SUBMISSION

Inquiry into the Performance of the Australian Telecommunications Regulatory Regime

Version 1.0
April 2005

1.0 EXECUTIVE SUMMARY

Australian Communication Exchange (ACE) commends the Commonwealth Government for initiating this important inquiry.

ACE hopes that the Senate Committee will take the important role of the National Relay Service (NRS) and telecommunications access for people who are deaf or have a hearing or speech impairment into consideration when it makes its recommendations as a result of the inquiry.

ACE provides the National Relay Service under contract to the Department of Communications Information Technology and the Arts.

The National Relay Service (NRS) is defined by section 95 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* as a service that provides persons who are deaf, or have a hearing and/or speech impairment, with access to a standard telephone service on terms, and in circumstances, that are comparable to those on which other Australians have access to a standard telephone service.

In recent years, significant proactive efforts have been made by industry, consumers and the NRS to improve access to telecommunications for people with disabilities.

This submission gives a very brief snapshot, without the background detail due to the short time frame provided for submissions, of some requirements for the future.

In particular it emphasises the importance of a more flexible and forward looking definition of a Standard Telephone Service and the significant benefits available to deaf, hearing impaired and speech impaired Australians from the availability of appropriate broadband technologies.

2.0 SUGGESTED REQUIREMENTS FOR THE FUTURE

Requirement 1 – People to be able to access the networks

There is considerable confusion about the definition of a standard telephone service in relation to access needs for people who require an equivalent service to voice (ie. people who are deaf or have a hearing or speech impairment).

The understanding of ACE is that the definition of a standard telephone service is technology neutral. However, on some occasions ACE has observed that an STS has been equated with the PSTN and/or the USO, therefore limiting access by deaf people and people with a hearing or speech impairment from IP networks generally, and mobile networks in relation to access to the emergency service number 106, specifically.

The bandwidth requirements for sign language over video are a minimum of 384kbps upstream and downstream and need to be consistent throughout the communication.

In addition to community wide initiatives to encourage appropriate broadband take up, a carefully targeted program to ensure adequate broadband services are readily available to people who are deaf or have a hearing or speech impairment would deliver significant improvement to quality of live, and would be a powerful demonstration of the benefits of broadband technologies.

Efforts to resolve this issue

Recommendation 12 of the *Commonwealth of Australia, House of Representative Committee – Inquiry into Wireless Broadband Technologies* states in relation to wireless broadband services for the hearing impaired that the Commonwealth develop the means to provide hearing impaired people with mobile telephones compatible with hearing aids, portable wireless devices that can communicate through the National Relay Service, and

appropriately adapted video compression and transmission technology for video communication using sign language.

Recommendation 21 of the *William Jolley, 2003, When the Tide Comes In: Towards Accessible Telecommunications for People with Disabilities in Australia, A Discussion Paper Commissioned by the Human Rights and Equal Opportunity Commission* states that HREOC should discuss with DCITA the need for research to develop costing models and funding arrangements that would ensure affordability of videotelephony for Deaf people using Auslan.

There are currently no funding arrangements in place for mobile text telephony devices or affordable videotelephony for Deaf people using Auslan.

Requirement 2 – People to be able to access equipment that suits their needs if they have disabilities

An industry-wide, carrier independent, telecommunications disability equipment program is required to provide disability equipment to people with disabilities.

The requirements for such a program were outlined during a series of seminars facilitated by Australian Communications Industry Forum (ACIF) in 2001 and summarized in the ACIF Alert - issues Autumn 2001, Winter 2001, Spring 2001. The possible underlying principles for equipment provision, and principles for an independent mechanism or entity to provide equipment to people with disabilities were identified.

Efforts to resolve this issue

Recommendation 14 of the *Commonwealth of Australia, Senate Committee Report, 2004, The Australian Telecommunications Network* states the Government should fund the establishment of an independent disabilities equipment program using funding from the Universal Service Levy.

Recommendation 15 of the *Commonwealth of Australia, Senate Committee Report, 2004, The Australian Telecommunications Network* states that the Government should require carriers to engage in extensive consultations with representatives of people with disabilities at an early stage in the planning process for the introduction of new telecommunications technology to ensure that appropriate disability equipment will be available in conjunction with the introduction of new technology.

There is currently no industry-wide, carrier independent disability equipment program available.

Requirement 3 – People to be able to access the National Relay Service

Internet telephony is more suited to text than voice, so it is an ideal mainstream communication equivalent for people who cannot use voice communications.

International work that supports this concept includes:

- ETSI Draft EG 202 320 -

- IETF <draft-ietf-sipping-ToIP-00.txt>

Efforts to resolve this issue

National recommendations that support this concept are detailed in the following two reports from ACIF to DCITA.

- ACIF Next Generation Networks Future Options Working Group report (see Appendix A for the recommendation);

- ACIF Any-to-Any Text (TATA) Connectivity Working Group report.

The TATA working group identified:

- Issues and options for text services on mobile, fixed and IP-based networks;

- A way to inter-work between TTYs and other text communications devices. This is known as a text server;

- A migration path from legacy devices to mainstream devices on new networks.

To facilitate equivalent access for people who are deaf or have a hearing or speech impairment and who may choose to use text, video or voice services on IP networks, ACE believes that the following is required:

- National Relay Service (NRS) to be accessible via IP devices (eg. web browser or instant messenger on mobile devices);

- NRS levy to cover calls made to or from IP devices, if VoIP is defined as a standard telephone service;

- NRS contract to include calls made to or from IP devices, including video relay calls;

- NRS contract to include a text server to facilitate text protocol conversion for text-to-text calls (eg. IP device to TTY) where an NRS relay officer is not required;

- 106 (or equivalent IP address) to be accessible via IP devices (eg. web browser or instant messenger on mobile devices).

The National Relay Service contract will be released for tender in approx April 2005 and provides an excellent opportunity to include some of these requirements to ensure access for people with disabilities in the future.

3.0 SEEKING THE ASSISTANCE OF THE SENATE COMMITTEE

It would bring great and lasting benefit to deaf, hearing and speech impaired Australians if the Senate committee would include changes to legislation to; provide for a more flexible and adaptable definitions of key terms such as a 'Standard Telephone Service', take legislative steps to ensure an interpretation that reflects changes in technology and community standards, and to ensure that the recommendations outlined in other sections of this submission are enacted by Parliament.

4.0 CONCLUSION

ACE has made a concerted effort over the past four-five years, to engage decision makers, policy advisors, regulators and legislators within industry and government about the issues identified in this submission.

The NRS is part of the national telecommunications infrastructure provided to benefit the community.

Given that the NRS is an Australian Government initiative required by legislation, ACE is seeking support from the Senate Committee to implement the initiatives outlined in this submission, which we believe will go a long way to ensuring that that the NRS and telecommunications services are truly accessible on a comparable basis for people who are deaf or have a hearing or speech impairment into the future.

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APPENDIX A

Australian Communications Industry Forum (ACIF) Next Generation Network Project Framework Options Group (NGN FOG), 2004, Policy and Regulatory Considerations for New and Emerging Services (a copy of the full report sent from ACIF to DCITA is available from www.acif.org.au)

Appendix A Meeting User's Needs

One of the major policy requirements of current legislation is to ensure that "carriage services of social importance" are "reasonably accessible to all people in Australia on an equitable basis"[14]. At present this has been defined in terms of the telephone service or equivalent services. As new transitional services develop, and as work continues on standardising the longer term NGN, user's needs have to be considered

a) Voice Equivalent Services

Voice equivalent services are currently defined as part of the STS (Standard Telephone Service) .There will be a continuing need for 'equivalent communication services' for people who are deaf or have a speech or hearing impairment. Future regulations could apply to socially important services that can provide real-time text services and real-time video services (for signing and lip reading. The provisions should be technology independent to the maximum extent possible. Continuing arrangements will be necessary to support the interoperation of voice and these equivalent services (e.g a relay service, text-to-text and voice-to text servers).

The ACIF Any-to-Any Text Connectivity Options (TATA) Working Group has considered options (and been involved in new specification development) that will enable mainstream, NGN-type text services to provide the required 'equivalent' service with little impact on networks in the medium to long term. A similar scenario might apply to multimedia services and this requires further investigation.

b) Customer Equipment

There will be a need to support the supply of customer equipment, goods or services for use in connection with the STS for people with disabilities. In addition, there may be obligations under the Disability Discrimination Act 1992.

c) Possible Requirements

ACIF NGN Project members have suggested that requirements may include
i. Review of equipment currently available under telecommunications disability equipment programs
ii. User testing of new networks and devices;
iii. Interworking of new devices (such as SIP phones) with specialised disability equipment such as communication devices used by people with speech impairments

iv. Improved access to the existing text relay service, including the 106 text emergency service, via IP devices. The relay service must accommodate the needs of people who use voice-carry-over (speak and read the reply) and hearing-carry-over (type and hear the reply). An IP-based environment will allow people who use their hearing as their predominant receptive mode, and require text to support that mode, improved access to the telephone;
v. Improved access to existing speech-to-speech relay service to allow access via IP devices;
vi. Video relay service (new);
vii. Video access to 106 emergency service (new);
viii. Any-to-any text interworking for people who rely on text (new);
ix. Any-to-any video interworking for people who rely on video (new);
x. Awareness, training and support about the new services;
xi. Online information based on international web accessibility guidelines
Some ACIF NGN FOG participants expressed the view that in an NGN environment Voice, Text & Video can be equivalent services in terms of availability and support through networks and in Customer Equipment. Thus, there may be, potentially, a reduced need for "special" equipment in Disability Equipment programs, as long as standards development takes this requirement into account (as addressed in the ACIF Any-to-Any Text Connectivity work).Access to the Relay Service from IP customer equipment will be needed and similarly this would be best achieved if users are able to exploit mainstream IP customer equipment.

d) NGN Standards Development

In the context of the development of standards for NGN products and services, there is an increasing level of interest by user-representative groups to participate in the standards setting processes to ensure that the standards being developed take into account and adequately address issues of potential concern to consumers. These may include health, safety, performance, quality, reliability, environmental protection and sustainability, ease-of-use, accessibility, backwards compatibility and interoperability.
The end-user contribution to standards setting improves the likelihood of the successful marketability of a product or service, thereby raising public confidence in the standards setting process. It utilises the invaluable ability of consumer representatives to look at a product from the viewpoint of the end-user. The recent Global Standards Collaboration (GSC) meeting encouraged standards bodies to implement a framework for user involvement in the standards setting process and to adopt a mutually agreed Guide to Consumer Involvement in Standards Making as the foundation for this framework. The Guide is based on the UN Charter of Consumer Rights and encapsulates the principles of effective consumer consultation and protection.