

An Open Letter to the Treasurer and others on **competition** and **association** or **cooperation**. These must logically be seen and undertaken in regional terms together to serve Australian people in trade. Please bring me Nixon Apple is all I ask in exchange for freely writing this vital advice. Carol O'Donnell, St James Court, Glebe, Sydney [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)

Hi Treasurer,

## **COMPETITION, CO-OPERATION, AND THE REGIONAL INTEREST IN ASSOCIATIONS (GLOBAL AND LOCAL)**

### **ON YOUR ARTICLE 'PAYMENT RULES FIT FOR DIGITAL AGE' (AFR 30.8.21) AND OTHERS**

I refer first to your explanatory article, '**Payment rules fit for digital age**' in the **Australian Financial Review** (AFR30.8.21, p. 42).

As you point out, **our lives depend on the safety, efficiency and effectiveness of our payment systems**, (my emphasis) so lawyer and payments expert, **Scott Farrell**, was appointed to conduct a review of the '**regulatory architecture**' of the payment system. I discuss the conclusions provisionally arrived at later and offer this comment to centre future inquiry more appropriately in the regional mainstream of Australian life, in order to serve it better and cheaper than Rod Sims, the current Chairman of the Australian Competition and Consumer Commission (ACCC) and his law. His proposal to treat mergers and acquisitions is addressed later. It is a very bad plan of the kind one might expect from a comparatively unsuccessful lawyer. I show why later.

In **Payment rules fit for a digital age** you state the Government is committed to a modern payments system that meets the current and future needs of all Australians. Consistent with this, the Government has commissioned a review into the **regulatory architecture** (my emphasis) of the payments system to ensure it is fit-for-purpose and responsive to advances in payments technology. You write there needs to be a consistent policy approach taken to matters by the **Reserve Bank, ASIC, APRA, AUSTRAC** and **ACCC**. You use acronyms without explaining what they mean. Luckily, I had Google to discover the main regulators involved are: The Reserve Bank of Australia; The Australian Securities and Investment Commission; The Australian Prudential Regulation Authority; AUSTRAC (the Australian Government agency responsible for detecting, deterring and disrupting criminal abuse of the financial system to protect the community from serious and organised crime); the Australian Competition and Consumer Commission.

In another unsuccessful attempt to explain his behaviour, ACCC Chairman, Rod Sims, dumps on his own organization in the article, '**It is the ACCC that is flawed, not the merger laws**' (AFR, 1.9.21, p. 39). I discuss ACCC **mergers and acquisitions** concerns later. I can only do this as a result of reading a series of articles in the AFR and Sydney Morning Herald (SMH), and using my past experience as a worker, consumer, state resident and investor to judge. In his tenacious view that competition is all before the Court, Rod Sims talks drivel as usual. Anybody who is anybody writes something similar, but I will get to that later.

I first address your account of the **Farrell Report** and recommendations in **Payments fit for a digital age**, as it appears to be the most authoritative account of current political and economic thinking, whatever time and lawyers may do to any account as usual. You state you seek responses to the Farrell Report during 2021. This is mine, so please accept it. It generally follows World Health Organisation (WHO) and related state scientific and other evidence-based policy approaches to

matters of governance and service to Australian and other people. A related regional policy approach to women and children's rights in broader regional contexts also seeking sustainable development is later below. See more on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)

**TREAT ALL COMPETITION AND COOPERATION AS LEGITIMATE IN TRADE, DEPENDING ON ANALYSIS OF THE CASE IN THE OPEN LIGHT OF THE INTERESTS OF ALL APPARENTLY AFFECTED BY IT**

*Trade is a system of exchange, whether money changes hands in the exchange or not. Receipts and payments must be treated together for fair trading. Ideally this also takes into account the interests of the Australian public beyond the immediate traders in any bargain struck.* I remind you of **National Competition Policy** (1993). This substantial report, written by Fred Hilmer, when he was head of Fairfax media, before he became Vice Chancellor (VC) of the University of New South Wales (UNSW), was accepted by all Heads of Government. Its intent was to prepare the regulatory ground for regionally planned action in the light of the goals of the Environment Protection Act (1979) and other relevant acts. They must be considered together in any regional planning and related service delivery with the goal of more sustainable development in place. A discussion of the University of Sydney Sustainable investment strategy is attached for your consideration together, in the open. This is not a new direction. It follows one sought at the end of World War 2 by those active in setting up the United Nations, like Australia's HV Evatt (Murphy, J. **Evatt: a life**, 2016.) Attaining standards of health and safety for the public is the ideal lifeblood of association, which is cooperation. Competition is ideally judged in related environmental light.

Your attention is drawn to the important advances only briefly made by all Heads of Government after Hilmer's **National Competition Policy** (1993). Legal treatment quickly and expensively ignored the Report regional considerations in favour, apparently, of a lot of new court business as usual. Nick Greiner found this too as I discuss later. Fred Hilmer's report explained matters comparatively clearly for the generally educated public and provided a useful definition of competition, rather than leaving the matter to Court and law, which time and practice increasingly turn into drivel. Anti-competitive conduct is anathema to the Court in circumstances where the only intent of law appears to be to state the case that secret competition is better than that. **We are all workers, consumers, electors and investors now.** I remember when we used to talk about a level playing field, not this crap.

Radically, Hilmer first defined competition in economic history terms, as: *'Striving or potential striving of two or more persons against one another for the same or related objects'*. (Dennis, FG. **Competition in the History of Economic Thought**. (Hilmer p.2). This was preparation for regional program and project development in the interests of all Australian people and trading partners. Hilmer also asked and answered the question: *How should nine governments be accommodated in a single national policy?* He made the point that while the simplest notion of competition sees firms providing identical products or services and competing largely on price, work in business strategy suggests that this is the exception rather than the rule. In practice, competitions occur through firms seeking to provide different mixes of benefits to consumers, some of which are already reflected in price and others of which are reflected in other elements of value to the customer, such as service, quality and **timeliness** (my emphasis) of delivery. (Try looking at IT like China.)

Legislation should have clear goals and definitions which all may try to consider and enact in the global public interest of which our own are all a part. Ideally, this is undertaken in more regionally open and cooperative terms, rather than in comparatively closed and purely financial consideration of one's own family or other personal goals of association. I address a related article, ***Fels backs Sims over need for review of M&A*** (mergers and acquisitions) later. This is done in the light of Sim's view that merger laws are failing and need reform to ensure they conform to the relevant section of the Competition and Consumer Act (2010). Section 50 apparently forbids mergers which the ACCC considers anti-competitive. The ACCC is fatally flawed in its fetich for competition being held as the public good above all. Sim's wife must be exhausted and one fears for the children. However, we would surely all like to know who thinks they are coming to take over our country, especially if they are very big. (This simple insight was always lost to lawyers so US cheating gambling filth is global now.)

### **TIMELINESS IN TRADE IS TOPS. THE TRADE SHOULD MEET THE PUBLIC INTEREST IN KNOWING AND UNDERSTANDING ITS BENEFITS FOR THE COUNTRY THAT INCLUDES THEM**

In '***Payment rules fit for digital age***' I was surprised that, as Treasurer, you do not appear to concern yourself about **timely** payment, let alone **timely** receipt of goods or services in your regulatory aims, expressed earlier above. Lack of **timely** payment for products and services rendered, often appears to be a key issue in business failure. This has been of ongoing concern in the construction industry, for example, according to various Australian Royal Commissions and state inquiries in past years, especially since the global financial crisis of 2008. It began, as I'm sure you recall, in US housing mortgage and tax treatment. The recent extraordinary rise and collapse of the Greensill and Gupta steel and property empires was presented and analysed widely this year, on Australian TV and in the press. As I understood it, Greensill was offering to act as a financial intermediary between large and small contractors and wage earners. This was in order to solve the problem of slow trade and wage payments in the competitively failing steel manufacturing and construction industries. Both industries have been vital for maintaining Australian manufacturing jobs and have been relied on for manufacturing prosperity so far. The Greensill and Gupta linked financial edifices, which also bought agricultural land, steel mills and luxury property, quickly collapsed. I guess multiple party lawyers are now arguing over spoils to Greensill, Gupta and the other lawyers who assisted in the original 'service' establishment for vast reward.

The above led me to seek the full terms of reference of **Scott Farrell's** inquiry for you, to read the report and conclusions myself. However, I found this Google exercise confusing and gave up to concentrate on your article and related others in the daily press. You address key regulatory institutions you name in acronym only, mainly about business mergers addressed by the ACCC. God and real estate agents would usually know most about land and property acquisitions, I guess. But these are State matters which I guess begin with local council development applications in many cases. Cooperation is needed for sensible and informed treatment in markets, let alone for governing the rest of the state. It will educate all of us more if cooperation, which is necessary for knowledge, also works to shape markets in the public interest of the people politicians are supposed to represent.

**Competition and payments should not be analysed by you and Scott Farrell, in the absence of prior awareness of the broad and historic trading context of any work operation and any exchange of goods and services. It is foolishly partial to treat the person or organization narrowly, according to financial criteria drawn up by lawyers, who also control all law making and practice. They do so as**

**if they had no interests of their own, but only reflect those of Law. From more scientific and democratic views, the legal practice is an expensive, stupid, monopoly over treatment of the trade and development of people. Public servants could do better but didn't have the guts to try.**

**Once reasonable report and opinion is taken over by lawyers and the courts it reverts to arcane views and practices which appear abhorrent in any context valuing fairer trade and more sustainable development. This is addressed in the discussions below and attached which relate to the current status and future of women and children. Open up in terms we commoners get.**

In 2018, **the Independent Review of the NSW Regulatory Policy Framework** chaired by former Premier, Nick Greiner, found there was far too much expensively conflicting legal red tape. His Panel agreed with the Auditor-General's assessment that overall, NSW Government initiatives to reduce red tape were not effective for long and this appears consistent with evidence from other jurisdictions, and from broad stakeholder feedback. The legal family often appears to be useless to any but themselves, although they never spell out why. I have often read, for example, that the police may be unwilling to take a case to court because the criminal court demands an impossibly high standard of proof if nobody witnessed a supposedly shared event. The legal dream, however, is also that their client should be allowed to act in secret, under their guidance. It keeps the rest of us ignorant and under control in contexts where politicians come and go but lawyers' interests go on forever as they turn events from financial booms to financial busts for the 'competitive' big and little guys of the world.

Construction, for example, has held many inquiries because small businesses, which have supplied the materials and done the work, are driven broke by late payment or no payment by big businesses that may fear their own collapse in any economic downturn, sudden or not. The AFR was not on the side of the outside workers. Before the global financial crisis of 2008, driven in US mortgage treatments, the AFR put the rate of small business failures in construction down largely to their own stupidity. In 2018 the Australian Small Business and Family Enterprise Ombudsman launched an inquiry into access to justice for small businesses. Small business owners experience a power imbalance in their dealings with big business and governments. This can stop them from pursuing the court system because of the cost, time and resources involved. They may also need to be taken on by the same employer who let them down before. Repeatedly, small businesses have pointed out that non-payment, late payment and irregular payment by customers are also terrible problems for their survival. Who do you think multiple new ways of using IT to buy and sell have helped or hurt most?

**Receipts and payments appear preferably judged together for good governance in any regional context.** This policy and related governance exercise ideally should be conducted in the light of potential costs and benefits suggested in the broader regional frameworks of which all Australians are rightly a part, and which government is ideally elected to represent. To look at any payments system without considering the nature of the exchange is dangerously lop-sided inquiry. It is particularly likely to lead to wrong conclusions if competition is viewed as an unalloyed public good. Yet this is what the ACCC is doing now. Sims would like to do more in future, as discussed later.

In **'Payment rules fit for digital age'** your view appears to be wrongly directed and partial. This is because it seems based on a wrong view of the unalloyed benefits of competition for the Australian public. However, surely the **timeliness of the payments system** must also be of considerable concern in any **relations of exchange**? Surely, **receipts and payments** must logically be conceived and treated

together in many cases? Related matters of global professional and family **open association or cooperation** are addressed again in a services economy context to better direct the US manufacturing one which drains us. This is done to help ourselves and others gain better security for current and future generations with the wish to achieve more sustainable development globally and locally. The situation of women and kids, who men may conceive as God's gifts, or not, is addressed in WHO terms later.

#### **ARE YOU AND FARRELL HELPING THE US HEAD OFFICE TO DESTROY US THROUGH IT?**

A key proposition is that your inquiry and Scott Farrell's on your account, should not be driven by automatic acceptance of the unalloyed benefits of competition for serving a broader public interest, where many clearly value benefits of occupational and other association as leading to expected standards of social protection against high risk of injury or death. Cooperative association may be more vital for life than competition. However, the potential or certain death or injury of all humans and many projects must be faced in analyses such as the ones you front. I comment on related ACCC matters discussed in the AFR later, with particular reference to mergers and the rights and duties of changing Australian governments elected in service to changing regional communities. Basically, Rod Sims appears to make silly suggestions for legal change in future, which many dislike, and Jennifer Westacott of the Business Council of Australia (BCA) makes key sense.

Like marriage or other contracts, this is a trading system of receipts and payments in which both sides of any trade (in money, time, status, psychic advantage, etc.) ideally deal as part of the national public interest in maintaining or increasing general wellbeing, rather than just productivity. Whatever the outcomes of covid, for example, current governments, starting in China, have put health concerns as a result of covid first, for many reasons. **The NSW Department of Fair Trading is at least well-named for its functions.** I address poor Australian competition policy in the light of more cooperative understanding that was briefly found by all Heads of Australian governments after Hilmer's **National Competition Policy** report. Lawyers have buried any good sustainable developments since as usual.

**Exchange involves receipts and payments.** As you state: *'Ultimately, if we do nothing to reform the current framework, it will be Silicon Valley alone that determines the future of our payments system, a critical piece of our economic infrastructure'*. Too right, mate, except you won't have a clue whether the head office is in Silicon Valley or the Philippines or someone's back yard next door. If they don't want to know you any more, then that's the end of that. Baby, they've got your money, key details about more, and they can change their rules any time they like. You are the bunny, holding the can. It's never been like this before the iphone seriously wanted us to forget the laptop and joys of Microsoft Office for good administrative communication and practice. Tim Cook never heard of the joys of good administrative practice and cooperation and Apple don't want to be held up either. These US guys and their lawyers aren't working for us. For Christ's sake look at China.

#### **WHAT SCOTT FARRELL WANTS FOR YOU I WOULDN'T TOUCH WITH A BARGE POLE**

In **Payments fit for a digital age** You claim that Scott Farrell recommends a stronger role for the federal government through the Treasurer in setting the strategic direction of the regulatory system. This is supposed necessary for a consistent policy approach. One is left to wonder what the aim of the overall exchange system (as distinct from just the payment system) is expected to be. The clarity of the service **aim** of the regulatory apparatus and the nature of the services

established to support its potential achievement, appear as the major factors in assisting any regional judgment of the effectiveness of any service delivery. The position of Treasurer is central to this ongoing national and regional evaluation. It may also lead to action to make any service corrections in future. This is a global approach.

You claim Scott Farrell recommends regulators strengthen their coordination and adopt a more functional approach which requires the regulator to look at the nature of the service, not the entity that is providing it. It certainly seems an unusually good idea to ask what the **aims** of a particular service enshrined in legislation are, so one may also judge whether the **service functions** actually achieve these aims for government and for the national community of Australians and others that its actions supposedly serve.

According to Farrell, there is overwhelming feedback that there is confusion as to which regulator a new entrant (to a market place?) applies for regulation. I am not in the slightest surprised. The use of many acronyms gives little clue about what the regulatory functions and related services to the Australian public through any licencing of any service providers is supposed to be. One may visit the Australian Securities and Investment Commission (ASIC) website, for example, and gain little or no idea of what the organisation is supposed to do for the Australian people and where licencing some of them to deliver a service fits in. The legal emphasis on the benefits of association (free or not) are trumpeted from any university and by its professional families and their associations, whatever they are. If one is interested in the Australian public interest, as you are surely supposed to be, the benefits of competition and association are ideally judged together in regional regulatory contexts. Professional standards and related associations are held dear for good reasons of public health and safety, particularly in science, technology and engineering, rather than law.

Let us celebrate the name **Department of Fair Trading** because at least the fucking idea makes sense if you want to serve the public interest as I'm sure you do. In general, **the current emphasis on competition as if it is always a public good** is not helpful. I discuss articles written by Rod Sims, Chairman of the Australian Competition and Consumer Commission (ACCC) and others about mergers (and acquisitions?) law later in a related context. However, you also treat the **framework** ('regulatory architecture'?) of the payment system without ever clarifying what the various key institutional acronyms you use are supposed to mean, whether their institutional operations have public interested based **aims**, or key **definitions**, and what the particular institution is supposed to be doing to achieve them. This is hardly a practice which enhances any more generally educated understanding, as distinct from the tendency for those involved in any process to call in lawyers in order to save themselves time and stress. See a related discussion attached on the Australian Archives and matters of professional judgment which should have been made more easily years earlier, and with far less cost for all involved. All of us in Australia pay.

The basic problem I also see in the AFR articles about mergers, discussed later, is that competition is not the main ideal server of the public interest any more than cooperation, which is only another form of association, is, open or not. Both competition and cooperation through association are needed for a good future which starts for us with policy making. In your position as Treasurer, you appear confused about you own function, which is to serve the interests of all the Australian people. These include all individuals now and the mums and dads of the future. I used to sneer at the AFR when it first used this term. Now I see that it is vital to broader global and regional understanding. (*The Mommas and Poppas* were right! See more on Popper in Middle Eastern,

Islamic, Chinese and Australian trading interests attached. I advise on health, education and other **Soft Power** services, under guidance of the book **Xi Jinping, The Governance of China** and others. One sees only half the regional picture by following the legal opinion which clings expensively to outdated and secret adversarial practice. President Xi called upon readers to **Carry on the Spirit of Mao Zedong Thought**. I have often tried to do so. See my book **Power Loving (2020)**.

Microsoft Office was a brilliant global system of clear and simple communication and filing available to all in English. Then Hilmer was put into law and multiple legal idiots operating with piles of secret verbal and written rubbish took over the lot as usual. This is a dangerous time and I seriously wonder if you and your mates are helping, especially all the lawyers.

I write in the service of better informed regional and cooperative understanding, in support of World Health Organisation (WHO) directions. I do so to help improve safety and effectiveness of Australian payment systems through fairer trading in this case. Doing so necessitates better understanding of regional contexts of professional and family association to link policy development with better evidence-based practice, so policy derived from theory and practice may better inform each other about life and its **associations** as well as **competitions**. Trading is **exchange between parties** and is with us for life. Don't deny paid and unpaid **cooperation** with others who are closest just because the top power of secrecy and denial of your closest associations means that you can. This is most unhelpful in an era when China and other Australian trading partners are facing global warming. Globally we all must encourage producers and consumers to greener behaviour which is also assumed to be more sustainable, until this view is challenged by better evidence. It comes from global, regional and local environments around us as individuals.

#### **THE ACCC SHOULD NOT ADDRESS MERGER LAWS AS IT SEEMS TO WANT TO DO AS USUAL**

As a reader of the Australian Financial Review, and user of the National Bank of Australia, I have strong confidence in RBA and bank operations as I have long read about or experienced them with a reasonable degree of simple understanding and without any ill effects from any performance of their comparatively simple automated receipts and payments functions for me. I am amazed, however, that anybody can make their way around the Australian Securities and Investment Commission (ASIC) website. Although it supposedly exists for business; financial professionals; or consumers; I can find little statement of organisational aim or explanatory statements of its functions on the website. The person who presided over the creation of the website should be shot. What is this organisation supposed to do for people at a glance? I've absolutely no idea, have you?

In this pig-ignorant state in which you receive me, I would like to discuss views of mergers (or acquisitions (?)) which Rod Sims also addresses with reference to roles he proposes for the ACCC in relation to them in **'It is the ACCC that is flawed, not the merger laws'** (AFR 30.8.21, p. 45). As Sims states: *'Many Australians will be surprised to know that Australia does not require companies to obtain ACCC clearance for mergers'..... To stop a merger that we consider is anti-competitive, the ACCC must persuade the Federal Court that the proposed acquisition is likely to have the effect of substantially lessening competition in future, in breach of section 50 of the Competition and Consumer Act 2010 (the CCA).*

As the AFR states in an editorial (3.9.21, p.38): *Mr Sim's call for a debate on Australian mergers follows a string of ACCC defeats in the courts. His speech called for a debate on the long-standing merger laws that require the ACCC to prove that a particular merger would be likely to substantially reduce competition in a particular market. Mr Sims wants a lower bar so that 'a high degree of*

*certainty' is not needed, just that the likelihood that competition will be lost is 'not remote'. This effectively flips the burden of proof onto companies.*

In **'Samuel slams Sims' merger reforms**, former competition 'tsar' Graham Samuel is quoted as stating Sim has already lost 7 cases in the Federal Court and he doesn't think Sim's plan for improvement will be better. Competition lawyers from Gilbert and Tobin and Corrs Chambers Westgarth think Sim's proposals are unworkable and extreme. Elizabeth Avery, who heads up the competition practice at Gilbert and Tobin thinks the current informal clearance scheme through the ACCC *'actually works well and the ACCC controls the outcome in the vast majority of cases.'* The guy from Allen and Overy agrees it's good. Deborah Healey, a professor at UNSW Law School adds: *the need for reform to reflect the realities of the modern economy is most evident in the technology industry, with digital platforms subject to tougher merger approval standards than the broader market under Sims reforms.*

In **Fels backs Sims for review of M&A** (AFR 30.8.21, p. 3) Jennifer Westacott, who heads up the corporate industry association, the Business Council of Australia said the changes Sims proposed *'will be another blow to a business-led recovery. What we need now is government, business and regulators together having a laser-like focus on creating jobs and new industries to ensure Australia has another 30 years of economic growth.* I agree.

### **WHO THE FUCK AM I TO SHARE THE SPACE WITH LAWYERS?**

I am a grandmother who retired from teaching at Sydney University in 2007, after also working for over a decade as a NSW public servant in industrial relations and employment, communication and education practice; followed by occupational health and safety, rehabilitation after accident and insurance matters. This was in a state model quickly torn apart by legal and financial forces through common lack of understanding and the common desire to keep doing what gave lawyers more money and control over the affairs of state.

There is great need to conceptualise competition and association in regional contexts of seeking wellbeing now and in future. This is the case whether elections occur or not. An evidence-based approach to service is more easily seen in health care provision because normal science, technology, engineering and their related mathematics usually operate on price in the relative commercial and historical dark, so hardly anyone, including the legal practitioners, can see or understand what they are doing. We have usually trusted the expertise and welfare that commonly came to us from health and engineering professional training and association. We don't wish to see our trust in the capacity for maintaining welfare standards evaporate further. It may do so through the normal antics of lawyers serving themselves in IT and product marketing systems in which financial forces may often have strong product *'pump and dump'* interest. Alternative WHO directions are attached.

I urge this course on you as an old woman also dying to see Nixon Apple, the recipient of 2020 honours for services to superannuation and trade unions, following the Queen in 2019. My guess is that he barked up the wrong tree for years and I want to learn more. He lives in Melbourne and has ignored all my attempts at contact since he left me in Sydney. Please bring him back for a meeting and chat because I hate Linked-in and think it is stupid. I don't use Twitter either.

Cheers

Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney  
2037 [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)



To the Treasurer, the Minister for Trade, Immigration and Investment and Others

**IN A LAND OF PLENTY MORE: NOXIOUS CONSTRAINTS OF AN OUTMODED ECONOMICS DISCIPLINE  
IN THE GLOBAL TRADING ERA (DON'T MENTION THE LAWYERS?)**

Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney  
2037 [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)

**Grandma tackles the article 'The case for a four-day work week', before global trade and immigration directions and investments. The regional discourse is vital to address our global children's lot in production and competition over the earth, in water and climate.**

As a grandma at home in the house and garden I only know what I read in the papers and enjoyed Jessica Irvine's clear and thoughtful Sydney Morning Herald article '***The case for a four-day work week***' as usual (SMH 14.9.21, p. 27). It makes good sense in the Australian welfare state, which is comparatively wealthy, to consider peoples potential allocation of time to address their own current or future wellbeing, as well as their financial interests. My daughter, for example, was lucky enough to be able to combine a four-day week of paid work in the State Library with university study for many years after she left school and has usually preferred life thus. Today she works for the Biodiversity Conservation Trust (BCT). Is this part of the new sustainable future or another way for land and property rights buyers and sellers to make more money by extracting more value from the earth faster? My daughter gets sick of my questions but I hope the Deputy Premier is looking into this. (Don't talk to me about insider trading because I assume we now have it in marriage on steroids. Any girl knows that a really good relationship is about sharing. The money or the box?)

As an aside to the case for **the four-day work week**, I refer you to the Sydney Morning Herald article '*NSW to review biodiversity offset scheme*' (SMH 7-8.9.21 p. 12). Deputy Premier, John Barilaro is doing the review. In reference to all carbon trading and supposed offset schemes, I get the bit where the guys involved with doing stuff to current resources get more money for their property up-front. I always wonder, however, if and how the supposed conservation business offsets are delivered. Nothing that has happened since McLean and Elkind wrote '***The Smartest Guys in the Room***' (2004) about the rise and fall of US 'clean energy' giant Enron has changed my fear of normal men much. Press report of the partial collapse of gigantic Chinese property developer Evergrande, however, states it is '*set to follow the standard playbook for government led bail-outs and restructuring programs*' according to ***Lessons from Evergrande and the US debt ceiling*** in the Australian Financial Review (AFR 27.9.21, p. 2). This is addressed later in the Australian construction context.

On rereading '*The case for a four-day work week*', I mainly wondered how much Australians should care about **productive** work, research, invention and testing, rather than **useful** work, research, invention and testing for wellbeing. Innovation has become something of a dirty word to me as it

often appears commercially undeliverable, trivial, unreliable, culturally incompatible, and short-lived in commercial and cultural reality. Immigration and trade are addressed in regional contexts later under the global and regional trading arrangements currently being formed. This is naturally an appeal to Australian farmers rather than to overseas investors first, before they start belting the hell out of the land suddenly, one morning as usual, as we awake.

I raised related concerns attached, about global and regional planning and **competition** policy, with the Treasurer, Josh Frydenberg, in response to his article '**Payment rules fit for digital age**' in the **Australian Financial Review** (AFR30.8.21, p. 42). As the Treasurer stated: '**Ultimately, if we do nothing to reform the current framework, it will be Silicon Valley alone that determines the future of our payments system, a critical piece of our economic infrastructure**'. I also fear inflation of our housing prices by rich overseas buying interests. This increases social inequality. Their process also promotes size increases in the building envelope, not parks and gardens which have so many welfare benefits for everybody. The job of government is primarily to represent the interests in the particular region of Australia, not cater to comparatively rich and powerful global interests in secret first. The worship of productivity must be found wanting.

I discuss **productivity** first as Irvine accepts its key importance in '*The case for a four-day work week*'. I bet many people would love to do less paid work instead of always working more, whether they get more money for doing so or not. I often admire the clarity of Irvine's writing and its capacity for demystifying economics merely by addressing women's interests more centrally than usual. This is distinct, perhaps, from following the mathematical disciplinary mystification as it has been increasingly introduced in economics. Ross Gittins made a longer news career adding 'new' psychological insights to enhance the economist's mathematical choice and career prospects, using new IT software and on-line testing, etc. No doubt US psychologists and others were charmed by the numerical turn of events. I have seen a lot of it as bullshit in, bullshit out, however, having passed the general assumption that numbers and a scientific view are as one. Somebody should tell the US because it might save them from selling guns to big and little guys under the wrong Constitutional impression globally that guns protect their families instead of murdering them. How could you sleep with gutless lying human filth like this, especially in universities?

Especially since the bail-out of US banks in 2008, the term **productivity** has revealed itself more clearly as a limited, unfit, partial tool of past economic, political and legal associations in key cases. It appears to be the result of top professional ideology and related propaganda. The Reserve Bank of Australia website states, for example:

1. **Labour productivity** is defined as output per worker or per hour worked. Factors that can affect labour productivity include workers' skills, technological change, management practices and changes in other inputs (such as capital).
2. **Multifactor productivity (MFP)** is defined as output per unit of combined inputs. Combined inputs typically include labour and capital, but can be expanded to include energy, materials and services. Changes in MFP reflect changes in output that cannot be explained by changes in inputs. (Me: Can you adequately measure this stuff?)

This **productivity** emphasis denies good consideration by any, let alone government, which is paid to do it, of the land and environment surrounding a paid employment relationship or far from it. More

time may be better than more money to many living in the comparatively wealthy welfare state, which Australians have built over many years since the federation of states in 1901 under Constitutions originated from British penal colonies. (It's a nice place.)

The religious have historically worked for the church for free or for board or a comparative pittance, because of religious conviction. Surely a lot more of us should have that choice today. Many may not want to seek money by devoting their time to supporting what may be a noxious product, like DDT or others, to those who know about the risks and effects of production. Because all Australians have fewer children to support today and don't expect them to be able to support us financially in a comparatively long life, we may all be seen to have more choice than others about our allocation of time in work, paid or unpaid. Surely many of us feel rich enough already and should be encouraged to enjoy more free time. I was frightened of retirement before I did it and I know many men are far more scared of it than I am. They don't need to be because they have plenty of money and assets already. Because they have spent so many years in association, they are frightened to stand by themselves. Such men should be persuaded to give old-fashioned habits up and be free.

Disability is more accepted as a natural condition requiring government support in Australia. The good future lies in developing key services from the bottom understanding, not the top. I can naturally see where Facebook, Linked-In and Twitter fit into internet related on-line sales and communication, but give me MicroSoft Office email and attachments instead. In my view there has been nothing better for developing comparatively democratic and scientific common-sense records across the English-speaking world. Although u-tube is great, many of the alternative IT developments in communication and recording since, appear too business tricky, consumer resource intensive, culturally incompatible and thus stupid in comparison. Try being useful instead of innovative. This is never to deny the utility of the mobile phone, texting and photos for fast and effective trading and related personal entertainment uses.

I recall the days when women were thought of as being part of a reserve army of labour, along with recent migrants, youth and others, to be drawn in and out of paid work as the times and primary labour forces dictated. The reserve armies of labour appear mainly revealed in the press today as back-packing travellers, students and more recent immigrants or global refugees. Globally, refugees are a huge and increasing group devastated by poor and extreme competition over resources which have been increasingly subjected to sudden collapse or destructive erosion of one kind or another. The global pace of financial ponzi-schemes so often based on land and housing construction, management and political power speed up, before crashing as usual. When reserve armies of labour go home, as many did in the current covid pandemic, Australian regions face labour shortages of the kind they want.

A substantial Sydney Morning Herald article '*China's house of cards shows its hand*' (SMH 24.9.21) about the near collapse of property giant Evergrande, suggests Chinese entry into global markets had its downsides. Major changes in the normal investment directions appear necessary in the face of a shrinking Chinese population. There are related Chinese inquiries into the poor social effects of intensely competitive entry into global education and gaming,

online or not. Getting rich may not be so glorious if intense competition leads not only to more demanding paid work, but to unnecessary social inequality and major instability while the rich and well connected get richer through travel, association and land and property acquisition in other richer parts. When the global financial crisis came in 2008, led in US housing, key banks were bailed out by US governments. In China, the Evergrande building program was allowed to fail in 2021. Apparently, the Chinese government's balance sheet *'will be deployed to soften or offset entirely any blow to real-economy creditors, such as apartment purchasers, employees and suppliers. In doing so the impact on the economy will be contained. Conversely, the big end of town investors are deemed capable of absorbing losses and will be called upon to do so.'* (Tamar Hamlyn, AFR 27.9.21, p.20.) The big US banks had already shown the world how quickly they could recover from 2008.

**Surely the Australian governments' way forward should commonly be like the Chinese one in construction company collapse? Why not tell us more about this clearly?**

In President Xi Jinping's book **The Governance of China**, the chapter **Economic growth must be genuine and not inflated** contains a speech delivered in 2012. It laments that the conflicts between the environment, natural resources and economic growth are becoming more serious. Xi urged pursuit of efficient, high quality, sustainable growth, starting with agriculture and farmers. I think Governments should do and support what seems *useful now or in future*. This may or may not also do well if brought to market, which periodically ends in collapse. The key associates stand in the way supported by convenient assumptions about legal privilege and economics.

I assume, wrongly perhaps, that the Gates Foundation, as a global charity and research foundation, is geared up for better regional research approaches. Does the Reserve Bank of Australia or the Australian Competition and Consumer Commission (ACCC) know about these issues, for example? I tried but never understood how carbon trading or biodiversity offsets are supposed to do anything except make traders more money to fish the seas more efficiently, for example. Please explain.

**Population, participation, productivity and our new Minister for Trade, Dan Tehan**

Irvine's article on the **four-day work week** reminded me of the days when balancing prices and incomes and budgets were all the rage with Australian Labor forces and former Liberal Treasurer, Peter Costello. According to **The Costello Memoirs** (2008), in a speech in 2002, the Treasurer spoke of the law (sic.) of the three Ps – **population, participation** and **productivity** (p.320). He writes that Australia's economic growth is driven by the **population** of working age and that the higher their level of paid work **participation**, the higher the level of economic **growth**. The higher the **productivity** of those **participating**, also the higher the level of economic growth. Should one endlessly worship growth and competition in the paid labour market for a start? It seems this drives a primary dysfunctional quest for more pay, and a comparative disregard for the fitness of the worker or the regional job which is produced in the political process of associations. I guess this particularly appears to be the case at the upper career levels which are more susceptible to labour market closure to any competition, and also to misplaced paid work demands.

Australian men used to discuss prices and wages as if the national equilibrium, where prices, incomes and budgets were well balanced, could be gained by **productive** relations in markets, and by

fair wage and career standard setting. Disputes were settled in arbitration and conciliation tribunals attached by governments to courts. Gearing up for war and rebuilding afterwards has traditionally been deemed productive by Empire forces and it is no accident that the International Labor Organization standard setting functions, undertaken by big employer, government and employee associations, persisted comfortably through two world wars. Investment is normally carried out with government support, on secret grounds or on faraway lands. Competition for land and resources, including labour, now appears best if globally carried out in the open, not in so many secret associations. This seems necessary to avoid more land, natural and social assets and population destruction.

**Overpopulation** in any nation, region or household may be a threat to budgets and wellbeing that increasing comparative labour **competition, productivity and growth** may never address, let alone overcome. Traditionally, work done in the family setting may or may not have been paid. Free caring may also be very valuable and a lot of it goes on in many small businesses, whatever they may be. In richer households globally and locally, participation in paid work may now be comparatively over-valued in comparison with the returns, psychic or otherwise, which come from more free time to do more for any land, person or other love.

Since 1990 Australia has accumulated gigantic funds for investment through passing national superannuation guarantee legislation which involves all employers, governments and other paid workers in saving for retirement and investing well for generations after baby boomers are dead. Regular financial crises, often fuelled in land sale and building construction and management suggest it is vital to manage these funds openly and well so we all have more time to do what we want rather than only what somebody is able to pay us to do. The wealth that new technological inventions have helped create for all in natural resource extraction technologies and other industries mean that many people now have more choice about how they allocate their relative wish for more time or money. Many older men should be encouraged to work for free as they already have enough money. Their incomes could be foregone, for example, to be ploughed into good work offsets. I read the Kyoto Treaty closely. In spite of reading the financial press every day I have never understood how and why carbon pricing and related offset measures are expected to achieve anything except more money for the usual guys than they would have got before.

The term, *useful* rather than **productive**, appears better constructed to help any women and children left behind or comparatively impoverished by normal male growth, paid work and career expectations. I addressed the role children play in accounting for women's and each other's welfare, in response to the Treasurer and others, after his article on reforming payment systems, competition law, business mergers and acquisitions. Hilmer's **National Competition Policy** (1993) led the way for Australian Governments to begin thinking better about how to protect and enhance any regional public interest in wellbeing. However, the usual professional closures, topped by lawyers, soon drove this back to secret financial business as usual. How will the world and Australia open up from the covid pandemic lockdowns and can it change the direction of production to good global effect? (No idea.)

Since reading *'The case for a four-day work week'*. I got an email from Dan Tehan, current Minister for Trade, Tourism and Investment, from the rural Victorian seat of Wannon. He addressed the **Agricultural Worker Visa** which it is hoped will provide a long term, reliable workforce for critical

industries at critical times, such as harvesting. Supposedly, the Visa will be in place by the end of September 2021, with the full program implementation complete within three years. Dan Tehan was also on ABC TV at the National Press Club, talking about his promotion of the **Comprehensive and Progressive Trans-Pacific Partnership (CPTPP)**. Apparently, this is the growing association of nations into which China should necessarily be welcomed in the interests of addressing global and regional trade and related catastrophes, or ongoing destruction, pollution, corruption and waste. This cost is felt by those outside normal men's powerful associations dominated by military or lawyers.

Tehan travels to Paris to talk to the Press Club and others about the CPTPP soon. Ooh la, la, I wish I could go with him and take notes and express a few thoughts back. What would you prefer to pay for, an old-fashioned secretary over all your matters or a lawyer who types with two fingers? I am incensed about overpopulation as well as sexual harassment being ignored as usual across the world because it is also a major driver of social inequality. UK PM Boris Johnson, former Vice Chancellor of Sydney University, Michael Spence, and many other leaders have far too many children between them and should be ashamed. As Peter Costello pointed out, Australia has encouraged a limit of two to three children per couple since the beginning of the twentieth century. Ask Labor leader, Anthony Albanese, about the traditional goodness of his migrant mother, the church and the usual Australian Labor Party connections. Multiculturalism isn't just about a lot of new housing over here.

I question productivity as well as competition as inadequate financial substitutes for free time and wellbeing, which rich representative governments and individuals may often seek, rather than more money. The comparatively rich may or may not have time and means to enjoy or enrich themselves in psychic terms. Psychic terms, however, should not be overlooked in any welfare state. Doing so may entail a lot of ignorant and wrongly directed expense because of the comparative power of normal specialist associations. The increasing costs of production related to any maintenance or renovation should be considered better in regional and related place and risk-based terms. This is discussed later and attached.

I am far from as convinced as others, including Irvine, appear to be, that new IT advances will make us ever more productive, rather than assist rich interests to strip the lot better in future. This emphasis on productivity also appears like saying trading regions can't have too many kids, guns, lawyers, drugs or casinos for wellbeing. Today the technological drivers seem increasingly to bring multiple new 'pump and dump'; IT and related productions. They may in fact be environmentally destructive of more orderly moral associations and advance.

I attach related discussion on women and children's rights in a supposed global era of sustainable development goals. I recommend taking President Xi Jinping and his directions in the book **The Governance of China** (2017) far more seriously. They are clear, authoritative and comprehensive. The open expression of the moral sentiment of the powerful is all that we women have usually ever had to back us in opening up the lot to broader scrutiny for broader understanding of the people. Otherwise, the men walk over us with their ignorance, cool neglect and associated secret competitive or violent actions. Legal privilege supports the normal male view that a man's

best defence is to operate in secret. The law routinely equates ignorance with objectivity in its blinkered pursuit of its standards. Police are called in to deal with difficult people on the street in the last resort.

One wonders if the impact of the **Agricultural Worker Visa** on the families and land left behind will be of public interest anywhere in these transactions of concern to any travellers paid to come and work on Australian farms or in other regions. If not, it seems a pity from the view of children, disabled and old people ignored in any regions where they have been left to fend for themselves somehow. The global economy, regional standards and their monitoring appear necessarily to depend now upon the better association of key factors of production in particular regions. However, Fiona Simson said on The Drum on ABC TV that the **National Farmers Federation** members do not wish to police expected labour or other standards of production. They have apparently taken this stand because of the conflict of interest this may bring to their association membership. It seems a common but growing problem of association, if standards of all covered by it are supported, whatever they may be. That certainly seems to be the normal blokes' attitude from the top to the bottom.

Rising housing and mortgage repayment costs are often feared but few discuss ongoing building management, renovation and related on-costs in state efforts to provide jobs, jobs, jobs, for industrial mates who are usually living in Sydney. From personal experience I get the impression state construction interests are now inserting as many lawyers as possible into building management and renovation arrangements on shared grounds. Shared ownership of land and related erections should be more open to key service cooperation to manage vacant or apparently orphan land and buildings better. The normal male behaviour appears to drive people into adversarial relations, however, even when they are family members and would prefer to avoid them. Strata or other land and building managers appear more knowledgeable and experienced than lawyers in regard to particular grounds and their assets. They should be advising and working more openly with governments and construction industry interests where the land owners and their surrounding interests are taken better into account. It appears best for Australian residents if they are able to do so without the confusions of multiple lawyers apparently following any old aimlessly stupid, straitjacketing law to its conclusion. Farm and other key commercial managers also appear in positions to understand their regional matters so all may act better more openly. More open regional and non-profit approaches to development to meet international goals are addressed in attached files on Sydney Uni. sustainable investing and in other associations.

Like **competition**, the concept of **productivity** as an unmitigated good or service to families appears comparatively outmoded. I have met many researchers, for example, who have not had the satisfaction of their research being tested or used in the way they would like, rather than in some expensive commercial frolic for a comparatively trivial product which failed soon enough. Work should not have to depend upon the standard commercial conditions being right as much as on the open and broadly judged utility of a product or service. Then some regions may wish to try it out under comparatively broad and informed scrutiny to assist general understanding and wellbeing. While the Trade Practices Act assumed a natural equilibrium between **traders**, long before the advent of the services economy and welfare state, the Australian Competition and Consumer Commission (ACCC) appears to be acting as if the comparatively recent concept of

the **consumer**, let alone a broader public interest, should not interrupt the supposedly more competitive operations of business as usual in secret with lawyers. Baby, you've got rights but you really always need a lawyer?

The moral point of international standards, including those related to the International Declaration of Human Rights, is not to wield them higher above the average head, especially above an educated and experienced one. Lots of people may openly agree to share the same lawyer in clear and free deliberations on any particular ground, for example. The goal in national and regional life should be planning to give one something to argue against on the ground, in terms of the particular regional interest. Growing cotton appears productive, for example, but does Australia need more or less in the light of common water shortages and the increasingly rapid throughput and wastage of cotton product? (I've no idea.)

Development should primarily be **useful** rather than **productive** for governments to avoid key unintended consequences of its support. This raises issues about the related treatment of charitable and family trusts and associations. The more openly these are designed to serve the key stakeholders in services well, the better. On **Landline** on ABC TV, for example, I saw farmers who had invented a wire clip, for fixing wire to fencing posts well, fast and with comparatively little effort. Whether this makes money or not by being able to penetrate the various hurdles and costs in global markets effectively, the clip appeared well manufactured and useful for many rural purposes which deserve support. On ABC TV I also saw the story of a high school student of Vietnamese parentage who invented an IT application that fire brigades are developing to locate and prevent fire outbreaks in particularly threatened state areas. Surely this is the kind of behaviour which is best encouraged in the open for results which can bear psychic advantages with greater time or financial benefits or not.

### **Key regional conclusions presented to the Treasurer, Josh Frydenberg and others**

Government supposedly exists to serve the regional communities which elect it. The notion that governments promoting **competition** is always good is wrong. More open association may achieve many jobs better in ways more useful for public wellbeing. Promoting **productivity** as the key good in government and economic discourse is also wrong. The powerful US '**competitive**' embrace now appears to have led to rapid world domination by giant US IT trading platform interests like those supporting Facebook, Apple, Amazon or sports and casino or other gambling. This appears likely to drive ever more rapid increases in inequality and environmental destruction unless government can be better used as countervailing power for broader regional support.

The emphasis on **productivity** appears to focus on the competitive market good alone, while hiding benefits of **association**, with families or individuals on one hand, or government representatives on the other. From the normal consumer's view, the free service may normally be as good or better for purpose than one that is paid, depending on many surrounding and related conditions, that men will hardly ever admit in public. Not to inform, apologize or explain is often male cultural habit. Their lawyers protect and maintain this through their scientifically and democratically outdated feudal language expectations and state monopoly control of courts and law. Their control is so entrenched I guess it may be hard to do much about. Nevertheless, Australian leaders shouldn't hide such ongoing feudal problems as Australia has key population heritages to help other trade and wellbeing in Asia and elsewhere.



Cheers and good luck,

Carol O'Donnell, St James Court, Rosebank St. Glebe, Sydney [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)

,