

## **RESPONSE TO THE COMPETITION POLICY REVIEW PANEL(SEPT. 2014)**

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(Baby, I am the fairest trader of all – yer grandma and a mudder. Just ask Russell.)

### **OVERVIEW:**

**Competition is ideally an arm of trading which is fair, rather than the reverse. Fair trading may have other arms besides competition which ideally aim to increase the well-being of all parties related to contracting now and for future generations.**

**The Panel's recommendation for a new national competition body appears unjustified and high risk. Openly implement the Select Committee Report on Social, Public and Affordable Housing (2014) and many related fairer and greener regional operations instead.**

**Go back to Hilmer as they lost the plot the minute it went to the lawyers. The current Panel is led by the court, wrongly calling for more confusion and cost led by monopoly legal theoretical supposition as usual.**

**One wonders why hold an inquiry if the pre-judged answer lies in the law and court, as in the case of the Panel. To do so seems a waste of public money. (One idly wonders if an Inspector General would be better.)**

**Are we to keep treating each other as children forever? Baby I don't know? Try something more openly practical for a change in housing and related utilities. Spit out the lawyer and be so much more than an artist. Tell Obama his book 'Dreams from My Father' is great. I will go to bed with it again tonight and find out more. This is not a typical political autobiography. This is a story of life.**

This response to the Panel which produced the draft report entitled 'Competition Policy Review' (2014) also responds to the Panel's invitations regarding small business later. One's view is also based on analysis and critique of the draft report and recommendations in the light of key conditions related to the Commonwealth, State and Territory government acceptance and support for the report of Independent Inquiry entitled 'National Competition Policy' (the Hilmer report) in 1993.

The basic position of this response is that the Panel appear too confused and conflicted for their new court recommendation to be other than comparatively high risk for what the Panel refer to as 'human services' and for fostering any community understanding of the requirements of quality management all round. To develop an adequate theory of the service and communication economies it would do far more good to implement the NSW Legislative Council Select Committee report on Social, Public and Affordable Housing. Use National Disability Insurance Funds to do it and how could you go wrong? (Better than yet another

giant building for the top beings rattling around inside.) The report appears to rest on more grounded experience. Why repeat the misery of late 2008 and after for lots of old people and those in small business when you don't have to? This is discussed later in the context of a re-focus on the key directions of the Hilmer era and report. It seems that those who wrote 'Competition Policy Review' have not read Hilmer. It is a great read.

According to the draft report, the Australian Government established the Review *'to consider how well Australia's competition policy, laws and institutions are travelling two decades on from the Hilmer Review. In particular, how appropriate are current competition policy settings for the challenges that face us now rather than twenty years ago? (2014, p.12)*. However, this draft report may be best read backwards as key definitions and information necessary to respond effectively are at the back. The terms of reference, for example, are in Appendix A (p. 300) and refer to 'the past major review of competition policy in 1993', only to focus on the Competition and Consumer Act (CCA 2010). One wonders what interests, if any, the Panel thinks their efforts represent – the court I guess. The legal privilege, however, is to expect that key information to settle a dispute should only be seen in court. Secrets, not information, are viewed as sacrosanct indicators of legal behaviour. One wonders how this is supposed to square with the ideal view, which is that perfect markets rely upon perfect information. Why did hardly any 'experts' predict the global financial crisis of 2008? (Is this mob scientific, or what? What do they call themselves, accountants or lawyers?)

In National Competition Policy, on the other hand, Hilmer defined competition as 'striving or potential striving of two or more persons or organizations against one another for the same or related objects' (1993 p 2). This indicated competition is not necessarily for purely financial objectives, but may have related social and environmental goals. (*Think of football and picking up girls. You are usually not doing it for money, I hope. Neither is competition an end in itself for a nice life.*) This broadly humanist view which is not dog eat dog plus charity is also seen, for example, in Hilmer's response about the Trade Practices Committee (TPC) of the Law Council of Australia:

The TPC has proposed that the competitive conduct rules could be more simply expressed by a single provision that 'all conduct which substantially lessens competition is prohibited unless authorised'. While seeing some merit in the idea behind this proposal, the Committee has come to the view that such a sweeping simplification would not be appropriate. The consequences of different types of conduct warrant different types of rules, and it is not always appropriate to permit authorization. The proposal would also present significant problems in the area of unilateral conduct. (1993, p. 30).

The TPC has a national competition policy above which makes us all into gerbils joining the same old rat races they have set up while carefully ignoring others options, until they decide to kick us off. Fight back with open fair trading. You know it makes sense. They murder you without it. Look at the US. Land of the free with guns where the weak also have to be brave as abortion is frowned on.

Anyhow, one has no idea what the Panel think of Hilmer's definition, his views, or of state and services contexts for competition, as it ignores his report. Yet this was the planning direction that Commonwealth, State and Territory government signed up to. It was also part of a clearer, more openly shared, fair and stable regional service provision, asset development

and risk management strategy which was also pioneered in regional and non-profit health, rehabilitation and retirement service provision as well as in industry superannuation. The role of competition in this ideal regionally shared and more openly accountable management context requires understanding globally and locally. Implementation of the report of the Select Committee on Social, Public and Affordable Housing seems a good way to get more competitive benefits more broadly in future.

Thus a primary charge against the Panel is that in spite of referring back to the Hilmer Report, the key aspect of Hilmer's new global and regional understanding for planning and related competitive direction was ignored. (Baby, so much for small business?) This is addressed again later. When discussing competition policy, however, let us first remember the national competition policy was agreed to by the Commonwealth, State and Territory governments and supposedly leading to more rational national and related regional approaches globally and locally. Has it changed its tiny legal mind? How inconvenient is this for business? Don't be sorry they all ignored it in the first place?

Anyhow, the first principles of National Competition Policy (1993) were:

(a) No participant in the market should be able to engage in anti-competitive conduct against the public interest (*Public interest is paramount here, dolts. What and where is it in law?*)

(b) As far as possible, universal and uniformly applied rules of market conduct should apply to all market participants regardless of the form of business ownership. (*Fair enough. We've wanted to know the difference between a lot of terms – not just employee and contractor*)

This regional direction, endorsed by governments in the national competition policy principles (Hilmer, 1993, xix) was also strongly embraced in Australia earlier by states signing up for World Health Organization and related global directions such as the UN Declaration of Human Rights. The latter first stressed the ideal rights to inclusion in regard to minimum standards of living whether they appear competitive or not. (Chop yourself off two years before your medicated death and save yourself a lot of pain and us a lot of money, for example. I'm planning to do it with a campaign to use my body as food for endangered species. Will you join me as I am too frightened to do it alone? Let us talk to Russell and some old doctors and footballers, leading the pack. I will go first as usual. (*Surely ANU and veterinarians will also back us up. This is a better move than backing companion animals as we are all going to die and throughout life I find my body has been my greatest asset.*)

Hilmer wrote after Australian acceptance of global environment protection and sustainable development agreements and after the passage of state Environment Protection and Assessment Acts. This ideally established the arena openly and consultatively for planning and for related national construction and triple bottom line accounting, also with a view to improving all operations on any openly shared and related grounds in future. 'Competitive neutrality' is ideally addressed later in this context. It traditionally relates to removal of the Shield of the Crown, so that governments can be taken to court and held to account in the same manner as those in the private sector. Another way of viewing the accountability problem is to demand the private sector keep us informed, not snowed for some sectional financial advance that they may or may not be driving.

Frankly, the economic reporting for years and years before late 2008 was a disgrace in housing. I had to retire on a package and suffer the effects of the global financial crisis on

my capital and on the body corporate where I live under strata title to develop the vaguest clue about fund ownership, construction and building management and maintenance in theory and reality in shared housing. It has enormous potential but must be understood. The people who know anything don't say much. They are like that in construction. Busy, along with the Catholics, intent on just pumping out more babies for God and the markets. Do they never get sick of calling for growth? Try broader planning which uses a broader range of assets which may not be valued by the market. (Old people like us.)

The Panel do not appear to embrace state planning but instead concentrate on the requirements of the Competition and Consumer Act (CCA 2010). This is superficially reasonable, as it is the act finally driving some to court with their business and legal concerns which may be legion. On the other hand, this also produces more conflicted lawyers' theoretical rubbish, which infects the deliberations of the Panel, as discussed in this response. The Hilmer Report was accepted theoretically in 1993 by Australian government only to lose the field again to earlier battenning feudal legal interests, as usual.

The Panel states the CCA has been framed to take account of all sources of competition that affect markets in Australia (p. 40). I haven't read the act lately but I strongly doubt it. How does it do it – by repeating the same word that it is supposed to be explaining, as usual? (The lawyer should be given an understanding of the common dictionary role in the Enlightenment development of scientific thought, communication and numerical advance – let alone bureaucracy or democracy).

Under the heading 'Definition of Market' the Panel recommends retaining the definition of 'market' in the CCA but the definition of 'competition' should be re-worded. In neither the case of 'market' nor 'competition', does it state what the current definitions in the CCA are, or what they should be in future. This seems a recipe for disaster brought about by leaving matters to lawyers later. Talk about high risk? From quality management views this start is a shocker because it passes the buck to daddy as usual. The value of inquiry is unclear if it is just expected to genuflect to more lawyers.

The Panel state: *'Competition policy, like other arms of government policy, is aimed at securing the welfare of Australians. Broadly speaking, it covers government policies, laws and regulatory institutions whose purpose is to make the market economy serve the long-term interests of Australian consumers. Competition is about making markets work properly (p. 15).* If this was the case competition policy would be correctly recognised as an historical aspect of trading fairly which is better conceptualised as an arm of state governance, informed by earlier English feudal and later global associations. Australian regional operations are ideally planned today as part of broader international operations, preferably undertaken in plain language. *(As distinct from nasty idiot law.)*

The Panel appears unable or unwilling to grasp the history and scope of its deliberations consistently and effectively. Greater competition is ideally part of more open global and regional direction that also allows comparison of performance quality and outcomes and more informed choice. They do not play football behind a screen and tell us the score. We can see by a comparison of OECD statistics that the sale of guns in the US does not keep people safe. It makes them murder each other. Where does that leave your theory of competition and community wellbeing? Personally I always liked the way John Howard linked gun control to the Medicare levy and hence to health.

This problem of ignoring comparative statistical realities like death and population, or the related cost of court, is again discussed in regard to Hilmer's report on national competition policy later. The Panel, on the other hand, appears conflicted about whether competition rules above the ruck or serves the people, coming down on the side of the former naturally with the court. They also appear unequal to the task of achieving the latter service for those who fund them, because of their lack of consideration of the requirements of data collection. Their report produces almost none, for example, about the operations of the court on competition so far. The Panel states the ACCC is 'a well-regarded and effective body' (p. 6) but provide little or no evidence of why. *(Is this the worst of all possible worlds, where accountants write their reports without any numbers, as usual or not?)*

The Panel's key recommendation is to replace the National Competition Council (NCC) with a new national competition body called the Australian Council for Competition Policy (ACCP). This should '*be an independent entity, truly 'national' in scope, established and funded under a co-operative legislation scheme involving the Commonwealth, States and Territories* (p.5). Is this a bit like the view of the Trade Practices Committee (TPC) of the Law Council of Australia, earlier addressed? *(Why wouldn't it be if this game is still following the feudal court as distinct from regional logic?)*

This new body (ACCP) would apparently be an 'advocate and educator' in competition policy. What does this mean that it would do besides hand out money to states, as indicated? The Australian Competition and Consumer Council (ACCC) is apparently to retain both competition and consumer functions (p. 6). The Panel note in passing, however, that typical of the concerns expressed to it were those of the Australian Chamber of Commerce and Industry (ACCI), which claimed:

Few businesses know exactly what competitive neutrality is, few complaints are filed, and for those upheld, government's response is usually slow. A fundamental issue remains regarding the adequacy of the enforcement process (p.23).

When they confront the ACCP and all the other legal brothers they will not know if they are Arthur or Martha. Also remember that many who think they know, are also unwilling to reveal what key big words used in law actually mean and this is not all they won't reveal. They won't write it down in case somebody steals it or another lawyer wants to see it different. (This is the Manly First Rule.) The key word in law is typically not explained for fear of transgressing the court prerogative of its interpretation. *(Do you wonder why I hate this filth spit on the open spirit of Wikipedia? –surely not.)*

In short, Panel recommendation appears likely to increase current confusion and cost wrongly as lawyers don't normally explain key words. They simply repeat and add them, as is the legal practice. The point today is that Australia is part of a global economy which it ought to take a helpful approach to trying to manage in the interests of all, as distinct from reinforcing the old feudal and tribal drivers, putting down trouble. The role of cooperation or competition in any regional planning and strategic direction is discussed in housing, communications and related utilities later in response to Panel questions on small business. Historically, news media has often been a huge help in life.

The Panel view of human services, competitive neutrality and other key concepts are discussed in related regional planning and funding contexts later. Planning and zoning, for example, are not ideally seen as aspects of competition policy but as aspects of regional

planning, trade and management to deal with key global, national and related local problems. This competitive ideal is to implement UN and related conventions critically on their particular merits on the ground now and for future generations as distinct from in another way. Good media are the obvious way to do it.

Intellectual property is also considered in related geographic and historical contexts at Sydney University, as attached. Surely, for example, if one can give one's money away, one should be able to give one's intellectual property away before death, if anyone will accept it. There will be oodles of old Sydney Uni. and other academics falling dead like flies fairly soon. At least let them work at donating their thoughts, their books, bodies, etc. (Baby, do not say they are worthless. That is what really hurts when they pull the plug. From hero to total zero in minutes. Baby, say it aint so. See my personal teaching case on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) and I'm not the only one. How come at Sydney University in the charitable areas they only ever want you to give them your money? (Does this question make sense to the Panel? All my life I thought I was cutting edge and then I lost it.)

One recommends government and others concentrate on regional planning for implementation of the NSW Select Committee report on social, public and affordable housing (2014.) and related heritage rehabilitation or reconstruction. This can establish the place and personal context for more rational discussion of services, like risk management and insurance in housing, as well as for health.

From reading some recent reports, it appears NSW government are keen to embrace Hilmer's direction, which the Panel appears to ignore. It took the global financial crisis of 2008 to shed dim journalistic light for us pig-ignorant public on the key role of land, housing and business mortgages, loans and derivatives, securities, hybrids, instruments, etc. in wealth creation and distribution. I find this intellectual growth is not reflected in the Competition Policy Review draft report. The recommendations of the Panel appear likely to make the current competitive situation, whatever it is, worse rather than better as they are mainly widening the circles of contesting lawyers ruling by the secret and legal adversarial and/or meaningless letter to the client. (*This is sloppy Joe work.*)

Hemmed in by lawyers, and hemming us in further, the Panel is thus likely to lead again to what no experts saw coming in 2008 which is greater ignorance, financial crisis, uncertainty, instability and cost in future. Let us go back to the Hilmer Report, as discussed again later, and Introduce planning and competition together in implementation of the Select Committee report on social, public and affordable housing (2014). This is openly shared regional ground on which we ideally operate alone or together, trying to understand more about what we are doing. 'Think globally, act locally' is the antithesis of court origins, which are feudal. Who am I to judge? (*We need good evidence to do it – as distinct from the adversarial game that they dish out while expensively turning science into junk.*)

#### **THE PANEL'S VIEW OF THE IDEAL NATURE AND OPERATIONAL ROLE OF MARKETS AND COMPETITION IN PLANNING AND DEVELOPMENT ARE UNCLEAR. IT JUST RELIES ON THE COURT**

The Panel's legal direction will just confuse us more and cost more money. It states first '*Competition policy is aimed at improving the economic welfare of Australians. It is about making markets work properly to meet their needs and preferences*' (p. 4). (Just markets? Should public servants and others do what they want? What about courts?) The

Panel states ‘*Our competition policies, laws and institutions serve the national interest when focused on the long term interests of consumers*’ (p. 4). Surely we first consume at the breasts of our mothers who may or may not rely unpaid upon the bounty of earth (men included), for their own provision as well as our own? The Panel should explain its view of a consumer as distinct from a paid worker or a related trader such as a superannuation investor retired and living off capital or not. (*One shouldn’t hold one’s breath?*)

The old primitive accumulator (saver) should be wary in markets as taxpayers usually pick up the tab, in one way or another, for those who are not. Go out in the open is the natural attitude of a woman with dependants to risk, surely. Statistically speaking, as I used to tell students, if you want to be safe from violence as a woman you should go out, and if a man you should go home. From this perspective, Barack Obama, as described in his amazing memoir ‘*Dreams from my father*’, convincingly appears as the globally fooling or fooled but honestly searching embodiment of the absent father of mixed race parents. (Mom.) Could anyone else have helped him with his writing? If it’s possible for him to ever be anything more in the US system God alone knows. On the other hand, you can bet there is much sympathy for that kind of thing in our neck of the woods. Even if it was made up it has the real ring of truth but can he do anything about it? Seeing America I doubt it.)

As Johnny, his protege, said to Barack in Chicago ‘Whole panorama of life out there. Crazy shit going on. You got to ask yourself, ‘is this kinda stuff happening elsewhere? Is there any precedent for all this shit? You ever ask yourself that?’ Plumbers, etc. etc. should ponder the question with kids. From the perspective of the public interest and gaining the benefits of competition and freedom of choice, intellectual property may clearly also be donated. There are benefits for current providers such as universities in this related regional communication and research direction for greener work. Implementation of the university strategic plan, rather than collegiate interests are vital in this. (I found Obama’s book at Vinnies when I was there to drop off books and DVDs. How does this work?)

The Panel recommends that the Australian Competition and Consumer Commission (ACCC) retain both competition and consumer functions (p. 6). Please explain. In making this recommendation the Panel were supposedly guided by their own consideration of whether Australia’s competition laws are *fit for purpose*. The Panel states it wanted to answer its own questions on how competition laws enhanced and will enhance **consumer wellbeing over the longer term** (p. 5). However, well-being is not only due to markets and the Panel provide little or nothing in the way of analysis or data from court operations which would let it measure fitness for purpose at all, in spite of their financial acumen. The Panel prefers to rely instead on the authority of the court. They need an analysis which differentiates clearly between consumers, producers, investors and other community inputs or transactions, whether money is changing hands or not. Try history. John Howard liked it too.

One wonders how economic welfare is defined and relates to wellbeing or welfare or other ideas in theory and in practice for the Panel. Knowing this is particularly important in figuring in the substantial part of the global population who remain largely dependent upon a desert and dwindling subsistence economy as well as those living on the edge of an urban market economy with or without welfare state or charitable family making remittances from income gained elsewhere.

The Panel state, ‘*the competition laws are not directed at protecting competitors but rather competition. This requires the competition law to balance preventing anti-competitive*

*behaviour that undermines competition with not inhibiting behaviour that is part of normal vigorous competition' (p. 218).* From any regional growth or sustainable development perspective this represents a leap of faith in the supreme value of competition which is unjustified in reality and which is not present first, where it counts most, which is in the multiple lawyer's monopolistic and adversarial championship of key exclusive secrets over or with his clients about their businesses. What exactly is it that the Panel, who I believe are accountants, want to measure - how and why?

The fact that health is better and health care services and systems in many OECD countries are cheaper, more equitably available and of as high quality as those in the US, proves that life can be organized more effectively and cheaper than when government leaves the field to competition instead of planning to meet the consumer and public interest. The concept of 'competitive neutrality', which Alan Fels more plainly and helpfully used to call 'competition on a level playing field', is discussed in related regional management contexts later. It is ideally the common goal to increase the breadth, diversity and comparability of services, to provide better outcomes for all. Medicare provides a key example of how the service expectation of 'universal' basic standards is preserved in an environment which increases diversity and benefits of competition. Don't destroy it. Make it work better in related environments like housing. Drains and water are about public and related environment health. They are not ideally treated as some aspect of ideal competition policy.

The Panel states '*competition policy should foster diversity, choice and responsiveness in government services*' (p.4) What is so special about government services, one wonders. Doesn't diversity, choice and responsive in commercial or other services deserve to be fostered, on public money or not? This is behind Medicare for a start. The Panel asks 'Does the law focus on enhancing consumer wellbeing over the long term? The answer is no, because the court produces no data in a form which would allow the outcomes of judgments to be systematically assessed and used outside court to prevent more problems from arising. The Panel, for example, appears to use no data about the matters in court operations in its own report. Is that because it doesn't exist? (If so, how quaint?)

The ideal notion of competition has historically been based on the interactions between supposedly free and equal **traders**, where the contract exchange ideally denotes its supposed benefits and the mutual satisfaction of the trading parties. The historical advent of trade unions and collective bargaining became state recognition that traders may start from bargaining positions where one of the contracting parties may have the upper hand in any agreement reached. For example, the advent of **workers'** compensation legislation at the end of the 19<sup>th</sup> century indicated government recognition that a man who needs money to feed himself and his family may not quibble if the effect is to put him in danger of death or severe injury through the work contract he has felt compelled immediately to take up. This was the beginning of a great leap forward in the manufacturing of wealth and the welfare state which grew together in Europe, Australia and some other countries.

he concept of the product or service **consumer**, who may be in an asymmetrical knowledge position in comparison with the producer and thus in need of protection, is a later trading construct. It is often related to the growth of public wealth to fix public health problems and in service industries backed in related regional government and legal practice. Consumer and public protection principles and practices grew up with the expansion of the state and lawyers but Australian states long retained the Crown and its shield to protect their services from suit. After World War 2, signatories to the UN Declaration of Human Rights ideally



promised inclusion for all in regard to certain basic standards of living, with the potential for increasing variation in services to meet particular need. This is discussed again in regard to ideal operations of the Hilmer Report and competition led in health care, treatment of retirement and investment incomes, land and housing.

The draft report refers to 'human services' without making clear what they cover or how they may or may not relate to government services or services to species other than humans. How do 'human services' ideally relate, for example, to 'public services', or 'public utilities', or 'infrastructure'? Are they conceptualised in geographical and related social and institutional locations for mutual planning purposes or not? The Panel states, *'the Trade Practices Act is our principle legislative weapon to ensure consumers get the best deal from competition. But there are many areas of the Australian economy today that are immune from that Act: some Commonwealth enterprises, State public sector businesses and significant areas of the private sector, including the professions* (p. 71). This is the case. However, the Panel appears to wish to wipe the lawyers' brush over the lot Why? (For example, on has great faith in engineers as one sees planes that fly, etc. Lawyers just talk rubbish.)

The answer to the above problem of the historical schism between much private and public sector service operation, is not to create a newer, larger, more irrational legal edifice of secrets in the National Council of Australian Competition Policy, etc. This fetish for competition is a problem because the democratic state arose to deal with its consequences. (Funnily though it was Winston Churchill who wiped out the sons of the aristocracy in warmongering for World War 1 and who later increased taxes on aristocratic lands, driving key families off). Keep opening up more in keeping with global and related regional planning direction in the Hilmer report, discussed later. This can be done through many inquiries and communications media such as websites, TV, radio, DVDs, etc. etc.

The Panel recommends, (apparently sensibly from a global, regional and democratic government perspective on competition) that funding, regulation and service delivery be separate (p.5). However, It mystifyingly states it recommends: *a diversity of providers be encouraged, while not crowding out community and voluntary services*. How can voluntary services be 'crowded out' of a market that by definition they don't appear to occupy? Surely the Panel should be worried about the reverse if mainly interested in seeing more competition. Is it paid? The Panel also recommends in regard purely to 'human services' that 'innovation in service provision be stimulated, while ensuring access to high quality human services' (p. 5). How is this quality to be achieved – in secret?

From the perspective of the public interest, more openly monetized mutually satisfactory interaction between government, business, research, teaching and related philanthropic institutions or individuals, could only be a good thing for more satisfaction, jobs and learning, surely? This is the context in which donations of intellectual property or property of another kind are ideally discussed as well. (See related views attached to the Senate Inquiry into Australia's Innovation System and to researchers in veterinary science and architecture, design and planning at Sydney University. From the perspective of the Australian and related international interest one also asks the question: **Can you justify public funding for any university services outside the related global, regional and strategic planning contexts for financial system and other innovation? How do you do it?**

As the Consumer's Federation of Australia notes: *'the risk of making a 'wrong' choice in health or education can have significant long term consequence.....it is not appropriate or*

*fair to pass on those risks (to consumers) in the absence of an appropriate and high standard safety net in public services'. Why stop at so-called public services, and how are they to be defined? If one buys into a financial market in ignorance, as is the normal situation, one can retire and lose one's life savings, home or business, as occurred to many in 2008. The taxpayer then has no choice about taking up the slack. The problem of making a wrong choice of any kind, from any perspective, can be fixed to some extent with more reliable information about what is on offer. The concept of 'competitive neutrality' ideally may require justification, however, of more secret operation or more open competition, depending upon whether one champions operations in the private or the public sector. (One grinds away against the court.)*

The key trading justification is individual choice which is ideally in the public interest, which is ideally globally inclusive. From this view 'unconscionable conduct' is not an aspect of competition law. It is behaviour judged purposely unfair when carried out in ideal global and regional frameworks for fair trading. These judgments ideally recognise individual and related environmental differences, as well as the dominant or ideally related aims of cultural practice in globally related geographic arenas with institutions which have also been historically driven. This UN stuff is ideally not just some Chomsky's grandma quibble while guys go on with play as usual. Price and related forms of discrimination are ideally treated on their merits in related contexts which preferably also appear as real in practice.

Championing competition 'uber allus', following in legal frameworks also based on key legal justifications for secrecy, rather than perfectly informed and informing markets, appears outdated. Support for more competitive behaviour could more usefully occur through implementation of the NSW Legislative Council Select Committee recommendations on Social, public and affordable housing' (2014). This should also provide more openly informed and sensible vantage points on collectively shared regional grounds, from which to discuss what the Panel refers to as 'Infrastructure markets'. Supposedly these are electricity, gas, water and transport (pp. 117-130). The Productivity Commission Inquiry report entitled Public Infrastructure addressed roads, subdivisions, bridges, railways, electricity, water drain and 'other' in overview tables (2014, p.5) **What no local waste?** One responds to Panel questions on small business and economists later.

### **THE MODERN CONTEXT FOR THE HILMER REPORT: MARKETS HAVE GROWN UP LIKE TOPSY TO MEET UP INTERNATIONALLY. SUPPORT BUSINESSES BY GIVING THEM BETTER OPEN DIRECTION**

We all started somewhere and markets have started locally to become networked globally. Post-war planning exemplified in the International Declaration of Human Rights and related International Labour Organization (ILO) and United Nations (UN) conventions suggests that to plan business effectively today one also needs to be directed by more openly and globally informed rather than closed and local specialist logic, with or without numbers. Historical and comparative judgment are ideally a more broadly informed and democratic approach to land and peoples who laboured free or were owned and loved and abused by many competitors before them. (Stop it or you will go blind.) Tell Obama that at Chicago Zoo they put the monkeys on contraception, which is opportunity lost. I always wonder when somebody says they have found asbestos in the building. Whose job is that?

The 2014 Australian budget and regional planning way forward ideally leads through more ecological (holistic?) and sustainable development into related discussions of project

management, education and policy direction for now and in future. Why aren't the water storage tank, eco-toilet, revegetation, greening waste or related power the cutting edge innovation for the regional environment which is also a village in an advancing desert, connected to an urban jungle? These and other puzzling topics may appear dealt with better in openly shared contexts of regional health development and assessment in particular environments. This Australian experience is discussed at [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) Planning direction along the Illawarra coast is addressed as a model.

The advent of state occupational health and safety acts in the 1980s lifted the shield of the Crown which prevented the government from being sued. However, who will shield us from the court to introduce more rational judgment openly to serve the people? The Commonwealth, State and Territory Governments agreed on the need to develop a national competition policy which would give effect to developing 'an open, integrated domestic market for goods and services by removing unnecessary barriers to trade and competition;' and to 'recognition of the increasingly national operation of markets, to reduce complexity and administrative duplication' (Hilmer, 1993, p.xix). To plan and act nationally or regionally states ideally should see themselves globally first. This seems necessary to establish more effective local answers and serve people more broadly and effectively.

UN direction is ideally think globally, act locally, rather than the reverse. Australians are part of the global whole who ideally act regionally in planning and welfare contexts promoted by the Universal Declaration of Human Rights, where competition, open or not, may be an operational asset. Hilmer's direction was not translated well to legislation as legal understanding of competition grew up from disputes in feudal England and local states to connect globally from local markets over time. The global and regional planning directions which Australian governments signed up to with Hilmer was lost again to lawyers driven by earlier larger legal interests maintained in secret legal associations operating at all levels of government and business and shielded by courts.

*In this context the BCA and others should declare some key interests and associations. The views presented on competition in the Competition Policy Review draft report (2014) are unclear and wrongly directed to the markets rather than to serving those for whose benefit the Hilmer direction was ideally established. We are the entire Australian community, including future generations.*

## **RESPONDING TO THE PANEL'S QUESTIONS ON SMALL BUSINESS AND ECONOMISTS**

***The Panel invites views on whether there should be a specific small business dispute resolution scheme for 'CCA-related matters' (p. 259) (i.e. matters taken up under the Competition and Consumer Act (2010)).***

Yes, there should. No doubt the perfect market is perfectly informed, at least in theory. However, competition is not some ideal legal God to which we bow down, but an arm of fair trading, which may have many other arms which aim to increase the wellbeing of humans now and for future generations. Education is one. Put many fair trading disputes on TV like 'Judge Judy' so all can learn (systematically or not) about places they may work in and the problems which may come up. One wonders why a DVD on hazards of roof insulation wasn't given away free in a newspaper under the Rudd government scheme to

provide economic stimulus of benefit to people rather than big banks. Surely that would have been the most obvious risk management approach from day one?

One may often be unable to pin down the exact cause of any event, as much as one might like to. However, the open investigation may still be a learning process for all involved and others watching. Government inquiries and other independent or partial processes, such as this, are part of learning. Their efficacy ideally depends on the breadth and quality of evidence brought to any decision. The court is an ancient adversarial institution which is not set up in a manner which is useful for judging anything from more broadly rational and scientific perspectives. It often undoes them. An example of this is that this Competition Policy Review brings to the table no evidence, quantifiable or not, of what the Australian Competition and Consumer Commission has actually been doing which has been of benefit to the Australian people since 1993 and how much it cost taxpayers. This is a grave failing, especially when compared with the standard of achievement in health service provision. Does the Commission not consider itself a 'human service' – or is it divine perhaps? (Only on Fridays?)

**The Panel notes that in some countries, notably New Zealand, the court is able to draw on the assistance of an economist who presides over the proceeding with the trial judge. The Panel invites submissions about that practice, and whether there are procedural practices that might be implemented in Australia that would be beneficial in resolving competition law proceedings in a just and cost-effective manner' (p. 298).**

While one can only support more sensible voices than those of adversarial lawyers operating with the wrong view of competition, there is sadly nothing magic about being an economist. There are also many different kinds of economist, on a spectrum driven by purely theoretical numerical and legal financial speculation on one hand, and the investigation or related experience of institutional practice on the other. (For examples of problems read about fishing [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) .) Most economists, however, are also beholden to our laws and courts to also justify their occupation. One notes how many of them predicted the global financial crisis of 2008 and is far from impressed with a professional market which one might see as far from perfectly informed – to put it politely.

In a giant housing industry dispute, why shouldn't somebody like a retired Harry Triguboff, for example, assist the judge most? At least he understands the planning, technical and industrial practice on the ground and can be shown to have been through it repeatedly and effectively for years. Surely this is the surgeon's test? Let him explain his view of what is in the public interest openly, and justify them, as a surgeon does with a patient. Would he do it for free? Surely he has enough money already? I wouldn't really care if he wasn't retired as long as he opened his books to show us how one might sensibly go on in the public interest. One assumes old men in the Business Council of Australia (BCA), etc. would hope to do more of this kind of thing, as distinct from more narrowly representing secret sectional financial interests in the global market. The BCA is quoted as emphasising the need for a 'commercially realistic' market definition and expresses concern that 'the administrative approach to market definition can at times be unduly narrow' (p. 192). (What does the BCA suggest? If they are worried about the administrators they should see the lawyers?)

Surely there will be many who counter the views of a man like Harry Triguboff, but at least the operational process is not a fight with law in court. This seems a comparatively huge waste of public money because the golden mean of the public interest is not found in the fight

between lawyers in conflict. Ideally we may support the Australian and New Zealand Standard Industry Classification System as it provides a modern categorical basis for global management (as diagnosis normally does in health care or treatment for the physical body. Admittedly, however, this is not always helpful, especially in cases of chronic, repeat and/or multiple conditions of uncertain origin.) In this case one naturally therefore also heeds the warning of the Monash Business Policy Forum which stressed the need for ‘co-locating functions by similarity of analytical approach rather than by industry’, stating:

*Co-location by industry increases the likelihood of capture. It creates regulatory inflexibility as ‘industry specialists’ rather than ‘analytical generalists’ dominate regulators. It risks the creation of a regulatory culture that views the particular industry that is the focus of regulation as ‘special’ and ‘separate’ from broader economic and social considerations (p. 296).*

Too right. It’s the professions and lawyer mates always seeking market closure or who are inevitably dragged into it by following law that do it. Surely, however, the Monash Business Policy Forum fear of the above is true only if one abrogates the field to lawyers and their legal privileges which are based on the ideal of secrecy for a man and his brief. Sadly they usually do, although usually still adhering to the ideal views about what makes up the perfect market and perfect competition, which both depend on perfect knowledge. This always happens and wastes money when all involved could be more honestly helpful by addressing the arena more openly and broadly on TV, DVDs, etc.

## CONCLUSION

*Australian health, workplace and retirement policy and related insurance and fund management already point weakly in the ideal service direction of openly related and shared regional and strategic funding and communication. This is also the international governance direction begun with the Universal Declaration of Human Rights and related agreements. These lean against the feudal past and its related closed collegiate treatments in favour of open governance in service to the people who are the ideal beneficiaries of the fund. These key stakeholders include their future beneficiaries, as distinct from the currently partial lot. Those growing old need to understand it most as they may not wish to go through a lot of financial or other stress, humiliation and pain for years before dying.*

*States are ideally committed to open regional and strategic planning direction already through environmental planning and assessment and related planning acts, including local government, crown land and heritage directions, such as national parks and wildlife. Do not let us be blamed for loving this heritage to death. It appears sad and short-sighted not to turn a loss around through related regional planning which involves native bush regeneration and related opportunistic rare species breeding. More sustainable development, more tourism, work, research and education. What is construction, if not an ideal related ground for learning, jobs, and what anybody may mean by innovation, duty or pleasure outside court? The public interest in regional planning, fair trading and related competition could also be served by more openly shared operation on regional grounds to address the following problems outlined in the Financial System Inquiry Interim Report (2014).*

The FSI Interim Report laments the following which should be directed through regional planning:

*‘The current disclosure regime produces complex and lengthy documents that often do not enhance consumer understanding of financial products and services, and impose significant costs on industry participants (p. xxxi). The regulatory perimeters could be re-examined in a number of areas to ensure each is targeted appropriately and can capture emerging risks (p. xxxiv). The retirement phase of superannuation is underdeveloped and does not meet the risk management needs of many retirees (p. xxxviii). There are regulatory and other policy impediments to developing income products with risk management features that could benefit retirees (p. xxxix). Coordination of Australia’s international financial integration could be improved (p. xiv).*

Fix it in open regional funds designed openly to serve the public interest, including through competitive service. From ideal regional planning and related strategic perspectives which have been globally, nationally and regionally led by the elected in Australian states, the Senate Economics References Committee Inquiry into Australia’s Innovation System should not only **‘consider the need to attract investment in innovation to secure high skill, high wage, jobs and industries’**. It should consider many old, disabled, unemployed and underemployed people who the Senate ideally also represents and who would appreciate help in reducing expenses or finding something better to do.

They include artists, writers, musicians, former or current business people, academics, teachers, journalists, students or others who may welcome simpler, less stressful, cheaper and more effective service. This is also why many cohabit or marry. Find those who may be seeking and put them together more effectively so that trust may be based on broader, better organized evidence. The services to and from students, universities and others are also addressed in related ways on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) . Someone has to take responsibility for stopping too many babies. Why not let the state provide housing incentives for cutting back and call it pro-competitive behaviour? Ask the Chinese government for pointers. They must get sick of being ignored.

Cheers,

Carol O’Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney 2037

A/g Committee Secretary of the Senate Economic References Committee Inquiry into Australia's Innovation System

cc. David Elliott, Parliamentary Secretary to the Premier, Lord Mayor, local members, etc. etc.

Dear Mr Turner,

**COUNTING ON YOU TO HELP THE SENATE INQUIRY INTO INNOVATION COME TO ITS SENSES**

Thank you for your correspondence (1<sup>st</sup> September, 2014) in reply to my submissions on 5<sup>th</sup> June and 25<sup>th</sup> July 2014, to the Senate Inquiry into Australia's Innovation System. In response to your letter I must point out the committee terms of reference are poor for key reasons outlined later.

The terms of reference are most unclear in regard to the meaning of the term 'innovation', and so why or how it should be funded. They are also inadequate to meet the stated international, national and related individual need for regional planning. The Senate supposedly represents voters. They are located on common ground and ideally should be served and consulted for improving evidence and service in both the general and particular case in increasingly broad environments of understanding and more open justification. The regional community approach ideally complements and may host market and producer based and professionally driven approaches. Innovation should not be treated in another, wrongly partial manner by the Senate, as now appears to be the case.

As a resident citizen and consumer, as distinct perhaps from a producer, one does not innovate for the sake of it. Ideally and in normal practice, one has reasons that the expenditure of personal funds for some innovation will take place. The Senate, as an arm of the elected government, rather than market entrants, should adopt regional planning approaches to driving innovation. This is joined up government which is ideally concerned about the best comparative expenditure of regional public and related funds. The Senate terms of reference and approach do not serve the people well and appear illegitimate from historical state and policy views. Such partiality serves the richest groups by framing to meet their growing demands first and creating related costly market fluctuations. Both unfairly waste natural resources that the poor and the future rely on. Land and water are examples. Turn this around where it counts? Baby, what are we counting? This is the age of rehabilitation, which is ideally a key aspect of risk management on regional grounds. Plan for health, vitality and harmony in regions. The rest of us may be content to drop off. God knows I am. This is for you.

Nevertheless, this response to your letter and the related attachments also address the following terms of reference as they accord with major international conventions signed by Australian states. See related discussion of this at [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) Do you deny this international direction? Surely not. See the Australian regional view after answers to (c; f; and g) and attached.

Answers to matters in the inquiry into innovation terms of reference:

(c.) The importance of translating research output into social and economic benefits for Australians, and mechanisms by which it can be promoted.

*Response: Try open regional and strategic planning. States are committed to this direction already through environmental planning and assessment and related planning acts, including local government, crown land and heritage directions, such as national parks and wildlife. Do not let us be*

*blamed for loving this heritage to death. It appears sad and short-sighted not to turn a loss around through related regional planning and more sustainable development, research and education.*

**(f.) Potential governance and funding models for Australia's research infrastructure and agencies and policy options to diversify science and research financing**

*Response: Try openly related and shared regional and strategic funding. Australian health, workplace and retirement policy and related insurance and fund management already point in this direction. This is also the international governance direction begun with the Universal Declaration of Human Rights and related agreements. These lean against the feudal past and its related collegiate treatments in favour of open governance in service to the people who are the ideal beneficiaries of the fund. These key stakeholders include their future beneficiaries, as distinct from the currently partial lot. At least go and have a chat with Eva Cox. It won't do you any harm. I guarantee it.*

**(g.) The effectiveness of mechanisms within Australian universities and industry for development research pathways, particularly in regard to early and mid-career researchers.**

*Response: Universities and industry often share the same problem as this Committee – theoretical, narrowly blinkered, professional, bureaucratic driving, beginning in lawyers. Why make it worse? Take the regional and strategic planning approaches discussed earlier, unless otherwise guided.*

From almost any regional and common sense perspectives on the ground, you are wrong if you think, as you suggest, that the current NSW parliamentary inquiry on tenancy management in social housing has no business with the Senate committee and inquiry into innovation. What do you think construction may be, if not an ideal ground for jobs, research and whatever you or anybody else may mean by innovation outside court? (For example, visit Dubai and compare it with Nigeria or Kenya as I have done. There is giant expertise in Dubai. How does it arise? The same water sprinkler systems were a disaster at St James Court, in Glebe during drought. Do not start me on Japanese and other toilets. Why don't people like you and/or your committee want to know what happens on the ground and under it, etc. etc? Is it so you can dismiss it? (Incidentally, do you know of any good plumbers?)

### **Key related problems drawn to attention in your correspondence**

In the Senate innovation inquiry terms of reference, the word 'innovation' occurs not only in the title and general matters of the inquiry, but also in 7 of the 10 sub-references related to this beginning. Yet it is not defined. This presents many problems of public resource allocation and funding which appear less likely to occur in shared regional planning and project management approaches. Surely politicians should serve openly together better in this open planning and related strategic direction which was begun by that giant among administrative men and our personal hero, Peter Wilenski. Hilmer naturally carried on in this tradition with the National Competition Policy, accepted in 1993.

*(Raewyn Connell my foot. Surely only Sartre could appreciate successful adoption of the life-long desire to become a North Shore headmistress, finally acclaimed with gladioli at Sydney University Great Hall. Commoners everywhere arise in disgust, led by women, Nancy boys and Jews as usual.)*

As I showed in my first submission, the term 'Innovation' in the inquiry terms of reference is a vague, deracinated and comparatively meaningless concept like 'social change'. To make sensible decisions about the ideal or real nature and quality of any proposed or actual practice, consideration must



also be given to the aims and effects of actions in broader, historically related environments and social contexts. One ideally needs to understand more deeply about more diverse wants and how they may be met better in related diverse environments. Thanks to all reliable communications, these place and person based conceptual contexts intended by the UN Declaration of Human Rights and by related agreements and conventions can increasingly be made visible and addressed globally and locally for open critical inquiry. Primo Levi said, 'Love is an endless interrogation'. Pope Francis said, 'Who am I to judge?' Baby, just point me in the right direction and I'll give it a go in the open. I'm hoping a crowd will gather to help me out with experts. This is ideally the new heritage age of the lot brought to us by TV, Microsoft, Google and the rest. (Toilets before individual ipads I hope.)

Senators represent the voters of Australia. From this international and regional planning view that Australian states have also been developing, your letter's statement that my earlier correspondence with the NSW Parliamentary inquiry on tenancy management in social housing does not concern your inquiry was wrong. We all live in Australia and everybody needs a place to live, as this is the centre of our being. As a public servant or elected political group, the inquiry ideally treats and serves Australian residents, taxpayers and their dependants and contributors, as well as paid service providers and producers. So housing and competition are discussed later and attached in response.

Consistent regional approaches directed by Australian government and related international commitments were also made in the attached submissions to the Royal Commission (RC) into Trade Union Governance and Corruption and the Financial System Inquiry (FSI) Interim Report. Their matters are equally relevant to the meaning and direction of innovation in Australia. Such matters, including the ones with which you deal, are ideally also treated in an openly connected fashion rather than in splendid isolation, especially in the light of the broad objects of the RC. The first of these is to establish an inquiry that *'relates to or is connected with the peace, order and good government of the Commonwealth and any public purpose or any power of the Commonwealth'*.

In spite of what your letter states, surely it must be evident to you that poorly designed and narrowly partial terms of reference, such as those taken narrowly and wrongly by the committee and secretariat, will neither increase the speed nor the reliability of the intended inquiry. The terms also appear too partial and wrongly blinkered and driven to take account of related key operations of equal or greater significance in the national, global and regional arenas now under discussion.

From regional and related strategic planning and practical perspectives on state grounds, as distinct from in theoretical and related professional driving, this is an ideal sustainable development and risk management direction for any location. It starts globally and has a post-war history of increasing Australian government and industry backing. This committee of inquiry into innovation should embrace this direction for historical, logical reasons. This view is regionally open and self-informing, not professionally closed and driven. Join this direction or take another for a presentable reason.

In this openly shared and regional fund management approach, which is also comparatively innovative globally, regionally and locally, I attach a further submission to the NSW Parliament inquiry into 'Tenancy management in social housing'. In the light of the reasons for the global financial crisis and related costs, it shows the way forward is logically through more broadly and openly related regional planning and risk management designed to benefit all Australians by comparison of profit and non-profit actions. Action research in housing is also treated in related regional land and planning contexts and in response to the National Senior Productive Ageing Centre (NSPAC), a research body co-funded by the federal Department of Social Security and the non-

government organization National Seniors Australia. This action research is also synonymous with quality management and good administrative practice, including risk and fund management.

From these perspectives, NSW and other governments should seek discussion with State Super and others to make land and housing practice more openly consistent with state planning and health service direction, which is ideally based on the holistic World Health Organization (WHO) and UN views of the region and state – including the personal state. In this regional management model, open partnerships to deliver shared community goals are openly pursued and scrutinized. From this perspective, employees and subcontractors should also be able to elect to have their compulsory superannuation paid on an ongoing basis into the bank account which pays off their home mortgage.

My earlier submission pointed out that from this ideal planning perspective which has been globally, nationally and regionally led in Australian states, the Senate Committee should not only *'consider the need to attract investment in innovation to secure high skill, high wage, jobs and industries,'* because there are so many old, disabled, unemployed and underemployed people who would appreciate more assistance, as I do, for example in the case of my bathroom. Servers may include gardeners, builders, artists, writers, musicians, former or current business people, academics, teachers, journalists or others who may want simpler, less stressful, cheaper, more effective service.

This is also why many cohabit or marry, which is perhaps men's greatest strength. Find those who may be seeking and put them together more effectively so trust may be based on broader, better organized evidence. Life has not been the same since I sadly lost all my men at home and at work. They often came in extremely handy. See related discussion of the 2014 Budget and Heritage Way below, attached and on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) (Surely you and the committee must address this response as a matter of apparent truth and common sense, as distinct from mere process? Or do I seem mad to you?)

Yours truly, Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney 2037

Hi

Can you justify public funding for any university services outside the related global, regional and strategic planning contexts for financial system and other innovation?

Perhaps I met you yesterday at the Design Lab Seminar Series in the Faculty of Architecture at Sydney Uni. to which I was invited. I am a Glebe resident living in a town house under strata management who taught about health policy and services in the Faculty of Health Sciences until 2007 when I got the golden boot on turning sixty. See more on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) The aim of your Faculty and teaching effort puzzle me as I am totally ignorant of the area.

When the global financial crisis came along in 2008, I became very interested in the effects of this upon my UniSuper funds and strata management affairs, also with a view to learning about and contributing to better land and housing policy more broadly. Before teaching at Sydney Uni I spent a decade in the NSW public service in management and policy related to implementation of quality management systems which also rely on regional planning. I have no technological, scientific or business understanding or skill which is not highly theoretical so tend to revere as distinct from dismiss such practical knowledge and experience if it is reasonably clearly forthcoming. I wonder how science can be properly shared and valued if the main business game expects to be invisible.

The speaker I heard yesterday was fascinating as I had recently informed the Senate Inquiry into Innovation about the ideal state position in regard to regional planning and jobs. See related discussion of the Heritage way forward attached. I also draw your attention to the related article in the Australian Financial Review entitled 'BCA chief: reform is now urgent' (AFR 11.9.14 p. 1). In this

paper Catherine Livingstone, Business Council of Australia president, urged the Prime Minister to deal with Australia's declining competitiveness in corporate taxation, labour markets, industry policy and education'. How does Architecture perceive its role in it?

Where does your faculty fit in to regional planning? It appears to hover between the artist, the technologist and the scientist, particularly in communication, in a way I don't understand even a little bit. How does it connect to the market and related jobs?

The speaker presented primarily as an artist, as so many of your products also appeared to me. She spoke as the artistic, literary or related mentality urging towards more sustainable ways forward, shedding little light on what they are. She showed no financial or operational mechanisms to consider industry or any older, poorer community wants, or to serve their needs, except in the picture of her father or the project with the North Queensland teacher. People from different backgrounds going to analyse a place was a great idea as well. Why would anybody pay for any of this kind of thing to happen? Does architecture have ideal directions other than the ideal heritage and sustainable way which I attach and also discuss on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)? Please explain.

The artist, like the writer, is primarily the supported creator of toys for rich kids in my experience, often concealing or comparatively ignorant of their own vehicles of support unless they are academics and related teachers. Democratic wellbeing makes artists and writers of us all, perhaps, but who will pay us to be so is another question unless we are old and/or disabled or single parents or carers, when it may be primarily the state. Where do your teachers come from and where do your graduates expect to end up making a living? Where do they come from and what do they expect or want?

I realized in Kenya, as a tourist, wanting to shampoo and condition my hair with hot water in the Masai Mara every night that travellers, rich or poor, are a giant part of the desertification problem who are also helping villagers get goats or cattle which also contribute to desertification. Surely the toilet and birth control have to come before the individual ipad or computer or we are all totally fucked. (No disrespect to anybody, of course but I could see Breivik's point in the North.) In this context I found the territory in your foyer, about housing in Singapore far more familiar and welcome ground, as it grasps the essential point and value of price and harmonious order, which the artistic mentality either assiduously avoids, or may appear too protected to address openly.

Like our richest ancestors, I can easily imagine that the elderly in Singapore high rise may particularly love nature and the garden, as they are so much at home so may appreciate its beauty out the window, as I do in retirement. However, sick to death of artists and writers including myself and wondering who needs them, I grudgingly took myself to the Museum of Contemporary Art to see Tabaimo Mekurumeku but was not expecting much. The incredibly beautiful, skillful, humorous, erudite, meaningful nature of the work blew me away. Who gets to see it; who pays and who makes a buck? Why does it happen? How do your lot generally fit in?

Returning from Cambodia recently I read a Straits Times article about Singapore housing policy in regard to the aged. Australia has much to learn from Singapore. Yet does the most dense island state on the planet really have to go for more residents in order to get growth? This seems madness, when Singapore has huge potential for leading water and land rehabilitation in ways to preserve so many creatures now rapidly disappearing from the planet. Surely the far greater problem is not climate change but desertification?

How does your artist or designer conceptualize intellectual property - as free choice to copy? As I was recently in Phnom Penh buying DVDs over the counter from the 1970s for \$1.50 each that nobody in Australia could even remember, I thought if this is piracy then to get rich is glorious. The tourist view of Cambodia is based on the killing fields created by the peasant uprisings led by the Khmer Rouge. This was a key effect of American entry into Vietnamese affairs and of US carpet bombing. I was told sporadic warlords continued in some areas until the UN poured huge amounts into tourist hotels around the centre piece of Ankor Wat in the 1990s. There are plenty of land mines left and I guess roads and development will soon strip much remaining rare and native vegetation.

After what the Dulles Brothers and their mates did to the post-war Asian, African, Pacific and South American world together - letting go the entire Warners Bros. film collection seems to me the very

least the US today could do to make up for the past global orgy of murder its national colonial interests let loose. Surely, look the other way, admire and enjoy these artistic pirates? I guess for many people throughout the world old movies may seem the most enjoyable part of our common US heritage. They often seem so for me.

One wonders if the incredibly comprehensive, immediate and well managed DVD outlet in Phnom Penh does so with government inspectorate knowledge and support but I forgot to ask. Every time I read an article about broadband, content and intellectual property I haven't got a clue what it's about. Have you? Malcolm Turnbull or someone else and journalists should explain it. I'm guessing that these issues affect your Faculty a lot. I guess I'm asking 'How do you justify what you do'? I only wish I knew more about why you do whatever it is and why it always seems so artistic as distinct from more simply useful - or is this my imagination?)

Cheers

Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney 2037

## **OPEN LETTER TO THE FACULTY OF VETERINARY SCIENCE AT SYDNEY UNI.**

Thanks for the great vet. science event followed by the tour of the Charles Perkins Building recently. Some say 'healthy poultry, healthy people' but I say, 'poultry good, people bad. All those children won't be helping. Stop it like rich women. I am writing this in preparation for a further submission to Jacqueline Dalton, Associate Director of Development, in response to the Dean's invitation in the Faculty of Vet. Science publication addressed below in regard to any philanthropic and related regional practice and funding.

How do you ideally approach human and animal populations and insurance and relate this to land, housing and business for best results? Surely we must stand on common ground? (Australian health policy offers lessons. See [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) for key UN and related national and regional approaches with openly shared funding.)

How do you treat the comparative values and risks related, for example, to work on rare and endangered species; working animals, food providing animals and companion animals? Does this cover the ideal lot? (The key Faculty publication provided to us notes 'teaching and research spanning animal production, wildlife conservation, biomedical science, animal health, welfare and veterinary science'. How are subjects allotted to these categories and prioritized for funding ideally and in practice?)

I ask such questions primarily in response to the philanthropic directions outlined in the Dean's talk and article entitled World Class Research at the Faculty of Veterinary Science in the Faculty publication 'Leading the profession; Making history: Support for veterinary science research'.

Without redirection of funding systems companion animals will easily scoop any health related funding pools in a short time I guess, in line with the automatic US market driven medical model justification of eternal life, joyous or not, for as many comparatively rich humans as possible, followed by their pets and others who support them in the shadows.

The Faculty philanthropic directions ask me if I want to support identified funding needs in research where I know that the funds that I provide will be transformational. You bet I do because currently the historical evidence is that philanthropy can never make up for the effects of historical and related feudal, tribal, professional or other closed practice, inside government or not. Innovation is accordingly addressed in the attached response to the Senate Inquiry into Australia's Innovation System.

Where do you stand in regard to this national inquiry and related NSW parliament and local government debates, such as the current one about business and resident votes and rates in the City of Sydney and beyond? Why don't you openly make the Premier a helpful unsolicited proposal, such as he is currently inviting?

**Can you justify public funding for any university services outside the related global, regional and strategic planning contexts for financial system and other innovation? How do you do it?**

In my later response to the Sydney Ideas Survey for my chance to win an iPad, I suggested an invitation to Boris Johnson, Lord Mayor of London to talk about new town and gown. I hope you support this direction. Stefan Colini, Sydney Ideas speaker of the night on 'What's Happening in Universities', apparently had to be informed of the feudal and professionally driven theoretical nature of many collegiate cultural and management assumptions and practices, from modern global and democratic perspectives on expenditure of the public purse. Although a professor from Cambridge in intellectual history and English literature, he merely told us again what we already knew about the idiocies of league tables for universities, which Raewyn Connell from Sociology had also tackled to yawns the week before in the Great Hall. Did they think we hadn't gone through it ourselves and worked it out? The Vice Chancellor was billed in conversation with Stefan Colini but didn't show up. Such is the life of feudal underlings I guess, always driven to and fro by lawyers and others whose interests we all must never know about or never mention. Jesus what a bunch of girls?

I had recently informed the Senate Inquiry into Innovation about the ideal state position in regard to regional planning and jobs. See related discussion of the Heritage way forward attached. I also draw

your attention to the key article in the Australian Financial Review entitled 'BCA chief: reform is now urgent' (AFR 11.9.14 p. 1). In this paper Catherine Livingstone, Business Council of Australia president, urged the Prime Minister to deal with Australia's declining competitiveness in corporate taxation, labour markets, industry policy and education'. Where does the Faculty fit? Do so with regional planning and related strategic approaches like the original Open University in Britain. (Did an international locust man really design the giant IT learning pods in the Charles Perkins building or was that some lawyers' tongue in cheek? How will they be used?)

In the AFR, Livingstone states she is here to push the middle ground. She says she thinks 'you have got to accept that the perfect answer is not necessarily the right answer so there might be imperfections around the edges and a bit of a mess, but if that enables progress, then that is important.' If things are done clearly in the open, we won't be needing lawyers to keep us honest. This is the basic common sense line in regard to funds, costs and corruption, in the global and regional book on health and security.

From this perspective, Gilberto Algar-Faria, the former British soldier who spoke interminably about 'Why it's so hard to talk about peace in Sri Lanka' should be shot. I went into this discussion at the Centre for Peace and Conflict Studies pig-ignorant about Sri Lanka's history, current situation and potential development future. I came out at the end exactly the same way. The man said nothing interminably. If this is what soldiers are turning into then God help the rest of us with shelter, toilets, water, power, etc. Who funds this peace and conflict studies mob who appear mainly interested in attacking Australian government rather than engaging in explanation or policy direction - is it the CIA or Catholic lawyers?