



Women
With
Disabilities
(Australia)

Women With Disabilities Australia

Position Paper:

VISION 20/20 Workshop

**Australian Communications Authority
& TEDICORE**

Melbourne

29 November 2004



Women
With
Disabilities
(Australia)

*Winner Australian Human Rights Award 2001
Winner National Violence Prevention Award 1999
Nominee, French Republics Human Rights Prize 2003
Nominee, UN Millennium Peace Prize for Women 2000*

PO Box 605, Rosny Park 7018, Tasmania AUSTRALIA

Ph: +61 3 62448288 Fax: +61 3 62448255

Email: wwda@wwda.org.au

Web: <http://www.wwda.org.au>



Women
With
Disabilities
(Australia)

CONTENTS*¹

| | |
|---|---|
| 1. Introduction | 3 |
| 2. The ACA Preliminary Report | 3 |
| i.) The Preliminary Report Scenarios | 4 |
| ii.) Scenario 1 | 4 |
| iii.) Scenario 2 | 5 |
| 3. Accessibility | 6 |
| 4. Regulation | 6 |
| 5. Competition | 7 |
| 6. Consumers' Role in Vision 20/20 | 7 |
| 7. Conclusion | 8 |

¹ * This document is available in large print, or taped version on request.

1. Introduction

I would like to start by acknowledging the people of the Woirworung and East Kiaora nations, the original owners of the land on which we stand today.

Women With Disabilities Australia (WWDA) welcomes this opportunity to join the Australian Communications Authority (ACA) and the Telecommunications Disability Consumer Representation (body) (TEDICORE) in today's 'Vision 20/20' Project discussion, to work towards an accessible, affordable and functional future.

Although the ACA Vision 20/20 is for an integrated communications environment encompassing telecommunications, radio and broadcasting, I apologise that I am not yet integrated and will have to focus on the WWDA Information and Communications Technology (ICT) platform and the experiences of women with disabilities.

2. The ACA Preliminary Report

I know that we are here to look to the future, but I am afraid I am also going to focus on track records and current behaviours operating in telecommunications.

In its Preliminary Report² for Vision 20/20, the ACA states that the current regulatory and self-regulatory frameworks '*now assume a relatively stable operating environment*', inferring that this stability delivers good services to the consumer. For the marginalised, in many cases, they do not. The Preliminary Report posits that in the new 2020 environment, dynamic and fluid regulatory and delivery mechanisms will operate, and that these will be good for consumers. It seems obvious to me that a paradigm shift will have to occur in the behaviours of all involved in the chain of delivery to consumers to make this happen.

In describing the current environment as '*slow and time-intensive*', Vision 20/20 talks much about the Telcos' need for fundamental change in their current entrenched '*modus operandi*'.

The Report says that the drivers of this change will be digitalisation, pervasive computing, seamless connectivity and globalisation. The first 3 are technical changes. All are inevitable and all are driven by the latter. I do not see consumer driven communications in this mix. Nor do I see anything driving that behavioural and attitudinal change that will be needed.

I am not a complete Luddite. The technical changes are exciting and have great potential to bring positive benefit to the lives of people with disabilities. But again, when I look at today's '*stable*'

² Preliminary Report '*Vision 20/20: Future Scenarios for the Communications Industry - Implications for Regulation*', Australian Communication Authority, 2003.

operating environment, I see that those marginalised by money (or the lack thereof) and disability are not faring well. So when I cast my eye forward to the 'dynamic environment', optimism deserts me.

i.) The Preliminary Report Scenarios

Let us look now at the Preliminary Report Scenarios for the future. With some trepidation, I can see HAL in all 5.

By 2020 we should expect that communications will not be the only aspect of society to have changed. We should expect that some changes being actively sought now will continue. I am hoping for gender equity by 2020, so I am aghast to see that the scenarios in the Preliminary Report have a subtext of sexism. Why is it that it's a woman who had the stroke, and isn't working, and has to be looked after and has quirky behaviours like taking off her HAL bracelet? Why is it that the only other women are Lavinia, the perpetual female secretary, but now virtual and clicked on and off at the flick of a switch, and a lesbian couple in Scenario 3?³ Could it be that the imagining of the scenarios was male dominated and 'Technologist driven'? What were the women workshop participants doing?

Certainly all the scenarios describe a world wonderfully awash in electromagnetic radiation – but consideration of any consequence of this is not on the radar screen. Nor does the concept of social justice appear. (I do not count the mention of a 'safety-net' or a 'legacy service' to constitute this.)

The scenarios talk about a convergence of the regulatory environment. I think that people with disabilities would be wary of this concept. We already have such a system in operation – in the Disability Discrimination Act (DDA). This regulatory Act deals with discrimination encountered in any facet of our lives. Getting justice cunningly devolves to consumers self-funding complaints to the Human Rights and Equal Opportunity Commission. It is not a friendly environment for consumers with disabilities. Unfortunately it is already our fall-back position for equitable access to ICT in 2004. We certainly do not want it to be a model for Vision 20/20.

ii.) Scenario I

I would like to look at the scenarios in more detail, in order to look at the behaviour of players in telecommunications. In Scenario I, the Sensitive New Age Future, individual self-reliance is paramount, and there is a high level of industry self-regulation. This seems the perfect set-up for the exploitation of the vulnerable. It relies on the Telcos behaving in a sensitive new age way and on individuals being self-reliant. This latter requirement excludes many people with disabilities.

³ The main protagonist of the scenarios (Tom) is male, and there are 8 other males mentioned specifically, Tom's hobby is hooning round in his Monaro when permitted by the government regulations. The text is peppered with phrases such as 'grab a wall guys' and 'Tom's shift buddy'.

Let us step out to look at the current sensitivity of Telcos with a glance at a Case Study from the Telecommunications Industry Ombudsman's (TIO's) 'Talks' #31 of March 2004. When a small business relocated to new premises in the same suburb, it requested, and was entitled to relocation of its two telephone numbers. However, its Telco mistakenly re-allocated its fax/internet phone number resulting in the loss of business nationally and internationally. The Telco admitted its error, refused to rectify the problem, and offered \$500 as compensation. A sensitive approach.

Now let us look at the sensitive support in the system. The relevant regulation was the Telecommunications Numbering Plan of 1997, which had not been breached. The TIO sympathised with the complainant over its loss of business, advised that a private compensation case could be brought, and commented that the case highlighted difficulties with the 'Number Plan'.

This is a Case Study with high functioning complainants running a small business. How will the mere passage of time make the Telcos behave responsibly and sensitively?

iii.) Scenario 2

In Scenario 2, the 'Big Daddy' future hypothesises a high degree of centralisation of information, monitoring of people and transactions, with consumers trusting the network and those who administer it.

Attitudes to privacy and the use of an Identity Card are indeed different from when visited in mid-1980 with the defeat of the Australia Card Bill. The Scenario can well argue for acceptance of a Centralised ID system, since it is already with us. The Health Insurance Commission (HIC) is already trialling even greater coordination and centralisation of medical records on a Medicare Smartcard, with a differentiating attraction being that the consumer controls what goes on the card. Moreover we are already habituated to information cross-checking between Centrelink and the Tax Office.

However, we have few precedents to put outright trust in telecommunications technology or systems. Once again another TIO 'Talks' Case Study is instructive. A complainant contacted her ISP to query a \$500 Internet Bill. The cause? – 3 instances of hacking. The socially responsible ISP required the consumer to pay the Bill, promised credit should moneys be recovered, adding a general comment on the lack of necessity to involve the police. When some money was recovered the ISP kept both amounts until the gentle intervention of the TIO. Notwithstanding issues of consumer obligation to guard their passwords, hackers do just that, 'hack' into a system regardless of password vigilance on the part of a consumer. I am imagining the consequences for a woman with disabilities on a Disability Support Pension in similar circumstances.

How do we get the behaviour of the network providers, shown so detrimentally here, to change?

Scenario 5 I can relate to. It chronicles a series of glitches in different systems. It is of course, the closest to the reality of today.

3. Accessibility

I would like to look at Access and Equity in Vision 20/20. The Preliminary Report does mention the marginalised, in allowing that there may need to be a *'degree of government safety net'*. This is certainly true today when the marginalised already have difficulty in accessing, using and paying for ICT. Already they are monetarily penalised for their lack of use of Information Technology (IT) – with a number of non-IT transactions carrying a penalty charge.

I spend a considerable amount of time assisting women with disabilities to cross the Digital Divide. Current safety-nets in the way of subsidies are not adequate. The gap between the have-technologies and the have-nots is widening not shrinking, and the penalties for not being a player are becoming greater. The need for supports and subsidies will continue beyond 2020.

Another worrying statement in the Preliminary Report is that *'because of diverse ways of communicating, universal or standardised services are for legacy services only'*. This sounds to me like an echo of the charity model of disability. Those with money can have all the bells and whistles extras – whilst some sort of basic gruel is provided for the marginalised. The communications environment we create must be better than a legacy service.

As we know, the *'review of the continuing relevance and feasible lifespan of legacy instruments'* is not in the future, it is with us now. Despite the findings of the review of the Universal Service Obligation (USO) and the Customer Service Guarantee (CSG), their operation is not resulting in good *'legacy'* services for the marginalised now. Private public phones are even less accessible than the public public phones. People with disabilities cannot participate in the competitive market-place because of current arrangements for access to assistive equipment.

Where are these things in Vision 20/20?

4. Regulation

I also want to look at Regulation. WWDA believes that competition is not necessarily good for consumers, especially those with special needs for products and services, for those with little money and for those living in unprofitable locations. Regulation is going to be needed in 2020 to ensure products and services are equitably accessible. Competition – amongst companies – can mean an unseemly scramble for low profit margins, resulting in unscrupulous behaviour. The 2 case studies illustrate that.

In a global market, Australia is a small player. International discussions need to be focussing now on ways of maintaining access and equity for the marginalised and that includes the countries which are marginalised. Once again I have no faith in companies benignly regulating themselves. The Monsantos of the communications world will want a global share of the global market. The word domination comes to mind.

Australia needs to be thinking strategically about how to protect its consumers from global predators, how to participate in the global market, and how to regulate the operation of players so that there can be good participation for all consumers.

5. Competition

Allow me a quick look at market-place competition in 2020. A key assumption in the Vision 20/20 Preliminary Report is that *'market-based self-regulatory environment would deliver open, seamless near-ubiquitous connectivity'*. I have doubts that this statement will ever hold true, even at a technological level. But I have severe reservations about what it delivers to marginalised consumers. Well we remember the slogan: *'Every Australian benefits from competition between banks'*. Competition does not deliver better service at lower price. Relying on market-based regulation will not be good for consumers, let alone the marginalised ones.

In Telecommunications we have immediate competition worries. What is happening now so that when Telstra is privatised the organisational, legislative and regulatory frameworks are such that a large proportion of the infrastructure is not left in the hands of one dominant player? What is happening now to ensure that people with disabilities can have access to a comprehensive disability equipment program that enables them to take advantage of competition in the market place?

6. Consumers' Role in Vision 20/20

Now let us revisit all the scenarios and put another element into the mix. Vision 20/20 needs to include consumers, not just as passive end-users but as drivers of the environment.

Consultation with consumers will need to continue, and their input heeded as an integral part of a dynamic environment. They will need government support to train them as competent advocates.

People with disabilities will be involved in much greater numbers on consumer bodies, and will also participate in disability advisory bodies.

In 2020, incorporation of Universal Design features will be accepted practice.

Technologists will consult will consumers, particularly those with disabilities at the inaugural stages of design of products and services.

The government will support people with disabilities to undertake technical training in communications and Telcos will actively seek the expertise of people with disabilities and employ them.

That is a framework, but you will be thankful that I have refrained from writing Scenario 6!

7. Conclusion

WWDA is looking beyond technological change to behavioural change. We believe that Telcos will not spontaneously change themselves in ways favourable to consumers, and that government regulation will be needed to enable the marginalised to participate equitably.

WWDA believes that government support mechanisms will also need to be put in place to enable the marginalised to participate equitably.

Vision 20/20 starts now. We would like to see those organisational, legislative and regulatory frameworks begin to change straight away – perhaps starting with tackling how to set up an independent disability equipment program? And I leave you with that thought.

Sue Salthouse
WWDA Telecommunications Group