

15 October 2010

Mr Andrew Lear
Department of Justice, Victoria
Via email

Dear Mr Lear

Submission on the Guides to the Australian Consumer Law

Thank you for extending the deadline for ACCAN to provide a submission on the Guides to the Australian Consumer Law.

ACCAN is the peak body that represents all consumers on communications issues, including telecommunications, broadband and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards availability, accessibility and affordability of communications services for all Australians.

We congratulate the ACCC, ASIC and the State and Territory consumer protection agencies for drafting Guides to assist businesses to understand their obligations under the ACL. We are especially encouraged by the Guides' focus on plain English.

ACCAN's interest in the Guides is that employees working in the communications sector (for example, in a telco shop or ISP call centre) understand their ACL obligations, thus increasing consumer protection. It is therefore essential that all employees can fully understand the Guides.

Given that research has found that almost half of Australia's adult population has difficulty coping with everyday reading and writing (including people whose first language is English, as well as people from a non-English speaking background)¹, it is absolutely essential that that all of the Guides use genuine plain English.

The current draft Guides are a good step towards plain English. However, we recommend that the Guides be further edited so that they correspond with plain English standards. For example, a sentence such as "*It is not reasonable to assume that a business has a right to be paid just because they have sent goods or provided services to a recipient*"² could be replaced by the plain English "*A business does not have a right to be paid just because they have sent goods or provided services to someone*".

The following websites have guidelines in the use of plain English, and may be useful resources:

- <http://www.visionaustralia.org.au/info.aspx?page=783>
- <http://www.wordsworth.com.au/publishing/plainenglish.htm>

¹ http://www.acal.edu.au/publications/papers/acal_view/acalviewSurveys.html

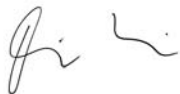
² Sales Practice Draft Guide, p.7

- <http://www.plainenglish.co.uk/free-guides.html>
- http://www.premcab.sa.gov.au/grc/plain_english_guide.pdf
- <http://www.lawfoundation.net.au/information/writing/howto>

Again, thank you for allowing ACCAN the opportunity to provide feedback about these important publications.

Should you require any further information or clarification regarding this submission, please contact me on 02 9288 4000, or dani.fried@accan.org.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Danielle Fried', with a stylized flourish at the end.

Danielle Fried
Disability Policy Adviser