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## **Draft Access Regime**

**By Vision Australia**

**Submission to:** Reserve Bank of Australia  
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### **Preface**

Vision Australia is the Nations premier provider of blindness and low vision services and was formed by combining the expertise of several organizations who shared in a common purpose. We are a living partnership that unites people who are blind, sighted and who have low vision. Our goal is that people who are blind or have low vision will be able to access and participate fully in every aspect of life they choose.

To help realize this goal, we provide early childhood, orientation and mobility, employment, information, recreation and independent living services, advocacy

services and dog guide services. We also work collaboratively with Government, business and community groups, to help raise awareness, promote public education and to work towards eliminating barriers for our clients in the community.

Through our combined histories of providing a range of quality client focused services, Vision Australia is well placed to provide a considered voice on a range of public issues affecting people, who are blind, Deafblind, have low vision and have other difficulties accessing print.

## **1. Introduction**

Automatic Teller Machines (ATMs) have become a common feature of banking in Australia over the past nearly 3 decades, fundamentally changing our idea of banking from more traditional person to person transactions to the independent electronic and digital age. Whilst ATMs have been a feature of our society for some time now, people who are blind or have significant low vision, have only shared in the convenience of fully accessible banking via the ATM system over the past few years with the introduction of audio enabled tactile machines. Where blind users or users who have low vision were only ever able to utilize this technology on a very minimal basis either with sighted assistance or by memory of some very limited functions in the past, positive policy and innovative thinking has heralded this assistive technology providing access on a more equal basis with sighted peers. Although this technology must not be over stated, as there is still much progress to be made to ensure that all ATMs and not just a select few have this assistive feature, the introduction of audio enabled tactile ATMs, is definitely a welcome step forward for social inclusion.

The sporadic location of audio enabled ATMs across all major banks and their absence in some smaller bank and independent ATM operators, has meant that consumers who require and wish to use the audio enabled feature, have often had to travel greater distances to locate an accessible ATM, use a competitor accessible ATM or revert to EFTPOS services to access withdrawal features from their banking institution. Where the convenience of independent banking via the audio enabled system, has often also come at the price of less logistical convenience, those who

choose this mode of banking, do so for both the physical independence and the exercise of the freedom of choice that this technology provides. Many of the banking institutions who are equipped with accessible ATMs, now have search facilities on their websites or via their customer service line, to assist consumers locate ATMs with particular features including audio enabled functions.

Vision Australia, through this submission to the RBA, would like to indicate several concerns that will impact the existing provisions for ATM users who are blind or have low vision in exercising their consumer, civil and human rights when the proposed changes to the direct charging regime is introduced in March this year. The nature of these concerns will without doubt, significantly undermine the progress over the past years to secure a more equal playing field in ATM banking and indeed banking in general, for people who are blind or have low vision and we thank the RBA for this opportunity to voice them.

## **2. rationale**

It is estimated that over 300,000 people are currently blind or have low vision in Australia and many more are Deafblind or have other difficulty accessing print. As vision loss is by and large a consequence of the aging process, the World Health Organisation anticipates that this figure will more than double over the coming decades as the population ages.

Traditional views about disability have held that disablement resides within an individual, that it is tied to the impairment itself, and that society is powerless to palliate this fact through external efforts. Such views hold that in a predominantly sighted society, the ailments of the few ought not to impinge on the convenience of the many. However, this narrow view of disability, through years of advocacy, campaigning and example, is no longer a dominant feature in ideology and understanding of the social fabric linking people and things together.

Disability, far from being a medical and physiological phenomena, has recently been more accurately portrayed as a social problem, where the disconnect between social inclusion and people who have a range of sensory and physical impairments, is a

consequence of the social reception of impairment and the willingness to alter ingrained methods of process. We can illustrate this notion by the fact that, whilst the common task of reading for people who are blind or have low vision can be performed using a range of alternative methods such as Braille, large print and screen reading software via synthetic speech, accessing reading material via such means is hindered by the reality that only 3% of all print material is available in a format accessible to these methods.

Vision Australia is therefore of the view that access and full participation to all aspects of community life, is an inalienable human right for all people, including those who are blind or have low vision. This view is echoed through state and federal legislation such as the Disability Discrimination Act 1992, and more recently in the UN Convention on the Rights of Persons with Disabilities ratified by Australia in 2008. Social inclusion hence requires deliberate policy initiatives and conscious efforts by all elements of society, whether it be government, business or individual citizens.

### **3. the Issues**

Vision Australia understands that the principle change that will affect consumers under the Draft Access Regime will be the introduction of 'direct charging' on ATM transactions by foreign card holders by ATM owners. That is a reduction of interchange fees to %0.0 and the recommendation of the abolition of foreign fees, leaving the price for ATM transactions by foreign card holders to be set by the ATM owner, effectively creating a more direct and transparent market for the use of foreign ATMs. We also understand that some of the key reforms inherent in this shift, is about a more open and transparent payment system than the current regime, and the endeavour to reduce or minimize the service price through market forces. However, Vision Australia would like to reiterate and expand on points already aware to the RBA, that this Draft Access Regime will indirectly discriminate against people who are blind or who have low vision who access audio enabled ATMs under the existing time frame of a 3<sup>rd</sup> of March 2009 commencement date. The following case studies will do well to substantiate our position.

## **Case 1**

James is a 34 year old father of 3 who works full time as an accountant for a small firm in the inner north of Melbourne. James has a degenerative eye condition called Retinitis Pigmentosa, which is a condition that primarily affects the retina causing tunnel vision but he also has poor central vision making it difficult to see detail in front of him. Within 5 minutes walk in either direction from his work, are 2 accessible ATMs from competitor banks that he regularly uses to do all his banking. The nearest audio enabled ATM from his own bank is a 10 minute bus ride away in a crowded university student hub. Upon inquiring at the owner banks of the ATMs he uses, he is told that once direct charging begins, due to the fee consent screen at the beginning of the transaction, the narration for the audio enabled feature will be out of sync with the onscreen display.

Vision Australia is aware that whilst only a percentage of the major banks ATM networks are accessible with audio enabled tactile features, people who choose to use them and have the opportunity to do so, will be significantly disadvantaged by some banking institutions failure to maintain the existing functionality of their ATM network for foreign card holders. In some cases, the entire fleet of accessible ATMs, will be rendered unusable to foreign card holders as an assistive device, due to incompatibility of software local to each individual machine and server based software. This will reduce the current number of accessible ATMs available to users who are blind and who have low vision to an obscenely scarce level. People like James, will lose the freedom of independent banking and the level of convenience that he currently enjoys.

## **Case 2**

Sue is a 69 year old retired nurse who lives alone on the Aged Pension (Blind) in the outer eastern suburbs of Melbourne. She has macular degeneration which is a condition that affects her central visual acuity. Sue has been a customer of a medium size bank for the past 10 years, who due to there minimal ATM infrastructure, do not charge fees for using foreign ATMs. The local shopping district where she volunteers at a community center, has an audio enable feature ATM of one of the big 4 banks and she uses this ATM regularly to do all her withdrawals, balance checks and deposits. The nearest accessible ATM from her own bank is 5

suburbs away heading north, but it is not on a regular public transport line from her home suburb. On hearing about the changes to the ATM fee structure, Sue contacted her bank and was told that because they did not have an arrangement with the bank of the accessible ATM that she regularly uses, she would have to start paying a fee for each transaction set by the ATM's owner.

Vision Australia is also aware that people who are blind or who have low vision, are significantly marginalised financially. In an employment survey conducted by Vision Australia in 2007, it was discovered that 63% of people who are blind or who have low vision who are of working age and who want to work, are unemployed<sup>1</sup>. This is 5 times the National average. Furthermore, of those in paid employment, 46% work only part time, which is 4 times the National average. What this means, is that like Sue, many people on low incomes, who are forced into a user pays system for ATM access where they are currently exempt, will significantly be disadvantaged by this shift.

Similarly, as the median age of our 42,000 clients nation wide, is 79, with a significant proportion of people living solely off a pension, this added cost will potentially negatively affect a large number of people. Whilst it is clear such a case like that of Sue, is a combination of lagging best practice standards for accessible banking at some institutions coupled with the Draft Access Regime change, it is also clear that solely on the basis of these draft changes, Sue and many like her, will be forced to pay for a service which they currently do not purchase.

### **Key points**

Vision Australia highlights 3 primary interconnected concerns with the Draft Access Regime as it currently stands and with the existing timetable: firstly is the significant reduction in accessible ATM banking; secondly is an added cost for some consumers; and thirdly, is the implicit exclusion of people who are blind and who have low vision, from participation in the market created by the change.

In the first instance, as it has been repeated several times in this paper, the levels of accessible audio enabled tactile ATMs, is already at hugely subordinate levels to that of standard machines, and the Draft Access Regime when implemented in March,

will further languish their prevalence. Where people who are blind or who have low vision already compromise the convenience of ATM banking when compared to the amenity and convenience of sighted peers, come March 3<sup>rd</sup>, this disjuncture will be further exasperated. As it could most foreseeably be argued that banking institutions are indirectly discriminating against consumers who are blind and who have low vision under the DDA, it is likely that the Draft Access Regime will facilitate renewed vigour in DDA complaints to the Australian Human Rights Commission.

Aside from the physical access to the ATM banking systems, Vision Australia has also noted that for those 2,500 ATMs that will not be able to display a consent screen with the service fee, and where it is anticipated that print signage will be used somewhere on the ATM to indicate the charge, we would advise that due consideration be given by the ATM owner of the format and positioning of such crucial signage. As many people who are blind or who have low vision continue to operate standard ATMs by memory, this information should be made available to them also. Such considerations should include both Braille and large print options.

Connected to the above, is the fact that people who use foreign ATMs simply because their own banking institution does not have or has a very limited number of, accessible audio enabled ATMs, and where they do not currently pay a transaction fee, will unduly be financially disadvantaged under the Draft Access Regime. It is unacceptable that almost a decade after the introduction of the first accessible audio enabled ATM in Australia, that the prevalence of accessible ATMs are still so low. However it is even more concerning that almost a decade on, some people who are blind or have low vision, will have to start paying for a service where they do not presently, simply because of lacking accessibility. Vision Australia therefore, recommends to the RBA that the Draft Access Regime include a recommendation to banking institutions, that where a customer so requires access to audio enabled ATMs, that they be fee exempt. This could be facilitated via an agreement between the banking community as a whole, between individual banking institutions, via a mechanism built into the audio enabled system, or via reimbursement of fees paid by the account provider, either recovered by the ATM owner who received the initial payment or through absorption by the banking provider.

Thirdly, and perhaps most fundamentally, by virtue of the facts outlined in the preceding two points, the Draft Access Regime implemented in March, implicitly further marginalizes people who are blind or who have low vision, by excluding them from the principle of the market. The consultation paper for this review states that:

“...direct charging will make fees for the use of a foreign ATM more transparent to the cardholder and will result in more effective competition between providers of ATMs. It is also expected that the ability of ATM owners to vary fees will allow them to better tailor their ATM offerings to cardholders’ needs....”

The accessibility issues at the time of implementation, will not allow people who require the use of accessible audio enabled ATMs, to exercise their consumer rights as stated above. Usage by default is not choice, and bondage to the few is not freedom. Vision Australia therefore strongly recommends that the commencement date for the implementation of the Draft Access Regime, be postponed to such a time where the existing infrastructure of accessible audio enabled ATMs are equipped to facilitate the software changes. On speaking to several of the major banking institutions who advised that a major upgrade of their ATM network is either already underway or is due to commence in 2009, such a postponement would only be envisaged as a commencement date later this year.

#### **4. Conclusion**

Vision Australia whilst believing in the potential of the market to reduce and control ATM fees and the principles of transparency and accountability inherent in the Draft Access Regime, also is strongly of the view that such principles are not above or superior to the principles of human rights, equality and fairness. People who are blind or who have low vision, have had to wait a considerable amount of time to experience the level of acceptance and inclusion that is currently enjoyed by accessible audio enabled tactile ATMs, it should not be the policy of the banking sector or the RBA, in the year 2009, to reduce the gains of the last few years for what ever period of time. We believe that the recommendations that we have



suggested in this submission are reasonable and urge the RBA and the banking sector to consider them with due weight.

We thank the RBA for this opportunity to address this matter and welcome any further opportunity to discuss or explore these views in person.

Yours faithfully,

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<sup>1</sup> Spriggs, R., (2007), 'Results and Observations from Research into Employment Levels in Australia', Vision Australia, available online at <http://www.visionaustralia.org.au/info.aspx?page=1651>