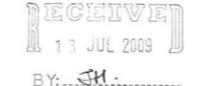
SUBMISSION NO. 48





Consumer Protection

Our Ref:

DP0841/2009; A1103675

Enquiries:

Gary Newcombe 08 9282 0602

7 July 2009

Mr Jerome Brown Committee Secretariat Standing Committee on Communications House of Representatives PO BOX 6021, Parliament House CANBERRA ACT 2600

Dear Mr Brown

STANDING COMMITTEE ON COMMUNICATIONS - INQUIRY INTO THE INCIDENCE OF CYBER CRIME

I refer to your letter dated 25 May 2009, inviting the Department of Commerce to make a submission to the Standing Committee on Communications inquiry into the impact of cyber crime on consumers.

The Consumer Protection Division of the Department of Commerce (Consumer Protection) works to ensure both consumers and traders have access to a fair and competitive marketplace. In addition to regulation and enforcement activities, Consumer Protection also provides ongoing education and information to the community on consumer issues as part of an ongoing strategy to help empower consumers to make better choices.

WA ScamNet is an important part of this work. It is a community education initiative designed to alert WA consumers in regard to common scams. Developed in 2001 to raise awareness of the scams targeting Western Australians, WA ScamNet has evolved to include a consumer complaint, analysis and feedback line. It is also supported by a dedicated website, www.commerce.wa.gov/wascamnet.

The WA ScamNet website acts as an early warning system to quickly alert the community to information on scams gathered by Consumer Protection. Attachment A is an overview of the WA ScamNet program and associated website for your information.

There are some key differences between WA ScamNet and the Australian Competition and Consumer Commission's ScamWatch. Firstly, WA ScamNet provides a detailed review of individual scams, including how the scam looks and the tricks it uses to lure victims. Secondly, it provides a weekly email alert service.

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Featuring individual scams can help recipients identify suspicious material as a scam and avoid becoming a victim. If a person was to place the name of the email or letter in an online search engine, the relevant WA ScamNet page will be listed in the results. Recipients can also use the search facility on the WA ScamNet website.

To provide this information on the WA ScamNet website, Consumer Protection collates intelligence by collecting reports of scams from the community via telephone, post and email. These reports are investigated and assessed by Consumer Protection.

Information gathered through WA ScamNet indicates the number of reports of email based scams far outweighs the number of postal or telephone scams, reflecting the increase in cyber crime over recent years.

Consumer Protection provides regular warnings to businesses and consumers in regard to cyber criminals who use emotionally persuasive stories, such as romance or charity scams, or malicious software to access personal and financial details.

Many scammers use professional looking emails, often mimicking trusted sources such as financial institutions and other well known organisations, to 'phish' personal details as part of fraud or identity theft. A recent example from WA ScamNet is the McDonald's paid survey and the "Australian Taxation Office" email.

Consumer Protection uses the WA ScamNet service to actively warn consumers about scams of all types and cyber crime related scams are becoming a more prominent feature. WA ScamNet alerts the WA community through regular updates on the website and the weekly 'WA ScamNet alert' email service.

WA ScamNet is also used to generate regular media statements on topical scams. Information on current scams is also included in regular news features presented to community newspapers and local radio stations (see Attachment B).

To reflect the increase in cyber crime, the key information used for the media and published on WA ScamNet's website has been developed based on information provided by the Australian Consumer Fraud Taskforce. The information provided includes ways for consumers to protect themselves against cyber criminals. WA ScamNet outlines how to independently verify phone numbers, email addresses and other information received via email, how to avoid giving out personal details, using trusted security systems on computers as well as tips on spotting phishing emails, etc.

Consumer Protection is an active member of the Australian Consumer Fraud Taskforce. In March 2007 and 2009, WA ScamNet was used to encourage visitors to participate in the Australian Consumer Fraud Taskforce's online survey.

WA ScamNet receives email inquiries and scam notifications from people across Australia as well as internationally, reflecting the nature of cyber crime as having no geographical boundaries.

Consumer Protection provides information from consumer reports and investigations to a variety of law enforcement agencies, authorities and online market leaders, nationally and internationally.

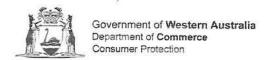
Strong active relationships have been established between Consumer Protection and the Western Australian Police Service and eBay to report on problem traders. eBay has removed traders based on advice from our staff.

Further to this, a number of organisations link to WA ScamNet from their websites. These include national internet service provider iiNet, MySouthWest, Trip Advisor and a number of Western Australian government agency websites including the Water Corporation and Small Business Development Corporation.

Should you require further information regarding WA ScamNet, or other Consumer Protection initiatives, please contact Gary Newcombe, Director Strategic Policy and Development, on 08 9282 0602.

Yours sincerely

Anne Driscoll
COMMISSIONER FOR CONSUMER PROTECTION



Attachment A: STANDING COMMITTEE ON COMMUNICATIONS INQUIRY INTO CYBER CRIME

Western Australia's WA ScamNet

Introduction/background

WA ScamNet provides information to consumers to warn them of the dangers of scams, both electronic and mail based.

WA ScamNet uses the information collected on scams to issue warnings about new and existing threats.

WA ScamNet works with closely with the community and agencies to aid the fight against scams.

History

WA ScamNet was developed in 2001 by the then Western Australian Ministry of Fair Trading (now Consumer Protection Division of the Department of Commerce).

It originated as an investigation service to analyse how prolific scams were in the community.

Prior to the official start of WA ScamNet, recipients of scams were told to ignore and destroy suspicious mail. WA ScamNet changed the response tactic by asking recipients to start sending in any suspected scams.

This facilitated the collection of intelligence from the community. Staff were then able to investigate and profile scams targeting Western Australians.

Scam investigation process

Once a scam has been reported, the details of the scam are processed and lodged in the Department's database for statistical and complaint purposes.

The suspected scam is investigated to determine if it is in fact a scam by:

- seeking further information from the recipients;
- contacting the company/s named in the scam;
- conducting a trading name/company search (if located in Australia);
- using online resources to trace email services, or website hosts;
- liaising with WA Police;
- searching internet forums and blogs sites for other reports of the scam;
 and
- asking other regulatory bodies.

Once the scam is confirmed and an investigation report has been completed, an article is produced for publication on the WA ScamNet website: www.commerce.wa.gov.au/wascamnet.

Working with other Agencies

WA ScamNet works closely with WA Police Technology Crime Division, reporting fraudulent scams. Where relevant, information is forwarded to international law enforcement agencies.

Consumer Protection also liaises with Australia Post, the Australian Customs and Boarder Protection Service to intercept possible bulk shipments of scammail before it reaches consumers.

Consumer Protection is an active member of the Australasian Consumer Fraud Taskforce (ACFT), which includes 19 Government regulatory authorities and law enforcement agencies.

Scam Community Education and Involvement

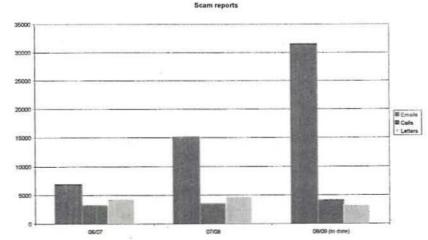
Initially, scams were reported to the public via the media and the then Ministry's email newsletter "Fairbytes". (Fairbytes was discontinued in August 2002).

There was a high level of media exposure given to scams making use of available photo opportunities, such as sacks of scam letters being destroyed and 'victim' interviews where appropriate. Media is still used as a mechanism to alert the public to current scams. Feature stories are developed as required throughout the year and in particular during national scam awareness week. (Media samples are at Attachment B)

WA ScamNet offers scam recipients a variety of ways to report scams: Consumer Protection's advice line (telephone), WA ScamNet email and free post service.

Since July 2008, WA ScamNet has received 31,500 emails, 4,072 calls and 3,728 letters regarding scams.

The majority of reports are made by local Western Australian consumers, however we do receive significant referrals



from other Australians. Several top contributors reside in the Eastern States. There have also been reports from the United Kingdom, France, United States of America, Spain, Columbia, Mexico, Canada and Denmark.

Initially WA ScamNet received mainly postal scams, however they have been completely overtaken by the number of reported email scams in recent years.

Website

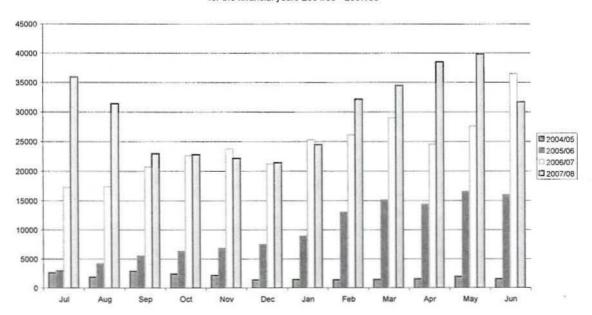
The WA ScamNet website was originally developed in April 2002. The website has been in its current format since June 2005.

The website provides a useful tool in the fight against scams for not only Western Australians, but other potential victims Interstate and Internationally.



Over the years the website's popularity has grown, reflecting both the ease of access to information and the development of online scams.

WA ScamNet website visitors for the financial years 2004/05 - 2007/08



Website features

There are various key elements on the front page of the website to lead readers to their point of interest.

- Recent warning/news: this is an irregular feature and is usually only
 one or two sentences long. It is only used when a topical issue by
 another agency is important. Recent warning included the Australian
 Competition and Consumer Commission's (ACCC) warning on
 fraudulent email posing as Victorian bushfire appeals. In March it was
 used to promote the ACFT's online survey.
- Subscribe to alerts: this new service allows visitors to subscribe to a
 weekly email service to keep updated on latest scams.
- Feature page list: this lists the non-scam pages such as:
 - How to identify a scam
 - Learn about the different types of scams
 - Complete scam listings (A-Z or by type)
 - Advice on fighting back
 - Contact WA ScamNet
- Media statements: recently added to the front page, this links to the Department's media statements regarding scams.
- Search: a search box on the top right hand to allows visitors to search for a scam they may have received.
- Scams list: under the search box there is a list of 15 scams that are either new or regularly reported to WA ScamNet.
- Commissioner's Column

 Swine flu scans hit WA consumers.

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- Commissioner's column: this is a commentary feature article about scams which is updated every quarter.
- ACFT link: the ACFT logo linking to their site.

Scams

There are currently 14 different types of scams reviewed on the WA ScamNet website, for example email, prizes and lotteries, pyramid schemes, psychics or advance fee frauds. Each type is described with typical elements of the scam.

Each type also has a specific 'fight back' page which lists tips on avoiding the traps of those types of scams.

Each individual scam also has its own page, providing a detailed description of the scam. Where possible, sample images are used to help visitors check against any suspicious mail they have received.

The article refers to the specific techniques used to lure victims into the scam and the hidden trick, for example personalised letters and paying for taxes to release money.

All scams are completed with the line -"learn how to fight back" linking to the appropriate fight back page.

Advance fee frauds

Advance fee fraudsters are experts at conning you into paying various fees and charges to access non-existent funds or goods.

Advance fee frauds can dome in the guise of faire lotter, wine pleas to help others to access fur foreign bank accounts, and even Tone Interests". Familiarise yourself with the different types of advance fee frauds by diloting here.

Do not respond to unsolibited smalls or letters claiming you have non an overseas lottery you have never entered.

Do not respond to unsolidated approaches to help strangers move money across oproers in exchange for a commission.

Be careful linen internet dating. Make sure your Romeo cruullet is interested in your and not your bank account.

Coinct provide your personal information — including bank account details, address passors or drivers. Hosnos numbers — to strangers. This information can be used to identify fraud onto con others.

Neversand money is a stanger using a money one transfer tension. Requests to whe transfer is adig varning tign that something is a scarr. Scarriner is prefer this type of payments tyle because it is almost impossible to a soverthe money. Check out Western United Size in broading yourself from haud as it womenterminion on the United Size in broading yourself from haud as it womenterminion on the size.

If you receive a suspicious latter or email, report is to WA Scientic

Advance fee fraud emails are also regarded as sourn. If you have been a sarget of sourn please contact the Australian Communications and Idedia Auchority (ACMA) as

Google Cash

Employment Scam

An offer of paid work for typing from your home computer can be very tempting, but beware — it could be another scam to adoubly take money from your

WA Scamhlet received a complaint from a Perth consumer in tilarch about a 'Google Cash' advertisement being run on the popular internet site. Facebook

The consumer said four amounts of money had been taken from ther bank account without her imoviledge after paying an initial postage fee and handling fee for a "starter kit" which never aimset.

48empts to contact the trader to cancel the subscription had failed

The trader's trait is well hidden, with links through phone routing services in Europe.

The Australian administration for www.poople.com.au has indicated they are not affiliated with the Google Cash program and they do not endorse it.

Facebook administration has advised they will review the content of the reported advertising as it appears it is contrary to the Facebook standards.

Learn how to Soft back or subscribe to our FREE W4 Scamblet Alerts



WA ScamNet Alerts

The alerts originated as a text email service sent to media outlets to broadcast or publish the latest scams. In November 2008, the alerts were developed into an HTML email format. It was also opened to the public via the front page of the website. The subscription base rose from 86 to 349 subscribers over the past six months.

The alerts link back the WA ScamNet site for further details on the scam and how to fight back.



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5 June 2009

WA McDonald's customers hit by email scam

Criminals are using the McDonald's brand in attempts to scam Western Australian consumers out of money. And it appears to be working.

Consumer Protection Commissioner Anne Driscoll said today one local consumer had reported he'd been taken in by the scam, and lost \$1,300 from his credit card.

Ms Driscoll said the scam email purported to be from the McDonald's food chain, and asked consumers to take part in a Customer Satisfaction survey on what turns out to be a bogus McDonald's website.

"The scammer offers a bonus payment for taking the quick seven question survey. The survey is followed by a request for the consumer to enter their credit card details, including the card verification number," the Commissioner said.

"Unfortunately, it is this number – found on the reverse of the card – that enables the scammer to debit money from the account, rather than transferring the bonus payment to it." Ms Driscoll said.

"There are tell tale signs that the survey is not legitimate. The website is not associated with any official McDonald's site. It is piggybacked onto another business website, usually without their knowledge.

"There are also numerous spelling errors throughout the survey, and images are fuzzy and appear to be copied," Ms Driscoll said.

"Basically, the scammers use this bogus McDonald's survey to gain personal information from recipients of the emails."

The Commissioner said the survey also asked consumers to send a copy of their identification if they wished to be entered into a secondary draw to win free food from the restaurant chain.

"This information could be used for identity theft," Ms Driscoll cautioned.

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Government of Western Australia Department of Commerce

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"The Australian Competition and Consumer Commission (ACCC) has issued a ScamWatch alert about these emails, and McDonald's has placed a warning on both its Australian website and its global website," she said.

"Our own WA ScamNet is also warning Western Australian consumers to be on the alert for this scam," Ms Driscoll said.

"McDonald's Australia is not alone in having their name used by scammers. This type of scam is associated with other well known business names around the world.

"Consumers should always be very wary whenever they are asked to provide financial or identity details, particularly in unsolicited emails," the Commissioner said.

END OF RELEASE

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4 June 2009

New Spate of Bank Email Scams

WA ScamNet last month received more than 750 reports of consumers receiving bogus bank emails.

Consumer Protection Commissioner Anne Driscoll said the reports indicated a new spate of phishing emails, and consumers should be on the alert.

"The concern is that these emails, generally regarded as spam, are looking more and more genuine, increasing the likelihood that people may be fooled into providing their personal account information," the Commissioner said.

"Banks will never ask people to confirm their log in details via email. All banks also have warnings and plenty of information about scam emails and other threats to security on their websites," Ms Driscoll said.

The Commissioner said consumers should be aware that anytime they used their username and password for services, there was a risk shysters could be trying to access the information for personal gain.

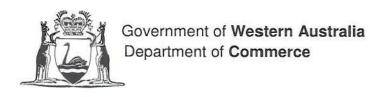
The Commissioner said banks and credit societies were not the only organisations targeted by these emails.

"They also use the names of other businesses such as internet service providers, phone companies, social networking sites and webmail service providers," Ms Driscoll said.

"It is not always about stealing from your bank account. These fraudsters can also attempt to access webmail and social network pages. They can then send emails to 'friends' asking for money due to an emergency, such as a mishap whilst on holiday," she said.

The Commissioner said WA ScamNet had received a number of reports from Western Australians about these sorts of approaches.

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"It can be a difficult situation when the request for money appears to come from someone you know and trust," Ms Driscoll said.

More information about scam emails is available from the WA ScamNet website at www.commerce.wa.gov.au/wascamnet

The public can also subscribe to WA ScamNet Alerts. Registration is free and available from the home page.

END OF RELEASE

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20 May, 2009

Cyber criminals target deaf people in WA

Internet scammers are now targeting people with disabilities, in particular deaf people in WA, with promises of a huge Lotto win.

"These scammers have no shame!" says Commissioner for Consumer Protection, Anne Driscoll. "There are no depths to which these cyber criminals won't stoop, now taking advantage of the most vulnerable in our community."

Hearing impaired consumers in WA have received emails from the "Deaf Lotto International Program", claiming to operate in the United States, with the great news they have not only won \$US85,000 but also a new laptop computer. The email states the lucky winner was selected through an automated computer ballot system drawn from 100,000 companies and 50-millon deaf people from all over the world.

Winners are asked to email their name, phone number, nationality, age, country, state and sex to agent *Mr Paul Petrie* who then advises the winner must pay \$US 850 in fees to receive the prize.

As a further incentive, the extremely generous *Mr Petrie* tells the winners they have also won a second lottery of \$US150,000 and a free two-week trip to EuroDisney! But then comes another catch – to receive this incredible extra prize, winners must pay an additional \$US125 to Nigeria via Western Union.

"You don't have to go to EuroDisney to be taken for a ride with this scam and we recommend anyone receiving these emails to delete them immediately," Ms Driscoll said.

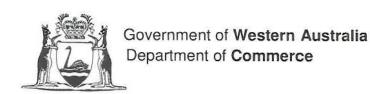
The scammers appear to trawl social networking sites such as Facebook, MySpace and Twitter searching for victims and start up conversations via email and instant messaging to convince their victims to invest a small amount of money to win a fortune.

WA ScamNet, a service provided by Consumer Protection, has contacted the WA Deaf Society about this scam and has also reported it to the social networking services.

END OF RELEASE

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Government of Western Australia



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13 May 2009

Malaysian travel lottery fraud targets WA consumers

The Commissioner for Consumer Protection in Western Australia Anne Driscoll has issued an urgent warning about a lottery fraud by a purported Malaysian travel company.

The Commissioner said Consumer Protection's WA ScamNet had been flooded with complaints about a glossy eight page brochure from a bogus Malaysian travel firm touting for business.

"It promotes the 'Malaysia Starize Travelling Group' as a leading organisation in the tourism industry, saying it's been in operation since 1988. An internet search shows their website was registered through a Chinese Internet Service provider in March this year," Ms Driscoll said.

"The brochure arrives in the letterbox in either a large white envelope or a large tan envelope with a typed address that almost looked handwritten," she said.

What the Commissioner found most alarming was the accompanying "Scratchie" lottery tickets, compliments of the Starize Group, offering prizes up to 200,000 US dollars.

"All complainants to WA ScamNet have reported winning the second prize of 150,000 US dollars. However, a condition of collecting is that all prize winners must make available their personal details. Winners must also meet any applicable taxes or other charges", Ms Driscoll said.

One complainant who contacted the scam promoters was asked to confirm their identity by faxing copies of their passport, birth certificate and driver's licence.

The complainant was then contacted by a 'Mr Lee' of the 'Hong Kong Monetary Fund Company', who advised that the Hong Kong Government required a six percent fee to transfer the funds. Mr Lee generously offered to pay half the fee on the winner's behalf, saying they would only have to wire him \$4,500 to receive their prize

Ms Driscoll said the promotion had all the hallmarks of an Advance Fee lottery fraud, and when pressed to provide information to the winners in writing, the promoters had quickly backed-off.



Government of Western Australia Department of Commerce

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"Despite our best efforts, Consumer Protection has also been unable to contact those behind the offer", Ms Driscoll said.

The Commissioner said that, at first glance, the glossy brochure containing the lottery ticket appeared professional.

"However, an examination of the Starize website showed poor quality graphics which did not support the quality of the brochure," she said.

Australia Post in Perth has confirmed a consignment of about one thousand of the brochures passed through its processing facility in mid April.

There have also been reports of similar mail in the ACT.

The Commissioner said Consumer Protection had asked Australia Post to intercept any further mail from this source.

"The Starize Scratch Card promotion appears to be a scam and consumers should not call or email the business," Ms Driscoll said.

END OF RELEASE

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www.wa.gov.au 6 May 2009

SWINE FLU SCAMS HIT WA CONSUMERS

Consumer Protection has identified six types of Swine Flu email scams currently being directed at Western Australians.

Earlier this week Consumer Protection Commissioner Anne Driscoll warned of a surge in reports overseas of cybercriminals capitalising on fears about swine flu to scam Internet users.

"We are now seeing these scams reaching computers in Western Australia," Ms Driscoll said today.

Subject lines generally included the words 'swine flu', such as 'Are you worried about swine flu? buy medicine!', 'Order now vaccine against swine flu', and 'You can buy swine flu drug'.

The Commissioner said the emails had links to malicious websites which, if clicked, would load up adware or spyware programmes, enabling scammers to access private information including passwords.

"Consumer Protection advises consumers to update their virus protection software. Consumers should not click on links in these Swine Flu emails," Ms Driscoll said.

The Commissioner said Consumer Protection expected the number of Swine Flu scams to increase over the coming weeks as scammers tried to capitalise on people's fears about Swine Flu to peddle their bogus products, steal credit card and other details, and trick people into sending them money.

Up to date and accurate information about swine flu is available from www.health.wa.gov.au, and www.health.wa.gov.au, and www.healthemergency.gov.au

Details of the latest scams are also available on Consumer Protection's WA ScamNet at www.commerce.wa.gov.au/wascamnet

Registration is free on the website for WA ScamNet alerts.

END OF RELEASE

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3 March 2009

Australia's billion dollar scourge National Consumer Fraud Week - March 2-8, 2009

This week's *National Consumer Fraud Week* event will aim to curb the financial losses associated with scams and personal fraud in Australia, estimated to be a staggering billion dollars a year.

National Consumer Fraud Week 2009, which runs from March 2-8, aims to raise awareness of scams and to discuss ways for consumers to better protect themselves against this costly scourge.

Consumer Protection dealt with about 12,000 scam-related enquiries and complaints in 2008, figures that support an Australian Bureau of Statistics study published last year.

It showed Australians lost \$977m in 2006-07 to scams such as lotteries, pyramid schemes, advance fee fraud and obtaining personal information such as credit card and bank account numbers by deceptive means, or phishing.

In WA alone, 39,000 people or 2.4 per cent of the population, became victims during that time.

Surprisingly, the survey revealed that well educated, high income earners (those earning \$1500 a week or more) and those aged 35-44 years were among the groups hit hardest.

Consumer Protection Commissioner Anne Driscoll said this could be because some people are more inclined to take risks and may have a greater capacity to recover from their financial losses, than say, seniors and others on fixed incomes.

"Most people don't think it will happen to them, but anyone can be a target of a scam," Ms Driscoll said.

"We will continue to work with other Australian agencies to make people more aware of the warning signs and to educate them on the potential dangers of playing into the hands of scammers.

"Losing money to scammers is a double-edged sword in that it, unfortunately, keeps them in business and allows them to inflict more pain on other victims."

Government of Western Australia



Government of Western Australia Department of Commerce

She said scams were becoming increasingly sophisticated as perpetrators use different means to achieve their ultimate goal – to obtain money from victims.

"I urge you not to respond to unsolicited approaches for money or personal information and report the details to Consumer Protection on 1300 30 40 54, or visit www.commerce.wa.gov.au/wascamnet for more details on how to fight back," Ms Driscoll said.

National Consumer Fraud Week is run by the Australasian Consumer Fraud Taskforce, comprising government regulatory agencies and departments in Australia and New Zealand that work together to help protect consumers from frauds and scams.

Consumer Protection's support for the event as a taskforce member involves a poster campaign and information brochures.

END OF RELEASE