

Our impact

2015/16



Action for fairness

Consumer law
Financial counselling
Policy and campaigns
Training and outreach
Social change
Justice
Fairness
Compassion
Expert advice
Best practice

Just outcomes, for and with consumers



A word from the CEO and Chair

It's a pleasure to present Consumer Action Law Centre's Impact Report for 2015/16.

Consumer Action protects the community from exploitative and unfair businesses models and practices. Our mission is to ensure that everyone in the community benefits from fair and well-functioning markets. These are big goals, so this year we have for the first time produced an Impact Report, to demonstrate the impact our work has on people's lives.

Our advocacy is grounded in the experiences of the people we serve. Our financial counselling service and legal practice have again supported around 20,000 Victorians this year. We also actively support financial counsellors and community workers throughout Victoria, particularly through legal advice and training. This helps us expand our reach and ensures we are responding to the issues affecting the most vulnerable people in the community.

Consumer Action has achieved some significant wins with Australians marginalised by unfair markets and business practices, including on issues such as retirement living and energy affordability. On the former, we worked with residents to place this issue on the Victorian parliamentary agenda — this work led to an inquiry into the retirement housing sector which is now underway.

On energy, our 'Heat or Eat' report, which shared the stories of Victorians who had been disconnected from

electricity or gas and contributed to an inquiry into financial hardship practices of energy retailers undertaken by the Essential Services Commission.

As part of demonstrating impact and, importantly, to continuously improve on our efforts, the centre has this year engaged in significant evaluation activities, including evaluations of our legal advice line, financial counselling and worker advice services. Reports have been published on our website so we can share lessons with others.

Our broader campaign work also utilises reflection and evaluation. An example involves our efforts to fix unfair energy contracts through changing national energy rules, a joint project with the Consumer Utilities Advocacy Centre. While we weren't able to get the change we were seeking, the evaluation showed we had an impact on industry practice and helped other advocates push forward with change. Our advocacy also led to a Victorian ban on early termination (exit) fees when energy retailers change prices.

We continue to hold ourselves accountable for making a tangible difference. We encourage you to delve into this report which demonstrates the impact we're having on Australians and the community workers who help them with consumer issues.

Barbara Romeril, Board Chair.
Gerard Brody, Chief Executive Officer.




Services

Consumer Advice Line - 1800 466 477 - M-F 10am-1pm
Worker Advice Line - (03) 9602 3326 - M-F 10am-1pm & 2pm-5pm
The National Debt Helpline - 1800 007 007 - M-F 9:30am - 5pm

Photo: Kay Dilger (Financial Resilience Manager) and Rachna Bowman (Senior Financial Counsellor) from South East Community Links - users of Consumer Action's Worker Advice Line.

Excellent services, built on reflective practice



"I had to make that
phone call and it was
the best thing I
ever did"

A friendly voice

Access to financial counselling makes a huge difference in the lives of people all across Australia. In Victoria alone, Consumer Action's team of financial counsellors take over 20,000 phone calls a year. Claire Thomas from Melbourne's eastern suburbs kindly invited us into her home so we could meet face to face with one of the many voices we hear from every day. Meeting with Sarah Brown-Shaw, part of our MoneyHelp team, Claire told us what it was like to have the reassurance of Consumer Action's counsellors during a financial rough patch a little over two years ago.

"I googled it [financial counselling] and your website came up" she told us. Claire called our **MoneyHelp** service and got through to Edmund who talked through her situation and offered a helping hand. "He was just so kind and was talking to me like this was completely normal. We just went through the figures together".

Over two years, Consumer Action's financial counsellors were a friendly voice on the other end of the line to support Claire in taking control of her situation. "I have so much more confidence with our finances." she said.

"I've just had a complete mind shift." As she took us outside to play with her daughter on the trampoline, Claire told us that she and her partner are now looking at buying a house of their own.

With things looking up, we asked Claire what advice she'd give to others going through a rough patch. "Reach out and make that first phone call, which is really hard. I had to make that phone call and it was the best thing I ever did."

MoneyHelp's financial counselling services are available for free on 1800 007 007.



Photo: Residents of retirement villages fighting for their rights in VCAT.

**Use people's
experiences to
achieve broader
outcomes**



"...precious years of our retirement spent battling these huge businesses"



Fair retirement housing

"Secure housing is something that most of us take for granted, yet stories of harassment, bullying and unsafe housing are often too commonplace in the retirement village industry" - that's what Lesley Menzies OAM and President of Residents of Retirement Villages Victoria (RRVV) told members of Victorian Parliament in October 2015. "Dispute resolution rarely works" she said. "Complaints must be handed to the manager, who may be the perpetrator, then the owner/operator, it then moves to Consumer Affairs and then to VCAT...precious years of our retirement spent battling these huge businesses who have access to banks of lawyers."

With retirement housing regulations governed by different pieces of legislation, residents can be easily confused by what their rights are. Through our casework we've seen many older Victorians dealing with extremely complex contracts, making it difficult for them to understand their rights and obligations. Comparing options is also difficult and there is a lack of specialist legal advice for people on low incomes.


We worked with our partners at Housing for the Aged Action Group (HAAG), Council on the Ageing (COTA) Victoria, and Residents of Retirement Villages Victoria (RRVV), to raise the profile of the problems older Victorians are experiencing, key issues related to the complexity of their contracts, the fees charged, and the difficulties they have in resolving disputes quickly and fairly.

Together, we've pushed these issues into the spotlight, with more than 70 residents participating in our October parliamentary event. The overwhelming message was the need for an ombudsman to resolve disputes quickly and fairly, without the need to resort to slow, costly and adversarial courts and tribunals. With the Opposition and the Greens offering support for action, the stage was set for reform, and in 2016 the parliament commenced an inquiry into Victoria's retirement housing sector. The Inquiry will hold public hearings in the latter half of 2016, and report back by March 2017.



Photo: Consumer Action launches DemandARefund.com with a "Stop Selling Junk" protest.

**A centre for
excellence in
consumer advocacy,
law and policy**



"Why would anyone ever buy one of these if the company is not going to honour it?"

DemandARefund.com

Zane Alcorn, a tradie from Melbourne's northern suburbs, relies on his van to make a living, so he bought an extended warranty thinking it would protect him. However, when the van broke down and he went to claim he fell prey to a list of exclusions that almost rendered the warranty completely worthless. "It seemed kind of absurd" said Zane. "I guess I just trusted that there would be enough protections."

Zane contacted Consumer Action and with the help of our legal service, managed to fight back against the company in order to get his van back on the road. Unfortunately these stories have been all too common at Consumer Action over the last decade, with countless Australians sold junk insurance and rubbish warranties.

Our policy experts crunched the numbers and realised that Australians were being sold over \$70m in junk policies every year. Poorly designed products, shocking sales behaviour and outrageous commissions were uncovered as part of our reports '**Donating Your Money To A Warranty Company**' and '**Junk Merchants**' so we decided to do something about it.

Following Zane's experience, Consumer Action set up **DemandARefund.com** - a website that helps Australians to complain about junk insurance and rubbish warranties and demand their money back. Since the launch of the website, Australians have demanded over \$300,000 back and been featured by the Herald Sun, The Age, the TODAY Show, Today Tonight, the ABC and more.

The website was noted by the Australian Securities and Investments Commission in their '**A market that is failing consumers: The sale of add-on insurance through car dealers**' report. Consumer Action will continue to fight these products in 2017.



Photo: Senior Policy Officer David Leermakers and Senior Solicitor Philippa Heir

A bold and smart advocate



"They don't care. They just want their money"

Heat, or eat?

"They don't care. They just want their money." That's what 27 year old Emira* told our researchers about having her power disconnected in the midst of trying to escape a violent relationship. This year was a powerful year for Consumer Action's work on energy, with the release of our **'Heat or Eat'** report, featuring stories like Emira's that showed the decision to disconnect can cause major shockwaves in the lives of family violence victims, people living with mental health issues and those living in poverty.

On a daily basis, our financial counsellors hear the stories of Victorians who are struggling to make ends meet, and in the worst cases, making the awful choice each night between whether they should heat their house, or whether they should eat. Our legal team often advise and go in to fight for people who've had problems with products and services in the energy market and our policy team have worked diligently over many years to make sure governments, regulators and energy companies operate a fair market that recognises energy as a truly essential service.

Looking ahead, Consumer Action has also led the discussion about the future of the energy market and making sure that the needs of Australians are taken into account as technology rapidly transforms what our energy market, and the products and services it provides, looks like for the future.

Consumer Action's **'Power Transformed'** report, informed by the Demand-side Energy Reference Group and released in July 2016, was the first attempt within Australia's energy market to focus on the experiences and engagement of consumers. A useful blueprint for whole of sector collaboration, the project drew together a reference group of senior leaders from rule-makers, regulators, government departments, traditional industry, innovators, academics and consumer organisations who worked together over 12 months to explore how to enable better consumer outcomes and build trust in the face of rapid transformation.

By working with people impacted by the energy market, the companies that serve them and the public servants who write and enforce the market rules, we're working towards an energy market where Emira, and many more like her, get a fair go and access to safe, secure and affordable energy.

*name changed for privacy



Photo: Campaigns & Comms Officer Mick Bellairs and Senior Policy Officer Katherine Temple.

**Systems, structures
and processes that
support our people
to do a great job**



Lawyering for change

In 2015, Agata Wierzbowski undertook the Victoria Law Foundation's Community Law Centre Fellowship. Through the fellowship, she researched how community legal centres can maximise the impact of their legal casework in advocacy. As part of this, over six months she met with over 100 community lawyers and change makers across Australia, and internationally in South Africa, Canada, the USA and the UK. The project findings are set out in the Lawyering for Change report, available online at: keepingthemhonestblog.com

"The Fellowship provided me with the lucky privilege of learning how other organisations strive to achieve social change, and improve access to justice. I wouldn't have had this opportunity had I remained in the office", Agata said. "I'm glad to hear that many of my community lawyer colleagues have found the **Lawyering for Change** report and its principles useful, and that it is part of an ongoing conversation in the sector about how we can better help our clients".

Sisters' Day Out

Financial counsellors Elyse Hoskins and Dianne Dejanovic have attended several Sisters' Day Out workshops in 2015/16, organised by the Aboriginal Family Violence Prevention and Legal Service.

The workshops provide pampering and well-being activities for Aboriginal women alongside information on family violence and opportunities to talk to vital community services. Agencies attending Sisters Day Out workshops play an essential role in breaking down the barriers to access faced by Aboriginal women, thereby reducing vulnerability to family violence. Elyse found the days really valuable telling us that "you could see the barriers being broken down between the women and the services attending"

Given the majority of our financial counselling work is on the phone, events like this give our team the opportunity to get out into the community and assist those people less likely to give us a call. Dianne (pictured with a film crew on one of the days) said "it's a great opportunity to build rapport with the Aboriginal community and also with other agencies who service that community"



The language of consumer advocacy

How do we make the language of consumer advocacy more powerful? Our Media and Communications Officer Jonathan Brown undertook a 2 month Messaging and Communication Fellowship with the Centre for Australian Progress. Fellows from all around Australia and New Zealand learned about the latest research in social change messaging from internationally renowned language expert Anat Shenker-Orsorio.

"It was amazing to learn from Anat" said Jonathan. "I now know what consumer advocates need to do to make our stories have more impact. Anat's research and guidance has already helped me to improve our storytelling and advocacy at Consumer Action and I can't wait to share everything I've learned more broadly across our sector."

With thanks to the Victoria Law Foundation, Sisters' Day Out and the Centre for Australian Progress.

Systems, structures and processes that support our people to do a great job

Acknowledgements

Thank you to our funders, partners and pro bono supporters in 2015/16.

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Commonwealth of Australia: Attorney-General's Department; Department of Social Services
Victorian Government: Consumer Affairs Victoria; Department of Justice & Regulation; Victoria Legal Aid
Legal Services Commissioner + Board
Energy Consumers Australia
Victoria Law Foundation

PRO BONO BARRISTER PANEL

The barristers on our pro bono panel including Garry Bigmore QC, Daniel Bongiorno, Daniel Clough, Georgia Douglas, Andrew Downie, Jonathan Evans, Min Guo, Kristine Hanscombe, William Houghton, Sandip Mukerjee, Caroline Kenny QC, Anastasia Smietanka, Carolyn Sparke QC, Dan Star, Melanie Szydzik, Kate Burke, Brind Zichy-Woinarski QC. A very special thank you to Cam Truong, Meg O'Sullivan, Astrid Haban-Beer, Ross Macaw QC, David Yarrow, Peter Fary, Marcus Hoyne, Edward Gisonda, Rolf Sorensen, Mark Lapirow and Sally Whiteman for their exceptional work for our centre.

We would like to specially acknowledge and thank Mr Paul Bingham of Counsel for the countless pro bono hours and invaluable expertise that Paul has provided to our organisation over the past 10 years. Paul has consistently and regularly provided pro bono advice, representation and support, often on multiple matters at once, in some of our most complex cases. Many vulnerable and disadvantaged people in Victoria have been assisted thanks to Paul's willingness to assist us, assist them, over the years.

WITH THANKS TO

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Slater and Gordon (Andrew Weinmann and Eileen Nguyen)

Britton Costs Lawyers (Suzie Britton)

Magistrates' Court of Victoria

Consumers' Federation of Australia Standards Project

"Consumers bring a broader viewpoint to the standards making process and bring confidence the product or service standard corresponds to real consumer needs"

**Alison Scotland, National Sector Manager,
Standards Australia.**

Thank you to Standards Australia for funding this critical program and even bigger thanks go to our hard working consumer representatives:

Allan Asher	John Henry
Antonio Bonacruz	John Wood
Bill Yeo	Joseph Borg
Brian Attwood	Juliet Moore
Cam Wilkinson	Katina Michael
Craig Memery	Mark Henley
Debra O'Connor	Matthew Tung
Darren Margerison	Max Mosher
David Gray	Murali Nathan
Elaine Attwood	Pamela Edwards
Eleanor Sumner	Paul Loney
Elizabeth Wheeler	Polly Plowman
Gail Broadbent	Rado Starec
Gail Greateorex	Raphael Grzebieta
George Rechnitzer	Rebecca Searcy
Heather Grain	Rick Barry
Ian Jarratt	Ron Somers
Janine Rayner	Ruth Mackay
Johannes Hartzenberg	Sue Wicks
John Furbank	

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ANU College of Law

Justice Connect

Federal Court of Australia

Federal Circuit Court of Australia

Carolyn Bond AO

Andrew Reeves

Omar Masri & Daniel Parnell

Jordan Janssen

Samantha Watson

Angela Rutter

Erich Kannen

Financial report 15/16

	2016	2015
	\$	\$
INCOME		
Grants, revenue	3,651,535	3,795,342
Other income	278,470	338,514
EXPENSES		
Employee benefits and costs	-3,270,636	-2,950,520
Facilities and overheads	-456,511	-392,934
Resources and planning	-129,738	-124,588
Finance and accounting	-10,967	-8,108
Depreciation	-87,732	-22,831
Other expenses	-129,179	-134,580
Surplus/Deficit	-154,758	500,295
STATEMENT OF FINANCIAL POSITION	2016	2015
	\$	\$
Current Assets	2,984,690	3,066,613
Non-current Assets	243,879	114,889
Current Liabilities	974,261	746,374
Non-current Liabilities	45,526	71,588
Net Equity	2,208,782	2,363,540

Full financial report available at consumeraction.org.au/about

Our people 15/16

LEGAL PRACTICE

Jillian Williams
Tom Willcox
Agata Wierzbowski
Amanda Storey
Ben Zika
Cat Newton
Celia Tikotin
Gerald Cohen
Katia Sanderson
Lachlan Edwards
Lisa Grealy
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Mathew Kenneally
Michael Hermitage
Philippa Heir
Peta Hepburn

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Jonathan Brown
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Susan Quinn
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Nila Martin
Skye Forster

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Ali Creighton
Anna Tiakanas
Brian Kerr
Claire Tacon
Colin Harte
Dianne Dejanovic
Edmund Gale
Elyse Hoskins
Heather Keen
Janet Inglis
Julie Trompf
Sarah Brown-Shaw
Shungu Patsika
Thuyen Mai
Vanessa Stanton

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Robert Cole
Louise Barnes
Danny Alameddine
Laura Henderson
Annarose O'Ryan
Luke Giles
Laura Morgan
Dominic Brown
Declan Sexton
Eleanor Pallett
Fred Munchenberg

BOARD

Barbara Romeril (Chair) - Roslyn Hunter - Paul Murfitt - Vic Marles - Peter Gartlan - John Berrill - David Berry

Financial stability

2015/16 at Consumer

Action:

\$709k

won back for some of the
community's most marginalised
people.

20k

Financial
Counselling
calls

890+

legal advice (community workers)

9.8k

legal advice
(Victorians)



We helped
over
1000+

people with
litigation or complex
legal matters



Our callers spoke
over

125

languages

We helped

5417



single parents

We delivered
Outreach Training to
over



700

workers across
Victoria.

6100+

people who accessed
our services earned
under

\$26k

per year



Our policy experts



engaged with
Government, industry,
regulators and advocates
over 840 times and
featured in over 400
media stories.