

ACCESS TO JUSTICE MATTERS

Make it fair and affordable



Victorians are having a hard time navigating the legal system to enforce their consumer and financial rights and get justice. It can be too complex, take too long and cost too much for many people on low or middle incomes.

Overall, we have good consumer and credit laws that are designed to ensure that people are empowered and protected and that businesses play fair, but laws are only as good as their ability to be enforced.

Our team of expert consumer lawyers provide free legal assistance through state-wide telephone advice and litigate on behalf of thousands of vulnerable and disadvantaged Victorians each year, but we can't help everyone directly, and as the

economy changes and adapts, all Victorians need access to justice to be fast, fair and, if necessary, free.

Now is the time to extend external dispute resolution to key sectors in the Victorian economy. Without our existing industry ombudsman schemes, hundreds of thousands of people would have no avenue for redress other than courts and tribunals. In reality, because of cost and other barriers, they would have been left with nowhere to turn.

We must also supercharge our financial support networks by funding additional Financial Counsellors in our community. According to the ABS, Australia's household debt to income ratio hit almost 200 per cent in early 2018, while energy bills and housing costs are driving many Victorians to take risky decisions like taking out high cost payday loans or loading up their credit cards. Victorian families need more Financial Counsellors on the ground now.

Gerard Brody, CEO Consumer Action Law Centre

1. A quick, free and fair alternative for Victorians who buy lemon cars

It's no surprise that over 9 in 10 Victorians* believe it should be easy to get a refund or repair from the car dealer for a defective car, but this is simply not the experience for many Victorians who find themselves lumped with a lemon.

Cars play an essential role in the lives of most families to participate fully in society, whether it is getting to work, dropping kids off at school, picking up groceries or participating in sport. They simply can't afford to be off the road for months while waiting for a VCAT hearing.



This is a big problem. Over 1 in 5 calls to Consumer Action's legal advice line last year were from people with car problems, 1,100 calls in total. Consumer Affairs Victoria received a total of 7,848 contacts about motor car trading in 2014-15.

While Victorians have rights under the Australian Consumer Law, enforcing these right is often too hard. That's why the Government's Access to Justice Review recommended that funding be made available for a specialist motor vehicle dispute resolution service, and to level the playing field by providing a free expert technical report on the car.

Car traders are already licensed by the Government, making participation and compliance with a dispute resolution service a natural fit. Our lawyers are convinced that this recommendation will make it easier and fairer for Victorians who purchase defective lemon cars to access justice.

For more information go to consumeraction.org.au/fixmycar

*ReachTel conducted a survey of 1,124 residents across the state of Victoria on 29 January 2017



2. Ninety additional Financial Counsellors for Victoria

Even a small interest rate rise could have catastrophic effects on mortgaged households showing signs of financial stress. Early intervention through financial counselling can help households manage mortgage and broader financial stress, but these require more financial counselling resources.

Financial counsellors provide advice to people in financial difficulty, helping them deal with their immediate financial situation and minimising the risk of future financial problems.

Demand for financial counselling exceeds supply by a large margin, with wait times for Victorians trying to see a financial counsellor ballooning to over six weeks in some parts of the State .

Consumer Action provides email and telephone financial counselling to Victorians experiencing financial difficulty through

the National Debt Helpline. Around 20 percent of callers are referred to face-to-face financial counsellors because they require ongoing advocacy rather than phone advice.

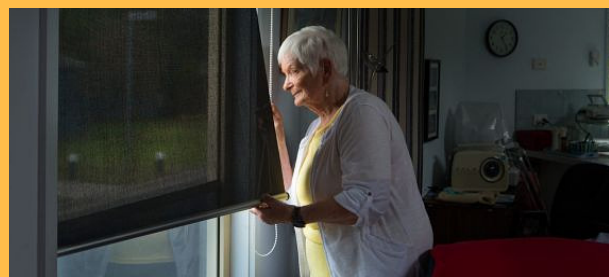
It is getting harder to refer Victorians to face-to-face financial counsellors quickly due to the sheer number of people seeking help.

A recent survey of financial counselling program managers in communities across Victoria revealed that more than a third of managers said demand had surged at least 30%, and half said demand had risen by 10 to 29 percent .

To meet the needs of Victorian families struggling with rising costs and debt, we need Victoria's political parties to commit to providing funding for an additional 90 Financial Counsellors, to bring the State funded quota to 200 full time financial counsellors.

No excuses: Victoria needs a Retirement Housing Ombudsman

More than twelve months have passed since the release of the Victorian Parliament's Inquiry into the Retirement Housing Sector that recommended the establishment of a Retirement Housing Ombudsman, yet older Victorians are no closer to seeing this critical reform.



Over 9 in 10 Victorians* now agree with the establishment of a Retirement Housing Ombudsman, joining experts, residents, consumer advocates and the Property Council. A state-wide ReachTel poll showed 73.5% of respondents strongly support older Victorians getting access to justice that is free, independent and quick, and a further 17.1% support the concept.

Older Victorians living in retirement housing want a quick, easy and low-cost dispute resolution option when problems arise, including unfair fees and bullying. We hope that most residents will never need this service, but all Victorians will benefit from an Ombudsman by rebuilding confidence and trust in the retirement housing sector.

*ReachTel conducted a survey of 1,124 residents across the state of Victoria on 29 January 2017



Contact:
Mick Bellairs
(03) 9670 5088
michaelb@consumeraction.org.au

More information:
consumeraction.org.au
ndh.org.au