Consumer casework - a driver for broader strategic advocacy

Carolyn believes that the strategic integration of casework with other advocacy strategies can lead to better outcomes for consumers. Carolyn will share her experience as a consumer advocate over more than 30 years, using examples of specific cases and consumer issues. She will aim to increase understanding of the important role played by casework services which adopt a strong advocacy approach, the limitations and risks they face, and provide inspiration to those who want to enrich their advocacy work.

Introduction

I'd like to thank CHOICE and the ACCC for the privilege of giving the Ruby Hutchinson lecture today.

To be honest, my initial thought was that I've been in the sector for a long time, but what did I have to say? However, when you've been doing something for a long time you tend to think that what is obvious to you is obvious to others. Having to reflect on the lessons from my experience in the sector has been an invigorating exercise for me. I hope I can share some of that with you today.

I'm going to tell you a bit about my life, and my introduction to the sector. The overall theme which will come through is one of providing assistance to individual consumers, and integrating this casework with broader strategies such as campaigning. This model isn't the right one for every issue or every organisation, but for the types of issues relevant to the work of Consumer Action, and other organisations I have worked for, I believe this is the most effective approach.

My Background

I grew up in Burwood in Victoria. Like many households at that time, while Dad's income was quite low, my mother was a good financial manager. My dad used to tell us that when I was young, he really wanted a good camera. My mother said that he had the money, but chose to spend it on cigarettes. So, he gave up smoking and saved up for his camera!

I recall that, on the rare occasion my parents were buying anything new, we'd drive over to my grandparents' place to go through their CHOICE magazines. My parents eventually subscribed themselves.

So my parents were very savvy consumers, but one event sticks in my mind.

I recall my mum sending someone away who came to the door who claimed she would help our education. But on another occasion, I remember her being quite upset. She had bought a couple of baking trays from someone who came to the door, and clearly felt that she'd let her guard down and been "sucked in". Even years later when I asked her about the incident she clearly felt very uncomfortable about it.

We still have a long way to go before we fully understand the way that salespeople, particularly in our home, can lead us to make decisions we would otherwise not make. I first spoke to clients who had signed up terrible contracts with salespeople in their home 30 years ago. I was convinced that there was something more going on than people making bad choices. I felt that many of the clients felt trapped, with no option than to sign up. I do think that some people are more vulnerable than others – but I also think that sometimes when an individual's guard is down – as I suspect happened for my mother. Consumer warnings often showed mean salesmen with their foot in the door – but perhaps that is not helpful, because that's not where the real danger lies. It is the salespeople who are friendly, who often accept a cup of tea – or even dinner – who are the most dangerous. We still have a long way to go to respond appropriately to these practices, as a recent Federal Court decision in ACCC v Lux matter show. I'm pleased to see that the ACCC is appealing that case.

At Consumer Action we decided to try something different. As well as running case after case of mathematics software cases (probably the most common cases we get after credit and cars) we worked with Dr Paul Harrison from Deakin University who examined the psychological impacts of in-home selling techniques. If you don't have the time to read the report, at least watch the film which Paul made based on his research, which is now available on the ASIC website.[1]

This shows that we need to be creative – that in thinking about strategic advocacy I'm talking about using whatever tools we think will work - submissions, complaints to regulators, media, protest - and film – and possibly other approaches we're yet to think of.

[1] https://www.moneysmart.gov.au/borrowing-and-credit/borrowing-basics/avoiding-sales-pressure

From Computers to Tenancy Advocacy

But come back in time to the late 1970s. I was working as a clerk in a computer bureau.

I had just finished Year 12 and left home, initially getting full time work at a supermarket and shortly afterwards a clerical job in a computer agency. A few years later, I was doing shift work as a computer operator at bank computer centre.

I had made a few attempts by that time to “get involved” in things somehow – for example by volunteering for a community agency during my holidays. However, it was only when my landlord kept my bond in 1978 that everything changed for me.

I spoke to a local solicitor who had recently done by parents' wills. The private solicitor sent a letter of demand on my behalf but, I found out later, didn’t quite get the law right. This was a lesson for me that whether or not you can pay for legal assistance you may be better off with the service provided by a free specialist legal service.

I also called the Tenants Union for advice, and after receiving the standard pamphlet from the Tenants Union, which included a request for volunteers, I started volunteering a day a week (before afternoon or night shift at the bank) answering the calls from tenants. When I needed some further advice about my own problem, the staff told me to come in on a Wednesday night, to speak to the Tenants Union Legal Service.

When I turned up there were a lot of people waiting. Mike Salvaris, who had left the bar to start up the Tenants Union, immediately asked me to team up with one of the law students to see a couple who needed advice. Once they left, I found myself talking with more tenants.

I recall being surprised at my own expertise - but there were a few main problems, bonds, repairs and evictions, and I’d read all the pamphlets while I was volunteering during the day. With no tenancy tribunal, matters went to the Magistrates’ Court, but the initial advice was pretty straightforward. What I realised then was that spending some time focussed on a very narrow area of law, meant that I was as familiar - possibly more familiar - with the area as the law students and some of the lawyers – something I later found to be the case in my early days as a financial counsellor.

At about 10pm I reminded Mike that I had come along as a client, so I did eventually get to speak to one of the lawyers. In the end I settled my dispute, for about two thirds of the bond. I wasn't happy, but of course there were risks taking the matter to Court.

That night at the pub, with volunteer lawyers, law students and other non-lawyers like me (most who had been recruited by their university friends) there was discussion about cases - tenancy as well as others. The culture of the Tenants Union was clear - the law was unfair, and we were helping the underdog, who could take on the dodgy agents and eviction services and win. This is what I had been looking for - I was in heaven!

One story I enjoyed involved a case against a notorious eviction service. The legal service successfully fought the eviction on the basis that only one weeks' notice had been provided. The old laws were complex, and I believe the Tenants Union was careful to object to one week, but to not disclose how much notice it believed the law required in this case. The next notice served was also defended successfully because two weeks' notice had been provided instead of the legally required four. The eviction service was probably reluctant to tell its landlord client how hundreds of dollars of legal costs had been ordered against them. The Sheriff apparently called the Tenants Union and said "there's something wrong here, this person is the landlord. Surely this order should be against the tenant"!

I continued to volunteer at the legal service as well as to take part in action such as the demonstration we had at a large estate agent's offices, where we all walked in with media, and with buckets, brooms and mops and pretended to clean the offices - to make a point about all tenant bonds being retained for cleaning.

I also took part in a very coordinated lobbying campaign in relation to the tenancy law consultation. The campaign was well organised with lobbying kits, volunteers and meetings with stakeholders allocated to us. I also recall meeting with people from Consumer Affairs, and giving evidence to a Law Reform Commission hearing at the time.

I felt quite confident and knowledgeable, a great example of working with a specialist legal centre, particularly being a non-lawyer, and the experience made it easy to impress on people the importance of the new laws.

Of course I thought I'd like to work in this sector, but I was happy volunteering. It was an amazing group of volunteers, which included Jon Faine (now on ABC Radio), Kevin Bell (now Justice Bell), Alison Maynard (FOS), Gary Sullivan, who is probably the longest ever serving CLC lawyer, and Denis Nelthorpe - who did eventually ask me out.

I just didn't know how groundbreaking this work, and this type of thinking was. But I now know that I'd fallen into a great, and early, example of how casework, policy and campaigning can be such a powerful combination.

Financial counselling and Bills of Sale

After two or three years of involvement in the Tenants Union, I found out about a financial counselling position. It was very early days, and no-one could exactly explain what a financial counsellor did, but as Denis suggested "You know how the system works when we sue landlords – well a financial counsellor just does the opposite"! There were not many financial counsellors, and their role was unclear, although budgeting was involved. The financial counsellors had different approaches, one working with clients applying his social work training, another focussing on running a food co-op to help people save money, another who said that he did mainly community development work.

So, I would call on behalf of clients, asking for time to pay electricity bills, or hire purchase arrangements. I felt so powerless sometimes, to prevent car repossession or other legal action. A common type of loan to low income consumers was secured by a "bill of sale" which listed every item they owned, right down to the beds and cutlery. I recall one which listed a cot. Any attempt to offer a reduced payment was met with a threat that all furniture would be taken if the debt wasn't paid. One lender said to me "Where will their baby sleep?" when I advised that my clients couldn't pay. A guide which had been written for financial counsellors by one community agency referred to bills of sale, and advised that there was nothing that could be done other than pay, or lose all the furniture.

<u>Turning the tables</u>

In these early days there were no lawyers to advise financial counsellors. So I asked Denis – who at the time was based at a welfare agency representing young people in criminal matters. With his help I did call the bluff of one lender, by threatening to deliver some of my client's furniture to the lender's office. "We'll call the police" they said when we advised we'd do this. "But it's your stuff"

we said. "Couldn't you take it straight to the tip?" "Sorry, no". This worked for one client, but the clients were angry and prepared to take a risk – but it didn't help anyone else. Sure, the companies weren't going to take this worthless furniture, but they weren't going to stop using it as a threat either.

Setting up CCLS

Frustration over the lack of legal support for financial counsellors led to a small group of us getting together with a view to starting up a consumer credit legal service. Denis, Alison Maynard and I had seen how the Tenants Union Legal Service worked, and a few other financial counsellors (including Paul Bingham who is now at the bar) and lawyer Dick Gross, were interested as well. So, from that first meeting in our lounge room, and with our first annual legal aid funding of about $2,000, the service started – initially providing a weekly night time volunteer service. One beauty of that was that clients were usually interviewed by two people – one lawyer and one financial counsellor. The lawyers could apply the legislation, but knew very little about lending practices, and the financial counsellors had experience in the lenders' practices, so this partnership worked well – and still does.

Avco

The idea of turning the tables on those lenders who held bills of sale was taking hold. One morning in the early 80s the morning radio news reported that the Consumer Credit Legal Service and a Geelong financial counselling service were going to help consumers in Geelong to dump mortgaged furniture at the door of a finance company. One company called the legal service to ask "is it us?"

Very soon, a march down the main street of Geelong, with a truck full of furniture, headed to Avco's office.

As the furniture was unloaded into the office, television reports showed staff trying to act as if nothing was happening. The event was reported on every television station. By the following Monday, the Finance Conference which represented companies like Avco, announced that none of its members would take bills of sale in the future over furniture, and that no current bills of sale would be enforced.

While this was quite a victory, it was just one step along the way.

HFC

The biggest case that Consumer Credit Legal Service ever ran was an objection to HFC's licence, which started in 1988.

New Victorian laws in the mid 80s allowed any interested party to object to the holding of a credit licence. With a couple of these hearings behind it (which ran from 2- 5 days) the service objected to the licence of HFC – and the hearing ran for 18 months. I was not personally involved, in fact the case started the same week our daughter was born. But Denis was one of the 2 lawyers who ran the case, and I recall sitting up in bed nursing our new baby while Denis read the juicier bits of transcript from the day. No wonder our daughter has a "consumer advocacy" bent! - albeit in a different field - food.

The upshot was – I think to the surprise of many in the industry - HFC was refused a licence. An appeal and settlement followed, which led to payouts for many consumers, and the establishment of a $2.25 million fund for the establishment of a Consumer Law Centre.

But of most interest to me is this. HFC had had 18 months of hearing, and many months before that to fix itself up. In the Authority's decision, it was made clear that regardless of past conduct, a licence would be granted if the authority was satisfied that HFC would operate fairly and honestly in the future. It said " We repeat that we must grant a license unless we are positively satisfied that the Applicant will not act efficiently, honestly and fairly"

To quote directly:
"In our opinion, the extent of the dishonest and unfair conduct engaged in by HFC must have instilled in the minds of HFC staff a clear understanding that such [unfair and dishonest] conduct was not merely acceptable but expected. The Authority, therefore considers that the new management of HFC, supported by a now concerned Household, faces an enormous task in eliminating the culture of dishonesty and sharp practice that has pervaded HFC for so long. "

<u>Industry Culture</u>
This is not the last time I've seen a business' culture drive behaviour that is not only bad for consumers, but ends up badly for the business. We should never underestimate the difficulty in changing a poor culture - which often means being prepared to go back to past fights.

The case sent a strong message to the industry, and HFC (part of the multinational Household International) left Australia shortly after that.[2] But in 2008, HFCBank in the UK was fined over £1 million for mis-selling payment protection insurance – a key issue in the Australian licensing case 20 years earlier.[3]

Avco – Part 2

It's now 1997 – about 15 years after the dumping of furniture on Avco got national coverage – and Avco's practices still stood out – and not in a good way! A report on Avco's practices was published by Consumers Federation of Australia and Legal Aid New South Wales. At the same time, Legal Aid New South Wales issued proceedings in Court against Avco, and protests were organised around the country.

A number of states held protests. In Victoria, the manager of one of the Avco offices was presented with a papier mâché arm and leg!

Avco's management refused to admit there were any problems, but did eventually take some steps to address the problems. There were benefits in this too for all the Avco clients of legal services and financial counsellors, as Avco engaged Dick Viney, who had been chair of the licensing authority in the HFC case, to investigate all consumer complaints put by consumer advocates and gave Dick the power to determine the remedy he thought appropriate. I recall one of our clients being released from a $30,000 contract as a result. The legal action issued by Legal Aid NSW also resulted in an outcome for the consumers concerned. Once again though, just one step in a long process.

City Finance

At about the same time, some 15 years after we saw the end to mortgages on household furniture, a new lender, City Finance, started taking mortgages over household goods.

They weren't a member of the Australian Finance Conference, and without a shop-front office, so an Avco type action was not feasible!

[2] While we understand that the Household Group operates in other countries, we do not believe that it currently operates in Australia and should not be confused with any Australian businesses with a similar name.

[3] HFCBank's parent company is Household International. In the UK, Household International is now part of HSBC.

We issued case after case against City Finance, citing among other things, that the contract was unjust in that it secured payments by a mortgage over basic household goods which were usually of no value to the company. As often happens, case after case settled, and usually with a confidentiality agreement.

This shows the limitation of laws which allow individual consumers to take action. Only a small percentage will act, the business makes an offer and buys silence. It is arguably an inefficient use of legal centre resources, as only a small percentage of consumers get justice.

It's therefore good when you feel you have a case where your client has absolutely nothing to lose, and there is no benefit for your client from mediation. So it was with a client who had gone bankrupt, and the only issue was a City Finance mortgage over her basic furniture. Our lawyers request to have a hearing at VCAT was rejected, and the matter referred for mediation.

As is too often the case in mediation, our client was warned of all the risks of proceeding to a hearing – even where she had very little to lose. Looking at the list of furniture the mediator started off "so, what are you prepared to give up?.....".

It won't be a surprise that while the mediation was dragged out for a few hours, the case did settle, on a confidential basis.

Unfortunately, we were unable to have any impact on this conduct as all cases settled. This is a common situation, and these businesses aren't silly. An adverse decision could have a negative impact on their business, so they are probably likely to settle anyway. However, they don't give in too early – they keep our resources tied up in a few cases. It is arguable that in some cases efforts of courts and tribunals to get matters to settle can be an additional burden on our resources and can work in the other party's favour.

We had to put our arguments to Government, and continually explain why allowing a consumer to challenge an unjust contract was not enough protection. We eventually saw changes to credit laws which prohibited such mortgages.

However, the challenge of, what is often our clients being paid to keep quiet, is an ongoing problem which limits what can be achieved. As a legal service we must act in the best interests of our clients,

however much more could be done by courts and tribunals to ensure that systemic issues aren't continually forced to mediation without any consideration of whether or not the matter is suitable. We recently contributed to an article by legal academic on the conflict which often arises between the desire to avoid court or tribunal hearings and the public interest.[4]

Debt Collection

Challenging debt collection practices has led to change, but it has also raised some risks, and lessons. Our experience suggests that debt collection firms will initially do everything they can to cover up their conduct, or to "shoot the messenger" rather than actually making any change. It also suggests that some staff within large institutions, have closer relationships with the debt collection firms they outsource to, than with their own employer.

Before we published a report about the conduct of Collection House in 2002, the debt collection firm had made an effort to appear to be addressing concerns. Our lawyers informed me that the company's lawyers were taking complaints seriously, were meeting with Consumer Affairs Victoria about the issues, and had internal staff who could deal with compliance and complaints. The only problem was the calls kept coming to us, and to our interstate colleagues. Collection House was a public company, and I understand that it used this as a selling point to creditors, indicating that this meant increased compliance obligations and transparency. Concerns about publicly "outing" a company like this led to some concerns at our centre, with a suggestion that we could perhaps release the report and case studies without naming the collector. Exposing an industry without "naming names" can be a useful strategy, but there is also a huge risk. Some of the worst offenders can use such a report to claim that it is others who are the baddies – and say "use us to avoid these problems"!

Before and after the report's release, I raised the problems with some of the large creditors using Collection House. The initial responses, particularly from staff who dealt directly with Collection House, were to not believe what we were saying.

This wasn't the first time we were to deal with major companies where the staff refused to believe what we told them about a debt collector they were using.

[4] Mary Anne Noone, 2011, ADR, Public Interest Law and Access to Justice, the need for vigilance. Monash University Law Review, Volume 37, Issue 1(2011)

Doing an interview on ABC Television the day before the report's release, the ABC's lawyers were nervous, interrupting me constantly. I guess their nervousness was catching, because before the report was released the next day, I had at least one sleepless night.

I recall at the time feeling under incredible stress, wishing I'd never started the report, and saying to Denis “please remind me never to do anything like this again”. But I guess did, because it wasn’t the first time that I, and my colleagues, faced risks from exposing unfair conduct.

The report had an impact, as did a case which one of our clients won against Collection House. The Supreme Court decision helped to clarify the position of a debt collector pursuing payment for a statute barred debt in Victoria.[5] Collection House did make significant changes over the next few years, and I believe the culture totally turned around, to a business which over the past 10 years has taken pride in acting ethically. While I don’t think our work is often the sole impetus for change, in this case I think it was. I'm aware that there are often some "good people" within a business, who need severe outside pressure to help them implement change.

I must say I'm not sure that debt collector ACM Group had any such "good people" – or perhaps they are well hidden!

When we first started highlighting the problems of ACM in 2007, the response was to paint us as being unfair, acting illegally, and refusing to take advantage of the business’ complaints processes. Of course, ACM were very keen for us to simply speak to them about each individual case. As a letter from ACM’s lawyers showed, they believe that we should simply consult and mediate the matters directly with ACM.

Not only did ACM’s solicitors indicate the possibility of action against us for “contractual interference”, but ACM issued its own media release, which among other things, accused the centre and me of “grandstanding”.

I don’t know what made them think that accusing us of grandstanding wouldn’t be taken as a compliment!

[5] Collection House Ltd v Taylor [2004] VSC 49

We made over 100 complaints to ASIC about ACM and in the end, patience and hard work by our staff – and ASIC – paid off. In 2012, the Federal Court found that ACM engaged in "harassment and coercion" and conduct which was "misleading and deceptive" and that this was "not just widespread, it was systemic".[6] It appears from reading the Court decision that while we had clearly pointed out the problems, ACM only started to change its conduct after ASIC commenced investigations. At the same time that ACM was accusing us of going public rather than consulting ACM management, its staff were following a manual which encouraged illegal conduct.

As a general point, one risk a casework service faces is that the other party will make very reasonable offers of settlement to individual clients. In fact, the more reasonable the settlements, the more we tend to wonder what the business is hiding. Businesses which believe they are at risk of being exposed, will often bend over backwards to respond to individual cases. Special complaints handling personnel or even a separate phone line for our complaints can sound like a good idea. However, this can give the business an "early warning system" where they can treat calls from community workers in a different way to those directly from customers. Assisting our clients, without taking any other action doesn't just fail to address the broader problems but can actually help dodgy businesses to "stay below the radar".

Defamation Risk

I'd like to talk a bit more on the subject of threatened legal proceedings, Consumer Action has received a number of such threats - and one company issued against us. Ah, I hear the lawyers out there say, but only a business with less than 10 employees can sue for defamation!

As you saw from the letter from ACM's lawyers, they were suggesting the possibility of suing us for "contractual interference". In another case, a business called "Collection Point" actually issued against us for the tort of "injurious falsehood".

Collection Point was a business which offered to locate missing money if the consumer agreed up front to a fee. It was unhappy about a media release we issued about our clients case. In the Collection Point case, and in another matter where proceedings were threatened, our professional

[6] Australian Securities and Investments Commission v Accounts Control Management Services Pty Ltd [2012] FCA 1164 (26 October 2012)

indemnity insurers advised us to settle, which would presumably involve removing any negative references to the businesses on our website and possibly paying compensation.

In both cases our board made a considered decision to defend any action without coverage from our insurers. This was a big decision by a not-for-profit board. However, the board strongly supports the strategies employed by Consumer Action, and recognises that should we start to withdraw statements or other information on our website as soon as we are threatened with legal action, we would lose a key strategic tool.

Despite being "dropped" by our insurers, and significant pressure by a VCAT mediator to settle, we refused to make any offer to Collection Point. When our client won his case, we issued a further media release about our client's win, which also noted the fact that Collection Point had also sued us. The heading of that release was "COLLECTION POINT MISLEADS CLIENT AND SUES HIS LAWYERS"!

Media Releases

It is a key strategy of Consumer Action to issue a media release at the time legal proceedings are issued for a client. Of course this is only with the authority of the client, and where our solicitor believes it is in the interests of the client.

Whether an individual is prepared to talk to media, can, on rare occasions, be a factor is us deciding whether to take on their case. Imagine that we have 10 people over a period of six months all wanting us to act for them against a particular trader. While we can provide telephone advice, we don't have the resources to act for everybody. Should 9 of those people not want to speak to media, and the 10th does, it just makes sense that it is this case, which could have a broader impact, on which limited resources should be expended. While this approach is rarely applied, it has been an issue that we have had to work through.

Issuing a media release at the time proceedings are issued means that the case is in the public domain. Adopting this approach, which is also often used by regulators, ensures that the basic facts are out there, regardless of any future settlement.

Do Not Knock

I have barely started to cover the many campaigns I've been involved in over the years, and I've left out a number of recent major campaigns, such as payday lending, and Do Not Knock. Both of these have involved a mixture of individual casework, complaints to regulators, use of the media and engagement in law reform. The Do Not Knock sticker idea just came to our Policy Director Gerard Brody one day, while he was editing a report on door to door selling. It has been a popular and successful campaign, which Sarah Wilson will be talking more about tomorrow.

Motor Finance Wizard

I will finally briefly mention Motor Finance Wizard, if only because it allows me to be fair to my children and mention my son!

To be honest, I paid my son, Paul, to put on the lemon costume, so I'm not sure his passion lies with consumer advocacy! But this collage of photographs taken in three states, on the same day, is one of many examples of the close co-operation between consumer advocates around Australia.

We have acted for many consumers in these cases, where buyers on low incomes have bought cars at 2 or 3 times their actual value. After running case after case, we finally got one to go to final hearing a few years ago, and our client won. This case was a "game changer" as the business' practices (including keeping consumers waiting for 5 or 6 hours, on the basis they were checking their credit worthiness) were eventually out in the open. The regulator has taken action, and presumably the business has changed its practices. However, this business appears to change just enough to stay within the law, and work to protect these consumers is far from finished.

Integrating casework and policy

As I'm sure you see, a key part of our strategy has been the integration of casework and policy work. For some time I just assumed lawyers and others doing casework would understand when a case raised broad ramifications, and would see the importance of a strategic approach to the problem. However, this is not always the case. The ability to understand the public interest approach can vary significantly - both within the community legal sector, and in private firms (for example doing pro-bono work).

When Catriona and I took the job as Consumer Action's first CEO about 7 years ago, we both felt that this should be a key strategy. It is probably quite natural for casework staff and policy staff to focus on their own work – particularly if there is high demand on their time – and it's too easy for a centre such as Consumer Action to have casework lawyers and policy staff working somewhat separately. At Consumer Action we consider the need for all staff to work closely together on issues, and this is a factor in our recruitment and day to day management. Even then, there can be some lapses in communication, so we continually look at ways to keep this working well. About a year or so ago we started regular "strategy meetings" where a few lawyers, policy workers and our media officer get together to plan a strategy in relation to a particular issue. Which regulator should we complain to? Is there a media story in it? If so, what? Do we have enough evidence? What are current cases telling us? Should we be putting pressure on the business, and industry ombudsman, the regulator, the Government – or all four? Does anyone have any really clever ideas?

To make this work well takes vigilance – particularly as a centre grows – it doesn't just happen.

If you are interested in this subject, I would like to recommend two publications.

- 'SOLVING LEGAL PROBLEMS : A STRATEGIC APPROACH - Examples, processes and strategies. A report exploring issues in community legal centre practice - Version Two'

  http://law.anu.edu.au/legalworkshop-gdlp/publications

- Reclaiming Community Legal Centres, Maximising our potential so we can help our clients reach theirs, Nicole Rich, 2009. *http://consumeraction.org.au/wp-content/uploads/2012/04/Reclaiming-community-legal-centres.pdf*

One of these, which my centre has been working on with another legal centre and Dr. Liz Curran, has just been released today. It gives more details about some of the cases I've talked about today.

Conclusion

I said at the start that my key message was the value of a strategy which closely combines casework and other strategies, and I hope I've given you an appreciation of this approach.

However, there are two more messages. Firstly is that if you consider the role of organisations such as mine in law reform, industry consultation and enforcement by regulators, we are a crucial part of the consumer regulatory landscape – and consumer outcomes would be very different if we weren't there.

And finally - achieving change can be slow. I have the benefit of looking back over 30 years, often seeing a period of many years between the identification of a problem and legislative change or regulator action – and as I've shown, in some cases certain bad practices lie dormant, and then re-emerge. But personally, I need to occasionally focus on the outcomes we've achieved, and I suspect that is what keeps most of us committed.

Thank you