

## Submission: Consumer representation: Review of section 593 of the *Telecommunications Act 1997* Issues paper

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Yes / ~~No~~

Date of submission

25 November 2016

Logo of organisation—if an organisation making this submission

NA (Community Group)

Name and contact details of person/organisation making submission

Mark McKenzie (Campaign Co-ordinator)



General comments

2508 Disconnected is a community group based in the Northern Illawarra Region of NSW that was formed in July 2015 in response to large scale community discontent with the provision (or rather the lack of provision) of mobile and internet services in the area.

The Group operates via a Facebook page which can be found at:

<https://www.facebook.com/2508-Disconnected-894963047243975/>

Over the past 18 months, the Group has sought and received substantial assistance from ACCAN with respect to:

- a) Assistance with the resolution of telecommunication consumer issues raised by members of the northern Illawarra community
- b) The provision of relevant and concise consumer information on the rights of telecommunications consumers in respect of internet and mobile phone services

The high quality of the consumer materials and consumer information provided by ACCAN allowed the scarce resources of our community group to be targeted correctly at the resolution of issues rather than merely wasted on the creation of white noise about yet another regional community experiencing widespread problems with poor telecommunication services.

In short, ACCAN has provided invaluable assistance to our community group over the past 18 months, which has resulted in tangible improvement in the quality of services (and reduced telecommunication complaints) within our region.

Essentially, ACCAN provided the assistance we needed for our community to help itself in respect to widespread and ongoing telecommunication issues.

## Response

### 1. Has ACCAN effectively performed the role of representing the interests of consumers in relation to telecommunications?

Yes. Our Community Group has first-hand experience with ACCAN's consumer advocacy on telecommunications issues. We believe that they have demonstrated a capacity to bring a focus on the genuine issues of community concern - as opposed to simply listening to the white noise of consumers – in manner that is highly effective.

### 2. Does ACCAN effectively engage with a broad range of stakeholders, including industry, government agencies and other consumer groups?

Our experience is somewhat limited to our engagement as a consumer group, together with our attendance at some stakeholder meetings at Parliament House in Canberra. Our perspective is that the organisation is well respected by stakeholders as being a balanced advocate for the issues of telecommunications consumers.

### 3. Considering the consumer representation role performed by ACCAN, has ACCAN adopted an appropriate balance between representation of general consumers and representation of those with particular needs?

We have been involved in some of the stakeholder forums discussing the needs of socially disadvantaged consumers and small business. At both forums, and the subsequent advocacy work, ACCAN has demonstrated a strong capacity to advocate for key consumer segments while also maintaining a good focus on the needs of telecommunications consumers in general.

### 4. Is a telecommunications specific consumer representative body funded by Government required or:

#### a) Should Government fund representation only for a body or bodies representing consumers with particular needs?

No. Telecommunications is an all pervasive consumer need that transcends segment specific interests. It is our firm belief that advancing funding to specific segments would significantly diminish the effectiveness of the telecommunications consumer lobby in championing consumer interests in the face of very large and well resourced telcos (i.e. divide and conquer basis)

#### b) Could a telecommunications representation function be carried out by a general consumer body?

No. In our experience, the needs of telecommunications consumers are content specific and our experience over the past five years is that the more general consumer bodies (e.g. State/Territory Fair Work, Choice etc) have limited knowledge and expertise. The result is that these bodies are poorly equipped to deal with the large technical teams inside the major telcos, leaving the consumers they represent at a distinct disadvantage.

c) Could Government more directly measure consumer views by undertaking its own consumer research?

No. This question pre-supposes that all ACCAN does is collate consumer views (as well as diminishing the value of quantitative data produced by the TIO and ACCC). In our view, there is a need to maintain regular, two-way dialogue with telecommunications consumers and ACCAN is an appropriate vehicle for effective management of this national dialogue.

5. Have you seen any examples of how research funded through the Independent Grants Program (IGP) has influenced Government policy or the behaviour of industry? Could changes be made to the IGP to make the funded research projects more influential?

Unfortunately, we have no experience in this area and are therefore not in a position to comment on this issue

6. Do you believe research funded through the IGP is useful to consumers? Could changes be made to the IGP to make the funded research projects more useful to consumers?

Once again, we are not in a position to comment on this matter given very limited exposure to the findings of these research projects.

7. Is it appropriate for the Government to continue to provide grants to a consumer representative group (or any other non-government body) to undertake research into telecommunications issues?

Absolutely. The conduct of consumer research by independent body that is hard-wired into the needs of consumers is essential as it introduces a degree of scope impartiality (i.e. ensures that research is progressed on a consumer need basis) that can be used to balance the often dubious research produced by industry bodies.

8. If this is appropriate, what changes (if any) would you recommend to how the funding is provided and who it is provided to?

Given that our knowledge of the current IGP process is limited, it is hard to provide any specific guidance on the areas for improvement. That said, we would hope that any process used would seek to minimise the research overheads and prioritise research projects according to a comprehensive assessment of the priorities of telecommunications consumers (with an appropriate overlay on the need to research issues that target vulnerable consumer segments)

9. Should any other activities, other than consumer representation and research, be considered for funding under section 593 of the Telco Act? If so, what should these be and what would be the rationale for funding such activities be?

Having invested more than 5 years in this area, I can say that there is an urgent need for monitoring and report of internet performance in line with the recent trial conducted by the ACCC. The absence of a minimum service standard for internet products in telecommunications contracts - coupled with the absence of consumer information on the performance of what is essentially an intangible product – means that Australian telecommunication consumers are currently at a very distinct disadvantage with respect to choosing an internet provider that is fit for purpose. Consequently, we

suggest that there is a need to procure funding for performance monitoring of internet service and public reporting of same.