

# WORLD INDIGENOUS LAW CONFERENCE

Factors that Influence Indigenous Consumer Decision-Making  
Heron Loban, Griffith Law School, Griffith University

# ABOUT THE STUDY

- For Doctor of Philosophy (PhD) thesis
- 3 sites – 1 State, 1 Territory - 3 jurisdictions
- Aboriginal and Torres Strait Islander participants
- Non-Indigenous participants

# SUMMARY OF FACTORS

In summary, the factors discussed in this thesis that influence the decisions made by Aboriginal and Torres Strait Islander consumers are:

- culture as kin and relationships;
- a history of controlled consumption;
- location, as the walking distance from centres of competitive markets as opposed to monopolies or 'unofficial' cartels;
- poverty and the related Basics Card;
- high pressure sales tactics;
- the financial literacy of the individual;
- commercial experience and acumen; and
- consumer rights knowledge coupled with personal advocacy skills.

## Indigenous Consumer

- A portable electric oven with the hotplates on top, I brought him that for Christmas, I took it out bush to him, he had it on for about a week, then all of a sudden there was faults all through the house, the power was flicking and all that. When an electrician actually came out it was the little oven creating all the faults in the house ... I told him it was brand new ... Couldn't take it back because the bloke cut the cord, the electrician cut the cord saying, "You can't use it anymore," ... plus [the store] is 400 kilometres away. ... A long way to come back and try because they could say anything. ... It's not worth going there and getting banned from the shop or whatever for going off at them. ... I actually go to the shops where they offer you warranty on whatever, you pay a bit extra but you get warranty and so if it does get faulty you can take it back.

## Indigenous Consumer

- [T]hey probably don't know how to really talk to take it back there. ... I suppose another thing you're buying it with the Basics Card most of the time anyway and I don't know how they put the money back onto the Basics Card if you try and return stuff too. ... they give you either store credit or something like that because they can't refund the money back on to your [Basics] Card. It's too much of a hassle or something like that. ... My partner's taken clothes back and stuff that she's bought ... on the Basics Card, they just gave her store credit or something like that, because she purchased it from the card. ... I don't think they want to do the leg work. ... Even when they've bought stuff sometimes with cash, they always want to give them store credit because they don't want to give them the cash back.

## Indigenous Consumer

- I don't have [Facebook] ... But if I did, probably it would be a good thing to have for the people that are on Facebook. Then again, I'm thinking about all the people that aren't on Facebook, like all the Aboriginal people that are out bush – they don't even have phones, most of them. How are they going to find it, because they buy stuff like the cars I was saying ... they buy cars that don't even last them that long and they pay thousands of dollars.

## Non-Indigenous Stakeholder

- I think when you live in a remote community and your major experience of the economy is through the community store as opposed to when you live in a bigger urban centre where you probably have to pay market rent for your house, you can acquire more stuff and so then you end up wanting insurance for your contents, for your house that you may have purchased yourself, for your car, you have a range of options about how you can be buried or cremated and so you've got different funeral providers, if you want to ... have more than the standard level of health cover you can purchase health insurance – all of that is kind of non-existent down there. ... Yeah, there's that multiplier effect of being in a town. They can't even go into a bank and see that, "Okay I could get this credit card versus this credit card versus that loan versus..." ... there's not that exposure to a range of different experiences where people can learn about, "Okay, I can actually do this, that and the other thing with money and that these are all the steps that I need to go through to do that thing, to buy insurance or to [etc]"

## Non-Indigenous Stakeholder

- But then on the cultural aspect, “Because I’ve come into all this money I have to share it with my family. Not only do I have to share it with my family but I have to share it with my deceased partner’s family and they dictate a certain amount and then I have what’s left over”. ... for some people it’s all too much that they would prefer to give it all away like they’re supposed to culturally with that obligation and looking after people ... So that cultural thing is very, very real for people ... and it doesn’t fit into what we want.

## Non-Indigenous Stakeholder

- Well, I've had one woman recently where she's been in a situation, through no fault of her own, struggling to pay the bills, and she didn't know that you could tell your creditors, "This has happened." I helped her with one – "Okay this is what's happened," and we did ... financial hardship. She's gone and done it to two more creditors by herself. She just asked me to have a little look at the paperwork and work out the payslips, because they're just a nightmare. So I've just done that and I haven't heard from her for ... a couple of weeks, and I think, "Well great, she's done it by herself". So I suppose once people get hold of that little bit of information that's going to help them – and I think for her it was a pride thing too. "I can do this".

# ABORIGINAL AND TORRES STRAIT ISLANDER MOOT COMPETITION 2018

Brisbane, Queensland, Australia

# INDIGENOUS LAWYERS ASSOCIATION OF QUEENSLAND (ILAQ), ALLENS, ASHURST, BAR ASSOCIATION OF QUEENSLAND



# JUSTICE PHILLIPEDES



# BENCH FOR BOND V GRIFFITH MOOT



# COUNSEL FOR BOND V GRIFFITH MOOT





# ABORIGINAL PERFORMERS



# ABORIGINAL AND TORRES STRAIT ISLANDER CHOIR



# MOOT FINAL BENCH



# MOOTTROPHY

