



Speech by

Mr D. BRISKEY

MEMBER FOR CLEVELAND

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TELSTRA

Mr BRISKEY (Cleveland—ALP) (11.40 a.m.): I bring to the attention of the House a matter which will come as a shock to many Queenslanders, particularly those who have school-age children and who also have access to the Internet at home. Recently I had cause to query Telstra BigPond, my Internet service provider, when I discovered that the quota of downloads from my Internet account had almost been reached just a few days into the billing month. Of course this came as a surprise. My four children spend quite a deal of time on the computer but have never even come close to the download quota available on my account. What is more, I knew that my children had been away during the days downloads were said to have occurred.

When I questioned Telstra BigPond about the incident, I was advised that downloads had been from a site called iMesh, a site which allows people to download music. My children had access to this site after they had been referred to it by their many friends. I was further advised by Telstra that this particular site was a file sharing site. In plain speak, these programs allow any computer in the world to download files using my computer and my Telstra downloads. Even when you do not open the site, people are able to download songs from your computer and then Telstra charges you for this. I did not know this. Neither, of course, did my children. I think most Australians would not. So each time that I turned on my computer to check my emails I was allowing anyone anywhere in the world to link to my computer and download songs from it. Telstra reaps the benefits, and all without my knowledge.

I signed up as a new broadband cable user, paying a monthly amount for 1,000 megabytes of download. Within a week, almost 1,500 megabytes had been used, of which I would have used about 100. For each megabyte over the allocated 1,000, users are charged 14.9c. That is \$74.50 extra income for Telstra, with the rest of the month still to go.

The result is that unsuspecting parents are paying substantial amounts in penalties to Telstra and other Internet service providers because someone on the other side of the world has downloaded music from their computers. If I had been too busy to check my account or had been away, the bill could easily have been \$300 extra for the month—a nice little money spinner for Telstra.

The question that I have for Telstra and any other Internet service providers is: where is your duty of care to the customer? I have no doubt that Telstra receives calls about this all the time, and I suspect that there is a clause in the fine print which protects Telstra. Even if there is, surely Telstra has a duty to make its customers more aware of the dangers.

Telstra is clearly well aware of the capabilities of these file sharing programs and will be well aware that many of its customers have been trapped and continue to be trapped. So why is it not keen to inform customers? It all comes down to the bottom line. Telstra makes huge profits from this sort of activity. It is my belief that Telstra, and any other Internet service provider for that matter, has a duty to advise all new and existing customers about the existence of such sites and their capabilities.

This issue raises a series of questions. How many other parents are in the same boat—are unaware of sites such as iMesh and have been left in the dark by Telstra? How many customers are being affected by this? How many do not even know that they are paying for something that they do not receive? How much money has Telstra made out of unsuspecting consumers?

For the record, when I contacted Telstra I was told in no uncertain terms that it was not the responsibility of Telstra to warn its customers about this deceptive practice. Interestingly, Telstra is, however, happy to make money from its unsuspecting customers. Telstra, with its \$3.7 billion in annual profits, has tried to con the public for some time that it undercharges consumers for its network. From what I can see, Telstra is wiping its hands clean of a duty to inform its customers about dodgy transactions, which begs the question: is this another example of the Howard government trying to fatten up Telstra for privatisation?

If Mr Howard and his mate Mr Costello get their way and Telstra becomes privately owned, we the consumers can look forward to more unscrupulous activity, because a privately owned Telstra would be a giant private monopoly too powerful for any government to effectively regulate. I will be writing to the federal Minister for Communications, Information Technology and the Arts, Senator Richard Alston, asking for Telstra and other Internet service providers to be made accountable to—

Time expired.
