

NATIONAL COMPETITION LAW:

## How Factuality helped win a David and Goliath battle

In March 2016 federal cabinet agreed to introduce an 'effects test' into Australia's competition laws, against the well-funded opposition of Coles, Woolworths and the Business Council of Australia. This is what we did to help our client achieve a famous, against-the-odds victory ● ● ●

**F**actuality worked side by side with Master Groccers Australia, the national peak body which represents Australia's independent supermarket owners. The little guys needed to change the competition laws to get a fair shot at surviving against the massive combined market power of Coles and Woolworths.

The campaign aimed to change s46 of the Australian Competition and Consumer Act, on the misuse of market power. There had been several failed attempts to change this law over the last 30 years.

It was clear that the Big Two supermarket chains had the financial firepower and the political muscle. They had the might. But the smaller supermarkets had right on their side: the laws weren't fair and they needed to change.

Factuality developed a strategy rooted firmly in the facts. We helped our client articulate a clear, simple and factual message: changing the competition law was good policy and good politics.

### Our work included:

- a national survey which yielded the key finding that 75% of Australians wanted change.
- interviews with consumers
- sharp analysis of the political dynamics at play inside the Federal government and advice on how to navigate those
- assisting our client develop a coalition of interests with like-minded business groups and others, across Australia, thus shifting the terms of the public debate
- the ability to quickly shift campaign focus, as the debate moved from policy to politics, and once at the political level, the ability to quickly re-focus after a change of prime minister and subsequent change in cabinet.

## CAMPAIGN ANIMATION



Factivity produced a range of campaign assets, including:

- animated video stating the case for change
- national survey
- national survey launch, garnering huge media coverage
- set-piece speech
- media statements and media training
- short, powerful submissions to members of federal parliament, focussing on clear statements of fact and countering extravagant claims

The win, when it came, was a sweet victory for hundreds of thousands of “little guys” who never imagined it was possible to beat the massive power and money of the elite of Australian business ●

### Factivity survey

Our research showed



75% of Australians agree our competition laws should be strengthened



MGA: Strengthening Competition Laws  
Factivity research  
January 2015

### Campaign Poster



75% of Australians agree our competition laws should be strengthened.\*  
Stronger competition laws will give you lower prices, more choice and support Australian small businesses.

Help us change the law at [letscompete.com.au](http://letscompete.com.au)

\*Source: Market research by Factivity, 2015



### Campaign team



**David Hardaker**  
Campaign head



**Bruce Dier**  
Chief researcher



**Tiriell Mora**  
Video narrator



**Duncan Elms**  
Animated graphics producer