COMMUNICATIONS ALLIANCE LTD

DEPARTMENT OF COMMUNICATIONS

INTEGRATED PUBLIC NUMBER DATABASE (IPND)

REVIEW

COMMUNICATIONS ALLIANCE SUBMISSION

19th JUNE 2015

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INTRODUCTION

Communications Alliance is pleased to have the opportunity to provide additional input to the Department of Communications (DoC) Review of the Integrated Public Number Database (IPND) noting discussions on a revised set of draft recommendations held on 18 June 2014.

In this submission Communications Alliance provides a brief recap of issues raised in previous submissions and addresses the present recommendations released by the DoC on 7 May 2015.

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups.

Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see http://www.commsalliance.com.au.

1. Recap of Key Industry Principles

1.1   IPND Policy Intent

Industry believes that the IPND must remain relevant and appropriate in meeting community expectations to provide assistance to the emergency call service, law enforcement and national security agencies and proposed new data users. Industry also believes that the role of the Department of Communications (DoC) should be to determine policies to address the needs of these critical organisations.

The recommendations and proposed review of the IPND Code will assist in delivering improvements to the quality of the data held in the IPND, however, the proposed recommendations and changes must be thoroughly analysed and tested against Government IPND policies and policy options should be examined in line with Government policy on best practice regulation. This will assist in ensuring that they meet the telecommunications information needs of critical users, respect the privacy needs of our subscribers and not place an undue burden on industry. There should not be a simplistic assumption that the IPND is best placed to meet those needs.

Once any policy intent for the IPND is identified, Industry, through Communications Alliance, is best placed to implement solutions to ensure the policy intent is met.

1.2   Information for Critical Organisations

Critical organisations are organisations that operate to protect life and property in life-threatening and time-critical situations. Industry agrees that the telecommunications information needs of critical organisations from the telecommunications industry should be reviewed and upgraded where justified, noting that a number of solutions are already provided outside of the IPND and that the IPND should not replicate data that is available directly from the Carriage Service Provider (CSP) or the underlying carrier.

Accordingly, Industry notes the review finding that:

> "The IPND is used regularly, particularly by critical users to support emergency services and conduct investigations of serious crime. Critical users have indicated an ongoing need for a system that contains information about telephone service subscribers and their locations."

It is also noted that the DoC is currently undertaking a review of the Triple Zero operator and the implementation of the Triple Zero contract arrangements from 2016. Industry's response to Recommendation 9 provides further information in relation to this issue.

It is further noted that the Data Retention legislation has been passed that addresses the needs of law enforcement agencies in their investigations of serious crime.

2. IPND Review Recommendations

Communications Alliance makes the following comments on selected IPND Review recommendations.

Recommendation 1 – The quality and accuracy of data in the IPND should be improved by:

- enhancing the existing feedback processes between the IPND Manager, Data Providers and Data Users, including by exploring improved automated processes and ensuring changes are made in a timely way, and

- Industry working to improve the quality of information in the next review of the IPND Code, such as by requiring that all Data Providers use validation software.

Industry recognises the importance of the availability of up-to-date and accurate subscriber data in the IPND.
The accuracy of IPND data relies on a number of factors, including that:

1. subscribers provide accurate address data;
2. the address provided is an actual address; and
3. subscribers advise their service provider of any change in service ownership or address details.

For certain services, such as mobiles and nomadic voice services there is limited opportunity to verify whether the subscriber has any association to that address. The current IPND Code requires that for mobile services the CSP provides the IPND Manger with the service address as provided by the subscriber.

Sources of government data verification such as DVS do not provide validation of a person's association with an address. In addition, the end user of a mobile service can change at any time and any attempt to capture such changes would be difficult to define and implement, cost prohibitive and likely produce little result.

Noting the criticality of location information to emergency services and enforcement agencies, mobile carriers have developed and made available alternative solutions to identify the location of the end user of a mobile service through solutions such as Push MoLI and Location Based Emergency Alerts. Work continues within industry to identify mobile location solutions with greater accuracy, including solutions that leverage the GPS location capabilities of smartphones.

In considering mandating particular software solutions it is noted that there are limitations with some available address data validation software solutions. For example, some software has updates currently run on a quarterly update release cycle which makes it impractical for establishing the validity of addresses in new housing estates, new suburbs etc.

There are ways that an address can be verified as an actual address either through address validation software, or online services, or a combination of the two.

Rather than the mandating of a particular software solution, which could impose additional and unnecessary costs on Industry and affect both Data Providers and Data Users, Industry would welcome the opportunity to collaboratively develop and agree alternative solutions to ensure that:

- IPND data is of the best quality;

- awareness of the IPND and the role it plays in an emergency is raised; and

- there are opportunities to educate or re-educate IPND Data Providers, Data Users and subscribers about the purpose of the IPND and the IPND data.

Industry also notes that the views of IPND Data Users on proposed changes need to be sought prior to the proposed improvements to the operation of the IPND. Such consultation is important where changes impact on the operations of critical Data Users. The inclusion of Data Users and Data Providers in the process would assist in determining not only the priority of some recommendations but also determine who should bear the cost of the proposed improvements (Data Users, Data Providers, and/or subscribers).

As part of any new process developments, there would also need to be a review of what options are available to Data Providers and the IPND Manager in terms of data standards, single points of addressing truth and realistic timelines for data capture and update.

Recommendation 2 – The regulatory arrangements should be amended to ensure subscribers can:

- be provided with the information in the IPND relating to themselves, and

- flag incorrect information for action by CSPs in a specified timeframe.

Currently there are no mechanisms or processes in place for the IPND Manager to provide either access or a copy of the information contained within the IPND to subscribers due to privacy restrictions and potential security risks.

The IPND Manager does not collect or have access to subscriber personal information that would be needed to verify the identity of a subscriber who is seeking access to their IPND record/s.

While Industry can see benefits to the correction of their data by subscribers, there are also many risks associated with adopting such an approach. For example:

- any upgrade to the IPND system to provide access to subscribers would incur significant costs. Would these be covered by subscribers or Industry?

- how would information provided to subscribers who may have multiple services across multiple CSPs be managed?

- should access to the IPND be read only to stop potential fraudulent use and write access only be given to CSPs?

- should access only be provided via the subscriber's CSP?

The ultimate responsibility to amend a subscriber's information in the IPND would reside with the CSP.

One proposed option is that all Data Providers (subscribers' CSPs) could receive a feed via a web interface from the IPND Manager. Under this option, it is assumed that a CSP would already have in place the privacy and security (identity verification) processes to manage a subscriber's access to their personally identifiable information. The update to the information received from a CSP would be required to be an automated process via a web interface; otherwise additional staffing costs to manage the data input would be incurred by the IPND Manager.

Communications Alliance recommends that further consideration of this matter take place between industry members, including the IPND Manager, to determine whether a secure and cost effective solution for this matter can be defined. The regulations should only be altered if such a solution can be found.

Recommendation 3 – In order to raise awareness of the IPND, CSPs (and Government) should:

- alert their subscribers of their IPND information, and

- advise subscribers regularly of the importance of providing correct information.

Industry is supportive of an education campaign initiated by the Government and run cooperatively by Industry to alert subscribers that their address information is to be up to date and accurate. As the key relationship is between the customer and their CSP, Industry's view is that this should be the focus of any awareness raising activity.

In considering how to implement an education campaign, consideration should be given to what possible incentives could be provided to ensure subscribers regularly update their information via their CSP.

Messaging would need to be specific and targeted to ensure subscribers realise the importance of providing up-to-date and accurate information. For example: "In the event of an emergency and if you were to require the attendance of emergency services, make sure your address details held by your CSP are up to date."

Recommendation 7 – ACMA should publish information about applications and decisions made under the IPND scheme.

Industry is supportive of the recommendation for the ACMA to publish information about applications and decisions made under the IPND scheme

and welcomes further advice from the ACMA on where and when this information would be made available.

Recommendation 9 – The current IPND should be retained for the medium term and the need for a new system should be investigated again after the completion of the Department's Review of the Triple Zero operator and the implementation of the Triple Zero contract arrangements from 2016.

Industry has waited for a number of years for the outcome of the current review to emerge. As a result a range of Review recommendations do not factor in recent legislative reforms.

It is noted that a number of significant legislative reforms have progressed that impact on what, when and how CSPs collect subscriber information in relation to their telecommunication services, such as the new data retention obligations and the new privacy regime.

In addition, the delay in concluding the Review's outcomes has also delayed the development of a CSP web interface by the IPND Manager. The deployment of such a web interface would have had a direct influence on a range of issues, i.e. the ability to progress away from the use of encryption devices on ageing ISDN/Frame Relay links, data quality issues including soft errors etc.

In terms of next steps, Industry supports the DoC determining the policy objectives in relation to the IPND. This would include the use by location dependent carriage services (LDCS) Data Users of unlisted numbers in the IPND. Once these objectives are set, Industry, including the IPND Manager can provide appropriate and efficient solutions to ensure policy objectives are met.

Industry has recently established, via Communications Alliance, a Working Committee to review operational requirements established under the C555:2008 Integrated Public Number Database (IPND) Code and the related G619:2007 IPND Data Guideline.

In addition, Industry notes that any changes to the IPND, whether implemented as an outcome of the Government's Review or via the Communications Alliance Working Committee, will result in an increase of costs to the operation of the IPND.

It is also noted that the IPND Manager would look to have discussions and assurances from the DoC on the recovery of these costs and how they can be recovered in a reasonable timeframe.

3. Conclusion

Communications Alliance is supportive of the majority of the recommendations in the DoC Review and remains committed to working with the DoC to ensure the IPND meets the needs of its users. Industry believes that there is a unique opportunity to set policy objectives for the IPND that take account of the outcome of the review of

the Triple Zero operator, but also to consider the impacts of other legislative changes and practical solutions to address the needs of Data Users outside of the IPND obligations. Industry, including the IPND Manager, are best placed to develop operational solutions to ensure policy objectives are met.

There are also discussions to be held in relation to an expectation of costs and the ability to recover these.

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