such as pay phones or their home phone as they are out working.”*

Regional and remote communities rely on phone services more often as offices are less likely to be physically based near them. Many will have to call government, health or social service 1800, 1300 and 13 numbers more often because of this. When they can’t make calls due to cost they incur other expenses as they have to travel to contact essential services [see box eight].

As other comments and case studies have demonstrated, consumers who have multiple vulnerabilities are increasingly likely to experience detriment from an inability to contact 1800, 1300 and 13 numbers at cheap or free rates. Comments from the Isolated Children’s Parents’ Association demonstrate this in relation to young people from regional and remote areas [see box nine].

#### **Box eight: Other expenses incurred by remote consumers when a 1800, 1300 and 13 call can’t be made.**

Ms C is an emergency relief worker in rural Western Australia. She works with clients from low-income backgrounds each day. Many of these people do not have vehicles and rely on taxis as there is no public transport in town. A lot of her clients have prepaid mobile phones

and regularly comment that they are unable to ring Centrelink, utilities, banks, financial counsellors or other essential services as they run out of pre-paid phone credit too quickly. Ms C believes that if charges to 1800/1300 numbers were low cost or free from mobile phones it would make it a lot easier for her clients to conduct their affairs and save a lot of taxi fares visiting Centrelink and other services.

*Source: Case study collected by ACCAN.*

### **Box nine: Comments from the Isolated Children's Parents' Association (ICPA)**

Many young people from regional and remote areas move away from the family home to complete secondary and tertiary education. These young people are less likely to have access to a landline phone and are forced to call 1800, 1300 and 13 numbers from their mobile and incur per minute charges. These young people often need to call government services that use '13' numbers like Centrelink to make arrangements for Youth Allowance and Rent Assistance payments.

ICPA is aware of situations where young people completing distance education courses are charged for calls to their teachers that would be free or low cost from a landline. A number of young people in regional or remote communities complete distance education courses when a specific subject is not available for study at a local school. Many of these distance education services give students a 1800 or 13/1300 number to contact a teacher if they need assistance with their work. Young people in regional and remote communities are living in a variety of housing situations and not all have access to a landline after school hours – these young people have to pay to call an education service that would otherwise be free when they use their mobile phone.

Another example following on from the above is that some students are undertaking distance education subjects delivered over the internet that are held outside 'regular' school hours as, due to timetabling issues, the subjects cannot be scheduled within the usual school day. If a student requires technology assistance - e.g. to log in, assistance with technology problems during a lesson - most of the help services have a 1800 number to ring. If the student is back at accommodation and relying on a mobile, the call charge depends on the length of a call and may be quite high as technicians work through solutions.

### **Young people**

Young people rely on mobile phones. 77% of 14-17 year olds and 88% of 18 -24 year olds have a mobile phone. 32% of 18 to 24 year olds do not have a landline in the home, this number spikes to 50% for young people who are living in a shared household or boarding situation away from the parental home.<sup>44</sup>

Access to 1800, 1300 and 13 numbers is a major issue for young consumers. The national peak body for youth affairs, the Australian Youth Affairs Coalition (AYAC), and the National

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<sup>44</sup> *Take-up and use of voice services by Australian consumers*, p8, 22.

Union of Students (NUS) Queensland branch have endorsed ACCAN's **Fair Calls For All** campaign.

Because of their high reliance on mobile phones, all calls to 1800, 1300 and 13 numbers are potentially costly to young people. There are certain numbers that are especially important for this group, many of which are connected to government or essential services. Young people who receive Youth Allowance and Rent Assistance payments need to be in regular contact with Centrelink. Even if they have a landline in the home, young people may still rely on their mobile phone to call government numbers as they will not be home during business hours to use their landline [see box ten].

A high percentage of calls to youth focused helplines come from mobile phones. Boystown is a non-profit organisation that assists disadvantaged children and young people. As part of their remit they run the Kids Helpline, a national telephone counselling service for young people that is provided on a 1800 number. They have been raising the issue of the cost of calling 1800 numbers from mobiles in their own work for some time. There has been a consistent rise in the number of young people who contact Kids Helpline from mobile phones, from 39% in 2005 to 69% of total calls in 2010.<sup>45</sup> Boystown estimates that children and young people paid telecommunications providers more than \$1.5 million from mobile phone calls to Kids Helpline in 2009.<sup>46</sup>

The issue of youth access to crisis telephone services has been raised in multiple forums. On 20 June 2011 the Joint Select Committee on Cyber-Safety released its interim report 'High-Wire Act, Cyber-Safety and the Young' which recommended:

*That the Minister for Broadband, Communications and the Digital Economy negotiate with mobile phone companies to increase affordable access to crisis help lines, with a view to ensuring greater accessibility by young people seeking assistance<sup>47</sup>.*

#### **Box ten: Case study: students contacting Centrelink from mobile phones.**

Ms A moved from Newcastle to Sydney at 19 to attend University. She declared herself independent and claimed Youth Allowance; this was her primary source of income. Ms A lived in shared accommodation with friends and did not have access to a landline. She used her mobile phone every time she needed to call Centrelink. Ms A lived in Newtown; her closest Centrelink office was in Leichardt. As someone new to Sydney, she called rather than travelled to the Centrelink office because of the difficulty she had navigating the Sydney bus system.

Ms A was on a post-paid mobile contract but 13 and 1300 numbers were not included in her package. She found that calls to Centrelink added a great deal to her phone bill, particularly because the calls involved extensive waiting times. After two years, Ms A moved into a

<sup>45</sup> Boystown, *Inquiry into the mental health and wellbeing of children and young people*, 2010, Accessed 30 June 2011: <http://www.boystown.com.au/downloads/rep/BT-Response-Inquiry-into-the-mental-health-and-wellbeing-of-children-and-young-people.pdf> p 13.

<sup>46</sup> *Ibid*, p 14.

<sup>47</sup> Joint Select Committee on Cyber-Safety, *High-Wire Act, Cyber-Safety and the Young*, June 2011. Accessed 1 July 2011: <http://www.aph.gov.au/house/committee/jscc/report/fullreport.pdf> p 438.

share house that had a landline in order to access the internet. Ms A still didn't use the landline phone because she wasn't home during business hours. Her lifestyle was mobile and she relied on the mobile phone.

*Source: Case study collected by ACCAN.*

## Women

*“Our Centre provides 24/7 telephone crisis support to anyone in Australia who needs assistance as a result of sexual assault or domestic violence. It is essential that our clients can contact us. For many, reduced access to services may mean further violence and sometimes injury or death. This could be an appalling outcome just because someone does not have credit on their phone.”*

- Karen Willis, Executive Officer of NSW Rape Crisis Centre

On 29 April 2009 the Australian Government released Time for Action, the major report of the National Council to Reduce Violence against Women and their Children.<sup>48</sup> Telephone services on 1800 numbers play a vital role in the plan to reduce violence against women and children but mobile calls add an additional barrier to people who are seeking help.<sup>49</sup>

A significant number of women's focused organisations have endorsed the **Fair Calls For All** campaign because of the difficulty women face in accessing domestic violence, sexual assault and rape crisis services that are offered on 1800, 1300 and 13 numbers. Organisations include the Women's Activities and Self Help House (The WASH House) Inc, Women's Legal Services NSW, Northern Rivers Women's Domestic Violence Court Advocacy Service, Ngunga Women's Resource Centre, NSW Rape Crisis Centre and the Blacktown Women's and Girl's Healthcare Centre. Many of these organisations run a service from a FLRN or frequently refer clients to 1800, 1300 and 13 numbers. They have pointed out to ACCAN that women who experience domestic violence are frequently unable to make calls for assistance in the home as it is not a safe place to have those discussions. These women may need to call a variety of 1800, 1300 and 13 numbers that are linked to counselling services, financial assistance, housing assistance (for them and their children) and legal advice.

### **Box eleven: Comment from Helen Campbell, Executive Officer of Women's Legal Services NSW**

Women who are facing difficulties due to relationship breakdown, lack of funds and homelessness are often directed to helplines and phone advice services that have 1800 or 13 numbers. These are supposed to provide an affordable call from any distance. But only from a fixed line. Calls to 1800 and 13 numbers are not cheap calls from a mobile phone, they can cost anywhere between 22 cents to \$1.78 per minute. If all you have is a mobile phone, and maybe also have limited pre-paid credit, you can't afford these calls, especially if

<sup>48</sup> The National Council to Reduce Violence against Women and their Children, *Time for Action: The National Council's Plan for Australia to Reduce Violence against Women and their Children 2009 - 2021*, March 2009. Accessed 1 July 2011:

[http://www.nswrapecrisis.com.au/LatestNews/National\\_Plan/National\\_Plan.htm](http://www.nswrapecrisis.com.au/LatestNews/National_Plan/National_Plan.htm)

<sup>49</sup> *Ibid*, p 89, 166.

you have to wait in a queue before getting through.

At Women's Legal Services NSW we provide free legal advice by telephone to women throughout NSW. We need to provide services that are genuinely accessible, and without an affordable phone service for women who only have a mobile phone we are not reaching our most disadvantaged clients. That is why we have joined the campaign **Fair Calls For All**.

### **People who identify as Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI)**

There are many services used by, particularly young, LGBTI groups that are charged at high rates when called from a mobile phone but are free from a landline. High rates of self-harm and suicidal thoughts in same-sex attracted young people have been linked to persistent harassment and violence they often face.<sup>50</sup>

For a lot of young people who are struggling with important questions about their sexuality and gender the safest way to get help is via an anonymous phone counselling line. In order to make this kind of call a young person will need a safe, private place – not a landline placed in the middle of the family home but a mobile phone. A forty-minute mobile call to the Gay and Lesbian Counselling Service (NSW) 1800 184 527 line is likely to be complex and long and, if called from a mobile, very expensive.

### **People who experience homelessness**

ACCAN is concerned that the ACMA Numbering Plan consumer research has not captured the needs and perceptions of consumers who are experiencing homelessness. This is a group of consumers who do not have access to landline phones for obvious reasons and could not be included in the quantitative stage of the survey conducted via random digit dialling to landline phones. It is extremely unlikely that homeless people were captured in the additional 300 interviews with consumers who have a mobile phone but no landline.<sup>51</sup> These consumers were sourced from the Roy Morgan Single Source database which initially recruits participants from a door to door establishment survey.<sup>52</sup>

While the number of Australians who experience homelessness on any given night may be relatively small compared to other population segments, this is a group for who mobile communications can be essential [see boxes twelve and thirteen].

### **Box twelve: Case study – homelessness and access to essential services via 1800, 1300 and 13 numbers.**

Mr. K experienced homelessness on and off from the age of 14 into his 40's. Most recently he was homeless from 2000 to 2005.

<sup>50</sup> Hillier, L., Turner, A., & Mitchell, A. *Writing Themselves In Again: The 2nd National Report on the Sexual Health & Wellbeing of Same-Sex Attracted Young People in Australia*, 2005. Australian Research Centre in Sex, Health & Society (ARCSHS) La Trobe University, Melbourne.

<sup>51</sup> *Numbering consultation paper 4*, p 49.

<sup>52</sup> See Roy Morgan website for an explanation of how data is sourced in Australia, Accessed 1 July 2011: [http://www.roymorgan.com/resources/pdf/factsheets/OZFactBroWeb\\_Nov\\_2010.pdf](http://www.roymorgan.com/resources/pdf/factsheets/OZFactBroWeb_Nov_2010.pdf)

During this period he used public payphones when he could but relied on his mobile phone. He needed to regularly make telephone contact with the Salvation Army and other support services. Important services offered on 1800, 1300 and 13 numbers for Mr. K included suicide prevention helplines, drug and alcohol helplines and government services including Centrelink. After making a few phone calls to these numbers from his mobile, Mr. K realised how expensive they were and stopped calling all together. Not being able to easily access these services placed a real barrier to his ability to access housing or services that could have genuinely assisted.

*“I had a sense of real hopelessness, not being able to reach out”*

*Source: Case study taken by ACCAN*

### **Box thirteen: Comments from Homelessness Australia**

Certain groups including people experiencing homelessness are (self-evidently) unlikely to have access to a landline but more likely to need to contact essential government or social services such as Centrelink or a mental health support line. All Australians need to contact essential services and are not always able to do so using a landline. It could be argued that people experiencing homelessness are even more reliant on a mobile phone, and may be more likely to need assistance for safety, health and other reasons. According to the 2006 Census, 105,000 Australians are homeless on any given night. Governments at all levels are increasingly relying on internet and telephone contact (rather than what would once have been face to face contact). The increased focus on the use of telephones is not without its problems. Calls to Centrelink and Medicare, for example, are charged at a higher rate from mobile phones. More and more people do not have landlines and rely on pre-paid mobiles to keep costs in check. NewStart and Youth Allowance recipients do not receive any financial assistance to meet these communication costs.

Homelessness Australia is extremely concerned that some people may be on hold and their precious pre-paid dollars are slipping away without even engaging with the agency they have called. This is quite clearly placing these already vulnerable consumers at even greater disadvantage and risk.

### **A comment on small business use of 1800, 1300 and 13 numbers**

The ACMA research found that only 3-5% of surveyed SMEs promoted a FLRN for business purposes.<sup>53</sup> Because of the nature of these numbers, ACCAN suspects that they are more important to particular business types. ACCAN has consulted with Alltel, a telecommunications service provider that offers 1800, 1300 and 13 services to businesses and is a formal supporter of the **Fair Calls For All** campaign to get a sense of how businesses, including SMEs, use FLRNs [see box fourteen].

The ACMA should take into account that all organisations that own and operate 1800, 1300 and 13 numbers pay to do so. ACCAN has found that in many cases these organisations pay a monthly fee to run their FLRN and are charged to receive incoming calls. They are

<sup>53</sup> *Numbering consultation paper 4*, p 32.

frequently charged more to receive mobile calls. The Optus Access 1300 and the Free Access 1800 service for businesses charges different rates to receive local calls and mobile calls.<sup>54</sup> We have found evidence of other business service providers offering different rates to receive local, STD and mobile calls. [See box fifteen].

ACCAN is not privy to all arrangements businesses have with the telecommunications provider that runs their 1800, 1300 or 13 service, particularly larger organisations that may negotiate independent contracts. However, from our preliminary investigations, it does appear that FLRN owners pay more to receive mobile calls to 1800, 1300 and 13 numbers.

We must ask ‘why are businesses paying more to receive these calls while consumers are also paying to make them?’. From ACCAN’s perspective, this seems to be a case where the telecommunications industry is ‘double-dipping’ on fees.

**Box fourteen: Comment provided from Alltel regarding business use of 1800, 1300 and 13 numbers**

There seems to be a bit of confusion about exactly how these numbers work, why businesses use them, how much they cost, and who pays what. 13, 1300 and 1800 numbers (also called inbound numbers) are “virtual” in that they aren’t tied to any one specific phone in the same way that regular landline or mobile numbers are. Instead, businesses route these numbers to “answer points” which can include landlines, mobile phones, fax machines, and call answering services.

With routing, national businesses can advertise a single number Australia-wide. Incoming calls can then be routed based on the location of the caller (e.g. calls originating from Victoria can be routed to the Melbourne office, and those from NSW can be routed to Sydney). Calls can also be routed depending on things like time of day (e.g. route to an answering service outside of regular office hours). Plus you can route calls to a second number if your first answer point is busy or not answering.

Because most businesses route their inbound numbers to multiple answer points, they usually aren’t able to provide a single landline number to call as an alternative. Businesses use inbound numbers to make it easier for customers to contact them. The routing options help to put customers in touch with their local office and to ensure that calls are answered outside of regular business hours. The low-cost of calling these numbers also helps to encourage customers who may hesitate before dialling a mobile or long distance number. When dialled from a landline, a 1800 number is a free call and a 13 or 1300 number is the cost of a local call. And because these numbers are virtual, businesses can move them from office to office as they grow: keeping the same number for the life of the business. Businesses pay a monthly fee for their number. They also pay for incoming calls. For 1800

<sup>54</sup> See Optus website: terms and conditions. 1. Optus Access 1300 services are subject to a Local call rate of first 15 minutes free after which \$0.088 per minute rate applies. Optus Free Access 1800 services are subject to a Local call rate of \$0.088 per minute. 2. Optus Access 1300 & Optus Free Access 1800 services are subject to a Mobile call rate of \$0.165 per minute for calls originating from or terminating on an Australian GSM mobile number. Accessed 1 July 2011: [http://smb.optus.com.au/web/ocaportal.portal?\\_nfpb=true&\\_pageLabel=Template\\_wRHS&FP=/smallbusiness/telephony/130013and1800numbers&site=smallbusiness](http://smb.optus.com.au/web/ocaportal.portal?_nfpb=true&_pageLabel=Template_wRHS&FP=/smallbusiness/telephony/130013and1800numbers&site=smallbusiness)



numbers, the business pays the full cost of the call. For 1300 numbers, they typically receive a set number of “free” minutes for local calls from landlines before being charged. For long-distance or calls from mobiles, the business pays for the full call.

Callers pay different amounts depending on how they dial. From a landline, a 1800 number is a free call and a 1300 number is the cost of a local call (typically 25-30¢). From a mobile, what you pay depends on how much your mobile carrier decides to charge.

When you think that businesses are already paying for the cost of these calls through their monthly fees and individual call costs, it’s hard to understand how some mobile carriers justify the high rates they charge.

By charging higher rates for 1300 and 1800 numbers, mobile carriers are hurting the businesses who are trying to do the right thing for their customers. They’re also charging their own customers a premium to use a service that has already been paid for.

**Box fifteen: FYI Telco, rates businesses pay to receive local, STD and mobile calls on a 1800 number<sup>55</sup>**

**STEP 1: Select From Any Of The 1800 Service Plans Below:**

**Rates For Start-up Businesses:**

Select From Plan Number Below	<b>Bonus: No Monthly Rental</b>	<b>Bonus: Free Signup Credit</b>	Minimum Monthly Call Spend	<b>Bonus: Monthly Calls Included</b>	Callers From A Local Landline (per min)	Callers From STD (per min)	Callers From Mobile Phones (per min)	Calls Diverted To Your Mobile Phone (per min)
FYI-05	\$0	\$2.50	\$5	\$5	10c	17c	17c	44c
FYI-10	\$0	\$5	\$10	\$10	9c	16c	16c	43c
FYI-15	\$0	\$5	\$15	\$15	8.75c	15.9	15.9	42c
FYI-20	\$0	\$5	\$20	\$20	8.5c	15.8c	15.8	40c

**Rates For Higher Volume Businesses:**

Select From Plan Number Below	<b>Bonus: No Monthly Rental</b>	<b>Bonus: Free Signup Credit</b>	Minimum Monthly Call Spend	<b>Bonus: Monthly Calls Included</b>	Callers From A Local Landline (per min)	Callers From STD (per min)	Callers From Mobile Phones (per min)	Calls Diverted To Your Mobile Phone (per min)
FYI-25	\$0	\$10	\$25	\$25	8.25c	15.7c	15.7c	39c
FYI-35	\$0	\$10	\$35	\$35	8c	15.6c	15.6c	38c
FYI-50	\$0	\$10	\$50	\$50	7c	10.5c	15.5c	37.3c
FYI-75	\$0	\$10	\$75	\$75	6.95c	10.4c	15.4c	37.2c
FYI-100	\$0	\$10	\$100	\$100	6.9c	10.3c	15.3c	37.1c
FYI-125	\$0	\$20	\$125	\$125	6.85c	10c	15c	37c
FYI-150	\$0	\$20	\$150	\$150	6.8c	9.9c	14.9c	36.9c
FYI-175	\$0	\$20	\$175	\$175	6.75c	9.8c	14.8c	36.8c
FYI-200	\$0	\$20	\$200	\$200	6.7c	9.7c	14.7c	36.7c
FYI-225	\$0	\$30	\$225	\$225	6.65c	9.6c	14.6c	36.6c
FYI-250	\$0	\$30	\$250	\$250	6.6c	9.5c	14.5c	36.5c
FYI-275	\$0	\$30	\$275	\$275	6.55c	9.4c	14.4c	36.4c
FYI-300	\$0	\$30	\$300	\$300	6.5c	9.3c	14.3c	36.3c
FYI-325	\$0	\$40	\$325	\$325	6.45c	9.2c	14.2c	36.2c
FYI-350	\$0	\$40	\$355	\$350	6.4c	9.1c	14.1c	36.1c
FYI-375	\$0	\$40	\$375	\$375	6.35c	9c	14c	36c
FYI-400+	\$0	\$40	\$400	\$400	6.3c	8.9c	13.9c	35.9c

Bonus SignUp Credit not available to existing customers. Minimum call spend not used cannot be credited to next month.

<sup>55</sup> Image taken from screenshot of <http://www.fyitelco.com.au/1800Numbers.php> Accessed 1 July 2011.

### 3.3 Concluding remarks: Why consumers and businesses need a 1800, 1300 and 13 number charging system that provides Fair Calls For All

Mobile service providers and government groups have approached the problem of charges for mobile calls to essential 1800, 1300 and 13 numbers as though it is an issue isolated to a handful of numbers. On 29 June 2011 Mark Butler, the Federal Minister for Mental Health and Aging, announced that the government had worked with the mobile telecommunications industry to 'free-rate' mobile calls to Lifeline, an important crisis counselling telephone line. The announcement mentioned that this was a 'unique' arrangement.<sup>56</sup>

Mobile service providers have also individually chosen a handful of numbers that make free to call from mobile phones on their network. Optus allows its mobile customers to call Kids Helpline for free while Vodafone has chosen nine numbers that their customers can access for free rates.<sup>57</sup> These initiatives recognise the difficulty people have in calling essential services on 1800, 1300 and 13 numbers.

We applaud these initial efforts but they are a drop in the ocean in terms of what really needs to be achieved. As has been demonstrated, different groups of consumers value different 1800, 1300 and 13 numbers. For one consumer access to a mental health helpline will be essential, another will need to contact a utility company in a time of financial hardship, another will use these numbers to access domestic violence crisis, legal aid or government assistance services. There are nearly 250 000 FLRNs and each consumer will have a different need. ACCAN's research has only scratched the surface, there are further examples of essential and important 1800, 1300 and 13 numbers that all consumers need to contact, from road side assistance to travel information lines. The current approach of free rating a handful of national numbers is an inadequate response that ignores the overall problem.

Regardless of the relative importance of these numbers to the consumers who use them, businesses are paying to receive each call and it appears they are appearing more to receive mobile calls. This system of 'double-dipping' cannot be justified. 1800, 1300 and 13 numbers need to be charged at the same rates from landlines and mobile phones. The ACMA should be doing all within its power as telecommunications regulator to ensure that these numbers work well for consumers and businesses.

## 4. Directory assistance and privacy concerns

There is confusion amongst consumers not just about the cost of calling directory assistance services but also the types of services available. Over half of respondents in the ACMA research could not state how much a call to a directory service would cost and 62% of respondents either didn't know or incorrectly thought that the directory assistance number

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<sup>56</sup> DBCDE, *No charge for mobile phone calls to Lifeline from anywhere in Australia*, 28 June 2011, Accessed 1 July 2011: [http://www.minister.dbcde.gov.au/media/media\\_releases/2011/208](http://www.minister.dbcde.gov.au/media/media_releases/2011/208)

<sup>57</sup> See Vodafone website, Accessed 1 July 2011: <http://www.vodafone.com.au/personal/aboutvodafone/corporateresponsibility/News/index.htm>

would change when they changed providers.<sup>58</sup> The 2009 Consumers Telecommunications Network (CTN) members' survey that found 71% of respondents were not aware of difference between the 1223 and 1234 directory assistance services.<sup>59</sup>

As the 1223, 1225 and 1234 numbers are shared between providers in order to increase consumer awareness about these services, ACCAN would support a uniform approach to charging and price information to further lessen consumer confusion.

Regardless of the price information arrangements that are put in place for these shared numbers, the ACMA needs to take an active role in consumer education. Service providers that offer premium-directory services for higher charges have little business incentive to advertise another service with lower rates.

**Recommendation eight:**

- **That the ACMA develop a simple consumer education tool to explain the differences between 1223, 1225 and 1234 directory assistance services. This tool should be actively promoted beyond the ACMA website.**

The primary problem ACCAN sees with the current opt-out fixed-line directory listing system is the cost consumers incur when opting-out. Comments made to ACCAN suggest that regular charges incurred to opt-out of a directory listing is a barrier for some consumers. Many consumers want to opt-out of public directory listings because of pressing personal reasons. The need to have a silent number can be exceptionally important to people experiencing harassment or domestic violence. There are also concerns that consumers are being charged too much for an unlisted number [see boxes sixteen and seventeen]. Charging for unlisted numbers has been comprehensively addressed by community organisations; see the Australian Privacy Foundations 2006 submission for further detail.<sup>60</sup>

*"There are many reasons why clients need a silent number. Domestic violence is a major risk. Many people who need a silent number cannot afford a monthly charge."*

- Comment from the Consumer Credit Legal Centre NSW.

ACCAN would not support an opt-out directory listing system for mobile numbers. ACMA research suggests that consumers would be uncomfortable with mobile phone numbers being made public in an opt-out system. A mobile is viewed as an intensely personal item and is not usually shared with other household members whereas landlines are often shared.<sup>61</sup>

**Recommendation nine:**

- **That the ACMA works towards eliminating or significantly reducing the cost for consumers to opt-out of directory listings (obtain a 'silent number').**

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<sup>58</sup> *Numbering consultation paper 4*, p 35.

<sup>59</sup> Consumers Telecommunications Network, *Membership survey report 2009: shared numbers*, November 2009. Accessed 29 June 2011:

[http://www.acma.gov.au/webwr/assets/main/lib310868/ctn\\_response\\_to\\_ifc11-2009.pdf](http://www.acma.gov.au/webwr/assets/main/lib310868/ctn_response_to_ifc11-2009.pdf)

<sup>60</sup> Australian Privacy Foundation, *Charging for unlisted number (Silent Lines): Australian Privacy Foundation Analysis and Submission to Privacy Commissioner, TIO, ACMA and ACCC*, April 2006.

Accessed 1 July 2011: [www.privacy.org.au/Papers/Silent-Line-v5.rtf](http://www.privacy.org.au/Papers/Silent-Line-v5.rtf)

<sup>61</sup> *Numbering consultation paper 4*, p 51.

**Box sixteen: Comment from Vision Australia, difficulty blind and vision-impaired consumers experience when opting-out of directory listing.**

Some of our clients choose to have a private number because they are unable to use the visual Calling Number Display facilities that are now standard on most landline phones, and they feel that a private number will provide some limited way of screening incoming calls. Other clients choose to have a private number for the same reasons that apply generally, for example, not wanting to be contacted by specific people or organisations; reducing the incidence of nuisance calls. Regardless of the reason, the monthly cost does present a barrier to many of our clients. While \$2.93 per month might seem a small cost in absolute terms, it is just another of the many costs that our clients have to meet in addition to the significant non-optional costs that they incur as the result of their disability. We find it hard to believe that the \$2.93 charge actually represents the cost of providing the private number, but even if it does, we believe that this charge should be waived for people who are blind or have low vision.

**Box seventeen: Comment from a consumer – the right to a private line**

*ACCAN received the following comments directly from a consumer who felt it was unfair that they were charged a monthly fee for a silent number.*

My understanding... is that all that is required to implement a customer's basic right to privacy is for the carrier to select an opt-out field in a database. This does not seem right that Optus and Dodo are allowed to charge so much for keeping my private contact details out of the public domain, and for something that doesn't apparently require much ongoing work. Privacy is a right and should not be a luxury.

Most people probably would not choose to pay any money at all if it wasn't for some kind of security scare or identity theft scare causing them to feel they need their privacy, so it is not really an optional service.

Although the fee may be affordable today, someone's situation could change when they become a pensioner for example, whereby the extra \$2.93 [this is the amount this consumer currently pays Dodo to maintain her silent line] does make a big impact on their budget. Again, it isn't all about affordability (today or tomorrow); some of it is just about the principle of having to pay for something that 'should' be free (or possibly cost recovery only).

## 5. Porting numbers and local-call charging

Please see previous submissions made by ACCAN which stress the importance of maintaining local call arrangements for fixed-line phones.<sup>62</sup> ACCAN questions the ACMA's finding that the majority of consumers would prefer to keep the same fixed-line number if

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<sup>62</sup> ACCAN, *Submission to the discussion paper on the geographic numbering amendments*, April 2010.

Accessed 1 July 2011:

<http://accan.org.au/files/Submissions/ACCAN%20Submission%20to%20the%20ACMA%20re%20Geographic%20numbering%20amendments%20FINAL.pdf> and *Structure of Australia's telephone numbering plan*.



they moved rather than be able to identify the geographic area of a number.<sup>63</sup> Untimed local calls are widely used and valued by consumers.<sup>64</sup> When consumers were asked if they would like to keep the same landline phone number when they moved, it was not made clear that if the Standard Zone Units (SZU) that define local-call boundaries were abolished that an untimed local-call would no longer be possible.<sup>65</sup> We believe that the statistics would be significantly different if consumers were given a choice between the right of untimed local-calls and taking a fixed-line number with them when they moved.

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<sup>63</sup> *Numbering consultation paper 4*, p 42.

<sup>64</sup> *Ibid*, p108.

<sup>65</sup> See quantitative survey question 41, *Ibid*, p 112.

# Summary of recommendations

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- 1. In its review of the Numbering Plan that the ACMA considers how numbering resources and regulation can facilitate social inclusion and achieve broad social goals, including the promotion and protection of human rights**
- 2. Any implications drawn from the Numbering Plan consumer research are considered alongside the ACMA's Reconnecting the Customer draft public inquiry report and accompanying research that demonstrates the difficulty consumers have in determining call cost and the reasons for this.**
- 3. That the ACMA carefully consider any changes to the Numbering Plan in the context of likely changes to the telecommunications industry as proposed in the Reconnecting the Customer inquiry report.**
- 4. That the ACMA investigates the impact of changing the charging system for 1800, 1300 and 13 calls from mobile phones, focusing on the impact this would have on consumers, businesses, charitable organisations, government bodies and telecommunications service providers.**
- 5. The ACMA should look to the UK regulator's recent report, 'Simplifying Non-Geographic Numbers' for guidance on this research. Research should involve modelling different change scenarios and cover the effect of any change to: transparency and consumer price awareness; price; service quality, variety and information; access to socially important services; and the regulatory burden involved in enforcing any change.**
- 6. This research should also cover information gathering requests made by ACCAN in previous submissions. Specifically the ACMA exercise its information gathering powers to identify the changing nature of traffic being directed to freephone and local rate numbers. All organisations that provide 13/1300/1800 numbers should disclose the proportion of calls (by number and duration) directed to freephone and local rate numbers from geographic and mobile numbers and the net revenue from these calls for each of the last three completed financial years.**
- 7. ACCAN urges the ACMA to support the aims of the 'Fair Calls For All' campaign by encouraging Telstra, Optus, Vodafone and the wider telecommunications industry to change revenue sharing arrangements for mobile calls to 1800, 1300 and 13 numbers. If mobile service providers and the Communications Alliance continue to avoid this issue ACCAN strongly recommends that the ACMA takes decisive regulatory action.**
- 8. That the ACMA develop a simple consumer education tool to explain the differences between 1223, 1225 and 1234 directory assistance services. This tool should be actively promoted beyond the ACMA website**



9. That the ACMA works towards eliminating or significantly reducing the cost for consumers to opt-out of directory listings (obtain a 'silent number').

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# Attachment one

## Financial Counselling Australia: Survey results

On Thursday, 19<sup>th</sup> May ACCAN issued a survey to the attendees of the Financial Counselling Australia (FCA) conference. 63 responses were received from financial counsellors who work in every corner of Australia, many from remote and regional areas. They work with thousands of clients each year who are experiencing financial hardship. While not all clients would be classed as 'low-income earners', they are all suffering financial hardship and many are referred to a financial counselling service from other welfare agencies.

### Questionnaire:

Name	
Organisation	
Position	
Email	
Mark this box to receive monthly campaign updates by email (your contact details will not be provided to any third party) <input type="checkbox"/>	
Have you worked with clients who have had difficulty contacting services that use 1800, 1300 and 13 numbers because of mobile call cost?	Yes <input type="checkbox"/> No <input type="checkbox"/>
How regularly do you see clients with this difficulty (approximately)? Once a day or more <input type="checkbox"/> Every few days <input type="checkbox"/> Once a week <input type="checkbox"/> Once a month <input type="checkbox"/> Rarely <input type="checkbox"/> Never <input type="checkbox"/>	
Which age group are these clients more likely to belong to (on average)? Under 18 <input type="checkbox"/> 18 – 25 <input type="checkbox"/> 25 – 35 <input type="checkbox"/> 35 – 45 <input type="checkbox"/> 45 – 55 <input type="checkbox"/> 55+ <input type="checkbox"/>	
What are three of the most important 1800, 1300 or 13 numbers your clients need to call (e.g. government departments, utilities, services or businesses)?	
Can you recall a case where a client experienced particular difficulty or hardship because of charges for 1800, 1300 or 13 calls from a mobile?	
Any further comments:	
Comments will be used to support ACCAN's Fair Calls For All campaign. Please tick this box if you would like your comments to remain anonymous <input type="checkbox"/>	

**Answers to quantitative questions:**

Total surveys: 63

Have you worked with clients who have had difficulty contacting services that use 18/1300 numbers because of mobile call cost?

Yes	62
No	1

How regularly do you see clients with this difficulty (approximately)?

Once a day	20
Every few days	29
once a week	4
once a month	6
Rarely	2
Never	1
Not answered	1
TOTAL	63

Which age group are these clients more likely to belong to (on average)?

Under 18	2
18-25	10
25-35	8
35-45	15
45-55	5
55+	1
All ages	22
TOTAL	63

What are three of the most important 1800, 1300 or 13 numbers your clients need to call (e.g. government departments, utilities, services or businesses)?

Open answered question received a variety of results, broken down into broad general categories the responses fit as so, each

Telcos	14
Govt	39
Utilities	42
Services	17
Charities	12
All	2
Medical services	3
Ombudsman's	2
Businesses generally	5

## Attachment two

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Ms Teresa Corbin  
Chief Executive Officer  
Australian Communications Consumer Action Network (ACCAN)  
Suite 402, Level 4, 55 Mountain Street  
Ultimo NSW 2007

Dear Ms Corbin

### **Support from the NSW Legal Assistance Forum for the Fair Calls For All campaign**

I am writing to you on behalf of the NSW Legal Assistance Forum (NLAf) to offer support for the ACCAN 'Fair Calls for All' Campaign.

NLAf is an interagency forum that brings together key legal service providers across government, non government and private sectors. NLAf aims to facilitate access to justice for socially and economically disadvantaged people by:

- improving the way services and programs are designed and delivered;
- promoting cooperative arrangements and collaboration between organisations within the community and justice sectors; and
- promoting the development of innovative ways of servicing marginalised groups in the community, based on relevant research and identified gaps in existing legal services.

NLAf members include:

- Legal Aid NSW;
- Community Legal Centres NSW Inc;
- The Aboriginal Legal Service (NSW /ACT) Limited;
- LawAccess NSW;
- the Department of Attorney General and Justice;
- the Law and Justice Foundation of NSW;
- the Public Interest Advocacy Centre;
- the Public Interest Law Clearing House NSW;
- the NSW Bar Association;
- the Law Society of NSW; and
- the Legal Information Access Centre, State Library of NSW.

Further information about the work of NLAf is available at [www.nlaf.org.au](http://www.nlaf.org.au).

NLAf is concerned about the current pricing structure of telecommunication services—in particular, the costs associated with making phone calls from mobile phones to 1800, 1300 and 13 numbers. A number of NLAf members provide legal assistance to disadvantaged people. Many of these legal service providers operate freephone (1800) or local-rate (1300/13) telephone.

NLAf would support any reform that would ensure that 1800 numbers are free to call and that 1300/13 numbers are charged at a low flat rate from both mobile phones and landlines.

NLAF is aware that:

- the Australian Communications and Media Authority (ACMA) is currently conducting an inquiry into how telephone numbers are currently used and how communications services will use numbers in the future;
- ACMA has released a consultation paper and called for submissions; and
- ACCAN intends to make a submission to the ACMA Inquiry and argue that the same charging arrangements should apply to calls from both landlines and mobiles, to 1800, 1300 and 13 numbers.

NLAF can provide information about legal services in New South Wales that operate free phone and local call rate telephone numbers. Set out below is:

- a brief description of the key legal services in New South Wales that have 1800 and 1300/13 telephone numbers; and
- where possible, information about the volume of calls made to the services from mobile phones.

#### **The Aboriginal Legal Service (NSW/ACT) Limited**

The Aboriginal Legal Service (NSW/ACT) Limited (ALS) provides criminal law advice and representation for Aboriginal adults and young persons across New South Wales. The ALS also provides legal advice about child protection matters through the Children's Care and Protection Service. Legal advice is provided through a freephone telephone number: 1800 733 233.

The ALS also provides support to Aboriginal people in prison and their families through the Prisoner and Family Support Unit. This prisoner and family support service can be accessed through a freephone telephone number: 1800 826 966.

#### **LawAccess NSW**

LawAccess NSW is a free government telephone service that provides legal information, advice and referrals to people who have a legal problem in New South Wales. In particular, LawAccess provides assistance to people:

- who live in regional, rural and remote areas of NSW;
- who are Aboriginal or Torres Strait Islander;
- who have a disability;
- who are from a culturally and linguistically diverse (CALD) background; or
- who are at risk of harm.

LawAccess provides its services through a local-rate telephone number: 1300 888 529.

Further information about LawAccess can be found at: [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au).

Over the last 12 months 49,953 calls were made to LawAccess from mobile phones. This constitutes 23% of all calls made to the 1300 888 529 number during this period.

#### **Community Legal Centres NSW**

Community Legal Centres (CLCs) are independent community organisations that provide legal services to disadvantaged and marginalised people and communities.

CLCs offer a range of legal and related services to their client communities. Possible services include but are not limited to:

- information and referral;
- advice on legal matters;
- legal casework and representation in targeted areas of law;
- community legal education; and
- law reform and public policy development and advocacy.

There are 39 CLCs throughout New South Wales, employing qualified staff including solicitors, social workers and community legal educators.

Some CLCs provide legal assistance in a range of areas of the law to residents in a local catchment area. The following generalist CLCs operate telephone advice lines using 1800 or 1300/13 numbers:

- Illawarra Legal Centre (tenancy advice line);
- North and North West Community Legal Service (Armidale);
- Northern Rivers Community legal Centre (operates a general advice line and a tenancy advice line);
- Shoal Coast Community Legal Centre; and
- Western NSW Community Legal Centre (based in Dubbo);

There are other CLCs that provide legal assistance in a particular area of law on a statewide basis. The following specialist CLCs operate telephone advice lines using 1800 or 1300/13 numbers:

- Aged Care Rights Service;
- Arts Law Centre;
- Consumer Credit Legal Centre;
- Insurance Law Line (a national telephone advice service operated by Consumer Credit Legal Centre);
- Disability Discrimination Legal Centre;
- Environmental Defenders Office;
- HIV/Aids Legal Centre;
- Intellectual Disability Rights Service;
- Tenants' Union of NSW;
- Wirringa Baiya Aboriginal Women's Legal Service; and
- Women's Legal Services NSW.

## Legal Aid NSW

Legal Aid NSW is an independent statutory body that provides legal aid and other legal services to disadvantaged people in criminal, family and civil law matters.

The following legal aid services have freephone numbers:

- Legal Aid Youth Hotline - a telephone service for children and young people under 18. Criminal lawyers with expertise in juvenile justice provide legal advice to young people who have committed or are suspected of committing an offence. Legal Aid provides this service through a freephone telephone number: 1800 101 810.
- Family Law Early Intervention Service - a statewide specialist service providing free family law services in courts and community organisations in a number of locations around New South Wales. The service has a freephone number (1800 551 589) that can be used in order to find out further information about the service or to make an appointment for legal advice.
- Child Support Advice Service - provides free advice and assistance to parents who have to pay financial support for children after separation, and parents and carers who are or should be receiving financial support for children. The service can be accessed through a freephone number: 1800 451 784.

ACCAN may wish to include the information provided in this letter in its submission to the ACMA inquiry.

Please do not hesitate to contact me at Legal Aid NSW on (02) 9219 5925 or by email, [alan.kirkland@leglaid.nsw.gov.au](mailto:alan.kirkland@leglaid.nsw.gov.au) if you wish to discuss the matters raised in this letter.

Yours sincerely



Alan Kirkland  
**Chair**

29 JUN 2011

CC: Elissa Freeman, Director Policy and Campaigns  
Erin Turner, Policy Assistant

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