



1<sup>st</sup> August 2018

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Communications Alliance  
TCP Consultation

Dear Sir/Madam,

### TCP Code Comments

Odyssey House Victoria is a leading drug and alcohol agency in Australia providing support, treatment and advocacy for clients and their families suffering from substance abuse and related mental health issues. Our Financial Counselling program compliments treatment in assisting to remove obstacles to recovery and triggers for relapse.

I am making this submission as a Senior Financial Counsellor with Odyssey House Victoria and as one of the convenors of the Victorian State-Wide Network of Financial Counsellors.

Many of our clients seek financial counselling to help resolve financial issues that arose as a result of their past chaos and trauma. We consistently have clients presenting with telecommunication issues and debt. Unfortunately we perceive that many of the concerns which have arisen in the past are due to a weak regulatory system and the enforcement of it. This has allowed telecommunication companies, whether large or small corporations, to operate in a manner which exploits, marginalises and disadvantages our vulnerable clients.

**After looking at the draft of proposed changes to the TCP, we feel that our vulnerable clients are once more ignored and left to the continued unconscionable business conduct that we have seen in the past. The draft TCP continues to be a “Paper Tiger” affording little protection to our clients.**

As such we are very disappointed that many of the proposed changes to the TCP do not go far enough. We very much support the submissions made by ACCAN on proposed changes. Much of what ACCAN have presented to the Working Committee has not been adopted.

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In particular the review really falls short in the following areas

- Tighter customer service rules to drive improved performance
- Improvements in sales practices so they are more aligned with customer interests rather than short term targets
- More robust credit assessment processes
- More explicit rules about the content of a financial hardship policy

Through our engagement and advocacy for vulnerable clients we do not see the new TCP offering effective protections in the areas highlighted above. Anecdotally we hear continued stories from our clients that their attempts to discuss issues with telco **customer service** have been fruitless and an overall feeling that customer service people were speaking from scripts. **Sales practices, particularly in stores** regularly see our clients sold products which do not meet their needs or are suitable for their financial circumstances, especially where the customer is sold multiple and inappropriate devices and contracts. **The lack of meaningful credit assessment** often manifests in unaffordable plans where the customer is on a Centrelink Benefit or on a low income. Finally the **Hardship policies** within the industry do not offer our clients outcomes that are in their best interests. In actual fact what is often the case are hardship policies that serve the interest of the service provider!

The telecommunication industry is seen by the community sector as one that is lacking in realistic regulation and enforcement. Business is conducted in a laissez-faire manner at best and unconscionable at worst. You are presented with an opportunity to put a TCP code in place that really reflects consumer protection and not just lip service. We ask you to listen to the voices of the community that reflect how inadequate the code has been in the past and who want strong consumer protection in the future. To that end we see the adoption of the ACCAN submission as a necessary step in that direction.

Your assistance in this matter is greatly appreciated. My direct number is 9420 7655, my email is [grothman@odyssey.org.au](mailto:grothman@odyssey.org.au) and I work Monday to Wednesday 9am to 5pm.

Yours sincerely,

*Garry Rothman*

**Garry Rothman**

**Senior Financial Counsellor**

**Member Financial and Consumer Rights Council**



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