

Consumer Bill of Rights: 2023

An Australian Risk Policy Institute Perspective

On 15 March 1962, President John F. Kennedy presented a speech to the United States Congress in which he acclaimed four basic consumer rights. In 1983, Consumers International, the peak global membership organisation for consumer groups, adopted these rights as a charter and announced 15 March as World Consumer Rights Day. In 1985, the United Nations Guidelines for Consumer Protection expanded the initial four rights to eight rights.

In May 2023, the Australian Risk Policy Institute (ARPI), a not-for-profit leadership think-tank, convenor of the Global Risk Policy Network, added a further four contemporary consumer rights considered necessary for today's world, to maintain the integrity, purpose and application of the original consumer rights announced by President Kennedy in what has become known as the 'Consumer Bill of Rights'.

The four new rights added by ARPI respond to new, unprecedented, global vulnerabilities as well as risks arising from societal 'progression' including digital transformation ⇔ intrusion ⇔ abuse; and secondly, from 'regressive' political interference, disruption and unaccountability. Thus, respecting a contemporary context and perspective.

The original four consumer rights – President John F. Kennedy

1. The right to safety

The assertion of this right is aimed at the defence of consumers against injuries caused by products other than motor vehicles and implies that products should cause no harm to their users if such use is executed as prescribed. The right was further formalised in 1972 by the US Federal Government through the Consumer Product Safety Commission (CPSC). This organization has jurisdiction over commercial products and powers that allow it to establish performance standards and require product testing and warning labels.

2. The right to be informed

This right stipulates that businesses should always provide consumers with enough appropriate information to make intelligent and informed product choices. Product information provided by businesses should always be complete, truthful and appropriate, aiming to achieve protection against misleading information in the areas of financing, advertising, labelling and packaging.

3. The right to choose

The right to free choice among product offerings prescribes that consumers should have a variety of options provided by different companies from which to choose. The US Federal Government has taken many steps to ensure the availability of a healthy environment open to competition through legislation, including limits on concept ownership through patent law, prevention of monopolistic business practices through anti-trust legislation and the outlawing of price cutting and gouging.



4. The right to be heard

This right enables consumers to voice complaints and concerns about a product in order to have the issue handled efficiently and responsively. While no US Federal agency is tasked with the specific duty of providing a forum for this interaction between consumer and producer, certain outlets exist to aid consumers if difficulty occurs in communication.

Expansion to eight consumer rights - United Nations 1985

In 1985, the concept of consumer rights was endorsed by the United Nations through the United Nations Guidelines for Consumer Protection, which expanded consumer rights to comprise eight basic rights.

5. The right to satisfaction of basic needs

This right proclaims that people should have access to basic, essential goods and services: adequate food, clothing, shelter, health care, education, public utilities, water, etc.

6. The right to redress

The right to redress provides for consumers to receive a fair settlement of just claims, including compensation for misrepresentation, shoddy goods, or unsatisfactory services.

7. The right to consumer education

The right to consumer education states that consumers should be able to acquire knowledge and skills needed to make informed, confident choices about goods and services, while being aware of basic consumer rights and responsibilities and how to act on them.

8. The right to a healthy environment

This is the right to live and work in a workspace or home that is non-threatening to the well-being of present and future generations.

Expansion to twelve consumer rights – Australian Risk Policy Institute

In May 2023, the Australian Risk Policy Institute added an additional four contemporary rights, considered necessary for today's changed world, to protect consumers against consequences far greater than previously imagined.

9. The right to privacy

The right to privacy is necessary to protect consumers against the increasing intrusion of information technology and devices, and their manipulation by threat actors, into the lives of persons and families whether at home or work, or in other places. This includes the collection, conversion, manipulation, sale, sharing and storage of electronic and physical data.

10. The right to protection

The right to protection applies to every person whether at home, work or any other place – to participate in and enjoy the world without fear of being intimidated, harassed or attacked. Protection attaches sovereign accountability.

11. The right to service

The right to service recognises the right of every person to receive respectful, personal service from any provider of advice, goods or services (as well as but not instead of by digital service), whether the consumer is a vulnerable or invulnerable person. A provider includes government, corporate, professional and community organisations.

12. The right to truth in multi-media and government communications

The right to truth in multi-media and government communications, as a fundamental, holistic obligation to society, is a first principle for society being accurately informed thus aware, hence enabled to make appropriate, anticipatory decisions for individual wellbeing, happiness, prosperity, and choice in accessing media and electing governments.

ARPI's "Consumer Bill of Rights 2023" has six recommended principles:

1. Recognition by relevant peak global organisations, for example, the United Nations;
2. Uniform, adaptable global template as a pillar for international discourse;
3. Paradigm change to re-establish a fair societal⇌consumer equilibrium;
4. Promotion of consumer rights as a counterfoil to the unintended negative consequences of digital transformation, economic dominance and political disruption;
5. A global accountability frame comprising an hierarchical compliance regime which includes publication and effective enforcement; and
6. Global review every three years to adapt to the changing world environment.

ARPI can be found at www.arpi.org.au