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Victoria 3184.

27<sup>th</sup> March 2007.

Mr Robert Fitzgerald,  
Consumer Policy Enquiry,  
Productivity Commission,  
PO Box 80,  
Belconnen,  
ACT 2616.

Dear Mr Fitzgerald,

I refer to the invitation made at the recent 2007 National Consumer Congress for short sharp submissions to your enquiry. This is mine.

My seven suggestions are based on thirty years experience working at the grass roots and in consumer policy development in both the private and public sectors. I have also published in the area. My suggestions are in the form of a wish list regardless of the *Realpolitik*. They are:

1. The position of federal Minister of Consumer Affairs should be reinstated. This would ensure that consumers had a focussed voice at the ministerial table. The decline in consumer policy development over the last 11 years is in part related to the lack of national ministerial leadership.
2. An independent *National Consumer Commission* should be established. It would bring together federal operational responsibilities for consumer protection areas such as Product Safety, Trade Measurement and Therapeutic Goods. It should be separate from the ACCC. The ACCC's current dominant focus on competition means these other important consumer protection areas get insufficient attention.
3. An independent *National Consumer Policy Research Council* should be established. It should be based on the very successful National Consumer Council (UK). With a dedicated research capacity and advocacy remit it would provide a much needed consumer voice at arms length from government, regulators and industry.
4. The states should convert their offices of Fair Trading/Consumer Affairs to independent Consumer Commissions. A comparative model is the state Legal Aid Commissions. This would provide continuity of leadership and independence from state political engagement in operational matters. It would also eliminate MCCA. It has no consistent membership or leadership dynamic. It only adds bureaucracy.
5. Through independent state commissions the federal National Consumer Commission could drive and implement nationally consistent standards of

service delivery for consumers. One initiative should be the development of a national *Consumer Direct* information and advice service as exists in the UK.

6. The various industry based alternate dispute resolutions schemes should be converged where possible and brought back under statutory remit. The current schemes, particularly in the financial services sector, lack full coverage, transparency and accountability. Statutory remit minimises the scope for industry capture.
7. State based consumer alternate dispute resolution paths should be seamless from information/advice through to decision-maker. This is the model industry based schemes operate under.

At present, state consumer offices mostly cease their involvement when resolution fails after provision of information, advice and conciliation. Consumers are then told they need to start again at the Small Claims Tribunal. Most give up. State schemes should have the capacity to seamlessly elevate to the decision-maker with the advantage that the factual and legal issues in dispute would be already summarised. This would drive up service standards amongst Traders, as they would quickly learn that delay is no longer an effective strategy.

### **Finally**

I enclose a remaindered copy of *In the Consumer Interest* and a copy of a *Cinderella* by way of background reading.