



National Ethnic Disability Alliance

Tel: 02 9687 8933
Freecall: 1800 982 182
Fax: 02 9635 5355
Post: PO Box 9381 Harris Park NSW 2150
Email: office@neda.org.au
Website: www.neda.org.au
ABN: 13 087 510 232

4 February 2008

Review of Australia's Consumer Policy Framework
Productivity Commission
PO Box 1428
Canberra City ACT 2616

NEDA Comments on Productivity Commission Draft Report Review of Australia's Consumer Policy Framework

The National Ethnic Disability Alliance (NEDA) is the national peak organisation representing the rights and interests of people from non-English speaking background (NESB) with disability, their families and carers throughout Australia. NEDA is funded by the Commonwealth Department of Families, Community Services and Indigenous Affairs (FACISIA) to provide policy advice to the Australian Government and other agencies on national issues affecting people from NESB with disability, their families and carers.

NEDA actively promotes the equal participation of people from NESB with disability in all aspects of Australian society. It manages a range of projects relating to NESB and disability communities and works closely with its state and territory members to ensure that its policy advice reflects the lived experiences of people from NESB with disability. In states and territories where no NESB-disability advocacy agency exists NEDA undertakes development work to establish a structure that can support people from NESB with disability, their families and carers.

NEDA estimates that one in every four people with disability is a person of either first or second generation NESB, representing approximately 1 million people across Australia.

Thank you for the opportunity to provide comment on the Review of Australia's Consumer Policy Framework. I would like to provide the following brief comments on the recently released draft report of the review.

1. Background

A lack of consumer information, aggressive and misleading marketing practices, unfair contract terms and poor information about complaints and financial remedies are significant issues for all consumers. People from NESB with disability can face barriers in this area, particularly where poor regulation of marketing and contract terms can mean that

people are locked into a contract they did not fully understand. For example, NEDA is aware of a number of cases dealt with by advocacy organisations involving people from NESB with intellectual disability in rural and regional locations who are experiencing substantial financial stress as a result of being sold a number of telecommunications contracts that were ultimately unaffordable. NEDA supports positive enhancements to Australia's consumer protection regime to safeguard affordable and fair access to goods and services.

2. Government Responsibility for Consumer Protection

The draft report recommends (Draft Recommendations 4.3 and 4.4) a shift in responsibility for consumer protection progressively from state and territory based regulators to the Australian Competition and Consumer Commission (ACCC).

While consistency in regulation and consumer protection is supported, NEDA is concerned that the report does not provide enough detail on how consumers may access solutions to consumer trading disputes. This may mean, for example, working with communities in different cultural languages to inform them of their rights and how to complain. NEDA supports an enhanced commitment to ensuring that all consumers can access a simple, well promoted and easy to understand process to resolve disputes and seek appropriate remedies.

3. Price Caps

While NEDA supports the commitment to community service obligations, supplier-provided hardship programs, or other targeted mechanisms, concern is expressed in relation to the proposed removal of price caps for telecommunication products and services (Draft Recommendation 5.4). Price caps, when effectively targeted, should provide a safety net for consumers who are not in a position to negotiate competitively priced products in the telecommunications market, either as a result of a lack of information (eg no translated information) or a lack of purchasing power (eg no access to credit).

NEDA understands that existing price caps apply to a limited range of products. NEDA would support and review of price caps to look at their effectiveness and the opportunities to offer them to consumers over a greater range of telecommunications products.

4. Consumer remedies.

NEDA emphasises the need to examine mechanisms for consumer complaints other than solely web based solutions (Draft Recommendation 9.1). NEDA would support the ACCC looking at community based education on consumer rights, and translation of material into community languages.

5. Consumer Advocacy.

NEDA supports the commitment in the draft report to "enhanced support for individual consumer advocacy through increased resourcing of legal aid and financial counseling services, especially for vulnerable and disadvantaged consumers" (Draft Recommendation 9.6). Given the significant issues in relation to Non English Speaking Background and consumer rights, NEDA would support additional resourcing to improve the ability of the legal aid and financial counseling services sector to respond to this group.

I hope you will favourably consider the issues raised in this submission when making final recommendations in the review.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dinesh Wadiwel', written in a cursive style.

Dinesh Wadiwel
Executive Officer