



ASIC
Australian Securities &
Investments Commission

Committee	House of Representatives Standing Committee on Indigenous Affairs
Inquiry	Inquiry into corporate sector engagement with Aboriginal and Torres Strait Islander consumers
Question No.	001
Reference	Spoken, 15 December 2021, Hansard page 25
Committee member	Chair – Hon Julian Leeser MP

Question

Can you give us a bit of a sense of numbers of complaints, particularly in the pre-COVID period, going back a couple of years, and where they are from—state and geographic; in other words, urban, regional or remote—industries that are involved and the types of complaints that are made?

Answer

ASIC's Indigenous Helpline email inbox and telephone call line primarily receives enquiries rather than complaints or reports of misconduct. The team takes a 'no wrong door approach' to assisting consumers and their advocates to access the most appropriate information and services, which may or may not be related to ASIC's remit.

		2018	2019	2020	Jan - 10 Dec 2021
Contact volume	Total	128	79	55	78
Contact from stakeholder type	Consumers	82	67	40	37
	Advocates	35	8	11	27
	Government	4	0	2	2
	Business owners	0	0	1	6
	Unknown/not collected	7	4	1	5
Location - state / territory etc	ACT	1	1	1	
	NSW	23	23	11	20
	NT	12	5	8	5
	QLD	41	16	11	16
	SA	7	3	2	3
	TAS	1			
	VIC	8	7	3	3

	WA	9	7	7	5
	International	1		1	
	Unknown/not collected	23	17	11	26
Location category - totals	Urban	41	9	13	22
	Regional	24	8	10	18
	Remote	15	6	8	8
	Unknown/not collected	47	56	23	30
Location category - % of known locations	Urban	48%	39%	41%	46%
	Regional	31%	35%	31%	37%
	Remote	20%	26%	25%	17%
Reports of misconduct / complaints / intel provision	ROMs/intel - total	4	4	8	9
	Urban	0	1	1	3
	Regional	2	0	0	3
	Remote	1	0	2	1
	Unknown/not collected	1	3	4	3
	Consumer lodged	1	3	4	8
	Advocate lodged	3	1	4	1
Reports of misconduct / complaints / intel provision - topics	Banking	1		2	1
	Buying a home				1
	Car finance	1		1	2
	Consumer lease	1			
	Corporate misconduct - ORIC registered				1
	Fraud - land transfers			1	
	Insurance - funeral		1		1
	Investment				2
	Payday loan	1			

	Scams			3	1
	Trustee conduct			1	
	Unknown/not collected		3		
Contacts topics - total	Banking	2	7	8	3
	Budgeting	0	0	1	3
	Business establishment/ASIC fees	0	0	1	5
	Buying a home	2	0	2	1
	Car finance	6	6	6	2
	Civil rights dispute - car accident				1
	Consumer lease	3	1	0	
	Debt collection	2	0	0	1
	Financial advice	1	0	0	1
	Financial and elder abuse				1
	Funeral assistance	15	17	0	1
	Fraud - tax				1
	Fraud - land transfers	0	0	1	
	General hardship/debt	29	17	10	15
	Heritage discovery	1	0		
	Indigenous cultural intellectual property			1	
	Insurance - funeral	3	1		2
	Insurance - IP	1	0		
	Insurance - home			1	
	Insurance - TPD			1	
	Insurance - life			1	
	Insurance (not categorised)	1	1		
	Investment				3
	IOP attendance/support	6	0	3	5

	Loan	1	0		
	Moneysmart/publications/ general information	17	3	4	13
	Native title	1	0	1	1
	Corporate governance			1	
	Corporate governance - ORIC entity	2	0		1
	Corporate governance - ACNC entity	0	0	1	1
	Personal loan	3	2		
	Payday loan	3	0	1	1
	Salary sacrificing	1	0		
	Scam (not categorised/other)	1		1	
	Scam - financial services			1	
	Scam - investment			1	1
	Scam - tax				1
	Other services enq	1	0		
	Superannuation	10	9	4	
	Trustee conduct			1	
	Unclaimed monies				1
	Unknown/not collected	18	15	2	10

As contacts with ASIC's Indigenous Helpline email inbox or telephone call line are not form-based, and discussions are responsive to the assistance needed, not all data points are collected for each contact.



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Committee	House of Representatives Standing Committee on Indigenous Affairs
Inquiry	Inquiry into corporate sector engagement with Aboriginal and Torres Strait Islander consumers
Question No.	002
Reference	Spoken, 15 December 2021, Hansard page 26
Committee member	Chair – Hon Julian Leeser MP

Question

Is that the report that's called *Telecommunications debt in rural and remote Indigenous Central Australian Communities*—the MoneyMob report?

Answer

The report funded by a community benefit payment, referred to by Commissioner Hughes, was a precursor report to the *Telecommunications debt in rural and remote Indigenous Central Australian Communities*.

Under the terms of a Court Enforceable Undertaking given to ASIC by BMW Finance, in relation to breaches of the responsible lending provisions of the *National Consumer Credit Protection Act*, a community benefit payment was made to MoneyMob. MoneyMob used the funds to run a project called the *Loans and Phones Project* and produced a report titled *Loans and Phones Project Final Report*. This was the report referred to by Commissioner Hughes.

MoneyMob describe this report as phase one of a three-phase project that led to the production of the *Telecommunications debt in rural and remote Indigenous Central Australian Communities* report, being the report which was attached to the submission made to the Inquiry by the Australian Communications Consumer Action Network.



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Question No.	003
Reference	Spoken, 15 December 2021, Hansard page 28
Committee member	Chair – Hon Julian Leeser MP

Question

Have any of the companies against which you've brought actions for corporate malfeasance against Indigenous consumers had reconciliation action plans, to your knowledge?

Answer

No – our searches indicate none of the organisations ASIC has taken action against for corporate malfeasance against Indigenous consumers have had Reconciliation Action Plans.



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Question No.	004
Reference	Spoken, 15 December 2021, Hansard page 29
Committee member	Deputy Chair – Hon Warren Snowdon MP

Question

What are the locations targeted by the recent Facebook video campaign (“It’s OK to complain” and “Buy now, pay later”) and how were those locations decided?

Answer

In response to information received from stakeholders, ASIC’s Indigenous Outreach Program (IOP) and Moneysmart teams worked with an external provider to develop two videos.

- **Buy now pay later** <https://www.youtube.com/watch?v=TTFVX-mHVqY>
The buy now, pay later video is targeted at consumers who may be using BNPL services for day-to-day essentials. This may be an indication of financial stress, and the video encourages viewers to seek assistance.
- **It’s ok to complain** <https://www.youtube.com/watch?v=FKvcyAbSU6M>
The ‘it’s ok to complain’ video seeks to dispel some of the fear and shame around making complaints – specifically, complaints relating to financial products and services.

The videos were co-designed and developed by and for Aboriginal and Torres Strait Islander peoples, and the distribution was targeted to Aboriginal and Torres Strait Islander communities nationally.

The videos were published on YouTube and have been shared on ASIC’s Moneysmart social channels (Facebook and Twitter) as part of a targeted social media campaign. The campaign was targeted to postcodes primarily derived from the ABS’s Indigenous population data. Additional postcodes were included based on information from previous engagement the IOP was involved in as part of the QLD Stolen Wages Settlement Distribution, and from data from Mob Strong Debt Help.

The list of postcodes as follows:

Australia (6728), (0822), (6740), Canberra (2903), Canberra (2617), Australian Capital Territory, Brewarrina (2839), Collie (2827), Goodooga (2838), Gregadoo (2650), Loomberah (2340), Parkes (2870), Sydney (2760), Sydney (2148), Sydney (2044), Sydney (2043), Sydney (2016), Tallong (2579), Whitebridge (2290), Wollongong (2500), New South Wales, Borroloola (0854), Cossack (0850), Lake Mackay (0872), Pamayu (0862), Shoal Bay (0830), Tanami East (0852), Tennant Creek (0860) Northern Territory, Bethania (4205), Brisbane (4123), Brisbane (4117), Carbrook (4130), Chambers Flat (4133), Crestmead (4132), Dedin (4873), Edward River (4892), Forestdale (4118), Georgetown (4871), Gold Coast (4207), Greenbank (4124), Howitt (4890), Injinoo (4876), Ipswich (4305), Kingston (4114), Lamb Range (4870), Loganholme (4129), Mareeba (4880), Meadowbrook (4131), Merlwood (4605), Nicholson (4830), Park Ridge (4125), Pentland (4816), Prince Of Wales (4875), Shailer Park (4128), Shelburne (4874), Slacks Creek (4127), Starcke (4895), Sunshine Coast (4560), Townsville (4810), Underwood (4119), Woorabinda (4713) Queensland; Adelaide (5015), Simpson Desert (5734), Whyalla (5700) South Australia; Glenorchy (7010), Howrah (7018), Riverside (7250) Tasmania; Caniamba (3630), Melbourne (3177) Victoria; Bedfordale (6112), Boulder (6432), De Grey (6722), Mount Hardman (6765), Perth (6056), Plumridge Lakes (6431), Roebourne (6718), Sturt Creek (6770), Yilkari (6430) Western Australia.

The campaign was also distributed to the following groups/networks, and government and community organisation representatives holding specific engagement-related roles:

QLD Office of Fair Trading, Logan East Community Neighbourhood Centre, The Smith Family, Services Australia, Legal Aid QLD, Caxton Legal Centre, North Queensland Consumer Taskforce, Victorian Ombudsman, Victoria Department of Environment, Land, Water and Planning, Energy and Water Ombudsman (Victoria), Financial Counselling Australia including members of the ATSI network, National Aboriginal and Torres Strait Islander Women's Alliance, Victorian Aboriginal Legal Service, Australian Financial Complaints Authority, Victoria Legal Aid, Financial Rights Legal Centre / Mob Strong Debt Help, Anglicare NT, Consumer Action Law Centre, Somerville Community Services, Catholic Care NT, MoneyMob Talkabout, HK Training & Consultancy, Legal Aid NSW, Legal Aid WA, Money Management Services Fitzroy Crossing, Aboriginal Legal Rights Movement, Consumer Credit Legal Service WA, Financial Counsellors Association of Western Australia, Aboriginal Legal Service (NSW/ACT), Logan Financial Literacy Action Group, Logan, MultiLink Community Services Inc, Logan, Access Community Services Limited, Logan, Tafe QLD, Brisbane, Relationships Australia QLD, Griffith University, UnitingCare QLD, Brisbane, Telecommunications Industry Ombudsman, Yarra Valley Water, Victoria, Jacaranda Community Centre, Cloverdale WA, Regional Alliance West Geraldton WA,

Through the email distribution, stakeholders were encouraged to share the posts or draft their own posts when sharing the videos to their respective stakeholders and communities.

Ancillary information on IOP projects involving Indigenous languages

In 2012, ASIC's MoneySmart team, in conjunction with the Territory Insurance Office, produced audio posters providing information about ATM fees in 12 Indigenous languages (which expanded to include 20 Indigenous languages). Talking posters have an in-built audio module that provides an Indigenous language message at the press of a button. The audio posters are designed to encourage fewer ATM balance enquiries and cash withdrawals by providing warnings about the costs of excessive use. The Arnhem Land Progress Aboriginal Corporation, Outback Stores and other relevant partners display the posters near ATMs in approximately 60 remote community stores.

In addition to the audio posters, ASIC also utilises Indigenous Language Interpreters to assist us in our work in remote Aboriginal communities. Where a particular issue is impacting on a community where a majority of residents speak an Indigenous language as their first language, we will utilise interpreter services to provide key consumer awareness messages directly to communities through community meetings, or via interpreted radio interviews. For example, during the Mintabie matter which investigated the operations of a book up provider in the remote central desert region of the APY Lands, the IOP facilitated interpreted community meetings to provide information about the litigation to APY Lands community members, and also participated in a number of interpreted radio interviews to provide messages to residents about how to make sure book up arrangements were safe and what to do if problems arose.