The Hancock Report

Addressing the 1983 ACTU Congress, Prime Minister Bob Hawke made the point that because Australian industry (capitalism) is undergoing considerable structural change, it is appropriate that trade union structure should adjust to that change.

In practice, this view was expressed by the establishment of the Committee of Review into the Industrial Relations Law and Systems (the Hancock Committee) by the federal government. Over 150 separate submissions were made to the committee on subjects including industrial relations, new technology, powers of the commission, federal and state systems, separation of arbitral and judicial powers, and law relating to organisations.

The committee rejected the free market approach to industrial relations advocated by some major corporations, the Liberal Party dries like John Howard, and former Treasury chief John Stone. Certainly, adoption of some of the reasons in the Hancock Committee

The Hancock Committee also recommended:

- the federal tribunal should be empowered to order compensation and/or reinstatement of workers who have been unfairly dismissed from their employment
- sub-contractors should be eligible for union membership and to have the terms and conditions of their contracts subject to the authority of the commission. This is based on the overwhelming evidence of sub-contractors working for less than award conditions. (For instance, the current meatworkers' dispute in the N.T.)
- existing restrictions which prevent occupations such as fire fighters, school teachers, social workers, being covered by federal awards should be removed
- the Act should be amended to make it more difficult for new unions to be registered where they are to be based on the craft/occupation of the membership. There is a clear intention to encourage the formation and development of industry unions (this would have the effect of increasing the problem for craft unions facing deregistration)
- existing unions who have less than 1,000 members must show cause why they should not be deregistered
- amalgamation of unions should be made easier through a decision by consent of the union on such an application
- the current legislation with respect to fines for organisations, penalties and/or imprisonment for individuals, be repealed. However, the committee has urged the widening of existing powers to enforce compliance by unions and individuals through a system of:
  a) stricter undertakings in respect of future conduct
  b) imposing conditions of conduct on the organisation
  c) altering the constitution of the union to change the area/s of work it covers
  d) suspending the registration of the union on such terms and for such period as it seems fit
  e) cancelling the registration of the union.

The trade union movement is opposed to such sanctions. The effect would be to increase the dependence of the union movement on the courts, robbing it of its independence and the ability to determine its own affairs.

While the government has yet to express its Hancock recommendations in law, there is ample evidence that if it is given the opportunity, the government will move to introduce substantial change.

There is a recognition that some structures are buried deeply in tradition and it will not be easy for the government to effect some changes at least in the short term. Some unions which could be affected by such changes are included among the government's closest supporters.

Changes which are designed to improve the efficient operation of unions based on the criteria of rendering maximum assistance to the membership will be supported by many.

Jack Cambourn, federal secretary, FEDFA
East Timor

December 7 will mark the tenth anniversary of the full scale Indonesian invasion of East Timor. Ten years of genocide and of resistance. Ten years of betrayal by successive Australian governments and silence on the world stage. Ten years in which the East Timorese people led by the Fretilin guerrillas have survived wave after wave of large-scale offensives launched by Jakarta. Nothing seems to be able to destroy their will to win victory.

Yet Fretilin, under the leadership of Xanana, was able to rebuild, spreading their guerrilla units again from east to west, throughout the whole country. In March 1983, the Indonesian forces in East Timor were obliged to agree to a ceasefire and negotiations with Fretilin. after they had failed in successive operations to crush the guerrillas.

While many Indonesian commanders in East Timor wanted peace, Suharto and Murdani in Jakarta rejected in and, after a series of provocations, Fretilin relaunched the war with a generalised armed uprising in August 1983. The Indonesian troops stepped up their horrifying atrocities and continuously swept the country searching for guerrillas, but with little success. In 1984 alone 600 Indonesian troops were killed, as against 70 Fretilin losses. Of course, many hundred civilians were killed by Jakarta's troops.

Amnesty International "grossly exaggerated". With a cynicism and opportunism that puts Peacock to shame, Hayden has forfeited any right to expect any support for any future leadership challenge. His reputation as "Honest Bill" has been replaced by one of a cringing "drover's dog" jumping whenever Jakarta barks...

Denis Frenen

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