

COMPETITION AND CONSUMER ACT 2010: INQUIRY INTO DIGITAL PLATFORMS

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LET DIGITAL PLATFORMS BE REGIONALLY CONCEIVED FIRST FOR HIGHER QUALITY HEALTH REPORTING SERVICES ACROSS THE NATIONAL AND INTERNATIONAL BOARDS.

RELATED DIGITAL TREATMENTS ARE IDEALLY DESIGNED TO LINK KEY INDUSTRIAL PLAYERS IN MORE BROADLY AND OPENLY DESIGNED PERFORMANCE AND EVIDENCE BASED ON THE SPOT. (SAY HELLO TO DOLLY AND PERHAPS BUY THE OTHER REVEALING DVD LATER).

On 4th December 2017, then Treasurer, Scott Morrison, told the Australian Competition and Consumer Commission (ACCC) to hold an inquiry into digital search engines, social media platforms, and other digital content aggregation platforms (**platform services**) (sic.) and also on the state of competition in related service markets. This is explored in regional markets starting locally and legally alone at home. I am doing it for free but they used to pay me. Hilmer's National Competition Policy report (1993) appeared the first to define competition and accept the reality that one may compete for many objects besides more money. Pity his abiding common-sense insight has been drowned in all the normal lawyers' drivel since.

The ACCC appears to be an inquiry into services which wrongly addresses them as if they are likely to be best obtained, or only obtained, in the same way as by trading in land and manufactured goods. This appears to be an inquiry which applies an outdated theoretical trading paradigm conceived in markets long before the state development of any pension, health and disability care and related state or linked investment services. A suite of **regional platform and competitive service designs** are addressed attached. Any manufacturing may ideally be considered more broadly in related regional service contexts. Open these up.

The Digital Platform Inquiry Issues Paper states the Treasurer's **Terms of Reference** to the ACCC, direct the **Inquiry into Digital Platforms** to consider, in particular, the impact of digital platforms on the supply of news and journalistic content. It states the Inquiry will focus on the digital platforms that impact, or are likely to impact, on the supply of news and journalistic content. The issues paper also states the Inquiry may lead to a range of outcomes, including but not limited to the ones below:

- findings regarding structural, competitive behavioural issues in the relevant markets
- improved transparency for Australian consumers regarding media, advertising services, and news and journalistic content on digital platforms

See attachments on regional services re the above. Services to any land or building (place) are included. Services also may include any manufacturing or maintenance or rehabilitation treatment in the current international and other community context. This is locally addressed in key Asian and Australian waste management services, as discussed attached; as well as in relation to a key range of national news media services provided by ABC, SBS

and the Fairfax press, from which I have got my daily knowledge quota since 1975. Key related purveyors of the international story are addressed later in Ramsay Centre interests.

One mainly addresses **The Digital Platform Inquiry Issues Paper** and the matters related to **'Choice and Quality'** (sic.) under the heading **Scope of the Inquiry. Does the ACCC imply by these inverted commas, that choice and quality are not real to individuals whereas the law is?** If so, the ACCC is mistaken as lack of choice and/or the perception of the choices on offer may create huge market disruptions. This is the thoughtfully productive mind at work. It created the richer home and the growing welfare state through more harmonious technological progress than was normally available in feudally related manufacturing or tribal hunter and gatherer states. Australian citizens take this welfare state for granted today, including the idea that it should support us all in need to death. It seems big enough.

At Marx pointed out, however, the generations of the past weigh like a nightmare on the minds of the living, so we have the ACCC and their legal friends as well as our ancestors to support, or not, as the case may be. The technological forces have historically been defined and constrained by military forces for secrecy and surprise in attack. This is historically allied to the increasing creation of technological and related personal risk, NOT security. This was recently shown in analyses of the causes of the global financial crisis in 2008, by international writers like McLean and Elkind, Geithner, Stiglitz, Varoufarkis, and many other highly reputable journalist practitioners in the political economy of business and nations.

The ACCC issues paper states:

'the 'quality' of the news and journalistic content available refers to the extent to which the content produced exhibits characteristics such as objectivity and accuracy and performs functions such as analysis and investigation. Factors impacting quality might include the funds available for investment in news gathering and reporting and the level of competition between news providers.

*In addition to choice and quality a number of related issues, such as journalistic and editorial integrity, **access to local content**, and promoting Australian culture may also be relevant to this Inquiry. **These issues will be considered to the extent that they have arisen due to the competitive impact of digital platforms on the media and advertising markets.***

The ACCC asks: **1.6. Are there any other issues relevant to the choice and quality of news and journalistic content that should be considered by the ACCC? A.** Open up regionally.

The attached reference to the **Competitive Neutrality Inquiry** addresses media quality in related regional service contexts. Powerful trade unions have long championed **local content in manufacturing**. It is far more necessary in services like news and film production, for quality housing and other service management, designed towards more broadly honest activity. Trade unions or professional and family associations under other names may attack this often and traditionally with lawyers. Their dedication to old male

norms may do all a disservice today. The ACCC appears to be their legally deformed creature, addressing provider brotherhoods acting together in large and small business.

In this national context one implores Scott Morrison to don his new Prime Ministerial hat to consider the related submissions attached. Former PM, Malcolm Turnbull, established an expert panel to consider **'the intersections between the enjoyment of the freedom of religion and other human rights'** for example. One assumes this freedom and its rights ideally also depend on the duties of broader community care. They also ideally relate to personal choice and to related quality of services which may be available in Australian homes or in other institutions, supposedly based on key market trading principles or not. In this context one also addresses the **NSW government Easy and Transparent Trading Consultation Paper**, and provides practical evaluation in relation to the **Awesome Waste and Recycling Expo**. held recently at Darling Harbour and also discussed later.

The ACCC appears to take a partial approach to any matters of residence in Australia. It appears wrongly driven by past industrial development assumptions; rather than by more open regional approaches to knowledge and common sense in action and related treatment of any competitive risk or apparent injury. See related discussions attached and also based on the clear demographic data Bernard Salt recently provided to the **Future Asia Business Summit** regarding the place of Sydney in the world economy today, compared with the past and with future projections. This is the more broadly open regional and democratic, as distinct from more limited and thus old-fashioned, legal and industrial approach to which the ACCC and its lawyers mysteriously appear naturally driven. It's a brotherhood thing?

Menzies paid homage to the home and I do too. Women may work in there for free for a start, feeding and potty-training kids, for example. Living alone in retirement since 2007, I find myself a better and more appreciative housewife today than I have ever been in my life; spent in flight from this key role, only to find it. Today I have only myself to please and have a comparative lot of free time and money. Luxury indeed. I am thus sorry to be late with this free submission. I only discovered the ACCC Inquiry into Digital Platforms last Monday, as I picked up paper rubbish floating along the pavement in Glebe Pt. Road. (We have a lot of intellectually high-quality rubbish in Glebe. I like to assume God knows we're still here.)

The concept of the consumer requires unpacking in global, regional and related historical contexts to come to more reasonable conclusions. The ACCC is driven by its old and wrong theoretical perceptions on trading, and by assumed supremacy of the legal word in markets. Fred Hilmer's report, **Competition Policy (1993)**, which launched the ACCC, provided many more broadly regional and competitive platform directions, as all Australian governments recognized at the time. Then lawyers got a grip as always and fucked everything up as usual by reverting to a trading paradigm where those bargaining are normally wrongly assumed to be in equally open and financial trading relations, or trading would not have taken place. Stop kidding and ignoring residents as the ultimate service consumers. Open up to us instead of ignoring our input outside the particular professional frames you impose on us.

This is a plea to the ACCC and all its related party brotherhoods driven with lawyers. Try more intelligent attitudes to evidence about any matter by getting more broadly grounded and cheaper input. Do so through encouragement of more open regional learning and certification of competence approaches than can be carried out behind relatively closed doors. These are explored attached in global ways which put family relations at the centre of secret business, as they often hold each other up. As I complained as a Glebe resident, in response to the **NSW government Easy and Transparent Trading Consultation Paper**, it may be your waste, but it's all just your rubbish to me. **How can some private sector building owner or manager, for example, get away with putting a surveillance camera in a City of Sydney pocket park which has a never-ending supply of rubbish festering outside it, but no way to contact the owner of the surveillance camera? Practices with rubbish stink.**

Anissa Levy, Acting Chair and CEO of **NSW Environment Protection Authority** appears among the first to explain that China's National Sword Policy now bans an estimated 1.25 million tonnes of recyclable material which was formerly sent from Australia to China each year for reprocessing. This led global commodity prices for these materials to decline sharply. It hopefully also caused new concern and new interest in Australia and regions beyond. Open up related regional trading approaches with government as discussed attached. This flies in the teeth of the fact that professional operators often seek to use any education and training to narrow rather than to broaden the selection channels to any particular professional jobs they control or influence. They typically do so to elevate the amounts of money involved in narrower key trades. For example, in teaching a thousand undergraduates, one will find far more gifted people than in teaching 15 postgraduates, yet this is not the normally accepted view of merit. The notions of service quality and of merit are strongly affected by closed industrial institutions, often to our service detriment. Information technology is market driven and may uncritically help cement poor practice.

Australian Medicare is ideally designed instead to amass more reliable population information through diagnosis and treatment, helping doctors and other body managers to operate better. A related state and data driven approach is taken to humans in regard to protection of workers from harm, as well as in rehabilitation. The new Australian **MyHealth Record** necessarily ties all key evidence about a person's health from birth to death, to their particular body, wherever they travel throughout the nation. This is to avoid treatment risk, waste, cost and corruption of many kinds. The US market and institutional influence normally exemplified in the lawyer, all too easily wrecks our healthier, more reliable and cheaper national understanding, which includes us all individually. Our dominating US values are nuts as they remain based on the Constitutional supremacy of the market in guns, while maintaining that this improves, rather than degrades the national health and safety. This is a defence of a new Australian regional approach to data exemplified in good health care, rather than in good management of any land and housing or policing. When the ACCC records its thinking in the press, its logic is often opaque to me. It's a scary body.

In this current international and related regional and local context, one first provides the attached submissions on the **Easy and Transparent Trading Consultation Paper in the Department of Finance, Services and Innovation in NSW**. The recent **Awesome Waste**

and Recycling Expo at Darling Harbour is first addressed, however, to make the related point that repealing redundant statutes is only as effective as any shared regional understanding and commitment to govern for Australia as a whole, rather than under state Constitutions and any particular and sectional public or private interest. During the 1980s, government introduced freedom of information approaches which have been strongly resisted by lawyers and their related professional interest groups ever since.

This is written partly to provide a **regional platform** for the better treatment of media and waste services in related trading contexts which may be international, regional, and local or not. I put it to you yet again that the ACCC trading paradigm is dysfunctional and out of date because it is industrially driven by invisible historical forces entrenched in land and manufacturing, as well as in land and building and their financial management. This limits their potential to be more broadly and intelligently driven in services provided in the public, private, charitable or any other regional community sector. Try seeing the Australian people as the consumers of services which may often be provided freely in any home, government, private or charitable sector, as well as for money. The regional policy approach abhors the political party, of which law is the clumsy theoretical creature. It is then called upon like an ancient monster to take over and rule above all heads, based on the lie that it represents us.

As a child of the fifties, I find the Broadway musical, followed later by George Clooney, Matt Damon and Tom Hanks have done more to raise the global IQ than the rest of the working population with the exception of Dylan and Simon. Boos to the legal lot. Get off the stage because the legal and social analysis is wrong, expensive and champions mutual ignorance. The rubric of competition is often used by the comparatively powerful secretly, to kill it off.

See related discussions of services attached. Cheers,

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FIRST RESPONSE TO THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION (ACCC) DIGITAL PLATFORMS REPORT

In the Australian Competition and Consumer Commission Digital Platforms report under **Measures to address Google and Facebook's market power the ACCC** addresses:

Improving the ability of news media businesses to fund the production of news and journalism.

The ACCC states: **As set out above, news and journalism have broad public benefits to society and the ACCC is concerned at the risk of under-provision.** (Me too).

Australia's existing policy and regulatory arrangements support the production of news and journalism in a number of ways. **The most obvious is the public funding of the ABC and SBS, which deliver quality, independent news and journalism and add plurality.** (My emphasis)

Commercial broadcasters, both TV and radio, also receive a level of public support via access to spectrum at below-market rates.

The ACCC considers that traditional print media (now print/online media) also play an important role in providing diversity and quality news and journalism. (Me too).

The ACCC is therefore continuing to consider mechanisms to maintain the incentives on print/online news media businesses to invest in preliminary report news and journalism, particularly those types of news and journalism which may be at risk of being under-produced. (My goal exactly.)

At this stage, the ACCC has identified three potential options on which it would like feedback.

However, these key ACCC proposals are legal remedies in which I have no confidence as people tend to act well or badly in spite of the law, not just because of it.

In real life we deal with a lot of unknown unknowns, (e.g. an Australian law or film you never knew was made). The mistaken legal proposition is that knowledge of the law is rightly expected and positively cared for. In the real world, access to a lawyer is far from the same as access to justice.

Speak openly to everybody potentially involved to explain the above key problem, (which is that news and journalism have broad public benefits to society and the ACCC is concerned at the risk of under-provision,) so as to come up with global remedies.

I hope to address these matters later, having received the ACCC report in hard copy.

My years of Fairfax press reading experience and brief perusal of the ACCC report on-line so far leads me to side with the Editorial and Opinion column in the **Australian Financial Review** (11.12.18 p,38) when it states that in the real world the fear of fake news has triggered a flight to quality that is helping traditional mastheads like the one that Nine has bought.

(This has often been won through Australian resistance to the US approach which favours the dismantling of state support for attempts at more independently open ventures seeking more broadly honest regional approaches than may ever be encouraged under the complex tangle of nit-picking legal regimes crossing and adding to each other at the general expense in every arena.)

The AFR editorial suggests there are areas where the new and old can commercially cooperate. I agree strongly but this will need open discussion rather than the legal approach which leaves everybody in the dark except expensively duelling lawyers. See related discussion attached.

I would like to explore these matters further in regard to Australian film, the proposed sale of DVDs in the Glebe village high street, and with related communication and commercial players after reading the ACCC report in hard copy.

I commend the attached global and regional directions also addressed to any interest in the coming state and federal elections. I would be grateful for any support you or others might give it. This regional direction was recently also addressed to the **Australian Small Business and Family Enterprise Ombudsman's inquiry into access to justice for small business.**

In the Sydney Morning Herald (**SMH 27.11.18 Business 27**), Small business minister, Michaelia Cash, stated there had been an overwhelming response to the inquiry which closed in December 2018). Her full title is Minister for small and family business, skills and vocational education. She states big business accounts for 1% of employers. Also see state, national and regional policy directions attached in recognition of related government, ACCC and other independent inquiries into local and other wasted states which are continuing.

The Evatt Foundation has stirred from slumber recently with an excellent Sydney University Press publication **Moving in the Open Daylight: Doc Evatt, an Australian at the United Nations**, by Ashley

Hogan with a foreword by Michael Kirby, as well as a play about Eleanor Roosevelt and Evatt's wife, Mary Alice. I was amazed to read that Menzies sought a coalition wartime government with Labor's John Curtin and that Evatt supported the idea of an all-party national government. This wasn't supported by their parties (p. 3).

Freedom from want, the American and Party dream that they alone can supposedly provide, is a movable feast because the job of markets is to manufacture want as well as to meet it when it is expressed. (One thinks of Mr Creosote more easily than oneself.) Chinese have had a more intelligently planned view of human rights in coming to a two-child policy. This has implications for housing policy and order globally, nationally and locally. This makes dying and succession very interesting to me and I bet the strata manager knows a lot more about such matters than most. Strata management seems like a life education for policy in many related areas. Thanks for any related interest. I will be marrying these related strata, communication and digital platform matters later, in the light of reading the ACCC report.

Gillian Triggs and her lawyers' outfits, however, give me the shits as usual. HV Evatt sought at the institutional level to **Move in Open Daylight**. Triggs and her ilk, on the other hand, never recognize the obvious under their own noses. Lawyers rule their many personal affairs and clients secretly, remotely and expensively, from any rural or urban situation which can be summed up for women as being 'too many kids and then you die'. Having children delivers weaknesses to the woman and strengths to the man unless she can turn the tables, such as in housing. Where a person lives and works may or may not be central to their digital needs. One seeks to explore these matters later in the light of the ACCC report.

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BUILDING THE CANON OR BLASTING THE BUILDING? AN APPEAL FROM YOUR NUMBER ONE FAN

It wouldn't be make-believe if you believed in me (Nat King Cole)

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THE DISPASSIONATE REVIEW OF THE PASSIONATE AND THE REVERSE WITH SATAN

I saw your film **Black Robe** again after Christmas and wrote truly to my daughter that it was a most wonderful experience of the land and the Jesuit mission. I loved it best of all your films. It gets better and better with time, like Monty Python's, **The Meaning of Life**, for example, but in a completely different genre of wisdom and beauty. Your picture is added to the magic of the book. I had a Canadian lover for over ten years and experienced the magic of the country. You brought it flooding back with the Jesuit story. Thank you so much. I found the DVD in **Hum on Newtown**.

I must confess I feel a mystical connexion with you and write accordingly for the craft and the book, not the star power. The mystical often emerges in old age, I guess, in being a British colonial product at the commonly shared behest of geography and history. Truth is always personal as first revealed, with any later professional masks necessarily first turned to the public which begins in the family sphere. The magic surely begins with mythic words turned into the book, increasingly with pictures added, as you showed so beautifully and cleverly forever in **Black Robe**. Perhaps European and Australian women might not have liked **Tender Mercies** as much as you or the US audience did because more of us are over picking up fallen men as a comparatively unproductive service in the absence of castration. How reliable was he? (Is this also the ultimate Jesuit's question?)

The mythic US discourse infects us all first in movies and song and we love them for it. However, the Devil's music accompanies the guns He sells and carries freely through US Constitutional decree. Nothing Henry Fonda might say in **12 Angry Men** can change that elevation of the Prince of Darkness to the ruling position reflected in US views of justice in 'human rights' law and court. I will nevertheless soon return to **Hum on Newtown** as a shining jewel among local shops to see if they have '**Driving Miss Daisy**'. This is a film of yours whose sentiments I have largely forgotten as with a name too worn from popular use. How great was it really? Don't get me wrong, I enjoyed **Tender Mercies** a great deal as it clearly shows the geographic and historic modes of production as they inevitably act on essentially private worlds through words, pictures and music. It is a reliable cut far above the rest, as your films have always appeared to me to be. Some films like **Black Robe** just get better every time one watches but there is no respect for a canon in Oz, which is more than a pity.

In this spirit I appeal to you and others in reference to the attached file of policy directions on regional digital platforms for the Australian Competition and Consumer Commission (ACCC) inquiry into '*digital search engines, social media platforms, and other digital content aggregation platforms (**platform services**) (sic.) and on the state of competition in related service markets.*' I hope you might lend this regional direction your highly influential support as an Australian film-maker of the highest international calibre, as well as an entertainer, recorder and producer of vital cultural and intellectual products and events.

I love watching documentary and related biographical stories and films most. More informed about the Jesuit mission and Pope Francis since Christmas, and waiting to start on another **Queen Victoria**, in the book by Julia Baird, I am reminded of Denis O'Rourke's magnificent film **Yumi Yet** about the first national elections in Papua New Guinea in 1964 and also his film the **Shark Callers of Kontu**. This focuses forever on a man in a flimsy little boat on the ocean, who never catches any sharks. As two tribal elders pointed out to O'Rourke, his people have seen the power of the book and it is obvious to everybody you would have to be mad to try hard to catch sharks in a boat like that today. I note on-line

today that there is a **Yumi Yet** road building program so it is also in this related historical and geographic context of regional development that I am writing to you again.

The names **Denis O'Rourke** and **Yumi Yet** are unknown unknowns to the vast international public, including in Oz and so cannot even be searched for on-line even though they are vitally important historical documents which are also particularly entertaining for the thoughtful. They should be stored and promoted as such. Nick Torrens, the Australian and Chinese documentary film maker kindly reminded me about and lent me O'Rourke's films after I raved enthusiastically about **Making Black Harvest**, Bob Connolly's grimly funny, highly instructive and important book on *warfare, filmmaking and living dangerously in the Highlands of Papua New Guinea*. It pains me deeply that such great historical and anthropological works may be lost as Australians appear to have no respect for film as any vital, key canon. To me, a great lover of words, film is equally great, like **Black Robe**.

Now we must store these films and tell people they exist, so as to pass this knowledge on so they can also buy a copy of each film if they like and employ even more knowledgeable people. Forgive me in telling a grandpa to suck eggs. I naturally speak like a grandma, bureaucrat and teacher mightily refreshed and updated by watching the SBS TV series **The Pope** on Saturday night. See the related direction for the Australian Small Business and Family Enterprise inquiry into justice for small business and others attached, and on handling rubbish better at St James Court and in related state, national and international arenas today. See more on www.Carolodonnell.com.au

Cheers, great thanks and very best wishes for 2019. I hope you support the attached.

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