

1 December 2016

ACCAN Review
Department of Communications and the Arts
PO Box 13310, Law Courts
MELBOURNE VIC 8010
By email: ACCANreview@communications.gov.au

Consumer representative review (ACCAN)

Women's Legal Services Australia (WLSA) thanks the Department of Communications and the Arts for the opportunity to provide comment on the consumer representative in telecommunications review.

WLSA is a national network of community legal centres specialising in areas of law that disproportionately affect women and children in accessing justice due to historic and ongoing gender and other intersecting inequalities. Member centres of WLSA regularly provide advice, information, casework and legal education to women and service providers on a range of topics including family law, child protection, child support, family and domestic violence, personal protection orders, reproductive health rights and discrimination matters.

We have a particular interest in the intersection of violence against women and the law and ensuring that women from groups who are marginalised in society, such as Aboriginal and Torres Strait Islander women, women from culturally and linguistically diverse backgrounds, women with disabilities, women in regional, rural and remote areas, women from LGBTIQ communities, young women, older women and women in prison are not further disadvantaged by the system.

Throughout the lifetime of our network we have recognised the disadvantage of women living in rural, regional and remote areas to accessing legal advice and most of our services have tried to address this by the provision of a 1800 free call Statewide telephone number.

WLSA has read and endorses the submission its member organisation, Women's Legal Service NSW, has made to this inquiry. In particular we reiterate the valuable role of the Australian Communications Consumer Action Network (ACCAN) in advocating for the rights of consumers as evidenced in ensuring access to free calls to 1800 numbers from mobile numbers. Additionally, we acknowledge the importance of the ACCAN's research grants program and recommend this be retained and expanded.

Fair Calls for All

WLSA commends the Australian Communications Consumer Action Network (ACCAN) for their very effective advocacy in highlighting the importance of free calls to 1800 numbers from a mobile. The ACCAN "Fair Calls for All" campaign recognised the high number of people, including women, who only have access to a mobile phone and the importance of

ensuring these people could access important services by mobile phone without charge.

Prior to the telecommunication companies providing free calls to 1800 numbers from mobiles, WLSA members found that it was becoming increasingly difficult to provide an accessible legal service to women by way of telephone advice services. This was due in part to the increasing reliance on mobile phones by the most disadvantaged women, and the lack of access to free or low-cost calls from mobiles. This meant that disadvantaged people were deterred from placing calls to important community support and legal services for fear of incurring high fees that they could not afford. For victims/survivors of violence many services are provided through 1800 numbers – for example, free legal services, domestic violence and homelessness services to access accommodation, counselling services such as 1800 RESPECT. The implementation of Fair Calls for All was therefore a significant achievement.

Research grants

The ACCAN research grants have provided important opportunities to develop research and resources in areas of technology, including areas that particularly impact upon women and girls. Member organisation, Women's Legal Service NSW, received an ACCAN research grant for their 'Think B4 U click' project. This project identified a need to develop resources specific to Aboriginal and Torres Strait Islander communities to address the issue of cyberbullying. Building on the success of this project, Women's Legal Service NSW successfully applied for a grant from Women NSW to continue their prevention of violence against girls work in high schools with Aboriginal and Torres Strait Islander students.

Women's Legal Service NSW, along with the Domestic Violence Resource Centre Victoria and WESNET also received an ACCAN research grant for a project focused on better understanding and responding to technology-facilitated stalking and abuse. This project included a national survey of domestic violence workers to ascertain the prevalence of technology-facilitated stalking and abuse; the development of legal guides in each jurisdiction to identify existing legal remedies and identify areas for law reform; and a training component to help community workers to better support women in technology safety planning that also ensured the women continued to engage with technology.

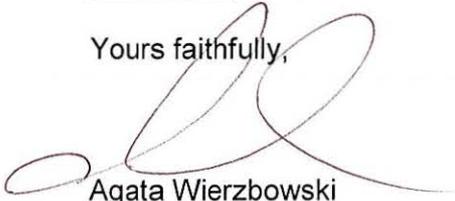
The findings of this research and analysis of laws in each jurisdiction have been used to support calls for strengthening of remedies in response to technology-facilitated stalking and abuse, including in the NSW Parliamentary Inquiry into Remedies for the Serious Invasion of Privacy; the Senate Inquiry into the phenomenon colloquially referred to as 'revenge porn'; and in response to the NSW Department of Justice Non-Consensual Sharing of Intimate Images Discussion Paper. On 5 September 2016 the NSW Attorney General announced that the NSW Government is proposing to specifically criminalise the distribution of intimate images without consent.

We believe ACCAN's research program is very valuable as it often provides non-government organisations with the relevant expertise and connection to community with the opportunity to further explore key issues relating to telecommunications which impact upon a range of target groups. Significantly, in the case of the two projects discussed above, the research grant provided an important foundation upon which further work has developed. This is important in the development of best practice.

In conclusion, we recommend that funding for the consumer representation, research and grants program of ACCAN be retained and extended.

If you would like to discuss any aspect of this submission please contact Liz Snell on 02 [REDACTED] or myself on 03 8622 0600 or via [REDACTED].

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Agata Wierzbowski', written in a cursive style. The signature starts with a large loop on the left and ends with a smaller loop on the right.

Agata Wierzbowski
National Policy Coordinator
Women's Legal Services Australia