



E-NEWS

August 2008

Edition 37

Indigenous Consumer Assistance Network LTD



ICAN Update

ICAN Training Manager, Robert Barry flew down to Sydney last month for the launch of the Commonwealth Bank of Australia's (CBA), Reconciliation Action Plan (RAP). As a member of CBA's RAP working group Robert provided advice on training and employment in remote Indigenous communities.

Commonwealth Bank CEO, Ralph Norris said "With the largest Indigenous customer base of any Australian bank, we are committed to improving relations between Indigenous and non-Indigenous Australians and contributing to the elimination of the 17 year life expectancy gap that exists in Australia."

The Commonwealth Bank is one of the first major Australian organisations to implement a Reconciliation Action Plan. The program was developed by Reconciliation Australia as a forward-looking aspect of last year's 40th anniversary of the 1967 Referendum. The RAP community currently includes 90 leading organisations across all sectors and employs around 7% of the Australian workforce.

Follow these links to download [Commonwealth Bank's Reconciliation Action Plan](#) or hear Commonwealth Bank CEO Ralph Norris on [Breakfast on Radio National](#).

Induction training was held in Cairns earlier this month, for ICAN's Yarrabah and Palm Island money management project staff. ICAN's induction training included the Commonwealth Bank sponsored ICAN Personal Finance and Consumer Assistance training program, record/database management and an overview of ICAN's Policy and Procedures. Both the Yarrabah and Palm Island ICAN workers are now busily setting up their offices for the opening days later this month.



L to R: Tom Eckersley (CBA), Tristan Wills (CBA), Robert Barry (ICAN) & Ralph Norris (CBA,CEO) at RAP launch

L to R: Rachelle Fourmile, Carmen Daniels, Kym Dann, Robert Barry, Bernadine Castors, Aaron Davis, Pauline Shortjoe, Lutricia Sexton & Reginald Lawrence at ICAN Induction Training.



A.C.C.C. Alleges Misleading and Deceptive Conduct by Indigenous Art Dealer...

The Australian Competition and Consumer Commission has instituted proceedings in the Federal Court, Brisbane, against the operators of Doongal Aboriginal Art and Artefacts.

Mr Farzad Nooravi and Mrs Homa Nooravi operate Doongal in partnership. Doongal is an unincorporated business registered in Queensland.

Doongal operates two art galleries in Kuranda and an art gallery in Cairns. Until recently it also operated a website at www.doongal.com.au.

The ACCC alleges Mr and Mrs Nooravi misrepresented that three of the artists whose works Doongal promoted

Funded by
Office of Indigenous Policy Coordination
Department of Family, Housing,
Community Services and
Indigenous Affairs



DISCLAIMER

"The information set out in this newsletter is a summary of some issues you should consider as consumers. It is not comprehensive and it is not legal advice. You should contact a community legal centre or a solicitor for legal advice about your situation. You can also obtain further information from the offices referred to in this publication"

and sold were of Australian Aboriginal descent when in fact those artists are not of Aboriginal descent. The artists are Mr Stephen McLean (who uses the tribal name 'Duk Duk'), Mr Paul Whiteman (who uses the tribal name 'Kulangu Balanda') and Ms Diane Sharp.

The ACCC alleges that Mr and Mrs Nooravi represented those artists were of Aboriginal descent:

- through statements on the website that products offered for sale by Doongal were 'Aboriginal Art', 'Aboriginal Artefacts', 'Authentic Aboriginal Art' and 'Aboriginal Art in the traditional sense'
- through representations on signs inside and outside the galleries that products offered

for sale were 'Aboriginal Art', 'Aboriginal Artefacts', 'Local Aboriginal Art' or 'Aboriginal Fine Art and Artefacts', and

- by affixing cards bearing the words 'Certificate of Authenticity of Original Aboriginal Art' to artworks by Mr McLean, Mr Whiteman and Ms Sharp.

The ACCC is seeking:

- declarations that Mr and Mrs Nooravi engaged in misleading and deceptive conduct in contravention of section 52 of the *Trade Practices Act 1974*
- injunctions restraining Mr and Mrs Nooravi from engaging in similar conduct in the future

- an order requiring Mr and Mrs Nooravi to write to purchasers of artworks produced by any of the three non-Aboriginal artists, advising them of the court proceedings, and
- costs.

In addition, the ACCC will be requiring Mr and Mrs Nooravi to provide it with a court-enforceable undertaking that they will implement a trade practices law compliance program.

The matter has been listed for a directions hearing on 29 August 2008 before Justice Logan in the Federal Court, Brisbane.

Press release courtesy of the [Australian Competition and Consumer Commission](#)

Advocacy Appointments

ICAN Director, Robynne Quiggin was appointed as a member of the Commonwealth Consumer Affairs Advisory Council (CCAAC) by the Minister for Competition Policy and Consumer Affairs, Chris Bowen MP last month.

CCAAC has eight members who represent a diversity of expertise. Newly appointed members drawn from across Australia include, Mr Colin Neave, Ms Carolyn Bond, Professor Stephen Corones, Ms Deborah Healey, Mr Michael Malone, Mr Ray Steinwall and Mr Gordon Renouf.

Mr Bowen said, "The Commonwealth Consumer Affairs Advisory Council will play an important consultative role as we work towards a single, national generic consumer law over coming months"

ICAN CEO, Aaron Davis was appointed as a founding board member of a new peak telecommunications consumer body, the Australian Communications Consumer Action Network (ACCAN).

ACCAN will represent the full range of telecommunications consumers in Australia;

people with disabilities, from rural and remote Australia, those living on low incomes, seniors, youth, people from culturally and linguistically diverse backgrounds, Indigenous Australians, and small businesses (in their capacity as consumers) and will take communications consumer issues and concerns to Government, the Regulators and to industry.

The Minister for Broadband, Communications and the Digital Economy, Senator Stephen Conroy said, "This is an important step in the process towards a stronger unified consumer voice. Strong and effective consumer representation is paramount for a vibrant and competitive telecommunications market. The Rudd Government is committed to the long-term interests of end-users and ensuring consumers have a strong voice in market developments that affect them."

Founding board members include Nan Bosler, Len Bytheway, Gerard Goggin, Catriona Lowe, Kyle Miers, Holly Raiche, Sue Salthouse and Alex Varley.

Check out the ACCAN website at; www.accan.org.au