

12 May 2016

The Manager, Communications Accessibility
Department of Communications and the Arts
PO Box 13310, Law Courts
MELBOURNE VIC 8010

Dear Sir/Madam

Communications accessibility: 2016 and beyond

The Telecommunications Industry Ombudsman (TIO) welcomes the opportunity to comment on the Department of Communications and the Arts' consultation paper, *Communications accessibility: 2016 and beyond* (the consultation paper).

General comments

The TIO is a free, independent external dispute resolution service for small business and residential consumers who have a complaint about their telecommunications service in Australia. In our experience, effective access to good quality communications services is very important, particularly for vulnerable consumers.

The consultation paper proposes a number of reform options with the purpose of:

- improving communications options for consumers with a disability, and
- ensuring the sustainability of the National Relay Service (NRS) as a safety net for the remainder of current contractual arrangements.

A number of the reforms scoped in the consultation paper refer to how the NRS is funded or administered. Such matters are outside the remit of the TIO and we do not comment on those.

However, we offer general comments about some key considerations on the options scoped in the consultation paper. These comments are drawn from our dispute resolution and outreach experience about accessibility issues and are on:

- the importance of the NRS and considerations for transitioning consumers to more mainstream communications options,
- accessibility options for deafblind consumers, and
- affordable access to equipment for consumers with a disability.

The importance of the NRS and considerations for transitioning consumers to more mainstream communications options

The consultation paper identifies that there are now mainstream telecommunications products that may be well suited to the needs of people with hearing and speech difficulties. Noting that a number of the options in the consultation paper anticipate less reliance on the NRS, it will be important to ensure that regular NRS users are empowered to transition to mainstream methods of communication if this is one of the outcomes of the consultation process.

The NRS has been and continues to be an important service for deaf consumers and those with a hearing or speech impairment. Close to 200,000 inbound connections

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were made to the NRS in Quarter 2, 2015-16, and more than 1.15 million outbound call minutes were relayed by the NRS over this period¹. The increased demand for the NRS in recent years, particularly the growth in use of SMS relay, video relay and captioned relay, reflects the importance of the service to its users. The importance of the NRS must also be viewed in the context of an ageing Australian population with a growing number of people who are likely to develop hearing or speech loss that are age-related².

Consumers with disabilities can face barriers not only in accessing telecommunications services, but also when seeking to communicate with their service providers about their telecommunications needs. For deaf consumers and those with hearing or speech impairments, the NRS offers an important means of communication.

The transition of consumers to more mainstream forms of communication must be well supported by suitable awareness-raising and education programmes. As highlighted in the consultation paper, improving digital literacy, communication equipment skills and building consumer confidence in using mainstream communications services will be very important. Working closely with businesses, government agencies and the providers of telecommunications carriage services may also present opportunities to ensure the smooth transition of consumers to mainstream services they may not be familiar with.

Accessibility options for deafblind consumers

Deafblind consumers already face substantial difficulties in accessing communications services and any potential transition to more mainstream communications tools would need to be carefully considered³.

A growing number of Australians are likely to develop dual sensory loss (hearing and vision loss) that is age-related⁴. Deafblind consumers find it challenging to use the NRS as the relay options available may not always suit their needs or circumstances⁵. Some deafblind consumers have to organise their own tactile interpreters in order to use the NRS. Alternative technological options that may suit deaf people or blind people respectively, may not suit deafblind people⁶.

From our outreach activities and a recent complaint to the TIO, we are aware that deafblind consumers find it difficult to communicate with their service provider using the NRS video relay service, because they also need the use of a tactile interpreter. While service providers are required to communicate with consumers who use the

¹ National Relay Service, [Quarterly Performance Report Quarter 2, 2015-16](#).

² Access Economics, [Listen Hear: The economic impact and cost of hearing loss in Australia \(2005\)](#). In 2005, one in six Australians (3.55 million) were identified as being affected by hearing loss, with this figure predicted to rise to one in four Australians by 2050.

³ A number of recommendations have been made by advocacy groups about the communication needs of the deafblind community: see for example, ACCAN and Able Australia, [Telecommunications and Deafblind Australians \(2011\)](#); and ACCAN and Able Australia, [Assisted Access: Developing a model for fair and secure access to telecommunications customer service for Deafblind Australians \(2015\)](#).

⁴ Access Economics, Penny Taylor, [Presentation on Making Sense: Report for Able Australia \(2007 updated 2010\)](#). In 2005, 1.4 per cent of Australians (288,300 people) were identified as having a dual sensory loss (hearing and vision loss), with this figure predicted to rise to 3.7 per cent of Australians (1.13 million people) by 2050.

⁵ ACCAN and Able Australia, [Telecommunications and Deafblind Australians \(2011\)](#).

⁶ ACCAN and Able Australia, [Assisted Access: Developing a model for fair and secure access to telecommunications customer service for Deafblind Australians \(2015\)](#).

NRS, some service providers impose additional authorisation requirements if the consumer seeks to use their own tactile interpreter. For the deafblind community, this poses additional barriers to access telecommunications services.

Any transition of these consumers to more mainstream forms of communication would need to be carefully managed and supported.

Affordable access to mainstream or specialised disability equipment

The affordability of communications equipment is an important factor, noting that consumers with disabilities are more likely to experience entrenched financial hardship than other consumers. Option 6 in the consultation paper considers the potential removal of the *Telecommunications (Equipment for the Disabled) Regulations 1998* (the regulations). Given the regulations were developed to assist consumers with a disability to access affordable communications equipment, it will be important to consider whether mainstream options will deliver the same or better functionality at a reasonable cost, before the regulations are removed.

Although innovative mainstream communications devices and products are likely to address some of the communication needs of consumers with disabilities, access to these devices or products may be costly or more complex. The development of more specialised equipment for consumers with specific disabilities may be similarly costly or complex.

Further information

If you require further information, please contact the TIO's Executive Director – Industry, Community & Government, David Brockman, on 03 8600 8700.

Yours sincerely



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OMBUDSMAN

