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ACCC Inquiry into NBN Wholesale Service Standard

Deaf Australia welcomes the ACCC inquiry into NBN Wholesale Service Standard. We would like the opportunity to put forward a submission of this inquiry as access to information because the use of technology is increasingly important for deaf people.

Before we delve into the issue, we describe the current situation as well as why communication technology is important.

Deaf Australia is the deaf-led national peak organisation representing deaf people in Australia. We promote the advancement of human rights and equality for deaf people by collaborating with our members and stakeholders to influence the government regarding the implementation of the United Nations' Conventions and the Commonwealth Government's National Disability Strategy.

Communication is essentially a right for all Australians. This includes deaf, deafblind, and hard of hearing people. For the purpose of this submission, we will focus on communication needs rather than focusing on a deaf person's hearing capabilities, and throughout the submission, we refer to this population as 'deaf people' regardless of their hearing levels.

Deaf Australia (formerly known as Australian Association of the Deaf) was established in 1986, and the telephone relay service was one of its first national campaigns. This induced the establishment of the Australian Government's initiative, the National Relay Service (NRS), which was launched on 30 May 1995.

The NRS provides the deaf community with the bridge they need to communicate with other people. This is also achieved through the services of Auslan (Australian Sign Language)/English interpreters. Over the years, the service of bridging communication has been maintained and upgraded to ensure that services are provided that are current and functional now as well as in the future to meet the growing demand of the community. Each of the foundations of the service plays an important role in sustaining this communication bridge. Should one foundation be corrupted, damaged, removed or stressed, there will be serious consequences, impacting the deaf people their families, governments and businesses.

Over the years, Deaf Australia has monitored and provided submissions on the NRS. Our most recent success was advocating for the inclusion of a Video Relay Service (VRS) and the world's first text messaging service (SMS) relay service, which became a core component of the 'new' NRS in 2013.

It is essential to acknowledge that technologies are continuously developing and changing the way many people communicate in Australia and globally. Deaf Australia must emphasise that these technologies must consider deaf people's needs for the services to be fully beneficial. For example, in the late 1990s when the telecommunications companies launched the SMS service, they could not be sent between different carriers. Deaf Australia lodged complaints through the Australian Human Rights Commission, and currently, telecommunications companies gain hundreds of millions of dollars annually from cross-carrier SMS services. Not only deaf individuals benefit from this service; everyone does.

Many integrated/mainstream services are not entirely 'user-friendly' for deaf people, and the lack of accessible equivalence is a barrier for deaf people to effectively interact and participate on an equal basis.

In the recent new NRS contract, it is expected that some of the services will be capped to some extent for budgetary reasons. In the previous contract, the annual operating cost for the NRS was about $32m. The significant cost is due to the use of an internet-based relay service, which offers greater flexibility for deaf people when using the service.

It is also an expectation from the Department of Communications and the Arts that 'mainstream communication technologies' play an important part in our access to communication. Exactly what 'mainstream communication technologies' entail and whether they have been assessed for equivalency have not been forthcoming.

What is not clear in the cost is deaf individuals' internet/data usage when utilising a range of mainstream communication technologies. For the VRS or to make video calls, for example, it is essential that a stable and high-speed internet connection is provided as a minimum to enable a successful call. There are many instances in which connections are poor due to internet (bandwidth capacity) demand in the area being high and in high use (peak period), which have rendered calls unsuccessful.

For deaf people who use Auslan (Australian Sign Language) as a primary (or preferred) language to enable them to receive and to impart critical information that is otherwise difficult to express in written contents, they are facing a myriad of barriers on a daily basis simply due to their communication needs. This raises an important issue regarding whether the provisioning of internet services will or are meeting the communication requirements of deaf people. Therefore, deaf people's use of a universal telephone system has imposed challenges for deaf people as they do not always offer alternative accessible options. This includes telephones, mobile phones, phone booths, short-range radios, etc.

Teletype Devices (commonly known as TTY) use an analogue system and are not compatible with a digital network. Therefore, TTY is a legacy technology and is becoming (or already is) obsolete. The only way for TTY to work is to request a fixed analogue line in a person's house, which can also double as a facsimile line. This adds an additional cost.

Even with the introduction of National Broadband Network (NBN) and the modems that are in use, they do not offer an alternative connection for which a TTY can be connected. This lack of alternatives has forced deaf people to abandon using TTY, to subscribe to the internet and to use whatever communications options there are, such as messenger, Skype, FaceTime and online chat. These communication options are not universally standardised.

This is a particularly important issue for deaf people living in rural and remote regions in Australia where they rely on data for communication.

A TTY was once considered a type of universal standard obligation (USO) equipment, and since they have become legacy devices, there is no other USO equivalent for deaf people. The internet plays a large role in our capacity to maintain our connection with the world.

The internet is the essential communication engine for deaf people, which means that when the internet is down for whatever reason (e.g. billing, electrical shortage, storm, maintenance, etc.), it leaves deaf people with no access to communication, causing them to be vulnerable in an emergency. When this occurs, they are faced with extreme difficulty in contacting the provider to discuss the connection issue.

Deaf Australia wishes to discuss other factors related to this inquiry as well.

Due to the National Disability Insurance Scheme (NDIS), which has been implemented and rolled out since 2015, deaf people are gaining increased access to a range of services they never had before, such as using interpreters in community settings. Under the current NDIS legislation, the NDIS will not cover 'on-going' costs, such as higher premium internet, which means that in effect, this limits which services deaf people can afford and access.

The demand for interpreters is increasing, which is forcing many deaf people to use internet video remote interpreting for appointments, interviews, assignments and more. This means that they require higher internet speed and bandwidth to enable effective communication.

When an individual subscribes to a basic plan, it offers no assurance of the quality of videoconferencing and does not provide confidence that the internet is stable. This has forced many

deaf people to subscribe to a higher plan simply to attain the same 'equivalency' as non-deaf people would have with lower plans and / or with other communication options.

Deaf Australia proposes the following:

- For individuals who require the use of the internet for core communication needs, they should be given a package to allow them to access stable and higher speed/bandwidth internet at a basic rate;
- As above, the individuals also are given the highest priority to restore internet should there be an issue with connectivity due to billing, electrical shortage, storm or maintenance;
- Those who live in the rural/remote parts of Australia are given extra data at no additional cost; and
- Consider a bundle plan with a mobile plan so that deaf people are not at a disadvantage when forced to use data when the internet is not performing as required.

With regards

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