# Submission: Sustain the National Relay Service and improve communications accessibility for people with disability: 2016 and beyond

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Yes

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## Logo of organisation—if an organisation making this submission



## Name and contact details of person/organisation making submission

Ben McAtamney & Claire Tellefson

Ablelink Digital Literacy Facilitators- (Able Australia)

## Context and Scope

Provision of the National Relay Service identifies “communications accessibility issues for people who are deaf, hearing and /or speech impaired”. We would strongly recommend you also name deafblind people and broaden the charter to “address communications accessibility issues for people who are deaf, **deafblind**, hearing and /or speech impaired” . Deafblind people rely heavily on alternative telephony to maintain their independence, but are currently excluded from legislative definitions of the NRS user group. This omission has serious implications for their ability to self advocate and pursue change at a product design, service delivery and policy level. The NRS is an important safety net communication option for Australians who are deafblind and their accessibility needs should be identified for equitable service delivery.

In the United States, the needs of the deafblind community have been recognized through a specialised equipment program called The National Deaf-Blind Equipment Distribution Program (NDBEDP), established in 2011 under the Twenty-First Century Communications and Video Accessibility Act. The program, known as “iCanconnect” provides telecommunication, Internet access and other communications technology free of charge to low income people who have combined hearing and vision loss.

An important observation is that many of the excellent services provided by NRS in their adapting to mainstream technology, involves a connection to the internet. Connectivity is an essential requirement for a “Standard Telephone Service” but is not acknowledged as a significant barrier.

Realising the full potential of digital technologies and communication services requires a review of the current legislation under the Telecommunications Act and the Universal Service Obligation. Not only is Telecommunications restricted to the outdated definition of “Standard telephone service”, but the equivalent voice telephony services are being reduced.

The proposed paper constantly refers to NRS as a “Text based service” that can be replaced by mainstream text based apps. The NRS is a Relay service providing Voice interpretation of text to provide access to an equivalent Standard Telephone Service.

Given the natural uptake of SMS, Email and Video relay, and the decrease in reliance on TTY (fixed line telephony), it is to the credit of the NRS that calls have increased. Surely this is due to the increased awareness and numbers of people using the service.

Option 1: Increase the funding allocation available for the National Relay Service to sustain its delivery over the life of the current contracts

### Should a specific funding allocation from the TIL available for the delivery of the NRS be increased by a set amount? If so, what amount?

Yes, funding should be increased to match the latest reported actual delivery costs for the service in line with the growth in usage and expanded services.

Surely, the service is in demand and providing Voice telephony in line with the expanded growth in communications sector.

### Should changes to the current $20 million allocation (excluding GST) available for the delivery provision of the NRS from the TIL be allocated for specific purposes? I.e. for delivery of specific service options.

Yes. From a consumer support point of view there is currently very little in the way of accountability for how the funds are spent. Portioning of funds to specific services allows for more accountability and transparent monitoring of the performance of organisations that currently hold the contracts to provide the service. In addition, these purposes should be developed in consultation with stakeholders. For example, current equipment provisions (i.e. TTY) and the current USO emphasis on voice telephony and its alternatives represent how out of touch the legislature and industry is with the consumer. Whilst TTY use has declined and uptake of smart devices and Internet use has increased rapidly, we have seen no changes to the Telecommunications Equipment Program or the TCPSS Act.

Option 2: Introduce measures to manage demand for NRS services

### Should capping arrangements be put in place for one or more service access options delivered through the NRS?

The NRS exists to provide an equivalent experience of voice telephony for those who are unable to use standard services. It barely does this at present and it will only move further away from true equivalence of experience if users are subjected to caps and restrictions that their hearing counterparts are not.

The only Caps to be considered are where they mirror similar caps applied to standard plans for voice telephony (e.g. overseas calls).

### Which service access options could be capped (while maintaining access to calls to emergency services on a 24/7/365 basis) for users of the NRS?

The increased usage of NRS surely indicates it is a valued and necessary service. To consider caps to this service at a time when the rest of the community has an ever expanding access to voice telephony with unlimited, uncapped mobile plans, is not an equitable service.

### Should limited hours of operation be put in place for any other service access options delivered through the NRS, apart from the current arrangements in place for video relay?

The necessity to make voice calls stretches around the clock for a marginalised group of people with “profound or severe limitations affecting their mobility, self-care or communication”. Again, with the rest of the population enjoying unlimited, untimed, voice telephony, it is inequitable to suggest limited hours of operation for NRS services.

### Which service access options could have limited hours of operation (while maintaining access to calls to emergency services on a 24/7/365 basis) for users of the NRS?

I would recommend NO services have limited hours of operation. For members of the community suffering from isolation, mental health and poor supports, the definition of “Emergency” calls expands to full range of NRS services. It is worth noting that due to the complexities of communication within this diverse group of deaf, hard of hearing, speech impaired AND deafblind, an individual may only be able to access ONE of the NRS services and this crucial form of communication is necessary on a 24/7/365 basis.

### Should caps be considered on a per-user basis as part of ‘fair use’ controls?

Again, “fair-Use’ is a subjective control for people with complex communication needs and in providing an equitable standard telephone service. .

Option 3: Introduce more specific requirements to support access to the National Relay Service, including greater enforcement of fair use policies

### Should account or compulsory registration requirements be expanded to cover access to all service options available through the NRS?

Registering for a phone plan through a Telco provider is a significant challenge in itself. Any registration requirements for NRS should be signed off within this process. Adding the additional burden of registration for a NRS account or even for each call adds an unreasonable and significant barrier that locks out the most marginalised within the community.

Putting any restrictions on NRS use that do not exist for phone use by hearing consumers drives the service away from its core mission of providing an equivalent experience to voice telephony.

### Should the establishment of any account or registration process require appropriate independent confirmation of the disability which requires the account holder to use the service?

If any confirmation of the disability is required at registration, it should not be longer or more complicated than that of a hearing person signing up for a phone service. If additional confirmation of a person’s disability is required at this point it should be able to be provided in the form of a pension number, centrelink information or some other form of identification for which proof of disability has already been submitted.

The process for establishing independent confirmation of the disability will serve as a barrier to accessing the service for a significant number of the deaf, hard of hearing and speech impaired community, placing unreasonable amounts of pressure on the individual and driving the experience further away from that of a hearing person making a phone call.

The money it would cost to implement such a process would be diverted away from service provision which seems unreasonable given the demand for service is increasing.

### Should the establishment of any account or registration process require account holders to appropriately self-declare the disability which requires them to use the service?

In the context of making a phone- call it is inappropriate to also need to establish your disability.

This information is better collected through surveys or other means, if it is required for reporting and service improvement purposes. If this is undertaken, it must contain provision for people to report additional impairments other than those affecting their hearing. For example, many Deafblind users of the NRS are currently under represented as, although they identify as hard of hearing or Deaf, their vision impairment is not recorded or taken into account by the NRS. The presence of this additional impairment has massive implications for how they use the service and also for design considerations the NRS must acknowledge in their products (websites and apps) in order to ensure they are fulfilling their obligation to provide an equivalent alternative to voice telephony. Additionally, the money it would cost to implement such a process would be diverted away from service provision which seems unreasonable given the demand for service is increasing.

### Should appropriate fair use policies be introduced for account holders with the NRS?

It is very difficult to believe that there is anyone out there exploiting the NRS to the extent that Fair use policies would be necessary. If, however, it is implemented it should form part of the initial terms and conditions a user agrees to and should not, for example, appear as a pop up screen every time the user makes a call. This would add an additional layer of complexity and confusion for users with a vision impairment and would not represent an equivalent experience to using a telephone. Additionally, the money it would cost to implement such a process would be diverted away from service provision which seems unreasonable given the demand for service is increasing.

### Should the current follow-on call options available for some types of inbound connections to the NRS be removed?

No. The follow on feature is a great help to Deafblind people as they find (on IP relay calls for example) getting to the actual moment of making the call quite difficult. Often the website is being navigated under large amounts of navigation or with a Braille display and screen reader, which makes moving around pages slow, difficult and confusing. Once connection is established, it is essential that Deafblind users be able to make all the calls they need to with as little need to navigate away to new screens as is practicable.

Option 4: Refocus the existing National Relay Service outreach programme

### How could the NRS outreach programme be refocussed to assist in broadening awareness of service options and aiding the sustainability of the NRS?

The NRS is a pervasive service within the Deaf and Hard of Hearing community and is well known within its consumer base and there is no need to promote its existence unless drastic changes are being made to service provision. Broadening awareness of services options is required within the aging population who may be experiencing late onset hearing loss but this has been addressed with the advertising within Seniors events.

The outreach should be particularly focused on industries where telephone customer service interactions are still the preferred method of communication between businesses and their customers. This would include, but is not limited to, Telecommunications Companies, ISP’S, Utilities Companies, and The financial sector. Promoting awareness in these industries about the need for text based customer service interactions, that may or may not take place in real time, is a good way to increase understanding. If these providers were able to facilitate customer service interactions via email for example, many Deafblind people would prefer this method rather than the NRS iP relay, as they are able to read the information and respond in their own time. This would, over time, reduce demand on the NRS. A similar effect could be achieved by encouraging industry to facilitate customer contact via apps of their choice e.g. Skype, Whatsapp, Viber etc.

Current stakeholder engagement, particularly around issues of design, MUST include the Deafblind community. Firstly there needs to be an acknowledgement that the service is aimed at “Deaf, **Deafblind**, hard of hearing and or speech impaired”. An awareness that some users are accessing the NRS using a braille display or requiring Magnification or customised colours will improve the accessibility for everyone. The NRS would benefit from designing services and creating interfaces and products that are also accessible for the deafblind, as this group is profoundly isolated..

The deafblind community feel their feedback is being ignored by the holders of the current NRS contracts and feel frustrated their user experience could be used to assist in the creating of interfaces and products that are accessible to the broadest range of people possible. Essentially, if you design something to work for a Deafblind user it will work for everyone.

Option 5: Review the range of services options and technologies available to sustain delivery of the NRS in the future

### What sort of transition process would be appropriate in phasing out legacy proprietary technologies such as the TTY access to the NRS?

It is difficult to gauge the number of users reliant on the TTY, especially for Emergency services. A survey of users to determine who is still reliant on TTY access would be necessary to gain an idea of the size of the group that will be affected. Similar to the transition to Digital Television, a date for ‘Switch Off’ should be determined and this information should be distributed as widely as possible using the NRS own reach as well as Deaf Societies and community groups nation wide. It is imperative this information be communicated in Auslan, Print and Braille. It is also crucial that users are informed about what alternatives to TTY are available to them, and training/info sessions should be co-ordinated with Deaf societies and Deafblind Community groups in each state.

Under the Disability Equipment Program, Telstra developed a Braille TTY and provide support for this device for a small number of deafblind participants. If the TTY is phased out, it would be good to review alternative options for deafblind participants who have not been able to access the NRS services due to accessibility barriers or lack of connectivity.

IT would be good follow the lead of USA and provide a The National Deaf-Blind Equipment Distribution Program (NDBEDP) to provide telecommunication, Internet access and other communications technology free of charge to low income people who have combined hearing and vision loss.

### Are there options such as limiting inbound connections generated by specific technologies that could be introduced?

No.

### What are the likely circumstances in which people may choose use the NRS over other communication options?

A misconception is that with the decline in a fixed line telephone, there is also a decline in Voice communications. However, the opposite is true. The Australian population have increased exponentially their voice calls in number and duration, including overseas and interstate with the introduction of mobile phones or VOIP calls or applications like Skype. There is a an equitable issue here for the similar provision for “Voice calls” for the deaf, hard of hearing and speech impaired.

Another misconception is that the NRS is primarily providing a “Text based service”. The deaf or speech impaired user needs to use “text” however, through a relay officer they are conducting a voice call.

It is NOT an equitable service for NRS calls to be replaced by mainstream applications like SMS, Live Chat and email.

An excellent example of this is the increase in using “Live Chat” for customer service in Telecommunications. This propriety software has no accessibility for people using a braille screen reader, The website layout may also be confusing/impractical to navigate under high magnification or have a colour scheme that clashes when a user views it using colour inversion or other customizable visual aids.

### How can reliance on the NRS as a communication option be reduced?

Reliance on NRS has already reduced with the increase reliance on Email, SMS and Skype. To reduce the availability of making voice calls any further completely misunderstands the user group and how they are interacting with the NRS.

Businesses need to provide more variety in their text based interaction options. Live chat is great but is not always the preferred option for the majority of the Deaf and Hard of Hearing community for whom English may not be their first/preferred language or for people with an additional vision impairment. If their were both an accessible ‘live chat’ feature as well as the option to conduct customer service interactions via email, sms, or a third party app (whatsapp, viber, skype etc) reliance on the NRS would be greatly reduced.

### Which are the service access options to favour when providing primary access to the NRS through non-proprietary mainstream technology options?

The diversity of the group of users demands a wide range of technology options. Mainstream technology options are usually low cost and many have excellent built in accessibility. The NRS has limited its offer of technology options in stark contrast to what is available.

Option 6: Remove specific telecommunication regulations in place for disability equipment programs

### Should the Telecommunications (Equipment for the Disabled) Regulations 1998 be repealed?

Yes, but only if it is replaced with a more up to date piece of legislation that reflects the ‘mobile heavy’ culture we currently live in and the importance of connectivity, not just device provision. There should also be provision included in the legislation for regular review every 2 years to match the rapid rate at which technology and the needs of consumers, both with and without a disability, are evolving. Leaving consumers with a disability with even less legislative protection than they currently have is not a solution to this problem.

Looking to overseas for examples, the USA provides a The National Deaf-Blind Equipment Distribution Program (NDBEDP) to provide telecommunication, Internet access and other communications technology free of charge to low income people who have combined hearing and vision loss. This program called iCan Connect has been in place since 2011 and is in response to the Twenty-First Century Communications and Video Accessibility Act.

It is important that this program not be introduced under the NDIS as many people who require equipment and connectivity for communication are over 65 years and would not be eligible for the service.

### If the regulations were repealed, would an additional safety net, beyond compliance with requirements of the Disability Discrimination Act, need to be implemented?

The additional safety net would be to provide Internet connectivity at an affordable cost to the user group. In America, since 2011, Internet connectivity is free to all people with combined vision and hearing loss. Many of the NRS services require connectivity already, even though it is a Standard Telephone Service, so assisting users to maintain an internet connection would be an excellent initiative.

It is also vital to have clear, explicit standards in this area to facilitate easy self-advocacy from within the community.

Option 7: Encourage development of more affordable data - rich plans by retail service providers

### Can more affordable data‑rich plans be developed by restricting voice call allowances in such plans?

The Deaf community has been lobbying for this for quite some time now. Many non verbal users are tired of paying for voice minutes they never use and they would prefer to receive equivalent value in included data in order to make use of IP text and video call services.

### Can such plans be provided on both a pre-paid and post-paid basis?

Plans need to be provided on both a pre-paid and post-paid basis. The need for this is imperative in the Deafblind community as many people are still developing basic financial independence skills and are frequently living on fixed incomes. Bill shock has been a huge problem in the community to date as people are forced into plans that may not be appropriate for them. Many Deafblind people also do not have credit cards with which to link their direct debits. When a direct debit is linked to their only bank account this can often result in over drafts, insufficient funds and associated penalties. A pre-paid option is a preferred, more manageable option for many people in the Deafblind community.

There are mandatory requirement of Proof of identity and the need to have a credit card to establish a post paid account and many people are unable to meet these requirements. A Prepaid account does not present such barriers of access.

### Should plans of this nature be generally available to all communities?

Absolutely. As the primary focus of mobile device usage moves away from voice telephony towards applications that require extensive mobile data there is potential for these types of data rich plans to be embraced by large segments of the broader community. There is inherent potential in this for a portion of ‘general’ plan revenue to be used to subsidise connectivity for users with a disability. This practice is currently implemented by Jeenee mobile and could have huge implications for protecting connectivity in vulnerable user groups if embraced by more carriers.

### What level of support is necessary to encourage the take up of devices and plans of this nature by people with disability?

Information needs to be disseminated in a wide variety of ways. Print, Braille, Auslan. Passing on information through the various social media channels administered by service providers is also a great way to get the word out.

Many telecommunications providers promote and secure plans “over the Phone” or “Face to face” in store. There is rarely an interpreter provided and often there is no paper copy of the contract provided. There is legislation for a “Critical Information Summary” and these are available on the Internet but if the person is not already connected they are unable to access these summaries. The Critical Information Summaries should be provided in paper copy in the store so the user can take it away and have someone interpret it to them in Auslan or print in braille, if required, so they have a clear understanding of the plan prior to signing up.

There is no legislative requirement for Critical Information summaries for Prepaid plans and very little information is provided about these on purchase.

In terms of support in the take up of devices, the government have no policies in place to ensure devices are accessible for low vision or braille. There is no requirement for telecommunications providers to ensure they have accessible handsets.

The iphone is the only device with inbuilt accessibility “off the shelf” but there is no guarantee this will continue as a company policy or that Apple will remain the provider of choice for smart phones.

In terms of being able to use NRS apps on these devices, there is no requirement for NRS to consult with the right industry/consumer groups and they often develop them in house. Deafblind users were not given the opportunity to test recent iterations of the NRS website or App before they went live. When feedback was given after the release of these, it was not taken on board as it is essentially too late in the game for changes to be made.

### What are options to consider in how to provide necessary support?

The government needs to develop policies under the universal service obligation to ensure mobile devices are accessible for all people. The Telecommunications Act should be updated to replace a “Standard telephone service” with something that embraces the full potential of digital technologies and communication services.

Telecommunications providers are ideally setup to expand their level of support for people who are deaf, deafblind, hard of hearing or speech impaired. They have shop fronts and technical expertise but require government incentives to provide necessary support.

There are a range of groups with specialist knowledge that can be partnered with in order to deliver education and support.

Peer training is also a very effective way in ensuring information is communicated effectively and in placating the anxiety many people with a disability feel around exploring new aspects of technology. There is no greater motivator or source of encouragement than seeing someone just like you using and benefiting from a new technology. Maybe the outreach program of NRS can consider providing some financial support for peer groups to remain viable.

Option 8: Encourage initiatives to improve digital literacy and the availability of mainstream text - and video - based communication options

### What skills and support are needed to encourage people to use mainstream technologies?

It is imperative that government recognises the unique way in which people living with disability experience, use and learn about technology. The incredible work done by service providers to date in training, supporting and advocating for these groups to be included in the digital revolution needs to be acknowledged and supported. Additionally, the uptake of, and preference for, mainstream technologies in these communities needs to be reflected in funding structures under the NDIS. It is important that technology needs are assessed along how the particular device or software facilitates the achievement of a goal or development of a particular capacity, not whether or not the technology itself was specifically designed for a person living with a disability.

Mainstream technologies are the preferred communication as they promote participation in the wider community. However, they are constantly changing and there is no assurance they will remain accessible. Ongoing support is required to constantly problem solve accessibility issues and to uptake new and emerging technologies. Shopfronts where consumers can get assistance are required to ensure these devices remain a reliable communication device.

### Are there existing industry, government or community programmes which could be utilised?

Absolutely. The drop in program at Ablelink, run by Able Australia, is the only one of its kind in Australia and has been providing specialist support to the Deafblind community nationwide for the past 17 years. There are similar programs servicing other communities and they are a wealth of specialist knowledge and skills that are begging to be built upon and utilized.

These small peer driven services are financially viable ways to ensure connectivity is maintained.

### How can the broadening of the availability and promotion of mainstream text- and video‑based communication options by businesses and service providers be encouraged?

Under the rollout of the NBN, more work needs to be done in promoting applications that are accessible and mainstream, yet provide adequate security for businesses. Government funded projects at libraries or within local government could lead by example to show the community how to embed text based and video based communication options into best practice.

Disability action plans can include goals for promoting broader communication options that are accessible for all employees.

Unfortunately, as with most things in business, there would likely to be a financial incentive put in place. A comprehensive community survey could be undertaken in order to ascertain which sectors users would most like to see more video and text based access to. These sectors could then be targeted with a promotional campaign. Also, consumers need the opportunity to decide whether they would prefer to interact directly with a business, or through an intermediary service such as the NRS. If the overwhelming consensus is to interact directly, perhaps it is necessary to consider reducing the scale of the relay service and making these funds available for sector development to be given to groups established in the aforementioned survey to increase the range of available text and video based interaction methods. Access to these funds should be under the condition that options must be developed in consultation with the communities aiming to utilize them.

### How can Australians with disability be supported to increase their use of direct text and video communication options?

Many people with a disability are already embracing these options. IP text apps and video calling are now commonplace in every day life. Their use is limited only by the fact that most businesses do not offer these options, or if they do they are not appropriate.

For example, text based customer service interactions may be available, but only in real time via a “Chat Room”. This is not appropriate for those for whom English is not their native/primary language and who may also have a vision impairment. It is usually delivered through the company’s website and is usually not accessible or customizable to that person’s necessary software.

The NRS is an important service for people who choose or require a voice conversation so that they have equitable access to a “Standard Telephone service”.