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\$33,000 in fines for fake testimonials

The Department's recent action against a motor vehicle repair company for publishing fake online testimonials is a timely reminder of the need to ensure truth in advertising.

A Canning Vale motor vehicle repair company and its Director were fined a total of \$33,000 by the Armadale Magistrates Court for posting fake online testimonials.

The company, Franjapara Pty Ltd trading as Automotive, Mechanical and Electrical, was fined \$25,000 and its Director Anthony Parasiliti was fined \$8,000 after pleading guilty to making false or misleading representations in breach of the Australian Consumer Law. They were also ordered to pay Court costs of \$592.

The conviction follows an investigation by Consumer Protection which found in January 2013 that four testimonials on the company's website were entirely fictitious and concocted by the company's web designers.

Commissioner for Consumer Protection Anne Driscoll said that business are held totally responsible for the content of their advertising and should check the truth of any statements or testimonials being published or broadcast.

"Some consumers rely heavily on testimonials from other customers when choosing a service provider, so it's critical that the testimonials contained in promotional and advertising material are authentic and accurate," Ms Driscoll said.

"Posting fake testimonials not only undermines the credibility of the business, it also undermines the credibility of the industry in which it operates. If caught out, the business faces the possibility of heavy fines and immeasurable damage to their reputation in the marketplace.

"The outcome of this Court case should send a clear message to all businesses in WA to check the authenticity of their testimonials and to withdraw them if they have no basis in truth or accuracy. Businesses should also be careful to check thoroughly all advertising material prepared by third parties, such as web designers or advertising agencies."

Consumers who believe they have been misled by fake testimonials can contact Consumer Protection by email at consumer@commerce.wa.gov.au or by phone on 1300 30 40 54.