

2016 ANZOA Conference

Protecting the most vulnerable – The Changing Role of the Ombudsman's Office

WEstjustice
Western Community Legal Centre

Establishment Phase

Contractual complaints, customer service
("middle class" issues)

Financial hardship

- "misfortune" but not recognised at law
- Not recognised as a consumer rights issue

Expansion Phase

Financial hardship

- Law, codes and regulators respond to issue
- Ombudsman schemes develop financial hardship jurisdiction
- Schemes overwhelmed with change in jurisdiction and demand

'Coping' Phase

Financial Hardship

- Industry responds through codes, hardship teams and recognition of financial cost
- Ombudsman look for cultural change, better understanding and creative solutions

Consolidation Phase & Current Challenges

- Lack of capacity to pay v access to utility/financial service
- Inadequate incomes v access to service
- Industry capacity to recover debt v customer ability to pay
- Tension between quick resolution and sustainability of hardship arrangements
- Federal and State Ombudsman capacity to deal with financial hardship (taxation, land rates)