



**Law  
Commission**  
Reforming the law

  
**Scottish Law Commission**  
*promoting law reform*

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## **Protecting consumers from scams and rip-offs**

Consumers exploited by misleading and aggressive traders will have a clear and easy route to redress under reforms being proposed by the Law Commission and the Scottish Law Commission.

In a report published today, the Law Commissions recommend that consumers should have a new legal right of redress against traders that carry out misleading or aggressive practices. Consumers would be entitled to a refund, or a discount on the price; and damages may be available if the unfair practice caused additional loss.

Scams and rip-offs are common. Many of us have been duped into buying something that we don't need or isn't quite what we thought it was. A large proportion of the victims are among the most vulnerable in society, with housebound and older people facing a particular threat from high-pressure, doorstep selling. Under the existing laws that govern misleading and aggressive practices it is difficult, if not impossible, for consumers to get their money back.

Law Commissioner David Hertzell says: "Recent research by the Office of Fair Trading shows that elderly and vulnerable consumers are being systematically targeted by these unfair trading practices. We have an ageing population and, without reform, this victimisation of the vulnerable can only get worse. By simplifying the law, our recommended reforms will give more confidence to consumers and help drive rogue traders out of the market place, where currently they damage the reputation and livelihood of good, honest businesses."

Scottish Law Commissioner Professor Hector MacQueen added: "Consultees strongly supported our reforms. We hope that our recommendations will be included in the Government's proposed Consumer Bill of Rights."

The Commissions' recommendations have won strong support from organisations representing consumers.

Executive Director of Which?, Richard Lloyd, said: "Consumers are fed up with high-pressure selling tactics. If someone is misled or bullied into buying unsuitable products or services, then they should have the right to get their money back and be compensated. These recommendations represent a step forward for consumer rights. We look forward to the Government implementing these reforms and giving consumers the better protection they need against rogue traders."

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