

**From:** [Pavey, Catherine](#)  
**To:** [Erwood, Simon](#)  
**Cc:** [Sierla, Martin](#)  
**Subject:** RE: [REDACTED] [SEC=OFFICIAL] [ACCC-ACCANDAER.FID2065691]  
**Date:** Wednesday, 3 June 2020 11:03:26 AM

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Thanks Simon, that is good to know! [REDACTED]  
[REDACTED]

Welcome back and congratulations!

Catherine

**From:** Erwood, Simon <[simon.erwood@acc.gov.au](mailto:simon.erwood@acc.gov.au)>  
**Sent:** Wednesday, 3 June 2020 10:53 AM  
**To:** Taljaard, Angela <[Angela.Taljaard@acc.gov.au](mailto:Angela.Taljaard@acc.gov.au)>  
**Cc:** Pavey, Catherine <[catherine.pavey@acc.gov.au](mailto:catherine.pavey@acc.gov.au)>; Sierla, Martin <[martin.sierla@acc.gov.au](mailto:martin.sierla@acc.gov.au)>  
**Subject:** RE: [REDACTED] [SEC=OFFICIAL]

**OFFICIAL**

Hi Angela, [REDACTED]  
[REDACTED]

I also saw Marty got back to you on your request.

Cheers

**Simon Erwood**  
Director | Intelligence  
Competition, Intelligence and Commercial Construction | Specialised Enforcement & Advocacy Division  
**Australian Competition and Consumer Commission**  
23 Marcus Clarke Street Canberra 2601 | <http://www.accc.gov.au>

*Please note I'll be on parental leave from early May for 4 weeks. Fraser Inwood will act in my position.*

T: +61 2 6243 1113  
[Simon.erwood@acc.gov.au](mailto:Simon.erwood@acc.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

**From:** Taljaard, Angela <[Angela.Taljaard@acc.gov.au](mailto:Angela.Taljaard@acc.gov.au)>  
**Sent:** Monday, 25 May 2020 13:42  
**To:** Erwood, Simon <[simon.erwood@acc.gov.au](mailto:simon.erwood@acc.gov.au)>  
**Cc:** Pavey, Catherine <[catherine.pavey@acc.gov.au](mailto:catherine.pavey@acc.gov.au)>  
**Subject:** [REDACTED]

Good afternoon Simon

[REDACTED]

We will separately send an email to the Intelligence inbox seeking assistance with finding contact details for Frank Black.

Please let me know if you have any questions.

Kind regards  
Angela

-  
**Assessment of alleged cartel conduct**

**Referral:**

- [REDACTED] forwarded this [link](#) to Cartels from the Owner Driver – an Australian truck publication. The article is dated 16 April 2020 and titled 'Opinion: Maintain your rates.'

**Trader:**

- [Frank Black](#), the author, is the owner driver representative on the Australian Trucking Association (ATA) Council. However, we suspect Frank Black drafted the opinion piece in his own personal capacity as a driver owner, not as a member of the ATA.

**Alleged problematic paragraphs:**

- *What does concern me is the cheap freight being offered by people taking advantage of the situation. This is no time for bottom feeders to seek to profit at the expense of others. We can't afford for rates to be lowered anywhere in the industry.*
  - *All that will happen if we undersell our work is that we all end up going bust. The only difference between drivers will be that those who refuse to do a run for no profit won't have run our trucks into the ground in the process and may have something worth selling.*
  - *In harder times, it's more important than ever for us to stick together and stand strong. We all feel the calling of our personal financial needs but undercutting each other to win work will only do harm to us all.*
- [REDACTED]



**Decision:**



**Angela Taljaard**

**Investigator | Cartels Branch  
Australian Competition & Consumer Commission**

Level 21 | 175 Pitt Street Sydney NSW 2000 <http://www.accc.gov.au>

T: 02 9102 4025



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