

Consumer Comment

FEB -MAR 2009

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From the President

It's hard to believe that the Consumer World and National Congresses were such a short time ago. We were inspired by the notion that consumers were really getting together and able to make a difference. Since then in WA that situation seems to have taken several steps backward. We've seen the new government tell us they'll make their own decisions on trading hours, proposals to do away with DOCEP and incorporate consumer affairs into a new department called Commerce – doesn't that sound consumer oriented?



When trying to find appropriate assistance with a consumer problem, we've all had the run around from DOCEP to the ACCC to some other states consumer agency or Ombudsman. The Productivity Commission's Draft Report on the Review of Australia's Consumer Policy Framework suggests an amalgamation of State (Fair Trading) and Federal (Trade Practices) legislation and consumer agencies to provide consistent protection across all states. Although I suspect WA's interests would be somewhat overlooked in such a process, perhaps consumers would benefit from having a one stop shop for all consumer issues. If the new WA government is going to start shuffling departments with an emphasis on commerce rather than consumers then perhaps it's worth consideration.

With the referendum approaching, we're enduring daylight saving again. For me this means going to bed not much before I get up - so yes, I'm crankier than usual. I'll be really surprised if we have to suffer this again. Businesses wanting to trade an hour earlier during summer should be able to do so without the whole community being affected! We still can't do our banking after 4 pm or go to the Post Office after 5pm – the rationale for that is completely beyond me – why can't these agencies do paper work after hours like the rest of us? A taxi driver recently told me that

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Profile - Noeline Hartley



The first born of six children to Harry, a Gallipoli veteran, and Daisy Hope, I was raised in Highway (now Kingsway), Nedlands for eight years before the family moved to Katanning following my father's transfer as district manager for the PMG. I had an idyllic beginning, as many Perth children in those bucolic days experienced.

I learnt to ride our Timor pony, Little Nell around the house paddock, corner of Princess and Kingsway, and across to my Granny's house in Bruce Street. I have fond memories of those times – splashing around in the Swan River, swimming in the Nedlands hot pool, climbing over the limestone rocks into the chilly river and clambering back into the warmth with all the other kids; fishing off the jetty where the Nedlands baths were, watching the crabs and jellyfish go by; the family gatherings in the summer, prawning and cooking the catch of the delicious Swan River prawns and crabs – I can

still hear the roar of the Perth Zoo lions floating across Melville Waters carried by the gentle breeze in the still of the summer night air.

When my father was transferred to the country, I continued my love of horses and had many adventures with my siblings in the freedom of the bush. My education was in local schools until a scholarship to Perth Modern School was offered to me. On leaving school, I went into the traditional woman's career choice of nursing, training at The Mount Hospital where the conditions for trainees was very spartan, to say the least. Later, I did my midwifery certificate at KEMH, a psychiatric certificate at Heathcote and Claremont and child health at Ngala. During the war years, I worked in the Red Cross Blood bank and acted as a theatre sister. Once the war was over I went to Mullewa to work as Matron of the hospital.

After marrying and having three children, I eventually returned to work and further study, doing the Training Officer's Diploma at Churchlands, followed by the Health Education Diploma at Claremont Teacher's College. I was still active in the community during those busy years, amongst other things, helping establish a Herdsman Lake protection group, Habitat Herdsman.

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although he was vaguely in favour of daylight saving, he'd vote against it for the sake of families with children. It is inspiring to know that there are still some unselfish individuals out there prepared to consider others in their choice.

After all the work we did on the review of building legislation and the time we put into the Building Commission proposal, we are back in the dark as to what direction the new government might take.

So recession eh! Financial crisis! Certainly not a lot of consumer confidence anyway. Although we may yet tough out the financial crisis, many consumers have nevertheless seen their investments diminish, including our mandatory superannuation. I'm so pleased, however, that we're hearing less about trading hours and the stadium and it will be most interesting to see what improvements regional consumers may enjoy.

I mentioned the litter problem last newsletter. As a botanist and consumer member of the Keep Australia Beautiful Council, I have a big interest in environmental issues and you'll find my whinge later in the newsletter. Every year hundreds of thousands of Australians help clean up their environment on Clean Up Australia Day. The next Clean Up Australia Day event will be held on 1st March 2009. More information is available at cleanup.org.au.

Genette Keating

From the Editor

I would like to apologise for the lack of Newsletters in 2008. After the initial Feb-March Newsletter, CAWA's members' endeavours were hampered by illness, paid work commitments and overseas travel. As you know we are a voluntary organisation and CAWA issues are addressed in the time that is 'left over'. Unfortunately, there wasn't a lot of 'left over' time last year.

On a brighter note, at this stage, we are 'on track' to be more productive in 2009.

However, the economic crisis may have a significant impact on consumer issues. With the Department of Employment and Consumer Protection morphing into the Department of Commerce, a slowing economy, and job losses, it is likely that key decision making will focus on keeping the economy from further slipping into recession. Let's hope that Government and industry decisions will not be made at the expense of consumer and the environmental because that will be to the detriment and long term best interests of Western Australians.

Valdene Buckley - Editor

Profile - Noeline Hartley continued . . .

In my work at Child Health Services, I became involved with the development and launch of a parenthood course for high school students years, nine to ten. This course is now offered in NSW and Victoria as well as WA.

I was a founder member of Women's Electoral Lobby from 1973 until its demise in 2008. My lobbying activities in this influential organisation saw me in many campaigns: equal pay for work of equal value; equal opportunity; refuges for women and children from domestic violence; family planning and abortion law reform; women's health centres; women's legal service; community-based quality childcare are some which come to mind.

As a member of the National Council of Women I have been part of a committee formed to organise a seminar on genetically modified food grains and raise awareness of the lack of information and knowledge about how these new foods will effect nutrition in healthy individuals and potentially harm those with weakened or developing immune systems; the very young, the elderly and those with chronic conditions effecting the immune system (asthma, AIDS, allergies etc). The other related issue is consumer choice and information directly related to labelling laws. Country of origin clarity and responsibility for food safety standards, and the enforcement of these, is another big issue. We should all have the choice to discriminate with our food purchases, based on sound information and the knowledge that the food we eat is safe and nutritious.

The GM seminar on is tentatively planned for June 14th and we shall release further details as we confirm them. Looking forward to meeting you there.

Noeline Hartley - 13th February 2009

You can direct credit your membership fees into the CAWA account.

The details you need are:

BSB: 306 050

Account No: 4158656

If you have any problems contact the Treasurer through the CAWA website.

Alternatively, the money can be mailed to the treasurer, at:

**The Treasurer
Consumers' Association of WA (Inc)
Locked Bag 14
Cloisters Square WA 6850**

CONSUMER COMMENT

The following information was taken from the new Department of Commerce website on 22 February this year. The Department encompasses the old Department of Employment and Consumer Protection. Whilst the name change is a clear indicator of the philosophical differences between Liberal and Labor, let's hope consumer issues are not subjugated to decisions made entirely for commercial profit.

The Department of Commerce works with the community to ensure high standards of safety and protection for workers and consumers, and promotes and fosters innovative industries, science and enterprise and Aboriginal economic development. Troy Buswell is Minister for Commerce.

The Department was formed on 1 January, 2009 and comprises seven divisions:

- ◇ Consumer Protection - Anne Driscoll is the new Commissioner for Consumer Protection.
- ◇ Energy Safety; Labour Relations
- ◇ Science and Innovation
- ◇ WorkSafe
- ◇ Corporate Services
- ◇ and the Office of the Director General.

Vision - A fair, safe and prosperous community.

Mission - To create an employment and trading environment that provides for the growth, safety and protection of the community by:

- ◇ Enhancing capacity;
- ◇ Ensuring an effective regulatory environment; and
- ◇ Enforcing the law.

The Consumer Protection Division promotes consumer protection and fair trading in Western Australia by:

- ◇ providing information and advice to consumers and traders about their rights and responsibilities;
- ◇ helping consumers resolve disputes with traders;
- ◇ investigating complaints about unfair trading practices;
- ◇ prosecuting unscrupulous traders;
- ◇ regulating and licensing some business activities; and
- ◇ developing legislation that protects consumers.

Consumer Protection Awards 2009

The following information was provided by Irena Dillon from the Department of Commerce. It is a copy of the text prepared for Elephant Production who are producing a series of video clips to be played at the presentation luncheon .

The presentation luncheon for the 2009 Consumer Protection Awards will be held on Friday, 13 March 2009 (11.30 am - 2.00 pm) at Fraser's Function Centre, Kings Park. The Consumer Protection Awards recognise worthy contributions by individuals, non-government organisations and businesses, all of whom play an important role in protecting the rights of everyday consumers and the safety of children.

The Rona Okely Award acknowledges an individual Western Australian who has influenced and inspired the advancement, development and promotion of consumer protection in their community and who has given selflessly of their time, energy and experience for the betterment of others.

The Finalists – Rona Okely Award

Georgina Coomer

Karratha local Georgina works as a tenancy and financial counselling advocate for the Pilbara Community Legal Service. She has a key understanding of some barriers that Aboriginal people face in accessing mainstream services.

Georgina attends the local magistrate's court with tenants to support them on Residential Tenancy Act issues and has achieved many positive outcomes for tenants.

Georgina has also had an enormous impact on young Aboriginal people by interpreting and explaining consumer and employment laws to help them relate to the concept of consumerism.

Lois Gatley

Lois has a deep commitment to people being part of decision making where those decisions impact on their lives. Her working life over three decades has included social justice to overcome domestic violence, improving housing options for the disadvantaged, providing disability access and inclusion and recently, the recognition of carers.

Lois was appointed by the Minister to chair the Carers Advisory Council.

An Ambassador for Carers Australia, Lois became one of the public faces in a multi media campaign to raise awareness of the caring role nationally.

Sandie Groves

Sandie works as a financial counsellor for the Busselton Anglicare Financial Counselling Service and has been assisting consumers in the south west for the last 15 years.

Sandie works with Indigenous and culturally and linguistically diverse consumers and also with those from low socio-economic backgrounds. She negotiates with creditors about repayments on loans, mortgages and credit cards and explains the debt recovery process to consumers.

Sandie provides education and information to help people better manage their personal and economic lives and has been a state representative on the national peak body for financial counselling.

The Richard (Dick) Fletcher Award acknowledges a non-government organisation or group of individuals operating in Western Australia that has, through their particular field of endeavour, made a significant and enduring contribution to the advancement of consumer protection in their community. They effectively deliver services or carry out projects or initiatives that raise community understanding and awareness of consumer protection issues.

The Finalists – Richard (Dick) Fletcher Award

Pilbara Community Legal Service

The Pilbara Community Legal Service (PCLS) provides a range of services to people in the Pilbara region, including tenant advocacy programs, supported housing assistance, domestic violence advocacy and victim support, financial counselling and legal advice.

PCLS has offices in Karratha, Newman, South Hedland and Roeburne and provides outreach services to Aboriginal communities and Marble Bar, Tom Price and Paraburdoo.

PCLS has developed community education programs with an emphasis on Indigenous consumers and the culturally and linguistically diverse individuals and families living in the Pilbara.

Citizens Advice Bureau

Established in WA in 1963, the Citizens Advice Bureau (CAB) is a not-for-profit agency funded mainly by grants. Originally staffed by volunteers, the CAB has grown and diversified to form an information, referral, legal and mediation service with 11 paid staff and 260 volunteers in 10 branches around the state.

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Consumer Protection Awards 2009 continued . . .

The CAB offers Western Australians probate, legal and mediation services at low cost. Contributing to consumer education through its information and referral service, CAB offers impartial, useful advice and extra support if needed by consumers.

Council on the Ageing

The Council on the Ageing (COTA) is celebrating its 50th anniversary this year and has been operating as a voice for all older West Australians since 1959. Actively involved in promoting positive policies and programs to government on behalf of seniors, COTA has earned a high degree of respect in our community.

Recently COTA has taken up the challenge to alert seniors, seniors' organisations, State Government and financial institutions about the negative impact reserve mortgage products can have on seniors.

The **Kidsafe WA Award** was presented for the first time in 2008. This new award acknowledges businesses, non-government organisations, individuals and groups of individuals operating in Western Australia that have – through their particular field of endeavour – made a significant and enduring contribution to the advancement of product safety for children in their community. They may have worked to raise awareness of specific product hazards, been involved in the design and development of a new product that improves consumer safety or have developed and delivered projects or initiatives that raise community understanding and awareness of product safety issues for children.

The Finalists – Kidsafe WA Award

Farmsafe WA Alliance (89)

Farmsafe WA Alliance is an independent, not-for-profit, non-government organisation which promotes safer farming practices and child safety on farms programs.

Founded over 14 years ago with the voluntary work of farmers, the network now comprises farmers, industries and government and community organisations.

The Alliance delivers child safety on farms programs through involvement in workshops, presentations, demonstrations at agricultural field days and open days, Safety in Schools programs and play group networks.

Farmsafe WA Alliance also presents at conferences and is active in the development of state and national strategies.

Western Australian Consumer Protection Awards

Winners and Finalists 2004 – 2009

2004

| Rona Okely Award | R D Fletcher Award | Kidsafe Award |
|---|--|---------------|
| Anne Hawkins (winner) Gay McNamara Denise Brailey | Geraldton Resource Centre (winner) Health Consumers Council Youth Legal Service | |

2006

| Rona Okely Award | R D Fletcher Award | Kidsafe Award |
|--|---|---------------|
| Verity Cripps (winner) Dylan Desaubin Samual Dinah | Geraldton Resource Centre (winner) WA No Interest Loans Consumer Utilities Project | |

2007

| Rona Okely Award | R D Fletcher Award | Kidsafe Award |
|---|--|---------------|
| Julie Eady (winner) Ian McDonald Ellen Walker | Tenants Advice Service (winner) WA No Interest Loans Consumer Credit Legal Service | |

2008

| Rona Okely Award | R D Fletcher Award | Kidsafe Award |
|---|--|--|
| Graham Mabury (winner) Denise Brailey Rowena Strain | SCALES (winner) WA No Interest Loans Citizen Advocacy Perth West | Lee Beau Creations (winner) Hurphy Durphy Ltd |

2009* *2009 winners will be announced at the WA Consumer Awards presentation on 13 March 2009.

| Rona Okely Award | R D Fletcher Award | Kidsafe Award |
|---|--|-------------------------|
| Georgina Coomer Sandie Groves Lois Gatley | Pilbara Community Legal Service Citizens Advice Bureau COTA | Farmsafe WA Alliance |

Consumer Protection Awards 2010

The Department of Commerce would like individuals and community organisations to start thinking about nominating for the 2010 Awards.

The nomination period will start later this year, in about August so there's lots of time to think about who to nominate.

Nomination information is on the Department's website (www.commerce.wa.gov.au) by following the links to the Awards from "What's new?".

Customer Service at its Best

For several months I had been experiencing a gradual build up of grit on the filters at the point where water entered the washing machine hoses. This was a problem as it prevented the machine from turning off the water supply completely during a cycle and thus the washing machine cycle would stop part way through the washing cycle. Initially, I attributed the grit in the pipes to disturbances from building works on adjacent blocks but when it persisted, one morning in frustration and armed with my water sample, I chose to ring the Water Authority faults line.

My call was answered promptly after only one menu choice. After explaining the problem and answering some relevant, probing questions I was informed someone would be out that day to flush the mains. To my surprise, a workman appeared within two hours. He agreed there was a problem but after some investigation he could not give me a satisfactory explanation. The matter was referred to his supervisor.

The supervisor was there the same day. He flushed the house and street mains, replaced the house meter, suggested some monitoring strategies and without prompting provided me with his name and contact number should the problem persist. Wow, I was impressed! It was timely and attentive service.

I sit as a consumer member on the Water Authority Customer Advisory Council. In that role, I have listened to presentations about their customer service charter and the performance achievement goals the Authority has set itself. I'm pleased to report that the positive impressions I have gained through participating in the Customer Council did translate in to prompt, professional customer service.

Joan Milne

On 4 March 2009 the Water Authority will release the draft plan for Water Forever: Directions for our Water Future. It is a long-term plan for Perth integrating water, waste water and drainage services with land planning in order to deliver safe, reliable and sustainable water services to Perth and surrounding areas for the next fifty years.

Faced with the effects of a drying climate and areas of prolonged drought across Australia, it is clear that rainfall dependent water sources we currently rely on may not be enough to meet the needs of our expanding population. Through the plan the Water Authority has examined a range of water sources and water use efficiency initiatives. Information sheets have been developed for a range of water sources and water use efficiency options that address sustainability considerations, cost and potential yields for consumer use.

The draft plan represents years of work and input from interested parties. The Water Authority has been keen to involve the community at all stages. Anyone can get involved even at this draft stage. Want to know more? Visit www.watercorporation.com.au Want to have your say? Follow the quick links to Water Forever where you can also register to receive regular updates on the project.

Joan Milne



Being heard . . . by Jim Dalton

Jim Dalton (LLB.) is the Disputes Manager for the Building Disputes Tribunal. Prior to joining the Tribunal in 2003, he had spent more than 15 years as a senior officer with the Department of Veterans' Affairs including 6 years as the Deputy Commissioner for Western Australian. In 1994 he spent 12 months on secondment as the Chief of Staff to the then Minister for Veterans' Affairs the Hon Con Sciacca. In 2009 he was approached by the current Minister, the Hon Alan Griffin, to take up a role as a senior policy adviser which he did from January to June 2008. During that time he was closely involved with the development of the PMAC. He is also a member of the CAWA.

One of the prime roles for any community organization is to be able to bring the concerns, needs, views and opinions of its members to those who have the responsibility and capacity to listen to those views and to address those concerns. The other side of that coin is there are appropriate structures in place to allow a meaningful dialogue to be established between constituents and administrators in order that the community's needs are properly understood and can be responded to.

In most areas of public policy and at all levels there are a multiplicity of advisory boards or consumer groups, however they may be described, who interact with bureaucracies and governments at the local, state and federal level on a wide range of policy areas. Rate payers, school p&cs, Road Safety committees, regional Health user groups, recreational fishing persons, groups for the various visual and performing arts, groups representing a range of industry specific areas such as mining, forestry and agriculture and many, many more are engaged in that continuing dialogue with the bureaucrats and politicians in an endeavor to attract the attention of the decision makers to the particular issues that they believe are important.

There will be a myriad of different mechanisms and structures in each of the Departments and Ministerial offices to enable the consultation and dialogue to take place. The effectiveness of those processes depend on the matrix of elements but high on the list are character and capacities of participants on both sides of the table and in particular the commitment and personality of the final arbiter – the Minister.

The administration of benefits for serving and former members of the Defence Forces – more commonly referred to as veterans – is one of the oldest aspects of the Federal Government's administration. The *Defence Act* of 1901 contained provisions to look after colonial troops who fought in the Sudan and the Boer War prior to Federation. The current Department of Veterans' Affairs evolved from the Repatriation Department – or the "Repat" as it was known - which was established in 1917 to look after the diggers returning from the First World War and to provide for the dependents of those who did not return. In the First World War some 420,000 Australians enlisted - 60,000 were killed in action and 140,000 were wounded - this from a country with a population of barely 6 million. It meant that there was hardly a home or family in Australia that was not touched by the loss and consequences of the war.

The period after the war saw the formation of ex-service organizations. There were a plethora of organizations representing different arms of the service, different service corps and different units or battalions. Many of these still exist today such as the Naval Association, the RAAF Association and the Artillery Association etc. The Imperial Soldiers, Sailors and Airmens League – which became the R&SL which we know today – was the largest and most militant and its members were a very powerful voice and lobby to ensure that veterans were properly looked after. Legacy was formed by a group of returned servicemen to ensure that the wives and children of their fallen mates were also looked after. The whole community appreciated that there was a debt owed to those who had served and honouring that debt became a societal and cultural imperative.

In a sense it was not a particularly difficult task for the ex-service organizations. The Government Departments and the Parliaments - both State and Federal – contained many returned servicemen. There was a statutory priority given to the employment of returned servicemen in government positions. A large number of the bureaucrats and politicians were also members of the ex-service organizations and so had a first hand understanding of the issues that the veterans and their families were facing.

The situation remained relatively unchanged through the Second World War and up until the mid 1980s. The deployments of Australian troops post World War 2 have been small in comparison to the two major wars. World War 2 saw nearly a million Australians in uniform, but Korea was only 17,000 and South Vietnam had some 50,000 and the deployments to all post Vietnam conflicts number less than 20,000.

The dynamic has changed dramatically since the mid 1980s. All those returned servicemen who joined the public service following the war have now retired. The Department of Veterans' Affairs with a staff of some 2,200 has but a handful of officers with any Defence Force experience. There is just over 800 elected representatives of the Federal, State and Territorial parliaments and as far as it can be ascertained only 25 have had any Military service.

There also seems to have been a subtle change in the perceived political importance of the veteran affairs portfolio. It had always been considered an important appointment for a politician with promise and potential. It ranks about 5th in Federal Government spending at \$14 billion coming after the major spenders like Defence, Social Security, Health and Education. But only 1 of the last 10 Ministers for Veterans' Affairs has progressed beyond the portfolio and for some it has obviously been their Ministerial reward for services to their political party.

Over the last decade a "disconnect" has developed between the veteran community – veterans, their spouses/partners and their dependents – and the bureaucrats and politicians. The disconnect was caused not only by the loss of knowledgeable and empathetic people out of the process but because there was not a process or structure in place that kept the dialogue and consultation fresh and meaningful,

Being heard continued . . .

especially with the Minister. There were a number of committees set up by the Department, which involved representatives from the ex-service community giving "user" feedback on predominantly service delivery matters. There was almost no involvement of the ex-service organisations in strategic planning or meaningful policy development. There was also no overarching structure to tie together the outcomes from all the committees.

The Minister was dependent either on advice from the Department or from his discussions with the leaders of individual ex-service organisations – and there are 54 accredited national ex-service organisations and literally hundreds on unit, battalion and other conflict or single-issue associations. This meant that the Minister tended to listen to the organisation who agreed with his/her view or to the R&SL being largest and most widely recognised in the general public.

On a number of important and significant issues the lack of a process for proper consultation with the broad ex-service community has resulted in some embarrassing back-downs for the Minister and the Government. The best example of this was the February 2004 "backbench revolt" when a campaign, orchestrated by some non R&SL veteran community leaders, put pressure on coalition back-benchers in marginal seats, convinced the backbenchers to reject changes to the Veterans' Affairs Budget proposals and the proposals had to be withdrawn and replaced causing considerable embarrassment to both the Minister and the Prime Minister.

The result was that there developed within sections of the veteran community a level of frustration and anger at the apparent failure of the Government and successive Ministers to seriously consult and address issues that the veteran community believed were critical. The most serious of these issues was the indexation method applied to veterans pension which if not changed would mean that the real buying power of veterans' pensions would be significantly eroded over time. It was estimated that the most severely disabled veterans had lost about \$50 per fortnight under the then existing indexation method.

In June 2005 the Member for Bruce, Alan Griffin, was appointed as the shadow Minister for Veterans' Affairs. He made a special effort to consult with the veteran community to find out the issues that were important and a priority for veterans and their families. In the period leading up to the 2007 Federal election, he put forward a comprehensive and wide ranging plan to address many longstanding and critical policy issues. Following the election he was appointed as the Minister for Veterans' Affairs.

It has been acknowledged by many of the leaders of ex-service organisations that the 28 page "Labor's Plan for Veterans' Affairs" is the most detailed agenda for reform in the Veteran's portfolio in living memory. (A copy of the plan can be found at http://www.alp.org.au/download/labors_plan_for_veterans_affairs.pdf.) In the plan the Labor party foreshadowed that it would establish a Prime Ministerial

Advisory Council on Ex-service Matters if elected. The Council – or PMAC as it has become known – “is designed to offer an alternative forum for the ex-service community to speak to the highest levels of government with a united voice where issues of importance to the ex-service community may be discussed”. The Prime Minister, following consultation with the Minister for Veterans’ Affairs and the broader ex-service community, appoints the members of the PMAC with an independent Chairman. The members of the PMAC are required to possess an appropriate background, experience and understanding of the issues affecting ex-service personnel and their families and have a demonstrated ability to make a positive contribution within the ex-service community.

Following the election, the Minister made it known that the establishment of the PMAC was a priority and had his Department prepare and distribute a discussion paper setting out the options and possible working arrangements for the Council. The paper was issued in February 2008 and resulted in more than 100 submissions from interested parties. The Minister then visited each state and ran a series of “town hall” meetings with ex-service organisations and ordinary veterans and their families to discuss the options and seek the views of the broad ex-service community.

In September 2008 the Minister announced the composition of the PMAC. It is chaired by Dr Alan Hawke, a former Chancellor of the Australian National University and Secretary of the Department of Defence and the Department of Veterans’ Affairs and includes well-known veteran and parliamentarian the Hon Graham Edwards and 12 other well-credentialed and experienced members of the ex-service community.

The PMAC held its first meeting at Parliament House in Canberra in October 2008 with the Prime Minister and the Minister for Veterans’ Affairs in attendance. The initial work has been directed at establishing effective processes and structures for dealing with issues and communicating outcomes. As yet the PMAC has not really got its teeth into any of the really meaty subjects that it will have to deal with so there are a lot of very interested observers waiting to see if the Council will be able to live up to the expectations of the large number of people within the ex-service community who have worked to see it established.

On a broader view it will also be interesting to see how government and the bureaucracy deal with a process that can potentially deliver criticism of policy and programs direct to the highest levels of government without it first having been filtered and diluted through levels of Departmental officers and Ministerial staffers. The Prime Minister and the Minister will hear the unexpurgated views and opinions of the ex-service community and that could provide for some very robust discussion.

Only time will tell whether the process is beneficial and whether there are lessons that may be able to be translated to other functions at either the federal or state level. But there is one undeniably certainty – it is always an advantage to have a seat at the table and a voice in the discussion than not be in the room at all.

Building Commission update

Peter Gow, Executive Director, Building Management Works, Department of Treasurer and Finance kindly forwarded CAWA an update on the progress of the new Building Commission.

The information in the previous Consumer Comment newsletter (Feb-March 2008) remains essentially correct. There are two broad areas of change.

The new government has reformed its portfolio structure and split the Department of Housing and Works. Instead of the Building Commission sitting in the Housing and Works Portfolio it will now sit in the new Commerce portfolio. Drafting legislation to create the Building Commission as a new statutory authority has been endorsed by the new Cabinet and drafting is continuing. We hope to be able to get stakeholder comment on the drafts in the next few weeks. Because of delays relating to the change of government, the new legislation will not be in place by 1 July. Cabinet approval is being sought for the Building Commission to start operating as a division of the Department of Commerce from July 2009. I can explain the technical details of how this will work if you need, but in essence the existing legal entities continue to operate but jointly use the name Building Commission. From a consumer point of view this means that we can still offer a "one stop shop" from new premises in West Perth where all the main building standards setters, registration boards, advice and information can be sourced. It also means we can start to ramp up consumer and industry "tools" to help people understand what their roles are and what they should expect in taking on building projects. These will include brochures, booklets, websites, courses and so on. Once we get Cabinet endorsement for this we can start to recruit the industry and consumer councils.

The relationship between the BDT and the Commission is still somewhat in the air. As previously advised to you by Gary Newcombe the BDT was intended to operate independently of the Commission in much the same way as it currently does. The only difference was that people (consumers or builders) with a complaint could go to the Commission for information and advice, and if they wanted to lodge a formal complaint they could do so at the Commission, rather than being told to go to another place. A suggestion was made under the previous government that the State Administrative Tribunal could "take over" the management of the BDT and run it as part of the SAT operation. We have worked with SAT, Consumer Protection and the BDT to work out a process that would work with the initial handling of the complaint being managed by the Commission, with the final, formal tribunal hearings being managed through SAT. We now have agreement on a process and we are just starting to consult with stakeholders (industry and consumers) to see if such a process is workable before advising the new Minister on whether it should be pursued, or an independent tribunal retained.

On November 26 last year, Anne Driscoll, the new Commissioner for Consumer Protection attended the CAWA meeting and discussed the issues that the Division of Consumer Protection is currently addressing. The brief notes taken at the meeting are included below.

- ◇ Retirement villages - the final report has been prepared. Work has been done on the financial position of the retirement villages, particularly in regard to an appropriate model for access and control of funds by residents. There is concern on what happens if no funds have been put aside for replacement of the village in future years.
- ◇ Residential Tenancy Legislation – some issues have been worked through with Tenants’ Advice and REIWA.
- ◇ model rules for Associations’ Legislation are progressing.
- ◇ Pre paid funerals – awaiting final consultation with the industry, there has been total support from the funeral industry and from consumers.
- ◇ Retail trading hours – continuing consultation, some of the more complex issues will come up later.
- ◇ Consumer Advocacy Centre, this is on hold as there has been a cut in the budget. The change of government has meant that cabinet decisions made by the former government have to come back to the new cabinet.
- ◇ COAG agenda
 - credit is to be regulated at a national level rather than by the states.
 - our current credit licensing and management of the ACCC will go to ASIC
 - REV’s is likely to transfer to a national.
 - alignment of Fair Trading Act and Trade Practices Act, we should have continuity between the acts, but powers will not be referred. If the laws are contradictory, Federal law will override State legislation.
 - national licensing for occupations - building and real estate
 - property investment - protection for small consumer investment.
- ◇ Alignment of product safety, though the States will still have the capacity to act quickly by issuing interim orders

Verity Cripps

Connect Groups

ConnectGroups – Support Groups Association WA (previously known as Western Institute of Self Help - WISH) has recently undergone a total re-brand as part of its 25th anniversary celebrations. The recent final reveal of 'Project Makeover' was an exciting time as the organisation launched its new improved website. The new website makes it easier to find information at any time and focuses on the two main areas of service delivery – connecting people with support groups and helping people start support groups.

Are you feeling alone dealing with a difficult issue in your life and want to find others in similar circumstances that can offer you support? Then contact ConnectGroups direct on Tel: 9228 4488 9am – 4pm Monday to Thursday, or check out the website at www.connectgroups.org.au to be linked to groups and community organisations that that can assist you with the support you are seeking.

Support Groups Association WA Inc (previously WISH)

PO Box 8140 Perth Business Centre WA 6849

Telephone 08 9228 4488

Freecall 1800 195 575

Facsimile 08 9228 4490

Email info@connectgroups.org.au

Website www.connectgroups.org.au



Thanks to all the people who have contributed to this Newsletter:

Noeline Hartley, Irena Dillon, Peter Gow, Jim Dalton, Genette

Keating, Joan Milne, Sue and John Robertson and Verity Cripps.

As always, a special thanks must go to Joan Milne for her work in proof reading the Newsletter.

Last year, as I was chewing on a chicken bone, a tooth disintegrated, necessitating an emergency root canal and crown. I immediately contacted the dentist I have been consulting for thirty years because I have built up a trust relationship with him. His staff informed me that I needed to be given an estimate, whereas all I wanted was for him to fix my tooth – and quickly!

This incident became the trigger for my interest in my private health insurers' scheme for 'Preferred Providers', involving 'Participating Dentists', also called 'Members Choice' or 'Contracted Dentists' schemes. (The name used seems to depend on the Health Fund it is linked to.) HBF has been our family private health provider for the last 33 years. Reverting to my dental problem, I noted that while the crown procedure estimate was \$1805, HBF only refunded \$636. Later I found out that if I was prepared to go half a kilometre down the road to an HBF 'Participating Dentist', I would have been refunded \$300-400 more than the \$636.00.

When I contacted HBF via the email link on their website I received the following explanation from Cathy Longman.

"Dear Valdene,

Thank you for your email.

HBF introduced the participating dentist scheme as a way of increasing benefits back to members. In the past, when benefits have increased the dentists have increased their prices and members were no better off.

Your level of cover is Essential Standard which would return 60% of their fee as a benefit.

On smaller items such as consultations, there is not a huge difference but in the fillings and crowns there is a huge difference. For example, a crown is approximately \$1200 and a participating dentist would return you \$720. Even if the non-participating dentist charged a lesser fee, HBF could only pay the set benefit of \$408. Also every member on the policy is entitled to one free scale and clean per year on item D114.

You can check out dentists on our website, [for a list of participating dentists] or I can post out a list in your area."

(Contact details were included)

(Continued on page 20)

Dental Preferred Providers continued . . .

This explanation left me still far from happy and raised a number of questions and issues:

- o What happened my right to consumer choice?
- o This wasn't the scheme we contracted to 33 years ago.
- o Why should my family be \$300-\$400 out of pocket for being loyal health insurance and dental customers for 33 years? The scheme was not going to give my family an increased benefit.

Following on from this, John Robertson (a Vice President of Consumers Association of WA) and I made an appointment to speak with the Australian Dental Association (WA Branch) Inc (ADAWA) and met with Dr Terry Pitikas (a past President) and Dr Stuart Gairns, the Chief Executive Officer. The Australian Dental Association (WA Branch) Inc represents 97% of dentists in Western Australia, and includes dentists who are in the participating scheme and those who are not. We sought ADAWA's views about the question of preferred provider and the abovementioned dot points.

The result of these discussions will be canvassed in detail after we have approached the health funds for their views.

I have already phoned HBF, Medibank Private about their 'Contracted Dentists' scheme and HIF (you will have noticed HIF's aggressive marketing that directly targets HBF and Medibank Private) to compare prices. What I found were a variety of schemes such that it made comparisons of premiums and rebates very difficult.

Again, watch this space in the next Newsletter for more information.

Valdene Buckley

GM crops: the risks and benefits

Start: 10 Mar 2009 - 5:45pm

Public forum with Moe Parr (USA) who was sued by Monsanto & Ross Murray (Canada).

Rod Evans Senior Citizen Centre, 160 Hay St, Perth.

Ph Conservation Council 9420 7266.

The National Consumer Congress will be held in Adelaide on 12-13 March.

Congress 09 is scheduled to be a significant event particularly because of the national consumer law changes that are taking place across Australia at the present time.

We have themed the congress as "A fair marketplace?", to foresee both the improvements and the challenges this will create to both business and the consumer. The congress has invited a number of speakers to stimulate debate on this issue. Some of the keynote speakers have world experience in this field, to keep congress-goers at the forefront of consumer change.

In addition the congress will address three other themes;

- ◇ sustainability
- ◇ credit reform
- ◇ consumer/business ethics.

Further information can be found at: <http://www.ncc2009.com.au/>

International Women's Day '09

International Women's Day draws women together in unity and friendship to commemorate past achievements and highlight current social, economic and political issues. It also provides the opportunity to develop networks and facilitate partnerships between women, organisations and the broader community.

Western Australia's official International Women's Day events will be held on Friday March 6 and Sunday March 8, 2009. The 2009 theme of "**Sharing the Caring for the Future**" will focus on the contribution of women in their caring roles, and explore the strategies needed to share the responsibility for caring across our community.

Central TAFE, at 140 Royal Street East Perth, will be the headquarters for seminars, workshops, exhibitions and activities. The opening Public Symposium will be held on Friday 6 March and there will be an Indigenous celebration on Sunday 8 March from 10:30 – 12:30pm.

More information can be found at:

<http://www.community.wa.gov.au/DFC/Communities/Women/InternationalWomensDay2009.htm>

Customer Service at its Worst

This article highlights the problems consumers face about their utility accounts. It is a real contrast to Joan Milne's experience dealing with Customer Service with the Water Authority - detailed in 'Customer Service at its best' (page 10).

Hi Valdene

My Mum's Alinta account has intrigued me for some time. It has always been considerably higher than ours which I always assumed was because she had a gas hot water storage system for her bathroom plus an old instantaneous system for her kitchen (which is not used very much) and a gas room heater. She has a gas cook top and oven which is rarely used. Being an elderly person she does not have long showers as she remembers the times of drought in her childhood. She did not like the amount of water wasted when she used the hot water in her kitchen as it had to travel across her house from outside the bathroom so she had another hot water system installed adjacent to the kitchen.

However, at the same time we were a family of four using the gas enthusiastically for cooking and using the gas hot water as only teenagers are able.

So while one young adult moved out reducing our gas bill noticeably we replaced my Mum's storage system with an instantaneous one for her bathroom. Her account was still more than ours and slightly less than for the same time last year.

Her last account showed that she used 8.79 units per day whereas we used 6.86.

We are reluctant to advise Alinta of this detail as we might be getting a good deal.

Bearing this in mind I rang the Alinta complaints bills line. I spoke to a young sounding person called Emma. Emma reassured me that there was nothing wrong with the account and one couldn't compare because of different equipment and that my Mum's account was down on last year anyway.

I have started asking everyone I know who lives alone and uses gas hot water, gas heating and cooking about the number of units they use. No feedback so far but I will be going to the Energy Ombudsman if my survey shows that she is possibly being overcharged.

Sue

We have included information on the Energy Ombudsman in a previous newsletter but it seems appropriate to include it again following on from the previous article.

The Energy Ombudsman, Chris Field, receives, investigates and facilitates the resolution of complaints from residential and small business customers about their electricity/gas company. If you are a residential or small business electricity/gas customer and you have a complaint, first try to resolve it with your electricity/gas company. If this does not work, you may contact the EO. The EO can investigate a wide range of complaints, including electricity/gas supply and billing disputes. Our services are free to residential and small business customers in Western Australia.

The EO is guided by the principles of independence, natural justice, access, equity, effectiveness and community awareness.

Submitting a complaint

Contact the Electricity/Gas company first

Before you submit a complaint to the Ombudsman it is a good idea to try to solve the problem by contacting the electricity/gas company concerned. Electricity/gas companies have internal complaint resolution procedures that should be able to resolve the complaint to your satisfaction. Keep records of your contacts with the company.

Complaining to the Ombudsman

If your attempt to solve your problem with the electricity/gas company has been unsuccessful you can complain to the Ombudsman. If there are special reasons why you do not wish to approach the electricity/gas company first, you may complain directly to the Ombudsman who will consider whether to commence an investigation or refer you back to the electricity/gas company's internal complaints system. You can submit a complaint to the Ombudsman in a variety of ways:

- ◇ by telephone or email;
- ◇ by using the online complaint form on this site;
- ◇ by printing out the Complaint Form for faxing or mailing (16kb pdf), filling it out and returning it to this Office by mail or fax;
- ◇ in person by visiting the Ombudsman's Office; or
- ◇ by letter.

If you submit a complaint you must complete an Authority to Release Information Form (EO Form 3) (5kb pdf). This form authorizes your Energy Company to release information relevant to your complaint or to provide information to assist with resolution of your complaint.

The GM food debate

In February 2008, Noeline Hartley, member of the National Council of Women and the WA Consumers' Association wrote the following letter to the Hon K Chance, the then Minister for Agriculture. Michael McMullan the Chief of Staff to the new Minister, responded in October last year.

Hon K M Chance
Minister for Agriculture and Food
11th Floor
Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Mr Chance

Enclosed please find an article on Gene Modification Crops published in the Sydney Morning Herald on 19 December 2007.

My question is whether you and your Department will publish similar up-to-date information and/or evidence on the state of this science and its practices in Western Australia, and its implementation, in all major publications, TV, radio etc.

My concern is [about] the seeming lack of information on GM as published in a format used by the Sydney Morning Herald in this State.

Secondly, I have a number of friends who have had gut surgery (mouth to anus - about 20 conditions) and their surgeons have said to them to eat organic. Do these specialists fear leakage from the foods available? I have been told that GM cotton seed oil from plants grown in Australia is marketed and sold as vegetable oil? Is this actually happening?

I look forward to your response to my queries. My grateful appreciation for the firm stand you and the WA Government have taken in declaring a moratorium on growing GM in Western Australia.

Yours sincerely,
Noeline Hartley OAM

**CAWA is interested in receiving articles from other
WA consumer groups who would like material
published in our Newsletter.**

**Requests and articles should be forwarded to the
Editor, Valdene Buckley by emailing
buckley4@bigpond.net.au**

CONSUMER COMMENT

Michael McMullan the Chief of Staff to the Minister of Agriculture responded in October last year.

Dear Ms Hartley

Thank you for your letter of 29 February 2008 in which you outline your concerns to genetically modified (GM) food crops. I have been asked by the Minister to respond on his behalf.

The Western Australian Government is committed to informing the public of its position on GM food crops and providing public forums for debate on the issues. For example in November last year, a free public forum was held to enable members of the public to become better informed on GM technology as it relates to food and agriculture. Over 300 people attended this forum where proponents for and against GM crops made presentations. It was followed by a period for questions and public debate.

In addition, the Minister has established and chaired a Ministerial Reference Group. This Group, which has representatives from the conventional and organic farming sectors, scientists, the Conservation Council, industry grain handlers and marketers, is preparing a series of discussion papers for public consultation. The first paper, released last year, focussed on the possible introduction of GM cotton in the Ord River Irrigation Area. The Reference Group is now developing a public discussion paper on issues associated with GM canola. The Government will then consider community comment when determining the future of the moratorium on the growing of GM crops in Western Australia.

You also raised the issue of GM food safety and the labelling of GM foods. The Government is aware that some in the community and in overseas markets have concerns about GM foods. In response to these concerns, the Government has provided a grant for an independent animal feeding trial designed to measure the effect on consumption of GM food on outcomes relevant to human health. The results of this trial will be published in scientific journals.

Food Standards Australia New Zealand (FSANZ) is the authority responsible for food health and safety regulations, and provides information to the public. You may wish to contact FSANZ <http://www.foodstandards.gov.au>

As you may be aware, the Western Australian Government has recently called on FSANZ to introduce independent testing of GM foods in their safety assessment process, and to introduce comprehensive GM food labelling laws.

Michael McMullan
CHIEF OF STAFF

The GM food debate continued . . .

23/12/08 Press release

State Government approves small scale commercial GM canola trials.

The State Government today approved limited commercial-size trials for genetically modified canola to go ahead in Western Australia.

Agriculture and Food Minister Terry Redman said the announcement will allow trial crops to be planted in 2009 and involve about 20 farmers and approximately 1,000 hectares.

"This decision is a prudent and responsible one - to proceed in a cautious manner by allowing research to continue into the use of GM technology. I firmly believe the role of any Government is to ensure farmers have the choice and the tools to expand their businesses and grow their profitability," Mr Redman said.

"GM canola could potentially offer higher yields through better weed control and less fuel usage. Successful development of Roundup Ready canola could see this crop grown over lower rainfall areas which would be a great outcome for the entire State."

"The locations of the trials are to be determined. Growers that are interested will undergo stewardship training and then the proponent, together with CBH, will select up to 20 growers to undertake the trials under conditions approved by the Director-General of the Department of Agriculture and Food.

"I am confident that CBH has the protocols in place to manage the co-existence process to effectively segregate GM and non-GM canola through the transport, storage and marketing processes. These trials will assess those protocols as well as look at the agronomic performance of the crop.

"The department will work collaboratively with industry through the trials and assist all industry participants with auditing and on-site inspection of the new trials. It will then analyse the results.

"The decision follows a long consultative process with industry, the public, local government, and overseas experience."

The Minister said there would be stringent safeguards in place for the management of these trials.

On 2 February 2009, The West Australian published an article (p18), titled, 'Trials leave GM canola yield debate wide open' written by Gareth Parker, Melbourne. The main points are summarised below.

Trials leave GM canola yield debate wide open

The article reported that even though Eastern States farmers have finished harvesting their first Genetically-modified (GM) canola the debate over whether GM varieties have out-performed non-GM varieties is far from over.

According to agronomists, drought across south-eastern Australia and localised frosts resulted in much lower production in NSW and Victoria, and made accurate comparisons difficult. The figures provided by Monsanto (owners of the Roundup Ready canola varieties approved in NSW and Victoria, presented a 'highly mixed picture of the growing season'.

| Number of farmers in trial | Yield |
|-----------------------------------|---|
| 77 | 6222 tonnes GM canola delivered to grain handling terminals Yields varied 0.12 tonnes/ha to 3.9 ton- |
| 14 | Cut crop for hay |

Honi McNaughton, spokesperson for Monsanto said, "We are please that Roundup Ready has performed strongly against the conventional varieties in only its first year of release."

Results from Grains Research and Development Corporation comparative trials

| Locations | Peak yields for GM canola | Peak yields for non-GM canola |
|-------------------|----------------------------------|--------------------------------------|
| Forbes, NSW | 1.15 t /ha | 1.26 t/ha |
| Horsham, Victoria | 0.73 t/ha | 0.81 t/ha |

Biological Farmers of Australia, spokesperson, Scott Kinnear stated that trial results should make farmers cautious of claims that GM canola would out-yield conventional varieties.

The National Variety Trials manager, Alan Bedggood said that the differences were not statistically significant and warned against drawing conclusions from one season's results from just two sites.

Evan Ryan, a farmer from Yarrawonga, Victoria, said both his GM and non-GM crops suffered from low rainfall, but he had lost less money on GM canola. Depending on growing conditions and crop rotation, he would grow only GM canola in 2009.

The GM food debate continued . . .

The following information comes from the Food Standards Australia New Zealand (FSANZ) website, <http://www.foodstandards.gov.au/foodmatters/gmfoods/> and gives some information on how the organisation is dealing with safety and labelling issues.

Genetically modified (GM) foods

All genetically modified foods intended for sale in Australia and New Zealand must undergo a safety evaluation by Food Standards Australia New Zealand (FSANZ), an independent government agency. FSANZ will not approve a GM food unless it is safe to eat.

What are GM foods?

People have been manipulating the genetic make-up of plants and animals for countless generations using traditional cross breeding. This involves selecting plants and animals with the most desirable characteristics (e.g. disease resistance, high yield, good meat quality) for breeding the next generation. These desirable characteristics arose from naturally occurring variations in the genetic composition of individual plants or animals.

Today's techniques of genetic modification – called gene technology – provide new ways of identifying particular characteristics and transferring them between living organisms. For example, it is now possible to make a copy of a particular gene from the cells of a plant, animal or microbe, and insert the copy into the cells of another organism to give a desired characteristic. Because the resulting plants, animals or microbes have had their genetic material altered in some way, they are commonly referred to as 'genetically modified' or 'GM' organisms. Foods derived from genetically modified organisms are called 'GM foods'. Most of the GM foods produced so far have been obtained from GM plants. Some examples of GM foods are corn plants with a gene that makes them resistant to insect attack, or soybeans with a modified fatty acid content that makes the oil better suited for frying. Developments are also underway to produce plants that use less water to grow, and so make them more suitable for changing climatic conditions, that is, drought-tolerant crops.

How does the government regulate GM foods?

In Australia, the Office of the Gene Technology Regulator (OGTR) oversees the development and environmental release of GM organisms under the Gene Technology Act 2000. Most dealings with GM organisms must be licensed, and licences will not be issued unless the OGTR is satisfied that any risks posed can be managed in such a way as to protect the health and safety of people and to protect the environment.

In New Zealand, similar functions are undertaken by the Environmental Risk Management Authority, under the Hazardous Substances and New Organisms (HSNO) Act 1996. If the GM organism will be used to produce food, FSANZ will also determine if that food is safe for people to eat.

GM foods are regulated under Standard 1.5.2 – Food produced using Gene Technology, contained in the Australia New Zealand Food Standards Code. The standard (an enforceable regulation) has two provisions – mandatory pre-market approval (including a food safety assessment) and mandatory labelling requirements. This standard ensures that only assessed and approved GM foods enter the food supply. Anyone seeking to

amend the Australia New Zealand Food Standards Code to include a new GM food under Standard 1.5.2 should refer to the Application Handbook .
Details on FSANZ' s assessments of GM foods and current approvals can be found at the above links

How does FSANZ assess the safety of GM foods?

Because GM foods are relatively new to the food supply, regulators take a cautious approach when assessing their safety for human consumption.

FSANZ carries out safety assessments on a case-by-case basis, which means each new genetic modification is assessed individually for its potential impact on the safety of the food. We compare the GM food with a similar, commonly eaten conventional food from a molecular, toxicological, nutritional and compositional point of view. The aim is to find out if there are any differences between the GM food and its conventional counterpart, which we already know to be safe to eat. For example, a new GM corn variety will be compared to existing conventional (non-GM) corn varieties. Any differences that are detected are then examined to see if they will raise any safety concerns. If the genetic modification causes an unexpected effect in the food, such as increasing its allergenicity or toxicity, it will not be approved. To date, we have identified no safety concerns with any of the GM foods that we have assessed. Other national regulators who have independently assessed the same GM foods have reached the same conclusions.

For a detailed description of the process FSANZ uses to assess the safety of GM foods, please refer to the FSANZ Guidance Document: Safety Assessment of Genetically Modified Foods.

Does FSANZ require animal feeding studies?

Not routinely, although we acknowledge there may be future GM foods where the results of animal feeding studies may be useful and, in those cases, we may require such studies. FSANZ considers that a scientifically-informed comparative assessment of GM foods with their conventional counterparts can generally identify any potential adverse health effects or differences requiring further evaluation. For most GM foods, animal studies are unlikely to contribute any further useful information to the safety assessment and therefore are not warranted. FSANZ convened an expert panel in June 2007 to specifically consider the question of whether animal feeding studies are necessary to determine the safety of GM foods. The conclusions and recommendations from the expert panel are available [here](#) .

Does FSANZ commission its own scientific studies?

No. It is the responsibility of companies that have developed GM foods to demonstrate the safety of that food and to supply FSANZ with the raw data from scientific studies to prove this. The data must be obtained using sound scientific methods and be collected according to strict quality control criteria. This procedure is no different to that used for new chemicals and drugs. FSANZ experts review the scientific information and form their own conclusions from the results of the studies. We can, and do, request companies to undertake additional studies, where necessary.

(Continued on page 24)

The GM food debate continued . . .

Do GM foods have to be identified on food labels?

Yes. It is mandatory for GM foods to be identified on food labels in Australia and New Zealand. These requirements became law in December 2001 and were put in place by food ministers to assist consumers to purchase or avoid GM foods, depending on their own views and beliefs.

GM foods and ingredients (including food additives and processing aids from GM sources) must be identified on labels with the words 'genetically modified', if novel DNA and/or novel protein from an approved GM variety is present in the final food. GM foods must also be labelled if they have altered characteristics. For example, if a GM food has an increased level of a particular nutrient, such as a vitamin, or has to be cooked or prepared in a different way compared to the conventional food, then this also needs to be stated on the label. Some exemptions are allowed under the labelling requirements. For example, foods which do not contain novel DNA or protein do not have to be labelled, such as highly refined or processed foods such as vegetable oils or sugars. However, if these foods also have altered characteristics (e.g. a refined oil with an altered fatty acid profile) then the food must be labelled.

Further information can be found at:

Frequently Asked Questions on Genetically Modified Foods

<http://www.foodstandards.gov.au/foodmatters/gmfoods/frequentlyaskedquest3862.cfm>

GM Seminar

National Council of Women is organising a seminar on genetically modified food grains in order to raise awareness of the lack of information and knowledge about how these new foods effect nutrition in individuals.

The seminar is planned for July 7th

More information will follow in the next Newsletter.

Just how well do consumers understand the issues regarding GM foods? The messages consumers receive are often contradictory, and so far from clear. The following is an excerpt of three questions from an article, "GM: saviour or satan", published in the Sydney Morning Herald on December 19 2007 (referred to in Noeline Hartley's letter on page 19). It is an example of the conflicting information presented to consumers.

| | | THE CASE FOR . . . | . . . AND AGAINST |
|---|---|--|--|
| | | <p>Richard Roush Dean of the faculty of land and food resources at the Uni. of Melbourne</p> | <p>Maarten Stapper Farming systems agronomist with 30 years' international experience</p> |
| | | It is time for Australian farmers to have the same kinds of choices that farmers have in at least 21 other countries, including in Europe. | The GM moratorium needs to be extended until long-term, generational studies become part of the regulations for approval. |
| 2 | GM crops increase yields and profits for farmers: | TRUE And they save farmers valuable time, as documented most recently by the European Commission. Farmers have tended to be the primary financial beneficiaries of GM crops, not companies. Consumers have also benefited from lower market prices (see ftp://ftp.jrc.es/pub/EURdoc/eur22547en.pdf). GM canola has been a major yield and profit success in Canada (www.canola-council.org). | FALSE GM artificially inserts a foreign gene in a host crop to transfer a special feature such as herbicide tolerance or insect resistance. Yield has to come through breeding the GM gene into a high yielding background. Profits are not necessarily higher as the company providing GM seed controls farmer profit with a technology fee to secure its own profit. www.non-gm-farmers.com/index.asp |
| 3 | The effects of GM foods on humans are known: | The effects are at least well known as for anything else we eat, and less risky than many things we eat now, such as nuts and raw mushrooms. GM crops have been more extensively studied and assessed for safety than any other foods. All major scientific and health organisations have concluded that GM crops are at least as safe for human health as conventional crops (see, as an example, www.nap.edu/books/0309092094/html). | FALSE The effect of GM foods with new proteins unknown to humans is not known. The safety assessment for GM approval is minimal. It requires a compositional analysis showing no significant differences with conventional foods and a 30-day feeding study with (adult) animals. But it is the long term frequent use that may show negatives, as was the case with nicotine and asbestos. www.responsibletechnology.org/GMFree/AboutGMFoods/DangersofGMFoods/index.cfm |
| 4 | GM food crops reduce the need for herbicides: | FALSE Herbicides are still needed in GM crops, but the health risks and potential environmental effects are reduced because more benign herbicides are used. The main herbicide used with GM, glyphosate, is at least three times less toxic and half as persistent as the herbicides it replaces (see a European Commission report at ftp://ftp.jrc.es/pub/EURdoc/eur22547en.pdf). | FALSE In the first years herbicide use may be lower but it tends to increase in subsequent years to manage the changing weed population and avoiding weed resistance. Analysis of US Department of Agriculture data revealed increased herbicide use in the US by 67 million kilograms from 1996 to 2004. |

New Zealand Anecdotes

Last April, I spent a month in New Zealand, travelling with my sister. In our adventures a few 'consumer issues' arose.

The hire car!

After we researched using the Internet and compared prices, we eventually hired an 'older' vehicle from a company recommended by a family member. We chose a cheap option, but were assured by my brother-in-law that the vehicles were reliable. In the end, we hired two vehicles, one for the North Island (planning to collect it in Auckland and leave it at the Wellington Depot) and the other for the South (collecting in Picton and leaving it at the Christchurch Depot), to avoid the expense of taking the car on the ferry.

However, on our arrival in Auckland, we found the Wellington Depot was not in fact in Wellington, but in Picton on the South Island - it seemed that the company had factored in a cheap way of getting their vehicles across the strait. When confronted with this at 5.30 am in the morning, at the care hire premises in an isolated spot away from the airport, we simply decided we had to go along with the deal, and try to negotiate a different drop off venue by phone. Needless to say - this didn't work and we ended up taking the vehicle to the South Island. The company clearly had misleading information on their website and it made me wonder about New Zealand's consumer laws re advertising.

Car insurance

Car insurance was another issue that surprised us. We were asked if we wished to take out comprehensive insurance on the car, and when we were informed that New Zealand had **no** compulsory third party insurance, we were very quick to sign up! On returning the vehicle, this worked in our favour. I was very conscious of the need to carry out an inspection on the vehicle on its return having been 'slugged' for hidden defects by Australian hire car companies in the past. We had lost a hub cap and the windscreen had a chip. The girl doing the hand over was surprised when I insisted that she and I inspect the vehicle together and from her conversation it was apparent that any damage would simply be billed to the comprehensive insurance policy - a bit different from Australia!

Duty of care - day trips

When we visited Tongariro National Park, we booked an eight hour hike which involved us being driven 90 km, to be dropped in a remote location so we could walk back to the hotel where we were staying. We were assured that the pathway was clearly marked and we would be given a map. On arrival at the vehicle, our guide gave us a map photocopied from a guide book and assured us that there was only one thing we could do wrong, but he would tell us how to avoid this once we got to our destination. Then, he swapped over with an employee who drove us around to the drop off spot. And of course, our new guide couldn't tell the vital bit of info we needed. We followed the map religiously, but we didn't find the track because the map was ambiguous.

Duty of care - day trips

After about three hours - we'd backtracked and we were lost, but we knew where we should be, so we foolishly decided to head cross country. Four hours later, having fallen in streams, scratched and bruised from dense bush, we did eventually locate the track, but we decided to back track because of the time. After a 90 minute walk, back on the main road, with mobile coverage and fading light, we phoned the tour operator. He was apologetic but couldn't pick us up because he had other hikers to collect.

We hitched! Fortunately, we were given two lifts by helpful locals. We were very grateful to arrive back at our accommodation at 8pm. When phoning the tour operator we gave him **several** suggestions for improving his service and spoke to the hotel management who also phoned on our behalf. We've vowed to return to NZ and tackle this walk again sometime in the next five years!

Valdene Buckley

Trading Hours Report

The Editor emailed the Centre for Advanced Consumer Research re their Trading Hours Report and received this reply. Hopefully the information will be available for the next issue.

Thank you for your enquiry about the CACR's Trading Hours Report. Although the research and data collection for the Report has largely been completed, work is still being done on the final Report before it is released. As soon as this occurs, we would be delighted to send you material for publication in Consumer Comment.

Kind regards,
Aviva Freilich
Director, Centre for Advanced Consumer Research

Painting stories

In the last three years while I have been busy painting my house, we have had a new house being constructed next door to us. In that time I have had dealings with two painting companies. One is a story about the need for consumer persistence and the other, in contrast, is an example of a painting company who does the 'right thing' by its customers.

Paint story one

The basement of the new house next door was designed to be built to the boundary of the property, and this necessitated the demolition of the boundary fence. As a consequence, the side of our house was splattered with concrete when the ground floor slab was poured. The building company, of course, agreed to remedy the problem but asked if it could be done when the new house was being painted. I agreed, so eighteen months later, after a fair bit of negotiation, the painters came to repaint the side of our house. I had previously emailed the company, specifying the paint that was to be used to match the existing paintwork. The building supervisor asked me about the paint type, and then on the day of painting one of the painters knocked on the door, asking what paint to use. I spoke to the painters as they were about to start, outlining the scope of the work. A couple of hours later, they invited me to inspect their work to check I was happy with the job. When I asked them to touch up the paint in a couple of places, I glanced down at the tin and noticed they had applied a matt, inferior quality paint to the one specified. When I confronted the painter and asked if that was the paint that had been used (after checking on what should have been used four hours before), I was told it was the paint they used on all their render work.

I was incensed! I did not have a direct contractual relationship with the painter, so immediately contacted the Construction Manager of the building company to let him know how unhappy I was. At that stage I floated the idea of making a formal complaint to the Painters' Registration Board, only to be told that I should not do this because it would be bad for the painter's business. Fortunately, the Construction Manager listened and immediately agreed to investigate and if necessary, remedy the situation. The painters returned and repainted the wall ten days later.

While the initial paint job looked satisfactory, it did not match the rest of the house and there was no guarantee that it would stand up to the marine environment in which we live. But, I guess I was more upset by the blatant deception that occurred and the assumption that I would not know the difference, so any paint was okay!

Paint story two

Although I have painted most of the house, with the help of my sons, in August I baulked at painting our high family room area. The painters I contracted were quick, courteous and they did a great job, patching and filling areas that had significant cracks and mould. I was delighted with the work.

Unfortunately, two months later, despite mould inhibitor and sealer binding applications, some staining reappeared in the upper, south-west cornices. When I contacted the painting company, they came back promptly and reinspected the job. They agreed to remedy the work (even though there is some doubt in my mind that they were responsible - we get strong winds and a lot of salty laden rain blowing under the tiles). When they returned yesterday, they spent a day applying a methylated based sealer, and several layers of premium ceiling paint. Again, they were clean, courteous and thorough. I am satisfied that they did everything they could to remedy the problem.

Once again, the room looks pristine. I am delighted and am happy to personally recommend the company to anyone who cares to contact me.

Valdene Buckley

Beware fine print

Consumers are warned to be aware of what they sign and to PLEASE read the fine print, sometimes placed at the bottom of the page.

A consumer recently advised she had replied to an advertisement on morning TV for a make-over and photos, with an appointment advertised at \$25. However, she was not satisfied with the photos and did not wish to accept any of them.

An assistant asked her to comment on the photos, making notes, and at the conclusion asked her to sign what the consumer understood to be only a list of the comments. However, the consumer subsequently found that the fine print at the bottom of the page confirmed it was an actual contract and for considerably more than she had been quoted for the photos she had first refused.

It is again a case of buyer beware, both of TV Advertisements which promise much for little outlay, and of signing a paper which they have not carefully scrutinised.

Verity Cripps

Membership and Fee Payment Form

CAWA was established in 1974 to provide consumer representation to business and government.

Our main objectives are to:

- ◇ represent the views of consumers in Western Australia
- ◇ investigate and act on issues of concern to consumers
- ◇ provide a forum for the discussion of matters of common interest to consumers
- ◇ encourage consumer education.

New Membership

Name _____

Address _____

Phone _____

Fax _____

E-mail _____

Areas of interest _____



A reminder that annual subscriptions are now due for 2008-9, and should be forwarded to the Treasurer.

Once again, I am delighted with the contributions made by CAWA members to the first *Consumer Comment* newsletter for 2009.

There are several ways in which you can make a contribution. You can bring a short keyed or hand written report to meetings, or mail your contribution to my home address. However, to save keying time I would prefer to receive an emailed, electronic copy or be given the information on CD. The material should be formatted as a word document.

Please keep up the contributions in the next three months for inclusion in the next issue of *Consumer Comment*.

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