Australian Government

Department of Broadband,
Communications and the Digital Economy

Review of access to telecommunication services by people with disability, older Australians and people experiencing illness

July 2012

Contents

Executive summary

Importance of telecommunications services

Telecommunication services play a vital role in the lives of all Australians. They facilitate business, employment, community participation and social interaction. However, some people with disability find it difficult to make effective use of telecommunications services. To improve this situation, the National Relay Service (NRS) plays a significant role in assisting people who are deaf, hearing or speech impaired to communicate using the telephone.

Accessibility improvements due to advances in technology

Many technologies that can assist people who are deaf, hearing or speech impaired are now being built into general consumer devices due to communications advances. These features include:

- instant messaging
- text readers
- speech recognition
- touch screen functions
- visual alerts
- adjustable user interfaces.

The trend towards improved accessibility in mainstream devices is likely to continue and will be facilitated by the rollout of the National Broadband Network.

Continued role of the NRS

These technologies mean some NRS users are now able to communicate effectively without drawing on the assistance offered by the NRS.

However, the NRS will continue to play an essential role for people who are deaf, hearing or speech impaired and who are unable to meet their communications needs by using the accessibility features of consumer-grade telecommunications products and services. For these users, it is important that the NRS complements other widely available technologies, to provide a communications service that continues to be equivalent to the standard telephone service available to the general population.

About this review

The terms of reference for this review were released in July 2011. The Department of Broadband, Communications and the Digital Economy (the Department) received 66 submissions and directly engaged with a range of individuals and stakeholders.

This review identified technologies that may improve the NRS user experience. These include two-way internet relay, captioned telephony and mobile text-based access to emergency services. Video relay can also improve the communications experience for people who use Auslan as their primary language.

The review also notes the telecommunications industry's concerns about the cost to provide the NRS. However, improvements in technology may mean it is possible to improve the NRS by providing services more efficiently, while maintaining the overall cost at around existing levels.

Some issues canvassed by this review fall outside the scope of the NRS. For example, some people who would benefit from the accessibility features of general telecommunications consumer devices are unaware of these features, or lack the skill or knowledge to take full advantage of the technology. Governments, community and industry stakeholders should continue to work together to improve the way information about these features and services is conveyed to those who would benefit from them. Another issue is that people with complex communications needs, such as those who are deaf-blind, face particular communication challenges. The National Disability Insurance Scheme may offer opportunities to improve the way in which support is provided to these individuals.

Respondents to the review were keen to support further discussion between government and individuals with disabilities about the telecommunications issues they face. This support extended to the concept of a voluntary register for people interested in receiving updates on telecommunications services and issues, or to enable access to new services that rely on registration to operate.

Recommendations

1. The government test the market's capacity to provide improvements to the NRS as part of the next contract for NRS services, subject to efficiencies being realised so that costs are broadly maintained at existing levels. Improvements may include two-way internet relay and relay through video and captioned telephony, and a service that enables a deaf, hearing or speech impaired user to access emergency services from a mobile device using text.
2. The Department work with the Australian Communications Consumer Action Network (ACCAN) and other organisations that support people with disability, older Australians and people experiencing illness to improve the information available to support them to make use of general telecommunications consumer products and services with accessibility features.
3. The Department facilitate periodic discussion between industry, the community and government on current and emerging telecommunications access issues.
4. The Department of Families, Housing, Community Services and Indigenous Affairs consider how the communication needs of people with complex disabilities might be better met through the National Disability Insurance Scheme.
5. The Department explore the operation of a voluntary registration scheme both for the purposes of facilitating an ongoing dialogue between government, industry and the community on communications issues, and for supporting user access to new services that rely on registration to operate.

Review background

The role of telecommunication services

Telecommunication services play a vital role in the lives of Australians. They are important for community participation, employment and social interaction. They also promote independence and provide access to emergency assistance.

The Australian Government and overseas governments have long recognised that people with disability face particular barriers to social inclusion. Domestic law and international conventions are aimed at protecting the rights of people with disability and, in particular, helping them to overcome the barriers they face:

- The *Disability Discrimination Act 1992* provides protection for everyone in Australia against discrimination based on disability.
- The *Telecommunications (Consumer Protection and Service Standards) Act 1999* mandates a Universal Service Obligation to ensure that standard telephone services are reasonably accessible to all people in Australia on an equitable basis and internationally.
- The United Nations Convention on the Rights of Persons with Disabilities reaffirms these objectives.

An overview of the telecommunications and the Australian human rights framework is at Appendix A.

The effect of new technologies

With increasing affordability of new technologies, the way in which Australians engage with governments, industry and the community is changing. The rollout of the ubiquitous high speed National Broadband Network[1] will further this migration to new ways of engaging in all aspects of society, as will cloud computing services.

The increased relevance of telecommunications to everyday lives is leading governments to look closely at what more can be done to engender a socially inclusive society at this time of revolutionary technological change.

The way people communicate, get their information, manage their affairs and socialise is changing. For Australians who face barriers communicating, there are new possibilities to use technology to improve their lives. However, for those who have problems accessing technology, there are also new barriers to be faced.

[1] www.dbcde.gov.au/broadband/national_broadband_network

In 1995, the Australian Government established the NRS[2] to help people who are deaf, hearing or speech impaired to communicate using the prevalent telecommunication platform of the time: the standard telephone service.

Since then, mobile phones, smart phones and internet-enabled devices have come to dominate the telecommunication landscape. These technologies are creating new opportunities for telecommunications use, beyond the uses targeted for assistance through the NRS.

It is no longer only people with certain disabilities that can face difficulties using telecommunication services. Older Australians who find it hard to adapt to new technologies, those experiencing an illness that impacts on their physical or cognitive abilities, and others who are not 'tech savvy'[3] are facing new and emerging challenges with accessing telecommunication services.

Against this backdrop of rapid technological innovation, changing consumer preferences and reform associated with the introduction of the National Broadband Network, the Australian Government committed to review the arrangements that support the telecommunications needs of NRS users.

On 20 April 2010, the Minister for Broadband, Communications and the Digital Economy, Senator the Hon Stephen Conroy, (the Minister) announced[4] that the Department, in conjunction with the Australian Communications and Media Authority, would undertake comprehensive community consultation to explore ways in which the NRS could be improved and developed for the future.

The NRS performance reports have shown that users are increasingly substituting the traditional relay service with the newer, internet-based relay service.[5] Support for this trend was evident in the submissions to this review.

[2] www.relayservice.com.au/

[3] 'Knowing a lot about modern technology, especially computers'. Definition from the Cambridge Business English Dictionary. http://dictionary.cambridge.org/dictionary/business-english/tech-savvy

[4] www.minister.dbcde.gov.au/media/speeches/2010/006

[5] The number of call minutes (3 204 383) relayed in 2010–11 was 1.4 per cent greater than in 2009–10 (3 160 003) and only 4.2 per cent below the peak call minutes in 2007–08. By the end of 2010–11, about 47 per cent of outbound call minutes were generated by users who contacted the NRS through internet relay. This demonstrates the continued growth in the take-up of this part of the service, up from about 40 per cent in 2009–10. However, the increased use of internet relay appears to be a substitute for other methods of access (such as TTY), as the overall call minutes relayed by the NRS have remained relatively stable during the increased take-up of the Internet Relay service. www.acma.gov.au/WEB/STANDARD/pc=PC_2023

A growing number of existing and potential NRS users are also making use of inexpensive general consumer products and services with accessibility features to complement or replace the NRS in meeting their communication needs. These services include:

- text to speech—for example, mobile phones capable of reading aloud short message service (SMS) and instant messages in a synthesised voice
- screen reading—computer program that reads text on a computer screen and either converts the words into electronic speech or into Braille
- speech recognition—for example through mobile phones that allow people to use their voice to dial a number by speaking the name or telephone number they wish to call
- on-screen keyboards—such as a keyboard display on a smartphone touch screen that can make it easier to send a SMS rather than having to rely on pushing smaller mobile phone keypad buttons
- touch screen functions—such as a touch screen smart phone that can help people with dexterity problems to adjust volumes by lightly sliding their finger instead of holding down buttons
- visual alerts—for example, mobile phones that use a flashing light to alert people with hearing impairments that the phone is ringing, SMS or email has been received
- adjustable user interfaces—such as mobile phones that allow users to adjust the volume, lighting, contrast or display settings to suit their individual needs.

Many of these technologies now come free of charge or at low cost with communications devices that are designed for general consumers. These devices are often cheaper, easier to use and have more functionality than many specialist devices. This provides increasing opportunity for people with mild to moderate communications disabilities to use up-to-date inexpensive mainstream technologies to meet their communications needs, without specific support required through government or industry. These offerings are improving all the time.

Purpose of this review

In addition to better understanding how to improve and develop the NRS, this review explored ways to maximise the use of these technologies by those who could benefit from doing so. This is reflected in the terms of reference at Appendix B.

On 21 July 2011, the Minister released the terms of reference for this review of access to telecommunication services by people with disability, older Australians and people experiencing illness:[6]

- The first was to explore how the NRS meets the telephone communication needs of people who are deaf, hearing or speech impaired.

[6] www.minister.dbcde.gov.au/media/media_releases/2011/221

- The second reflected the Australian Government's broader reform agenda. It was to explore the capacity of the market to serve the communications needs of NRS and non-NRS users and aimed to build an understanding of what could be done to help more people access these opportunities.
- The third was to explore ways the community might better interact with government services through a voluntary registration scheme.

The Department made review documentation available in varied formats including Auslan, Braille, audio, Daisy CD, easy English and written English.

Submissions to the review closed on 2 September 2011. In addition to submissions, the Department invited people to share their experiences by phone, email or letter. People who are deaf or hearing impaired could make contact using the NRS.

Government, industry and peak bodies provided 53 submissions with permission to publish.[7] A further 13 submissions and letters were received without such permission. Additionally, a number of people called the Department to talk about their experiences.

Following preliminary consideration of the submissions, the Department held bilateral discussions with a range of stakeholders to further explore the issues and ideas being presented.

Overview of the NRS

The NRS has two components:

- the relay service which relays calls between the deaf, hearing and speech impaired communities and the broader community
- an outreach service that promotes community awareness and acceptance of the service, delivers training on how to use the service and operates a help desk that provides information on how the NRS works, including the different call options and equipment available, and handles feedback and complaints.

Currently NRS services are delivered by two separate providers. The relay service is delivered by Australian Communication Exchange Ltd and the outreach service is provided by CFW Spice Pty Ltd (trading as WestWood Spice). The current contracts expire on 30 June 2013.

In delivering the NRS, the relay service provider is required to:

- operate the NRS 24-hours-a-day, seven-days-a-week, every day of the year
- ensure privacy of content of all calls and the identity of callers, except for calls through the emergency call service, as required by law
- place no limits on the length or number of calls made through the NRS.

[7] Review submissions are published at www.dbcde.gov.au/disability

Conversations are relayed through a call centre using voice or text with the assistance of a relay officer who reads out or types part of the conversation as required.

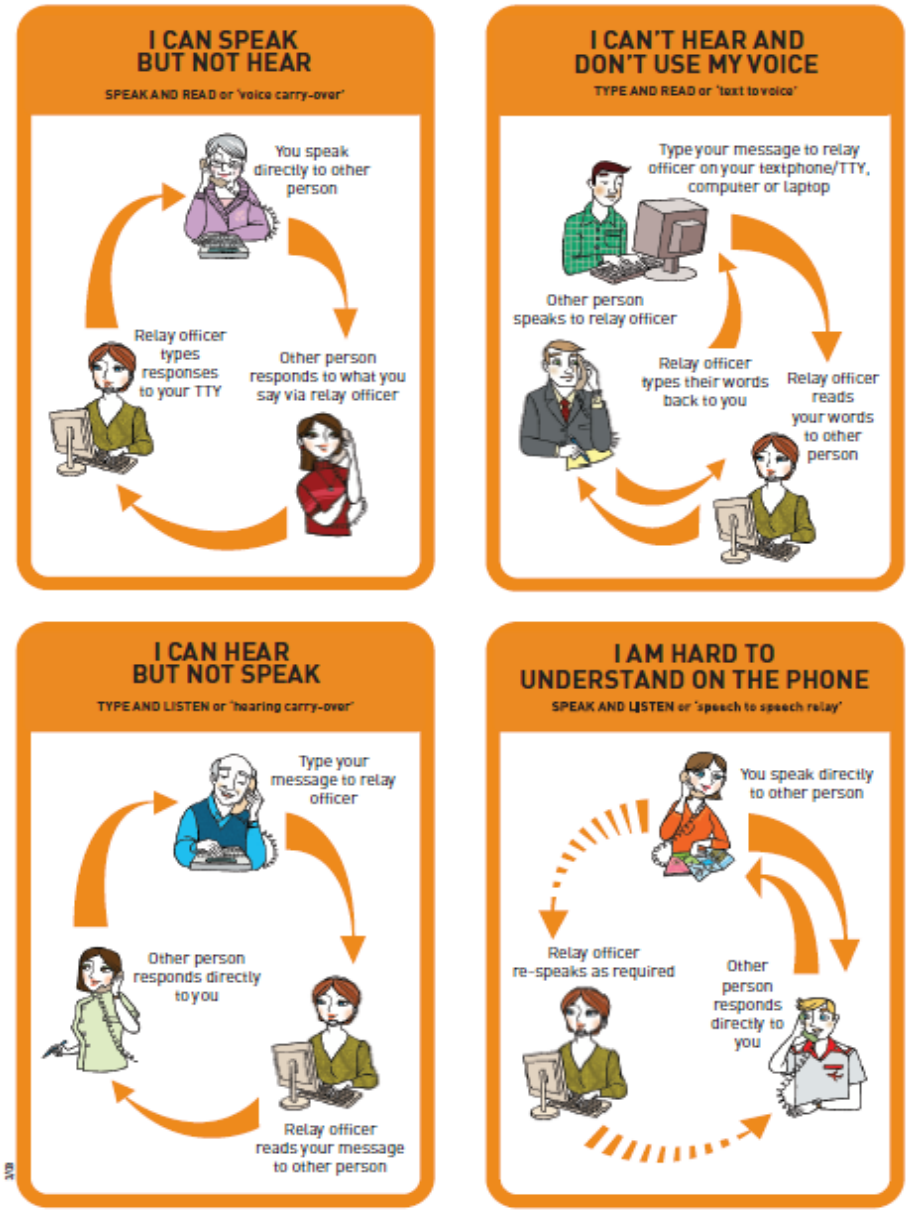
There are a number of call options available to suit different users of the relay service:

- **Type and read** (also known as 'text to voice') is for users who cannot hear and do not use their voice. The relay officer 'becomes their voice' and reads aloud what the user has typed on a Teletypewriter (TTY)[8] or through an internet connection to the recipient of the call. The relay officer then listens to what the recipient says in reply and types it back for the user to read. This is the most commonly used form of relay service.
- **Internet relay**, introduced in 2007, is a form of type and read service. It allows people to make NRS calls from some internet-enabled mobile phones or computers, using an internet browser or chat applications such as MSN or AOL Messenger. Since its introduction, internet relay has grown in popularity. At the end of 2010–11, it accounted for more than 47 per cent of call minutes made through the NRS.
- **Speak and read** (also known as 'voice carryover') is for users who cannot hear but prefer to use their voice to speak instead of typing their side of the conversation. They can speak directly to the person they have called through the relay service. The relay officer listens to what the recipient of the call says in reply and types it back for the user to read.
- **Type and listen** (also known as 'hearing carryover') is for users who can hear but have difficulty speaking or communicating. The user types their side of the conversation and the relay officer reads it aloud to the person they have called. The user can then listen directly to the other person's reply.
- **Speak and listen** (also known as 'speech-to-speech relay') is for users who may be hard to understand over the telephone. The relay officer, who is experienced in listening to people with speech impairments, will re-speak all or part of the conversation as required. No specialist equipment is required to use this service.

[8] www.relayservice.com.au/making-a-call/ttys/

Figure 1: Overview of the four ways to make a NRS call

Image describes the four call options available to users of the relay service. They are for people who can speak but not hear, those who can hear and don't use their voice, those who can hear but not speak, and those who are hard to understand on the telephone.



Source: National Relay Service

Calls (including long distance calls and calls to mobiles) made by TTY or by a standard handset to the NRS cost approximately the same as a local call. Users making multiple calls one after the other through the NRS (while remaining connected to the NRS relay officer) are charged the cost of a single local call. International calls and calls to premium services (such as 1900 numbers) require users to register and open an account with the NRS. Calls to 1800 numbers are free if the 1800 number for contacting the NRS is used. The costs for calls to the NRS from mobile phones or via internet relay are dependent on each user's mobile or internet contract.

The relay service provider is also an 'emergency call person' as defined in the Telecommunications (Emergency Call Person) Determination 1999. Direct access to emergency services is provided by the NRS through a dedicated free call number, 106. This is used by people who are dependent on TTYs or computers with modems to access the standard telephone service. Access to emergency services may also occur when TTY, internet relay service and speak and listen calls request the triple zero emergency call service.

In delivering the NRS, the outreach service provider is required to provide face-to-face information and training sessions to NRS users, their families and carers. It must also operate a national help desk to assist users to use the NRS and overcome technical difficulties.

The NRS also operates an NRS Customer Consultative Committee which provides feedback and advice to both the relay and the outreach service providers. [9] Specifically the NRS Customer Consultative Committee provides advice on issues such as quality of service, consumer benefits and consumer satisfaction. It also considers future developments for the service. Members of the NRS Customer Consultative Committee are drawn from peak community groups, the NRS service providers, the Australian Communications and Media Authority and the Department.

In 2010–11, an estimated 6 000 to 10 000 people used the NRS at a cost of $18.2 million (GST inclusive) for both the outreach and relay services.[10]

Until 1 July 2012, the Australian Communications and Media Authority managed the service contracts for the NRS and had legislated responsibility for collecting the NRS levy.[11] This levy can only be used for the specified purpose—that is to enable all people in Australia to have reasonable access to a standard telephone service. A standard telephone service is defined at Part 6 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* as voice telephony or equivalent.[12]

The *Telecommunications Universal Service Management Agency Act 2012* was passed by the Parliament in March 2012.[13] Following commencement of this Act on 1 July 2012, the Telecommunications Universal Service Management Agency took responsibility for managing the NRS contracts. The NRS levy was phased out from 1 July 2012. The costs of the NRS contracts, along with other contracts managed by the Telecommunications Universal Service Management Agency,

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[9] www.relayservice.com.au/about/nrs-consultative-committee/

[10] Because it is not necessary to register to use the NRS, the actual number of users is not known. ACE estimates client numbers using a number of techniques (*National Relay Service Performance Report 2010–11*, page 8).

[11] www.comlaw.gov.au/Details/C2009C00019/Html/Text#param210 Since July 2011, payment of the levy has been restricted to carriers that have annual gross telecommunications revenue of $25 million or more and are covered by the most recent eligible revenue assessment. The proportion of the levy costs payable by each eligible carrier is calculated based on its share of total eligible revenue in the relevant year.

[12] www.comlaw.gov.au/Details/C2012C00089

[13] www.comlaw.gov.au/Details/C2012A00043

are now met from a mix of government funding and an industry levy. The Telecommunications Universal Service Management Agency is subject to a number of reporting and accountability requirements that include reporting on the performance of contractors and grant recipients.

Term of reference 1: How the NRS meets the telephone communication needs of people who are deaf or have a hearing or speech impairment

Respondents to the review believe the NRS continues to play a valuable role for users who are unable to use the standard telephone service or to move to alternative general consumer technologies with accessibility features.

However, many submissions said the NRS could better meet the contemporary needs of its users and that its relevance will continue to decline as new technologies present viable alternatives.

Suggestions about how the NRS might be improved included explicit directions for change and examples of access and usage issues that need addressing. These are discussed below.

Adopting some of these suggestions would represent significant change, potentially requiring additional funding and regulatory reform to deliver. Any proposals requiring regulatory change to deliver would themselves be subject to broader impact analysis.

Other suggestions may be more immediately applied to the way the NRS is delivered.

Finally, responses to term of reference 1 identified alternatives to the NRS for making and receiving telephone calls, as well as the barriers that would need to be overcome to make these truly viable alternatives.

How call centre and outreach services might be improved

Review submissions outlined numerous potential ways to improve access, relevance and effectiveness of the NRS. These improvements focus both on the technologies the service supports and on service delivery.

Two-way internet relay

While NRS users can call the relay service using the internet (one-way internet relay), they are not able to receive incoming calls through the internet.

The Australian Communications Consumer Action Network outlined the benefits of the current internet one-way relay service when compared to TTY relay in its submission.

> Internet relay has a number of advantages over TTY-based NRS calls, including:
>
> - Internet relay calls can be made from certain mobile devices.
> - It uses technology which is not ‘disability-specific’—that is, desktop and laptop computers as well as certain mobile devices.
> - Calls are free—the user only pays their normal Internet Service Provider costs.
> - Users can multi-task while making calls, just as many (non-NRS using) people do when on the phone.

- For many users, it is easier to type on a regular keyboard (in the case of desktop or laptop computers) than it is on a TTY.
- The screen (of a desktop or laptop computer, and even of many mobile devices) is larger than that of a TTY.
- Font size, colour and style can be adjusted to suit the user's requirements.
- Any disability specific equipment (such as special keyboards or Braille output devices) which is suitable for a computer can be used.

Australian Communications Consumer Action Network submission, p. 34

The internet relay service does not require NRS users to have specialised equipment, such as the TTY, and allows them to use generally available equipment that offers a broader range of features. For this reason, two-way internet relay would be attractive to many NRS users as it would enable them to benefit from these features when they receive calls, and they would no longer require a TTY.

However, there are challenges associated with offering two-way internet relay. Connecting an incoming call through the NRS to internet-enabled equipment may require registration of the user's name and internet number. This may raise privacy concerns; less so where registration is voluntary. Nonetheless, the benefits of this service are such that two-way internet relay and voluntary registration warrant further investigation.

Video relay

Some respondents to the review identified video relay as an important possible addition to current NRS services.

Video enabled devices, such as mobile phones and tablets, allow Auslan speakers to communicate directly with each other using video. However, an Auslan speaker who wants to communicate with a non-Auslan speaker requires the assistance of a relay officer. If video relay was available, Auslan speakers could contact the NRS via an internet connection and communicate in their first language (Auslan) with a relay officer, who could translate to the non-Auslan speaker.

Video relay services are expensive and would be difficult to accommodate within current NRS funding, unless substantial cost efficiencies can be achieved for existing services.

This functionality warrants further investigation through an approach to the market to see if a limited service, or a user-pays service, can be developed to provide this service.

Captioned telephony

Respondents to the review strongly supported captioned telephony as a worthwhile inclusion to NRS functionality. This involves a relay officer re-voicing conversations so that voice recognition software can convert the speech to text. People with hearing impairments can then read what is said. This makes the conversation flow much more easily.

This functionality also warrants further investigation through an approach to the market.

Relay services for people from non-English speaking background

The review identified that some people from non-English speaking backgrounds face additional barriers when accessing telecommunication services. While the NRS does not offer services in

languages other than English, the Department of Immigration and Citizenship provides a translating and interpreting service which can, in some cases, help people who are deaf, hearing or speech impaired to complete calls.

Providing NRS-equivalent services in languages other than English represents a significant challenge. The cost associated with employing translators 24-hours-a-day, 365-days-a-year would be substantial and difficult to justify against competing priorities.

Access to Emergency Service Organisations

While the review did not seek to explore issues associated with placing emergency calls, it was clearly a point of concern and interest to respondents. In particular, respondents expressed a desire to have text-based access to emergency services from a mobile device.

Given the importance of emergency services access, and the increasing use of mobile phones to access emergency services by the general community, there is a compelling case for providing this functionality.

Service delivery

Respondents to the review identified a variety of service delivery features of the NRS that are important to retain or improve.

Web content accessibility—It is particularly important to comply with best practice web content accessibility practices, given the NRS user group. Currently the NRS exceeds Level AA of the Web Content Accessibility Guidelines 2.0 and this level of compliance should continue.

Complaint handling arrangements—Respondents to the review identified the need to improve complaint handing. The existing contracts separate service delivery (provided by the Australian Communication Exchange Ltd) from complaints handling (provided by Westwood Spice). This provides an arm's length approach to investigating complaints. However, the effectiveness of the complaints process in delivering service improvements may be hindered by the willingness and ability of separate service providers to share information or to take on board feedback. This dynamic should be considered when formulating the next NRS contract.

Service delivery standards—Other respondents reported inconsistent standards of service delivery, with the quality of call handling varying between relay officers, concerns about the length of wait times in reaching a relay officer in the current call queuing system, calls being disconnected before completion, and uncertainty over the accuracy of the relayed communication.

> Gary has complex communication needs and uses the NRS's Speak and Listen service to make phone calls. He reports that the quality of the relaying is highly variable and that sometimes he has to hang up and try to make a call later, because a relay officer—or even a series of relay officers—has been unable to understand him. He says that sometimes he encounters a relay officer who is excellent at relaying the call—but then, in the middle of the call, comes to an end of their shift or needs a break, and transfers the call to a relay officer who does not understand him.
>
> Australian Communications Consumer Action Network submission, p. 20

> We would also like to be informed why so many times when we call, the connection is cut off without any explanation...Sometimes this happens in the middle of a call and it is unclear if the person has hung up or there has been a technological glitch.

Deaf Australia (NSW) Inc submission, p. 1

> I've also become aware that of a number of occasions what I or the other party has said has not been relayed accurately or in full as I would have expected. This has resulted in confusion and in one memorable case a serious misunderstanding between me and a professional colleague.

Michele Nealon submission, p. 1

> Stuart is Deaf and is professionally employed. He is happy to use the NRS but says often when he goes to make an NRS call, it is engaged. He says that it '...doesn't seem to matter what time of the day I call. I have business to do and it's just so frustrating. I'll try and try and try—then I give up and ask a hearing person to make the call for me.'

Australian Communications Consumer Action Network submission, p. 18

Complex communication needs—Relaying communications, particularly for people with complex disabilities, can be difficult even for the most highly skilled relay officers. NRS relay officers receive ongoing training to develop and maintain their skills. The NRS Customer Consultative Committee receives regular feedback on challenges faced by relay officers in relaying calls from users with complex communication needs. The NRS is not always able to meet such complex needs and, in some cases, the new National Disability Insurance Scheme may provide a more appropriate avenue for some users to get the assistance they require. The NRS should continue to do all it reasonably can to have appropriately skilled relay officers to assist users with complex needs.

Flexibility—Respondents to the review also identified features of the NRS that they find less than ideal. For example, some find the NRS telephone etiquette to be stilted. Currently NRS officers rely on a caller saying 'go ahead' to manage the relaying of the calls. This approach derives from the practical need to keep interruptions to a minimum and allow the relay of one message to be completed before another starts. Still, it may be possible to be more flexible in this approach, especially where the person's communication impairment is not significant.

Efficiency—The review also received suggestions that the NRS could and should be run more efficiently.

> While the NRS is funded through a levy on eligible telecommunications carriers industry does not play a role in the governance of the NRS or its associated outreach service. The Associations suggest that the NRS could potentially be run more efficiently and effectively if they were in closer and regular consultation with industry, including consultation regarding the impact of emerging technologies. Further, there would be greater opportunity for innovation if industry-based technology planning and development were to be factored into the NRS strategy and planning.

Australian Mobile Telecommunications Association and Communications Alliance joint submission, p. 7

Industry role—Industry has indicated that it wants to have a greater role in the scope and operation of the NRS. With industry well placed to contribute advice on new technologies and ways to improve access to telecommunication services, there is merit in tapping further into this potential.

The main barriers to access and use of the NRS

The review also explored why more people who could benefit from using the NRS were not doing so. The key barriers identified were the lack of knowledge that the service exists, inadequate skills to use the service and high rates of call refusals.

> According to the March 2011 NRS user survey, 25% of respondents said that during the past six months, they had tried to call someone via the NRS , and had the other party refuse to take the call.
>
> Australian Communications Consumer Action Network submission, p. 12

Awareness and acceptance—The NRS outreach service actively promotes NRS awareness and acceptance in the community, but more can always be done. The Department should encourage other government agencies to build their understanding of the NRS and, where appropriate, to help promote the service through the programs they deliver.

Basic skills—Others report that it is the lack of basic computer literacy, telephone etiquette, English literacy and Braille skills that limits use and take-up of NRS services.

> All current NRS offerings, other than Speak and Listen, require the use of written English, despite the fact that, due to educational disadvantage, deaf people experience very low English literacy skills compared to the wider community, with the average being possibly as low as that of the average hearing 9-year old.
>
> Australian Communications Consumer Action Network submission, p. 13

Technical issues—Technical issues identified include firewalls that block access to the internet relay, and workplaces operating environments that don't support specialised handsets. The Australian Communications and Media Authority advises that the current relay service provider is aware of this issue and working on a new web platform that will allow internet relay to work more reliably on web-browsers of mobile and tablet devices, as well as mitigate issues with corporate firewalls.

Cost—The cost of making calls to the NRS other than through a fixed line service is also identified as a barrier. While mobile devices play an important role in assisting people to communicate, the Australian Government does not generally subsidise their use. The Australian Communications and Media Authority is continuing to consult on regulatory changes to improve the transparency and consistency of call charges to freephone (1800) and local rate (13/1300) numbers. The Australian Communications and Media Authority will shortly release a proposed amendment to the Numbering Plan for consultation with stakeholders. The amendment is expected to have a deferred commencement date of 1 January 2015 to allow time to implement the required system, and administrative and contractual changes. The changes are designed to make calls from mobiles to freephone 1800 numbers free and to make calls from mobiles to 13/1300 local rate numbers cost no more than a caller would expect to pay from a fixed service.

Directory assistance call connect fee—Telstra offers a call connect service that allows a user to dial the operator for directory assistance and then have the operator connect the call, for a fee. Some respondents to the review argued that this fee should be waived for visually impaired users. Telstra policy is to waive the fee for users who have an appropriately qualified healthcare professional certify that they find it extremely difficult or impossible to dial numbers on the phone without substantial assistance. Some respondents suggested that the NRS should provide call connect services, but this is not the purpose of the NRS service as call connect does not usually require a relay officer to assist.

Options other than the NRS to make and receive telephone calls

Not all people facing barriers in using the standard telephone rely on the NRS to communicate. As mentioned earlier, new technologies and applications are providing communication options that

give greater choice and flexibility. Some potential NRS users and ex-NRS users find these new and emerging technologies and applications meet their communication needs.

The National Broadband Network will provide further opportunities for people who are deaf, hearing or speech impaired and many respondents noted the way in which the faster speed and greater reliability of the National Broadband Network will make new technologies and applications even more effective.

> The possibilities to download a Braille, audio or other large files such as a novel in seconds along with real-time captioning, audio description, and talking books and video-calling offers enormous benefits to people with disability.
>
> Ability Options submission, p. 6

However, not all perceive these new and emerging technologies to be accessible either because of lack of product awareness, cost of the equipment or broadband,[14] lack of training in how to use the technologies and unmet need for ongoing technical support. These issues are discussed further in the next section of this report.

Conclusions

New technologies are providing unprecedented opportunities for improved communications for many people who are deaf, hearing and speech impaired. Such users should be encouraged to make the most of the improved accessibility features of many contemporary telecommunications consumer devices and services.

However, respondents to this review suggested the NRS could provide a better service if it included additional technologies. Weighing against this are telecommunications industry concerns about the potential cost increases to provide the service. Improvements in technology may mean it is possible to provide an improved NRS by providing services more efficiently so that overall costs remain broadly at existing levels.

While there are benefits to improving the service the NRS provides, it nevertheless remains valuable to its users, many of whom could find no alternative to meet their communications needs.

There is an opportunity in the near future to test the capacity of providers to offer an improved NRS within current funding. The Australian Government's contract for the delivery of the NRS is due to be renewed by 1 July 2013. The new contract will be managed by the Telecommunications Universal Service Management Agency. As it prepares to run this new contract, Telecommunications Universal Service Management Agency should consider whether it can test the market to provide additional services to improve the way the NRS operates.

[14] Initial service offerings over the National Broadband Network are expected to be comparable or better value than digital subscriber line (DSL) broadband today.

Recommendation

1. The government test the market's capacity to provide improvements to the NRS as part of the next contract for NRS services, subject to efficiencies being realised so that costs are broadly maintained at existing levels. Improvements may include two-way internet relay and relay through video and captioned telephony, and a service that enables a deaf, hearing or speech impaired user to access emergency services from a mobile device using text.

Term of reference 2: What more could be done to help people with disability, older Australians and people experiencing illness, communicate through the use of telecommunication services

Respondents to the review agreed that access to telecommunication services is critical for maintaining a socially and economically inclusive society.

> Telecommunications play a vital role in the day to day life of all Australians. Not only do they allow us to stay in touch, but they allow access to educational resources and government services as well as open up access to employment. For people with disabilities telecommunications services can alleviate social isolation and in many cases act as a lifeline allowing them to keep in touch with family, friends and support services.
>
> Australian Mobile Telecommunications Association and Communications Alliance joint submission, p. 3

Respondents also recognised that manufacturers of phones, computers and other portable electronic devices are increasingly thinking about access issues at the development stage and that this should be encouraged. They also believe this same principle should apply to the development of government, business and community programs.

Barriers to access

Respondents to the review identified that barriers to telecommunication services extend beyond having the technology and knowledge of how to access and use it.

There are also cultural barriers arising from traditional service delivery practises operating across government, services, industry and the community. For example, respondents to the review consider that many schools, doctors, government and non-government agencies will not generally communicate through non-traditional media. Being able to make a doctor's appointment via email or text would greatly assist those with speech or hearing impairments.

> There is clearly an understandable preference for communications that allow for real-time interactions and do not rely on a third-party. However, the Associations note that although technologies such as email, instant messaging and SMS may enable communications between people with disabilities and their friends and family they are not always perceived to be appropriate for communication with others such as doctors, schools and government agencies. And sometimes these organisations do not make these methods available. However, it should be noted that there is considerable scope for businesses, institutions and government agencies to increase their accessibility by extending the means by which people can contact them.
>
> Australian Mobile Telecommunications Association and Communications Alliance joint submission, p. 7

Some respondents suggested that the best way to build accessibility into devices and services would be through more opportunities for the community, industry and government to come together and discuss issues at an early stage.

> ...an advisory board ... would provide an interactive flow of information between consumers, industry and government. This advisory board would facilitate a growing awareness of the benefits of Universal Design and access-for-all principles in the design of telecommunications equipment and services.
>
> Australian Communications Consumer Action Network submission, p. 51

> Telstra submits that Government consider more/regular engagement with Industry in order to determine what accessible solutions are currently in-market, and explore the potential for the commercial development of new accessible products and services to meet the needs and aspirations of Australians with disability.
>
> Telstra Corporation Limited submission, p. 11

Flowing from this is the perceived potential for general consumer products and services with accessibility features, along with the changing communication practices in Australian society, to reduce the need for specialised communication programs.

There was widespread support across submissions for the benefits of regular dialogue between industry, the community and governments on current and emerging telecommunications access issues.

Gaps in assistance and the importance of addressing these gaps

Complex needs—While universal design principles are increasingly incorporated into general consumer telecommunications devices, respondents to the review suggested that not everyone's communication needs are being met by the market. In particular, people with complex disabilities—such as those who are deafblind, hearing and/or speech impaired, or those with an intellectual or neurological disability—were identified as often needing specially designed devices, applications or adaptive technology to use general consumer products and services with accessibility features.

> For many Deafblind consumers the only way to access internet services is through the use of a refreshable Braille display which connects to a computer. The cost of an entry level Braille display (including text-to-speech software) is approximately $4000. The cost of this equipment is beyond the financial means of the majority of people who are deafblind.
>
> Australian Communications Consumer Action Network submission, p. 31

> Government should recognise and accept that specialist solutions for people with complex communications needs will be significantly more expensive to develop and provide (many times more) than the mainstream solutions that the vast majority of people can utilise.
>
> Media Access Australia submission, p. 14

While numerous government programs fund specialised communications equipment and adaptive technologies, knowing how to access these programs and limited funding were seen as further barriers.

> Devices, or underlying funding, should be distributed to people with disabilities through the recommended National Disability Insurance Scheme or the existing Job Access Employment Assistance Fund. This would be both more efficient and easier for people with disabilities as it

> would cut down on bureaucratic points of contact by removing the need for them to apply to a range of parties, including their telecommunications provider, for equipment. Further the Productivity Commission specifically recommended in its report that communications aids should be provided through the proposed National Disability Insurance Scheme.
>
> Australian Mobile Telecommunications Association and Communications Alliance joint submission, p. 6

The National Disability Insurance Scheme should help align programs and resources. There is merit providing the Department of Families, Housing, Community Services and Indigenous Affairs, with the information from this review about the particular communications needs of people with complex disabilities.

Access to information—While the availability of accessible technology is increasing, some respondents said this does not by itself remove barriers to access to telecommunication services. Respondents suggested that people also need to know:

- what technology is available to assist them
- how to make wise consumer choices about functionality, cost and contracts
- how to set up, maintain and upgrade the technology
- how to use the technology
- how to be safe online.

They also need to know how to access this information, including if they cannot communicate in English. This need for consumer information, education and support is also relevant to the wider Australian community, and is the focus of digital economy and consumer policy consideration across the Department.

Respondents identified a further complexity, in that people facing barriers to accessing telecommunication services can find it hard to use information provided to them, and to let governments, industry and the community know about their particular needs. Consequently, many rely on family, friends and peak bodies to give them answers to questions (rather than information to navigate access issues themselves) and to represent their interests. To do this effectively, these third parties must:

- understand the sorts of technical functionality that would help mitigate the barrier/s
- have access to accurate and relevant product and consumer information
- have established channels for communicating with government, industry and the broader community.

While the need for information is not new or unique to communications issues, the potential benefits of meeting this need are growing alongside the relevance of telecommunications to Australian society. The need to provide information, education and support is a consistent message throughout submissions. Suggestions for how this could, in part, be delivered included the following.

> Engage the services of community workers who already have strong links with people with CCN [complex communication needs], in order to make use of their contacts and knowledge of how to provide information in an appropriate manner.
>
> Communication Rights Australia submission (no page numbers provided in submission)

> Telstra submits that the best strategy for awareness-raising is to locate information provision at the point of need. This could be achieved for people with disability if all related Government (funded) programs include access to relevant communications options in their case management policies and processes.
>
> Telstra submission, p. 5

The Department should work with the Australian Communications Consumer Action Network, the community and industry to further explore these ideas.

Other barriers and needs

New barriers to accessing telecommunication services are emerging. The importance of overcoming these emerging barriers is increasing as more people, including those less able to inform and protect themselves, increase their use of technology. Many of the barriers identified in submissions relate to how the market promotes, sells and supports products.

Some respondents highlighted that the knowledge and skills of sales personnel is failing to keep pace with product change. Observations included that staff do not know about the disability features of the products they are selling, so cannot explain them to the customer.

> Staff in telecommunications and information and communication technology companies do not seem to be equipped or trained to deal with people with a disability in providing equal support and care in the use of communications technology. Also, staff are not aware of how to most effectively use specialised technology and therefore in both cases the functionality is wasted.
>
> Australian Blindness Forum submission, p. 3

Other observations were about the lack of customer service and support for people with access needs. Some examples submitted—such as sales personnel insisting on a blind person producing a driver's licence purchase a mobile phone—highlight the need for sales personnel to be better informed on to meet a diversity of customer needs. Other examples focus on the need for information, contracts and support to be made available in accessible formats.

> While some people with complex communication needs supported by CPL attempt to access mainstream Call Centres or Help Centres on the internet, they advise that these services are not very 'disability friendly' and have difficulties accommodating the communications of this group of people.
>
> Cerebral Palsy League of Queensland submission, p. 5

> There is a very significant need for industry plans, contract and product disclosure statements to be available in formats that are accessible for consumers with disability. This means...easy English, large print, Braille, audio files, accessible web content, captioned video and Auslan etc.
>
> Australian Communications Consumer Action Network submission, p. 50

Consumer issues such as these are important for industry to consider in servicing its customers. While the *Competition and Consumer Act 2010*[15] and the *Disability Discrimination Act 1992*[16] protect consumers, there is also merit in industry having more opportunities to learn about customer needs and emerging issues. Increased dialogue across industry, the community and governments may assist.

Conclusions

Companies are increasingly including accessibility features in consumer-grade telecommunications devices and services. Some of these features are of enormous benefit to many people who are deaf, hearing or speech impaired, and can substantially improve their communications experience.

However, some gaps remain. Some people who would benefit from these features or services are unaware of them, or lack the skill or knowledge to take full advantage of the technology. Such information and training issues go considerably beyond the NRS.

The Australian Government should work with the community and industry partners to improve the way information about these features and services can be conveyed to those who would benefit from it.

Recommendations

2. The Department work with the Australian Communications Consumer Action Network (ACCAN) and other organisations that support people with disability, older Australians and people experiencing illness to improve the information available to support them to make use of general telecommunications consumer products and services with accessibility features.
3. The Department facilitate periodic discussion between industry, the community and government on current and emerging telecommunications access issues.
4. The Department of Families, Housing, Community Services and Indigenous Affairs consider how the communication needs of people with complex disabilities might be better met through the National Disability Insurance Scheme.

[15] www.comlaw.gov.au/Details/C2011C00003

[16] www.comlaw.gov.au/Details/C2012C00110

Term of reference 3: Talking to government

In conducting this review, or any review that targets people with disabilities, there is the challenge of getting to the firsthand 'voice' of the target group. Despite efforts to contact individuals, the overwhelming volume of responses was provided by peak bodies. While peak bodies are well able to represent their constituency, there remains value in also learning firsthand about the needs and experiences of individuals. There is also value in having scope to collect quantifiable data—especially when hard data on the extent of a need is required to evaluate the benefits of a proposal. For this reason, the review explored how receptive target groups would be to the Australian Government establishing a voluntary register of people who need assistance communicating, to provide an avenue for ongoing dialogue on service and assistance issues.

Respondents supported the idea of government facilitating such dialogue. This support extends to the voluntary registration of people who would like to take part. Some of the features respondents consider important for a successful registration scheme are:

- Safeguards to protect the privacy and rights of those who register, including that the government:
  - clearly articulates the purposes for which it can use the information and not vary these without the informed consent of those on the register
  - manages the data itself and does not outsource the collection and storage of personal information
  - has easy steps for people to take names off the register
  - only collects the minimum amount of personal information
  - has procedures for maintaining currency of the information on the register.[17]
- That access to the register and dialogues arranged through the register can occur through the individual's communication channel of choice, for example Auslan, text or Braille.

Conclusions

The review concludes that the community and industry would support an Australia Government run voluntary register of people with problems communicating, where it was professionally established and operated, and manages privacy concerns as a priority.

As discussed earlier the issue of being able to place emergency calls was raised by review respondents as a clear point of concern and interest. In considering a voluntary register, there could be merit in extending arrangements to support user access to new technologies and services, such as two-way internet relay and emergency services from mobile devices, if the government decides to expand the NRS.

[17] The protections of the *Privacy Act 1988* would also apply. www.comlaw.gov.au/Details/C2012C00414

Recommendation

5. The Department explore the operation of a voluntary registration scheme both for the purposes of facilitating an ongoing dialogue between government, industry and the community on communications issues, and for supporting user access to new services that rely on registration to operate.

Appendix A—Telecommunications and the Australian human rights framework

Disability Discrimination Act 1992

The *Disability Discrimination Act 1992* provides protection for everyone in Australia against discrimination based on disability. It encourages everyone to be involved in implementing the Disability Discrimination Act and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.

Disability discrimination happens when people with disability are treated less fairly than people without a disability. Disability discrimination also occurs when people are treated less fairly because they are relatives, friends, carers, co-workers or associates of a person with disability.[18]

Under the *Disability Discrimination Act 1992* telecommunications carriers and carriage service providers who provide customer equipment as part of or in association with their service (either directly or indirectly) are obliged to provide equipment which is accessible to and useable by people with disabilities, other than in cases where it can be demonstrated that this would involve unjustifiable hardship.[19]

Standard telephone services are provided to everyone in Australia. This is known as the Universal Services Obligation (provided under the *Telecommunications (Consumer Protection and Service Standards) Act 1999*). In particular, in relation to standard telephone service the Telecommunications (Equipment for the Disabled) Regulations 1998 specify the kinds of equipment that must be supplied by the Universal Service Obligation provider, in connection with the standard telephone service (see sections below on the Universal Service Obligation and the Disability Equipment Program).

Universal Service Obligation

The Australian Government has also legislated for the provision of a universal safety net to ensure all Australians (including those with a disability) have access to basic telecommunications services.

The *Telecommunications (Consumer Protection and Service Standards) Act 1999* mandates a Universal Service Obligation to ensure that standard telephone services are reasonably accessible to all people in Australia on an equitable basis regardless of where they live or work.

[18] www.hreoc.gov.au/disability_rights/dda_guide/about/about.html

[19] www.humanrights.gov.au/disability_rights/communications/equipment.htm

The standard telephone service is defined as a basic voice telephony service (or its equivalent for people with disability) which enables the telephone user to call any other user of a standard telephone service, whether or not the user is connected to the same network. Section 6 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* defines the standard telephone service as being:

- a telephone service fit for the purpose of voice telephony, or
- if voice telephony is impractical for a person with a disability, a form of communication that is equivalent to voice telephony.

As the sole universal service provider, only Telstra has the obligation to provide a standard telephone service to all people in Australia under its Universal Service Obligation, but other telephone companies may also provide a standard telephone service.

For most people, the standard telephone service means the basic fixed telephone used to speak with people in other locations. Telephone companies are required to provide certain features with a standard telephone service. These features include access to:

- local, national and international calls
- 24 hour access to emergency service numbers, free of charge
- a unique telephone number with a directory listing, unless the customer requests otherwise
- operator assisted services
- directory assistance
- itemised billing, including itemised local calls on request.

For people who are deaf, hearing or speech impaired, an alternative form of communication, such as communicating by text using a teletypewriter (TTY) or modem, is a form of communication considered to be equivalent to voice telephony.

Under the Universal Service Obligation, supplying a standard telephone service includes providing a standard telephone handset if requested, but additional costs apply. For people with an impairment associated with hearing, speech, vision, dexterity or mobility, the obligation extends to providing equivalent forms of telephone equipment such as volume control phones, hands-free phones and TTYs.[20]

If voice telephony is not practical for a person (for example, because they have a hearing impairment) the person must receive another form of communication equivalent to voice telephony (for example, communication by means of a device that enables text-based communication). As outlined above, this is consistent with compliance under the *Disability Discrimination Act 1992* and is generally provided through the Disability Equipment Program (see below).

[20] www.acma.gov.au/WEB/STANDARD/pc=PC_2413

Given the roll out the National Broadband Network and the structural separation of Telstra, the Australian Government passed legislation to change the delivery of universal service outcomes and other public interest service from a regulatory model—with obligations imposed directly on service providers—to an open and competitive contractual model.

A key aspect of these reforms is establishing a new entity, the Telecommunications Universal Service Management Agency, which commenced operations on 1 July 2012. The agency manages delivery of Universal Service Obligation services and related public interest telecommunications services under contract or grants. It also has responsibility for managing the Commonwealth's existing contract for the delivery of the NRS. The agency's costs will be met by a combination of government funding and an industry levy. This industry levy replaces the Universal Service Obligation and NRS levies, with funding contributions based on eligible revenue principles similar to those currently used to determine industry contributions.

Given the importance of maintaining the continuity of services during the transition to the National Broadband Network, the majority of the agency's initial service agreements, which commenced on 1 July 2012, are with Telstra.

From 1 July 2012, Telstra has had a contractual obligation to ensure standard telephone services are reasonably accessible to all Australians on an equitable basis. Telstra will receive funding to operate and maintain its existing copper network in areas outside of the National Broadband Network fibre footprint and to provide voice services. Within the National Broadband Network fibre footprint, Telstra is required to act as the retailer of last resort to provide the standard telephone service on request over the National Broadband Network fibre network.

United Nations Convention on the Rights of Persons with Disabilities

Building on the Disability Discrimination Act, Australia ratified the United Nations Convention on the Rights of Persons with Disabilities in July 2008.

While the Convention does not create any new entitlements, it clarifies the obligations on governments to promote, protect and ensure the rights of people with disability. It also specifically prohibits discrimination against people with disability in all areas of life. Articles in the convention relevant to access to telecommunications include:

- Article 4(1h), which states that governments undertake to provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance and support services and facilities.
- Article 9(2), which states that governments shall take appropriate measures to promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information.
- Article 21, which states that governments must take all appropriate measures including providing information in accessible formats at no cost.

National Disability Strategy

In the lead up to Australia's ratification of the United Nations Convention on the Rights of Persons with Disabilities, the Senate Standing Committee on Community Affairs conducted an inquiry into the Commonwealth, State and Territory Disability Agreement. This agreement provides the national framework for the delivery, funding and development of specialist disability services for people with disabilities. The primary recommendation of the committee's final report, *Funding and Operation of*

the Commonwealth State/Territory Disability Agreement (2007), was that the Australian Government and state and territory governments jointly commit, as part of the fourth Commonwealth, State and Territory Disability Agreement, to additional funding to address identified areas of unmet need for specialist disability services, particularly for accommodation services and support.[21]

In 2008, the Australian Government and state and territory government disability ministers met to discuss the fourth Commonwealth, State and Territory Disability Agreement. Also on the agenda was the National Disability Strategy that would provide a framework for the Australian Government and state and territory governments to coordinate and plan policy to meet the needs of people with disability. The National Disability Strategy and the fourth Commonwealth, State and Territory Disability Agreement became vehicles through which ministers could work together on the eight key priority areas identified by the current Australian Government at the 2007 federal election:

- better measurement of current and future need for disability services
- moving toward national population benchmarks for key disability service types
- making older carers a priority for all disability services under the Commonwealth, State and Territory Disability Agreement
- quality improvement systems based on the National Disability Service Standards for all Commonwealth, State and Territory Disability Agreement services
- improved service planning and strategies to simplify access to services under the Commonwealth, State and Territory Disability Agreement
- focusing on early intervention, lifelong planning and increasing the independence and social participation of people with disability
- improved workforce capacities
- access to services by Indigenous people with disability.

The National Disability Strategy, launched on 18 March 2011, sets as a policy direction the need for communication and information systems to be accessible, reliable and responsive to the needs of people with disability, their families and carers.

The strategy aims to establish a national approach to policy and program development on issues affecting people with disability and recognises the significance of the National Broadband Network as an enabling technology platform to underpin all the outcome areas in the strategy.

[21] http://fahcsia.gov.au/sa/disability/progserv/govtint/policy-cstda/Pages/default.aspx

The purpose of the National Disability Strategy is to:

- establish a high level policy framework to give coherence to, and guide government activity across mainstream and disability-specific areas of public policy
- drive improved performance of mainstream services in delivering outcomes for people with disability
- give visibility to disability issues and ensure they are included in the development and implementation of all public policy that impacts on people with disability
- provide national leadership toward greater inclusion of people with disability.

The strategy covers six policy areas which are broadly mirrored by articles in the United Nations convention:

- Inclusive and accessible communities—the physical environment including public transport; parks, buildings and housing; digital information and communications technologies; civic life including social, sporting, recreational and cultural life.
- Rights protection, justice and legislation—statutory protections such as anti-discrimination measures, complaints mechanisms, advocacy, the electoral and justice systems.
- Economic security—jobs, business opportunities, financial independence, adequate income support for those not able to work, and housing.
- Personal and community support—inclusion and participation in the community, person-centred care and support provided by specialist disability services and mainstream services; informal care and support.
- Learning and skills—early childhood education and care, schools, further education, vocational education; transitions from education to employment; life-long learning.
- Health and wellbeing—health services, health promotion and the interaction between health and disability systems; wellbeing and enjoyment of life.

National Disability Insurance Scheme

On 23 November 2009, the Prime Minister announced that, as part of the National Disability Strategy, the Productivity Commission would investigate the feasibility of new approaches for funding and delivering long-term disability care and support.

The Productivity Commission released a draft report on 28 February 2011 after extensive consultation.[22]

The inquiry found that the current disability support system is 'underfunded, unfair, fragmented, and inefficient, and gives people with disability little choice and no certainty of access to appropriate

[22] http://uat.pc.gov.au/projects/inquiry/disability-support/draft

supports'.[23] The draft report recommends a new national scheme, the National Disability Insurance Scheme, be established to provide insurance cover for all Australians in the event of significant disability.

On 20 October 2011, it was announced that the Australian Government and state and territory governments had agreed to lay the foundations for a National Disability Insurance Scheme by mid-2013. This scheme is to be structured to cover the whole of a person's life experience and provide individualised care and greater choice than currently available to people with disability. The scheme will continue support currently provided by specialist providers and also focus on enabling people to choose mainstream services and on the development of innovative solutions to support services.[24]

This new National Disability Insurance Scheme may have the potential to fund assistive telecommunications devices or services for those whose needs fall outside the scope of current services or equipment programs.

Disability equipment program

The Telecommunications (Equipment for the Disabled) Regulations 1998 (outlined above in the section about the *Disability Discrimination Act 1992*) provide examples of the types of equipment that a universal service provider must supply to a person with disability in order to ensure access to the standard telephone service (and the NRS) in compliance with the Disability Discrimination Act.

Telstra has operated a disability equipment program since 1981 and provides equipment for customers who are deaf, blind, or who have a hearing, speech, vision, mobility or dexterity impairment.

Other providers that offer standard telephone handsets must also provide equivalent equipment for people with disability at the same rental price as a standard telephone handset, in compliance with the *Disability Discrimination Act 1992*. For example, Optus and AAPT currently operate their own disability equipment programs. Smaller companies meet their obligations by wholesale arrangements with Telstra.

On 16 February 2009, the Minister for Broadband, Communications and the Digital Economy announced that the Department would undertake a feasibility study into whether to establish a disability equipment program independent of telecommunications carriers. A discussion paper was released and submissions provided by end of April 2009. A draft report was provided to the Minister in December 2009 and released on the Department's website in March 2012.[25] However, the scope

[23] Disability Care and Support Draft Report, Productivity Commission, 28 February 2011, Overview page 2, www.pc.gov.au/projects/inquiry/disability-support/draft

[24] www.jennymacklin.fahcsia.gov.au/mediareleases/2011/Pages/Earlydeliveryoffoundationreform_nids_20_oct_2011.aspx

[25] www.dbcde.gov.au/publications/2012_publications

of that study did not cover the impact of changes to the environment such as new technologies and the National Broadband Network.

Industry codes and guidelines

In addition to legislative requirements to provide comparable telephone services to people with disability, certain industry codes and guidelines operate:

- Information on Accessibility Features for Telephone Equipment Industry Code (C625:2009) and the accompanying Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline (G627:2009):
  - These require equipment suppliers to provide certain information to telecommunications carriage service providers about the accessibility features of their telephone products. Suppliers must also make this information available to consumers on request.
  - The code applies to fixed, cordless, mobile and satellite phones and sets out guidance through two matrices on how information about equipment is to be provided.
- Telecommunications Consumer Protections Industry Code (C628:2007):
  - Where requested by a customer: a carriage service provider must inform a customer with a disability of any telecommunications product available to them which would address the customer's particular requirements; and show them how to effectively use this product.
  - Carriage service providers must have regard to Disability Matters: Access to Communications Technologies for People with Disabilities and Older Australians Industry Guideline (ACIF G586:2006) when providing information to customers.

Web Content Accessibility Guidelines 2.0

The Web Content Accessibility Guidelines 2.0 are the new international standards for online accessibility. They were introduced in 2009 by the World Wide Web Consortium—the international standards organisation of the World Wide Web.

The Web Content Accessibility Guidelines 2.0 identify techniques to create and manage web content in ways that are more accessible to people with disability (including visual, auditory, physical, speech, cognitive and neurological disabilities). An example is the creation of web pages that are compatible with assistive technologies like screen readers.

On 23 February 2010, the Australian Government announced it would ensure all government websites adhere to the new Web Content Accessibility Guidelines standards by 2015.

The endorsement requires all Australian Government websites to implement the Web Content Accessibility Guidelines 2.0 to meet the middle level of conformance (Double A) over a four-year period. Transition to this standard is likely to improve accessibility to online services.

Appendix B—Review terms of reference

The review will:

1. Consider how the National Relay Service (NRS) meets the telephone communication needs of people who are deaf or have a hearing or speech impairment.
    a. How might call centre services be improved?
    b. How might outreach services be improved?
    c. What aspects of the NRS are the most important to users?
    d. What barriers exist to access and use of the NRS?
    e. Are there other, perhaps better, ways than the NRS to assist people to make and receive telephone calls, in particular for people:
        i who can hear and speak but who have difficulty being understood on the phone
        ii who can speak but cannot hear, usually people who have acquired hearing loss
        iii who can hear and do not use their voice
        iv who cannot hear and do not use their voice?
2. Build an understanding of what more can be done to help people with disability, older Australians and people experiencing illness, to communicate through use of telecommunication services.
    a. Other than the NRS, how else are people overcoming difficulties in using technology to communicate?
        i provide examples of technologies, equipment and services used, if any, and
        ii describe the situation/s where these technologies and equipment have been used and what barriers they overcame.
    b. What gaps in assistance exist? How important is it to address these gaps? Why?
    c. How do/could people needing help:
        i find out about new services and equipment that could meet their telecommunication needs
        ii let the government and industry know about their telecommunication needs
        iii access consumer support, such as getting help with faulty products or contracts that may be unreasonable?
    d. How could industry:
        i be encouraged to think routinely about access issues in the design and delivery of its products and services
        ii keep people informed of new and emerging technology that could help address barriers to telecommunications access?

e. What information would assist industry in considering commercial opportunities for new equipment and technologies that provide greater access?

3. There are many times when the government would like to get in touch with people who have problems communicating and who cannot be contacted by telephone. This could be:

- to find out what sorts of services and assistance they need
- to find out if support services are working for them
- letting them know about new services
- most importantly, alerting them to an emergency situation such as fire or flood.

One solution could be for the government to keep a register—names, contact details and information about each person's communication needs—of those persons wanting the government to keep in touch with them for these sorts of reasons.

a. Should the government maintain a voluntary register of people wanting to be contacted for these sorts of reasons?

b. What important things should the government keep in mind in the design of such a contact list?

c. What privacy concerns are most important to consider?

Appendix C—List of submissions received

Submissions

Ability Options

Ability Technology

Able Australia

Access Innovation

Australian Communications Consumer Action Network

Australian Communication Exchange

Australian Communication Exchange Consumer Advisory Group

Australian Centre for Economic Research on Health (University of Queensland)

Australian Government Information Management Office

Australian Deafblind Council

Australian Federation Deaf Societies

Australian Mobile Telecommunications Association/Communications Alliance Ltd

Australian Sign Language Interpreters' Association Victoria

Australian Blindness Forum

Blind Citizens Australia

Brain Injury Australia

Cerebral Palsy League

Children of Deaf Adults Australia

Communication Rights Australia

Coppice Communications

Council of Social Services of New South Wales

Deaf Australia New South Wales

Deafness Forum Australia

Deaf Society of New South Wales

First Peoples

Media Access

Mind Australia

Motor Neurone Disease Australia

Name witheld #1

Name witheld #2

Name withheld #3

National Disability Services

Ms Nealon

Novita

Paul Budde Communications

Physical Disability Council of NSW

Fr Pitzen

Raising the Floor International

Royal Blind Society

Technical Solutions

Telstra

Telecommunications Industry Ombudsman

University of Tasmania

Vision Australia

Westwood Spice

Letters of support for Australian Communications Consumer Action Network's submission (treated as a submission)

Australian Deafblind Council

Blind Citizens Australia

Children of Deaf Adults Australia

Deafblind Association (NSW)

Deafness Forum Australia

Spinal Cord Injuries Australia

Women With Disabilities Australia