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The Manager
Telecommunications Performance and Regulation Section
Australian Communications and Media Authority
Via email to telcoperformanceregulation@acma.gov.au.

Re Proposed new rules to protect telco consumers experiencing DFV

Aussie Broadband Limited (Aussie Broadband) welcomes the opportunity to review and provide feedback on the Australian Communications and Media Authority (ACMA) consultation into the proposed new *Telecommunications (Domestic, Family and Sexual Violence Consumer Protections) Industry Standard 2025* (the draft Standard).

Aussie Broadband is supportive of the intent of the draft Standard to promote safety for members of the community impacted by domestic and family violence (DFV), and indeed we have already implemented the measures set out in the existing industry guideline G660:2023 Assisting Consumers Affected by Domestic and Family Violence to enable and enhance safety for customers who are victim-survivors. We believe, however, that the draft Standard requires some redrafting to ensure that the proposed measures are practical and safe for both consumers and providers. Our key concerns are outlined below.

Definition of ‘affected person’

The defined term ‘affected person’ should be limited in scope to an individual who identifies as the subject of DFV. The definition as currently drafted includes circumstances where a CSP ‘suspects’ that an individual is affected. Many of the actions required of a CSP where it only has a suspicion that the individual is a victim-survivor of DFV are completely inappropriate, and some may even be dangerous. These circumstances are described below under ‘Safety issues’. We strongly recommend that (b) be removed from the definition of ‘affected person’.

Definition and use of ‘quick exit function’

‘Quick exit function’ is currently defined as ‘a button that is prominently displayed on a **webpage** that, when clicked by a user immediately redirects to another site (for example google.com) and to hide what the user was looking at.’ S16(5) then sets out that a quick exit function must be provided on a CSP’s mobile app as well. Firstly, we believe that the definition does not make sense when considered in conjunction with the relevant requirement; if a customer is using a mobile app, they are not necessarily on a webpage. Therefore, under the current definition there would not be a quick exit function available, as that is only displayed on a webpage. We recommend that the definition be amended to clarify this.

Definition and use of ‘end user’

In our experience, in many cases an individual affected by DFV will be the end-user of a telecommunications service but will not be the primary account holder or listed on the account at all. The draft Standard attempts to address this by ensuring many of the provisions apply to customers, affected persons, account holders, as well as end users. We agree fully with the intent of this, however wish to raise that there are some limitations on what a provider can do in the case of end users, where they are not listed on a customer account. Aussie Broadband is committed to providing as much support as possible to end users who are affected persons. However, the draft Standard sets out requirements that may be in conflict with other regulations, namely two-factor authentication requirements and our obligations to keep customer’s accounts secure from fraud and unauthorised access.

The first hurdle occurs where an end user contacts a provider about a customer account that they are not listed on. To maintain customer account security and privacy, we are unable to confirm the existence of a customer account to a person who is not listed on that account. While we can assist the person in other ways to the best of our ability, we are concerned that s12(2) cannot practicably be complied with in some scenarios, as the end user of the service may not be the account holder and therefore we are unable to confirm with them that any payment arrangements

have been undertaken correctly. The requirements in s12(2) can only apply where the account holder (i.e. the person contracting with the provider for the service) is the affected person.

Similarly, s8(1)(c) requires that a person's telecommunications service is not disconnected. We are concerned with how this can practicably be applied where the affected person is an end user and not also the account holder. In some instances it may be safer/preferable to disconnect a service and reconnect to a new clean slate account, which is not clearly allowed for in the current drafting.

Definition of 'consumer contract'

We note that the definition of 'consumer' in the draft Standard includes end users. Thus, the definition of 'consumer contract' is incorrect. An end user who is not an account holder does not have a contract in place with a provider, only the account holder does. Therefore, this definition needs amending to ensure that end users who are not in a consumer contract are excluded.

Safety issues

The interaction between the current definition of 'affected person' and s11 results in the requirement that a CSP advise an individual who they suspect may be affected by DFV, of the CSP's policies, available specialised teams, and case management process.

At the very least, providing this significant amount of information about DFV to a customer who is incorrectly identified as an affected person (i.e. is not experiencing abuse) is an incredibly poor customer experience and could be distressing to some customers. Even more importantly, providing this information unprompted to a customer who *is* an affected person could seriously impact their safety. The affected person may be in proximity to the perpetrator who may overhear mention of DFV support, or the affected person's live chat or email records could be accessible to the perpetrator. By requiring that a CSP make that judgement, and *without consent* provide information about DFV to a customer, creates a situation that is potentially dangerous for them— statistically, abuse is shown to increase in severity when the abuser becomes aware of the victim's attempts to leave or access support. An affected person needs to be able to elect to receive the information required at a time that is safe and appropriate for them. For these reasons, we suggest that the definition of 'affected person' be limited to include only circumstances where DFV is established, not suspected. Further, we suggest that s11 be amended to require the CSP to provide the information only where safe to do so, or with the affected person's consent.

Similarly, the requirement in s9(3)(g) should be amended to require that the DFV statement be provided to the consumer via live chat only where the customer has indicated or requested to receive DFV-related information. It is not safe for a CSP to 'push' that notification to the customer without their consent.

We believe that together these amendments enhance safety and the customer experience for affected persons by ensuring that a provider's assistance is customer-led and trauma-informed.

DFV policies and procedures

Aussie Broadband suggest that paragraph 8(1)(h)(i)-(iii) be moved to 8(2) to be set out in the provider's DFV procedures instead of the policy. As the information set out in this paragraph pertains to personnel responsibilities and escalation procedures, we believe it belongs in procedural documents for ease of reference for our personnel.

Consultation and collaboration

Aussie Broadband seeks further clarity in the draft Standard around the requirements to consult with at least two of the groups listed in s22. Is it the ACMA's intention that CSPs can use the existing industry guideline (G660:2023 Assisting Consumers Affected by Domestic and Family Violence) to satisfy one of the two required consultations, given the level of partnership with the DFV support sector that occurred during the guideline's development? We would welcome this interpretation, but at this point the draft Standard is unclear.

1800 Respect

Aussie Broadband has already enacted number suppression to not itemise calls to 1800RESPECT on call records issued to our retail customers, as requested by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in early 2024. We indicated our commitment to this in a letter to the Minister for Communications dated 31 May 2024. We wish to clarify that this is applied to all residential customer accounts already, and thus we cannot technically comply with a customer's indicated preference; there is no point in us asking whether they want it suppressed as per s16(1)(e) and s16(6), because it already is.

Implementation date

We propose an implementation timeframe of six months, noting the time-consuming requirements to consult with a number of groups, respond to those consultations, and develop and deliver extensive training to our staff. With regard to training in particular, sufficient time is required to review and change existing internal procedures and policies, redevelop and update training materials accordingly, and then deliver this to vast customer service teams across several locations. In our view, training is the most vital element of ensuring our policies and procedures are carried out correctly and safely for affected customers, and we strongly suggest that implementation is not rushed in order to ensure the best outcomes for customers and staff.

Warm regards,



Libby Hay
General Manager Corporate and Regulatory Affairs