

Project Team
Australian Energy Market Commission
GPO Box 2603
Sydney NSW 2000

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RRC0042 – Protecting Customers Affected by Family Violence

The Australian Energy Council ('AEC') welcomes the opportunity to make a submission to the Australian Energy Market Commission's ('AEMC') *Protecting Customers Affected by Family Violence* Consultation Paper ('Consultation Paper').

The Energy Council is the industry body representing 21 electricity and downstream natural gas businesses operating in the competitive wholesale and retail energy markets. These businesses collectively generate the overwhelming majority of electricity in Australia, sell gas and electricity to over ten million homes and businesses, and are major investors in renewable energy generation.

The AEC believes that collaboration between the retailer, regulator, and community sector will deliver better outcomes for customers than a strict interventionist approach by the regulator. Family violence is a highly complex and sensitive social issue that is unfortunately not resolvable simply through law and order. It requires listening to the victim and giving them as much agency as possible when responding to their circumstances. From the retailer perspective, having confidence that possible breaches of retail rules are forgivable if part of an effort to support an affected customer (e.g. by withholding information) is critical and will best emerge through collaboration with the regulator.

As providers of an essential service, retailers recognise the important role they play in supporting and protecting customers affected by family violence, and already have procedures and practices in place to enable this. Retailers previously used their insights from working with victims of family violence to help inform the Essential Service Commission of Victoria's *Family Violence Resources Review* in 2018, which eventually culminated in a regulatory framework over how retailers support affected customers.

The AEC understands this rule change has been proposed to broadly align NECF regulations with the Victorian framework, with a starting premise that flexible, tailored approaches to deliver upon a common goal of protecting customers affected by family violence will deliver important protections with a lower risk of unintended outcomes or higher than necessary costs. When considering this rule change, the AEC encourages the AEMC to keep in mind the themes raised at the AEMC Forum on 15 February, being that family violence protections are not intended to be "set and forget" obligations; rather, they reflect the responsibilities we all have to learn, adapt, and ultimately protect those affected.

In line with the intent outlined above, the proposed rule change requires all retailers to develop and publish their own family violence policy. Asking retailers to develop a tailored policy is advantageous because it compels retailers to engage deeply with the topic and consider how their processes and procedures can be moulded to protect affected customers. It should also help in immersing staff with the issue and foster a culture of learning because there is always room for the policy to be refined and improved.

While the AEC understands the points made at the Forum about a template policy providing consistency to customers (and regulators), this more rigid approach risks restricting the ability of properly trained staff to think and act independently when the situation requires it. This would be contrary to the spirit expressed at the AEMC's Forum that there should be a "responsibility to take action, not just comply".

The AEC will continue to work with the AEMC to protect customers affected by family violence.

Any questions about this submission should be addressed to Rhys Thomas, by email to Rhys.Thomas@energycouncil.com.au or by telephone on (03) 9205 3111.

Yours sincerely,



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