

**From:** [Tang, Trung](#)  
**To:** [Pandey, Monali](#); [Williams, Geoff](#)  
**Cc:** [Donald, Blake](#); [Abdalla, Nora](#)  
**Subject:** [REDACTED] [SEC=OFFICIAL:Sensitive] [ACCC-ACCCANDAER.FID388962]  
**Date:** Tuesday, 16 June 2020 9:25:07 AM

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**OFFICIAL:Sensitive**

Hi team,

FYI in the media clips today:

**Cartels:** The Australian reports the ACCC has been accused of threatening criminal charges against a truck driver after he wrote an opinion article urging owner-drivers not to undercut each other during the COVID-19 crisis.

Trung

**From:** Pandey, Monali <monali.pandey@acc.gov.au>  
**Sent:** Tuesday, 21 April 2020 7:32 PM  
**To:** Tang, Trung <trung.tang@acc.gov.au>; Williams, Geoff <Geoff.Williams@acc.gov.au>  
**Cc:** Donald, Blake <blake.donald@acc.gov.au>; Abdalla, Nora <Nora.Abdalla@acc.gov.au>  
**Subject:** RE: [REDACTED] [SEC=OFFICIAL:Sensitive]

**OFFICIAL:Sensitive**

Hi Trung,

I know there are some teams in the Cartels division who are a bit quiet and who could make calls and/or do some investigation into what is stated by Frank Black in the newsletter for the purpose of determining whether the statements about sticking together go beyond the words used. [REDACTED]

Is the immunity team an appropriate place to send the matter for triaging? It doesn't look like a matter that would fall within their immediate purview.

Let's discuss in the team meeting tomorrow.

Kind regards

Monali

**Monali Pandey**  
Director | Cartels  
**Australian Competition & Consumer Commission**  
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**Working Wednesday, Thursday and Friday**

The ACCC acknowledges the traditional owners and custodians of Country throughout

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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.



Please consider the environment before printing this email

**From:** Tang, Trung <[trung.tang@acc.gov.au](mailto:trung.tang@acc.gov.au)>

**Sent:** Tuesday, 21 April 2020 5:09 PM

**To:** Pandey, Monali <[monali.pandey@acc.gov.au](mailto:monali.pandey@acc.gov.au)>; Williams, Geoff <[Geoff.Williams@acc.gov.au](mailto:Geoff.Williams@acc.gov.au)>

**Cc:** Donald, Blake <[blake.donald@acc.gov.au](mailto:blake.donald@acc.gov.au)>; Abdalla, Nora <[Nora.Abdalla@acc.gov.au](mailto:Nora.Abdalla@acc.gov.au)>

**Subject:** [REDACTED] [SEC=OFFICIAL:Sensitive]  
[ACCC-ACCCANDAER.FID388962]

## OFFICIAL:Sensitive

Hi Geoff and Monali,

[REDACTED] sent Nora and I a link from a trucking magazine [REDACTED]  
[REDACTED] I've attached the relevant email correspondence between Blake, Nora and me.

In summary:

- There was an opinion piece on Owner Driver, an Australian truck publication, stating concerns of drivers undercutting each other during COVID-19.

*"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."*

*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."*

- 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; and
- [REDACTED]

[REDACTED]

However keen to hear both your thoughts.

Trung

**Trung Tang**

Senior Investigator | Cartels Branch | Specialised Enforcement & Advocacy Division  
Australian Competition & Consumer Commission

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