

In November 2007 Justice Peter Heerey fined Visy \$36 million. In expressing his abhorrence for the far-reaching consequences of Visy's act he said:

“Every day every man, woman and child in Australia would use or consume something that at some stage has been transported in a cardboard box.”

And I agree with ACCC chairman Graeme Samuel who said:

“Cartels are theft, usually by well-dressed thieves.”

With respect to your draft Bill and discussion paper relating to cartels and the fines of up to \$10 million and jail terms of up to five years for serious cartel conduct I submit that the fine should fit the crime e.g. in the Visy matter the Judge ordered the payment of \$36m. I would therefore extend the range to reflect that.

I believe that time served in prison will act as a deterrent to others with similar criminal tendencies.