Outreach strategies used to promote awareness and use of leniency programs

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Outreach strategies – leniency program

1. Background
2. Leniency awareness efforts
3. Experiences – some reflections
1. Background

- New Competition Act in 2004 – introduction of leniency
- Dual – track system
- Survey in 2008 revealed surprisingly little knowledge of the leniency program – particularly among small and medium sized enterprises
- The Government's "crisis package" for the financial crisis
- Need to increase the knowledge about the leniency program – especially among leaders of small and medium sized enterprises
2. Leniency awareness efforts

1. Communication through meetings (Branch organisations, The NHO-Confederation of Norwegian Enterprise)

2. Information material

3. Campaign including film shown on the Oslo Airport Express train
Campaign on the Oslo Airport Express train - ABC

A) Why we did it
B) How we did it
C) How was it received
Campaign on the Oslo Airport Express train (A)

- Main goal:
  - Increased knowledge of the leniency program among business leaders and trade organisations – why and how to inform the Competition Authority about cartels
  - Generate more cases
- Need to consider new ways to reach target group
  - About 50 % of the passengers in the business segment
  - Potentially great value for money
Campaign on the Oslo Airport Express train (B)

• How: Creative process – sharpening of the message and adjustment of content in the information brochure on leniency

  • Important to make sure that pictures and concepts used in the campaign did not create distance - “This does not concern me”
  
  • No use of the word “cartel” – rather focus on illegal co-operation between competitors
  
  • Use of questions to stimulate interest
  
  • Different use of pictures than before – to avoid possible associations to drug dealing etc.
Campaign on the Oslo Airport Express train (B)

Message of the film:
Do you co-operate with competitors?
Your cooperation may constitute a breach of the law
The first to report avoid fines
Contact us!

http://www.konkurransetilsynet.no/no/Ulovlig-atferd/kampanje
Campaign on the Oslo Airport Express train (C)

The response:

- No specific evaluation of the campaign – This would represent a disproportionate cost to the duration of the campaign
- 430,000 people travelled on the Airport Express Train when the Competition Authority's cartel film was being shown – 215,000 could be defined as business travellers.
- Number of leniency applications - no immediate response
- Media attention: The campaign and the anti-cartel battle received excellent coverage on TV2's news broadcast, and in the popular radio show “Norgesglasset”. The message of the film also featured in 10 other local, regional and trade media.
Recent efforts:

- Shift towards increased focus on the legal profession – have signalled a need for more guidance
  - Speech on annual seminar on competition law – well received
  - Breakfast-seminar BAHR – why would not the market players show up
3. Experiences – some reflections

- The Norwegian Competition Authority has received 6 leniency applications in 2010. Not possible to link to single measure
- Risks/rewards – the “the fear factor” is important
- Clarity and transparency is crucial
- One message at a time?
- Recognition – may be effectful to repeat a simple message (new campaign?)