



30 November 2011

Manager, Numbering Project
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

By email: Numbering.Project@acma.gov.au

Dear Australian Communications and Media Authority,

Submission to numbering project: Calls to freephone and local rate numbers

1. Thank you for the opportunity to provide a submission on the proposed changes to the Numbering Plan. Women's Legal Services NSW strongly supports the measures proposed to ensure calls from mobile phones to 1800 numbers are free and 13 numbers will have the same low fixed charges as those incurred from landlines and pay phones.
2. Since 1982, Women's Legal Services NSW has been providing free confidential legal advice to women throughout NSW. We have done this chiefly by providing legal advice by telephone. We have three local (Sydney) and three statewide 1800 services, for general legal advice, domestic violence advice, and a service for Aboriginal women. Our focus is on family law, domestic violence and sexual assault issues.

Summary

3. We have found that it has become increasingly difficult to provide an accessible service to women throughout NSW by way of telephone advice services, due in part to the increasing reliance on mobile phones by the most disadvantaged women, and the lack of access to free or low-cost calls. This means that disadvantaged people are deterred from placing calls to important community support services at the fear of incurring high fees that they cannot afford.
4. We recommend that ACMA's adopt its proposed approach and 12-month implementation timeframe as we believe that the alteration of the Numbering Plan will allow for disadvantaged women to better access our counselling and advice services, as well as other telephone support services for people in need, without incurring disproportionate costs.
5. We have included below some material to support our recommendation. This includes:
 - an analysis of calls made to our 1800 advice lines;
 - an analysis of the extent to which telephone advice services are meeting legal needs; and
 - our staff's experience in receiving mobile calls to our 1800 advice lines.



6. In addition to implementing the proposed numbering plan, consideration should also be given to improving access to services for disadvantaged clients through other telecommunication measures, such as the national broadband network. Providing access to high speed broadband internet for low-income people, people in remote areas and people with disabilities would enhance their access to services.

Analysis of calls made to our 1800 advice lines

7. We have undertaken an analysis of calls made to our 1800 advice lines in the month of September 2011. Our advice lines can also be accessed by calls made to a Sydney local number. Our analysis is limited to calls made to our 1800 numbers, which we primarily advertise outside of Sydney.
8. Our analysis revealed that 28 per cent of the 615 calls made to our 1800 advice lines were made from a mobile telephone. This accounted for 36 per cent of our call costs for calls made to the 1800 lines.
9. Nearly all of the calls made from mobiles were short or very short (less than 1 minute). Some possible explanations for this are that clients may be requesting us to call them back to avoid the cost to their mobile and/or clients are hanging up after being placed on hold or receiving our busy message, and having to call back a number of times to get through to our advice lines, which are usually difficult to get through to due to the high demand for our services.

Analysis of the extent to which our telephone advice services are meeting legal needs

10. In 2009 we commissioned a legal needs analysis as a background to our strategic planning. We were particularly concerned to ensure that our services were accessible to, and were reaching, those women in most disadvantaged areas and in most need.
11. In 2007/8, 83 per cent of our first contact with clients was by telephone. We provided 3,554 telephone advices. However, there are signs that the provision of a telephone service is no longer the most effective way of reaching disadvantaged women. Of our telephone advices, 50% are originating from the least disadvantaged LGAs in NSW.
12. Although the research did not specifically address the question of the efficacy of the telephone as a mechanism for access to legal advice services, we might speculate about the implications of its conclusions. Our telephone advice services are mostly being accessed by women who are not in the most disadvantaged areas. This may mean that the existing provision of 1800 numbers to make landline long-distance calls of long duration affordable is not effective as a way of ensuring that callers from the most disadvantaged areas can access our services. We suspect this may be due to the increasing trend of disadvantaged callers having only mobile phones, and limited access to land lines.
13. Reliance on a mobile phone for access may have other implications that operate as barriers to access. Lack of the privacy needed for confidential legal advice may be increasingly significant as mobile phones are increasingly used in public places or as clients have to rely on public phones to call our advice services at a reasonable cost. Where we need to call a client back we are likely to encounter difficulties either of coverage, or of locating the client in a suitably confidential time and place. These factors lead to multiple unsuccessful attempts at contact. Our most disadvantaged clients can experience contact fatigue and do not persist with their claim or query. We also lose a lot of potentially productive solicitor hours in pursuit of clients we have difficulty contacting.

14. This experience may not be attributable entirely to the structure of mobile phone costs. Previously those who relied on public payphones encountered similar difficulties with privacy, reliability and availability. There may be other reasons for residents of the most disadvantaged areas not accessing our services, such as low levels of awareness of their legal needs, or of the existence of our service.
15. We have also had cause to consider how our clients expectations might have changed in other ways as communication technologies develop. For example, the reduction in contact by women with disabilities may be in part a result of a move by Deaf women to text based services, which we do not currently provide. We are considering how to enhance our use of online and social media to provide accessible services.

Our staff's experiences in receiving mobile calls to our 1800 advice lines

16. In preparing this submission we talked to our staff about their experiences in receiving calls from mobiles to our advice lines. Staff reported that disadvantaged clients are incurring significant mobile costs in calling us for advice and that they often need to call us multiple times due to poor mobile phone connections or difficulties in getting through to our services, which are in high demand. In addition to calling us, clients will often need to call other services, which also have 1300 or 1800 numbers. There are also issues with clients needing to rely on landlines that are in public spaces to call us for advice and with getting in contact with clients after the initial advice.
17. We have included some of these stories below.

"I think there's a general issue of people being reliant on mobile phones as their sole method of telephone contact. You can't always call someone back when you're on an advice line and getting calls all of the time, and someone says they are running out of credit, which means that some people fall through the cracks."
(Solicitor, WLS)

"I've had clients call from pay phones at a train station because they can't call us for free from their mobiles. There aren't a lot of pay phones around. It wasn't an ideal situation that a woman was telling me about horrific sexual assault at the train station." (Solicitor, WLS)

"When I am at the women's health centre where we do outreach, I notice that it has become common practice for some women to use the centre's landline in the child care room rather than make calls from their mobiles. This creates an additional demand on centre services, and it's not an ideal place for these women to make their calls, particularly when there are children in the child care room." (Solicitor, WLS)

"I was dealing with a client who was in a marriage with a history of domestic violence. She did not want her partner to know that she was planning to leave the marriage as she feared he would become angry and violent. As part of her legal advice, I referred the client to several services that could assist her, but the client was unable to make these calls whilst at home because her abusive partner would overhear. She therefore had to leave the house to make those calls. The client had to call a refuge service beginning with '13' from her mobile phone while she was outside of her house and had to pay a high per-minute mobile rate for this very urgent phone call. She was already severely economically disadvantaged and

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received a full Centrelink benefit, making the cost of this call an extra pressure on an already difficult situation.” (Solicitor, WLS)

“We get a lot of hang-ups; our Indigenous Advice Line gives the option to leave a message, but a lot of people end up hanging up. I find myself ringing people back as they are calling from remote areas that drop in and out of reception. There’s been a few times when someone would ring and I’ll put them on hold to put them through to someone else, and they say that they’re out of credit and can’t stay on the line.” (Program Officer, WLS)

“We have a lot of clients who call from mobile phones, and often they drop out, and we have to call them back. Sometimes we get them again, sometimes we lose them and can’t reach them again, which can be a problem if we are trying to give someone advice and it ends up being incomplete advice.” (Solicitor, WLS)

“I’d say it’s a very common thing for a client to ask to be called back on their mobile. But when you call a client back, you often have incoming call restrictions which means it’s hard to contact them. Sometimes, we call them back and it goes to voicemail, but they are unable to return our calls from their mobile.” (Solicitor, WLS)

“Once client had been unsuccessfully trying to reach us for several weeks, and instead was directed to a recorded message because the line was busy. For calls that she made from her mobile phone, she would be charged for the call regardless of whether or not she got through to the advice line. She then had to call other services, and who knows how many calls she had to make or how much money she had to spend on making all of those calls? As this woman was retired, no longer earning an income and a recipient of Centrelink benefits, it is significant that she may have incurred considerable costs in accessing services.” (Solicitor, WLS)

“We usually give out at least one referral per advice line or outreach appointment, and often more than one referral, so we are sending nearly every client away with a phone number to call, and several of those numbers are 1800 and 1300 numbers.” (Solicitor, WLS)

“The amount of time and money spent calling telephone services when you’re constantly engaging with agencies is very high, and people are often put on hold for quite some time.” (Solicitor, WLS)

18. If you would like to discuss any aspect of this submission, please contact me on 02 8745 6947 or Edwina MacDonald, Law Reform and Policy Coordinator, on 02 8745 6937.

Yours faithfully,

Helen Campbell
Executive Officer