



# Response to Telecommunications (Emergency Call Service) Determination 2009

Submission by the Australian Communications Consumer Action Network  
to the Australian Communications and Media Authority



June 2010



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 is pleased to respond to the proposal to amend the Telecommunications (Emergency Call Service) Determination 2009 to include enhanced mobile location information for the Emergency Call Service. The mandatory use of location information provides the opportunity for all consumers to be located immediately using any mobile phone or VoIP service, in the event of an emergency. ACCAN believes that in preparation of this amendment, the Australian Communications and Media Authority (ACMA) should be mindful of ACCAN's principle of available, accessible and affordable communications for Australians.

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### **Accuracy and affordability**

The uptake of mobile phone usage and reduction in the use of landline services means that more and more people will be using their mobile phones to access a range of services, including in emergency situations. How useful are emergency services if location information provided to them is not timely? What good will the ability to use mobile phones in a variety of locations be if the caller cannot be sufficiently located by emergency services?

We believe that location information of mobile phones and Voice over Internet Protocol (VoIP) Services must be available to an Emergency Call Service (ECS). Ensuring that information is accurate is one component of an equitable emergency service. Further, while this amendment to the Determination is welcome, it must not cause financial detriment to consumers. ACCAN is aware that there is variety proposed methods to provide enhanced mobile location information. Emergency services are a critical service for all Australians. We recommend that the ACMA consider any financial detriment on consumers before choosing the proposal that will amend the Determination.

### **Safety expectation**

More than half of consumers see mobile phones as safety devices. According to research conducted in 2009 which demonstrates that 51% of people share the belief that they can be located by an emergency service through their mobile phone<sup>1</sup>. ACCAN believes that such a figure should not be dismissed or viewed as an 'unrealistic expectation'. As mobile phone usage is rapidly increasing, it is important that the regulatory approach gives a clear message that there is a responsibility on providers to deliver high quality emergency access and that this is a mandatory requirement of services in the marketplace, regardless of any perceived barriers.

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<sup>1</sup> May 2010, The Australian Communications and Media Authority, *Mobile location information: Location assisted response alternatives*, Melbourne, p.6.



Regulators and Industry should work towards meeting the safety expectations of consumers by providing mobile phones that offer immediate and accurate location information to the Emergency Call Service.

### **Temporary exemption**

Realistically, time will be needed for carriers who do not currently have commercial location-based services deployed or are not technologically ready to provide mobile location information, to make appropriate upgrades that will allow for the availability of accurate location information. To this end, ACCAN supports the provision for those carriers to request temporary exemption from providing location information. It is important that carriers undertake appropriate measures towards providing accurate location information to emergency services during this exemption period by entering a 'transition period'.

### **Transition period**

All carriers who do not have the technological means to provide mobile location information should ensure they enter into a transition period to eventually provide such information. A key responsibility of carriers should be to submit transition plans to the ACMA. Service providers who provide services that cannot offer accurate location information should notify their customers in writing and be transparent about the transition by informing customers of when location information will be available.

### **Developing location information capacity**

While it is important that carriers work towards having the technological capacity to make mobile location information available, information needs to be incorporated at the developmental stage. We understand that a top service provider recently built a replacement network which does not have the capacity to provide mobile location information to Emergency Call Services. In instances such as these, the ACMA needs to use its regulatory authority to put provisions in place that hold carriers accountable for developing networks that do not incorporate measures to allow mobile location information to be accurately distributed to the ECS.

## **Conclusion**

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The move towards making available enhanced, mobile location information for Emergency Call Services by amending the Telecommunications (Emergency Call Service) Determination 2009, is long overdue and a welcome provision to enhance the safety of consumers. However, ACCAN looks towards a day when all Australians using mobile phones can be located by an Emergency Call Service and it is the responsibility of the ACMA as primary regulator to enforce the appropriate standards on Industry to ensure this comes to fruition.