

PRESS INTERVIEW: PRIME MINISTER  
AND PETER NOLAN, A.C.T.U. Secretary, INTERVIEWED BY  
RICHARD CARLETON, NATIONWIDE.

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RICHARD CARLETON

We'll come to the last-minute discussions in a second, Sir, but to use your words, this futile dispute, and from that, I think one could possibly draw this futile stoppage on Thursday. On Friday morning in what way is Australia going to be a better place as a result of that futile exercise?

PETER NOLAN

Well let's put it in these terms, that we didn't ask for this dispute, we didn't design it but we've got a situation on our hands, where you can't get any sense out of the Western Australian Government. Notwithstanding that we've been persisting over the last week or so, to try and get to a situation of stepping back. Even to the extent where Bob Hawke is in contact with the Premier and his reaction to it was that he couldn't do anything about it, that he'd refer it back to the Cabinet in Western Australia and they considered their position, or re-considered their position and the only thing we got out of that was the direction from the Prime Minister to say that the facts should be known. Now, we've got some reservations about the facts, but that's the sort of reaction we've been getting for the last week, that's the sort of reaction the West Australian Trades and Labor Council's been getting for some time in that State.

RICHARD CARLETON

Mr Nolan we're all Australians in this together. How, on Friday morning, to repeat the point, how on Friday morning are we going to be a better place as a result of this futile exercise?

PETER NOLAN

Well, if we come to that situation, or if we have to go through with it. We've made the treat now, I suppose, we'll carry it through. Will Australia be a better place? I would hope that if that sort of action doesn't assist the Western Australian Government's thinking, on pulling back from the position that they've placed Australia in, and I put this blame squarely with the Western Australian Government, then I suppose we'll see continuing action until we break this sort of stupidity that the Western Australian Government is going on with, because what we're up against is a fundamental problem, is if we allow a situation to exist in the State of Western Australia, or for that matter, any other State of Australia, then the Australian Trade Union Movement won't be worth a butt.

RICHARD CARLETON

Mr Nolan I detected just a twinge of doubt in your words there, used if I think a couple of times, is there a possibility that Thursday will be called off?

PETER NOLAN

Well I'm hopeful, I've only just heard that there's going to be last-minute discussions in Western Australia. I don't know how far they get up the track there but certainly, I'll be having discussions with fellow-officers in Canberra tomorrow.

RICHARD CARLETON

You are coming to Canberra tomorrow, are you?

PETER NOLAN

Yes, I've only just made those arrangements in the last few minutes.

RICHARD CARLETON

This is at Mr Fraser's invitation?

PETER NOLAN

Yes, and we'll be carrying on discussions with the Cabinet, hopefully to try and avoid this sort of situation that's going to exist in Australia, from Thursday on, because Thursday is not a once situation because it could develop into all sorts of other actions being taken by the Trade Union Movement.

RICHARD CARLETON

Now what do you expect Canberra and Mr Fraser to do, to placate you?

PETER NOLAN

Well, we've had those sorts of discussions with, or I have had discussions with the Prime Minister and also the Acting Minister for Industrial Relations and I'm told at that stage they couldn't intervene and I accept that situation. But I believe that they could be more positive in talking with their colleagues in Western Australia to try and bring about a resolution of this particular problem.

RICHARD CARLETON

What, do you want Mr Fraser to give Sir Charles Court a beat about the ears, so to speak?

PETER NOLAN

Well, I'm not putting it in that sort of childish terms. But I think they could be more direct, more positive in their approach than what they have been up to date.

RICHARD CARLETON

Like what?

PETER NOLAN

Just trying to talk some sense into the West Australian Government and the Cabinet. Because what we're saying is we're not asking them to drop the charges, I think we've gone past that at the present moment but if we can get a clear undertaking. As I've said on several occasions over the last two or three days, if we get a clear undertaking from the Western Australian Government that on the first day of sitting on the next Session of the Western Australian Parliament, that they intend to amend the Police Act, to remove those obnoxious words, as we see them, then I believe that we can get to a settlement of this sort of a situation that we're facing up to on Thursday.

RICHARD CARLETON

Mr Nolan, in his Office in Parliament House an hour or two ago, Mr Fraser said that he did not believe that the A.C.T.U. really thought that its right, or unionists right to assembly was under threat by virtue of this West Australian Legislation. Is that the way it is?

PETER NOLAN

That's not entirely true because what has happened in Western Australia and I don't think I've got time to go through every detail. What did happen was that a meeting was held and even the Police in Western Australia who are carrying out the law and I've got no complaints with the Police, but how that Act and how those provisions have been carried out Western Australia since it came in 2 years ago, when the Trade Union Movements saw, foresaw the problems it could create so far as the Trade Union Movements concerned was rubbished at that time by the Court Government in saying that this would never happen. We find that the Police have been administering the law over there on the basis that if the Trade Union Movement wanted to have a March and that's what they were concerned about, Marches. They weren't concerned about meetings and that being the spirit of the Legislation, how it was being carried out in Western Australia, we find then that a meeting being held in a country town in Western Australia, where Laurie Carmichael is invited at the last minute. We find then, you know this is the whole basis of the thing is that we find then that the action being taken against a Trade Unionist, not two, as has been reported by the media but in fact 3 Trade Union Officials of varying political persuasions.

RICHARD CARLETON

Mr Nolan, I thank you very much indeed for your comments. I invite you, if you wouldn't mind to just remain in the Melbourne Studios for a few moments and if I could now introduce from Canberra now, the Prime Minister and suggest to you Mr Fraser, in explaining that you've been fishing on a holiday and thank you very much for coming in, suggest to you that Mr Nolan put forward a very reasonable sort of case there, would you like to respond to what he said?

PRIME MINISTER

I think Mr Nolan, in many conversations I've had with him and I hope this doesn't condemn him, is a very reasonable person who likes to deal with a matter on its merits. But on the advice that I've had I think this whole matter now has got far beyond the particular dispute which first caused it. I'M not seeking to defend a particular law but I think that as I've been advised some explanation, or a particular explanation ought to be given. Well over 500 applications have been made under the law and as I'm advised all granted, many of them to the Trade Union Movement and the Labor Party. I think overwhelmingly, anyway because the Trade Union Movement and to the Labor Party granted. On this case, as I'm told, officials said you know, can we have a march, or have a meeting and was told that they should apply in writing and as I'm advised that application in writing wasn't made and that's the only thing that you know, if that had occurred then this whole wretched business would not have arisen.

RICHARD CARLETON

Such a petty thing though, such a petty thing bringing the nation to a stop.

PRIME MINISTER

Well, exactly but you know, why wasn't that application made in writing? Now if that's a correct interpretation of the facts, it seems apparently under the law that it has to be made in writing but not much in advance, it can be done much at the last minute and it seems to me that one needs to ask why didn't somebody write out on a bit of paper, we want ---

RICHARD CARLETON

But that's all behind now Sir what

Thursday?

PRIME MINISTER

That was still a petty thing, not making that application in writing and whether that was decided or not, I don't know but I do need to say that the decision taken by the Australian Council of Trade Unions in support of industrial action, which could on a continuing basis lead to bans on the export of major commodities, which could, at the request of the Unionists in Western Australia, lead to concerted bans on the State of Western Australia.

RICHARD CARLETON

No one doubts the seriousness of it, one's looking for a solution.

PRIME MINISTER

Well, exactly but I think it needs saying that those actions are far out of proportion to the nature of the dispute itself and that needs to be kept in mind because I really don't believe that anyone thinks that the right of assembly, the right to meet and the right to march is under threat in Australia.

RICHARD CARLETON

Mr Nolan seems to be saying though Sir, that if you can produce for him a promise from Sir Charles Court that on the first day of the Sitting of the Western Australian Parliament this provision will be removed that then there's no need for the disaster on Thursday.

PRIME MINISTER

That's a commitment that one would have to get out of the Western Australian Government. Sir Charles Court has said that the provision will be reviewed and it seems to me that that statement has passed through the air and has not been given due weight. I've also indicated of course, that I would believe that there is going to be a debate in the Western Australian Parliament about it because if the Government doesn't initiate one the Opposition certainly will.

RICHARD CARLETON

Put yourself in the position of a Union Leader who is going out to his Members and saying well, Sir Charles Court has said that he'll review this matter so therefore we shouldn't go on strike on Thursday. From Mr Nolan's point of view and from the membership of the A.C.T.'s point of view, they want Sir Charles Court to say that it's going to be withdrawn. Now if you can produce that, you save the nation.

PRIME MINISTER

Now, wait a minute. That may well be so, but there are some other aspects of this. Threats have been made of a very real kind and its not always the best way to get a result out of a Government. It's not always a responsible use of power to indicate that you intend to use the undoubted power that Trade Unions have and I believe that one of the results of the general public and the tens upon tens of thousands of trade unionists that a weapon has been used against Australia and against the people of Western Australia in particular, which is out of all proportion to the nature of the dispute and I think, now but wait a minute, wait a minute.

RICHARD CARLETON

Let me correct your grammar there Sir, is to be used, hasn't been used yet it's going to be used unless you step in.

PRIME MINISTER

No, not unless I step in. It's a question of. No, this is one of the things we're talking about tonight. So many people believe that the Commonwealth has power to resolve industrial disputes when very often that power resides in the hands of a State Government and not in the Commonwealth and you need to understand that this is the position at the moment and I believe that the Trade Union Movement has done itself irreparable harm by seeking to involve the whole of Australian major export industries and maybe the possibility of a very real ban on trade and commerce with Western Australia as a result of this particular

dispute and I don't for one moment wish the union movement that harm but on my judgement the people of Australia will believe that a weapon of massive proportion is being used and the original dispute does not in any sense merit that.

RICHARD CARLETON

It can be stopped though Sir, if you would produce from Sir Charles Court a promise to withdraw this legislation as Mr Nolan just said.

PRIME MINISTER

You also know quite well, that Sir Charles Court is not in Australia and Sir Charles has said that this matter resides in the hands of his own Cabinet in Perth. Now, I think that it would have been very much better if people could have stood back a little, it's worth noting that there was going to be a massive dispute on Thursday anyway. The AMSWU and other major unions, MetalWorkers Union was having a major dispute on a wage case and they decided to do that anyway. To defy Arbitration and to say look we want to support it by industrial muscle when they ought to be going to the Arbitration Commission and putting their case there and that the merits determine the issue and not industrial strength. So there was going to be a major dispute on Thursday involving many people right around Australia in any case.

RICHARD CARLETON

The opportunity is there to kill two birds with one stone?

PRIME MINISTER

Oh look, do you think that the Metal Workers won't continue with their dispute?

RICHARD CARLETON

It would look pretty silly if they went out this Thursday after getting a promise to withdraw the law.

PRIME MINISTER

Well, I think you've got to understand that the processes of review have to be undertaken and Western Australia has indicated quite plainly that it is going to. Peter Durack, our Attorney-General will be talking with Mr Metcalfe, Western Australia counterpart as soon as Mr Metcalfe comes back from overseas. He will have had these discussions earlier. Well, sometime during the course of tomorrow, I'm not sure what time his plane gets in. Those discussions will have taken place earlier if Mr Metcalfe had been in Western Australia but he wasn't and so the Commonwealth Government

I have had discussions with Mr. O'Neil and Ian Viner has had many discussions with Mr. O'Neil on this particular issue.

PRIME MINISTER (continued)

But again, I come back to the point, the weapon that is being used is out of all proportion to the nature of the dispute, to the nature of the complaint. Against the background of the Metalworkers and one or two other unions we were going to have a national stoppage anyway on Thursday. It makes one wonder whether or not there aren't some people almost take a delight in this. I know quite well that Mr. Nolan is not - he said he doesn't want a dispute and I accept that totally and absolutely.

CARLETON

I will come back to Mr. Nolan in a few moments sir, but just if I may end off our segment by asking you; what is your Government doing to stop the petrol disaster that is about to inflict itself, or now inflicting itself on N.S.W.

PRIME MINISTER

Well, a number of things are happening. There will be a meeting between the Chairman of the N.S.W. Industrial Commission and Sir John Moore, the Chairman of the Arbitration Commission, tomorrow.

CARLETON

...Mr. Wran though?

PRIME MINISTER

Oh - with our consultation and all the rest. This matter is under Federal jurisdiction. It's basically under the State jurisdiction, I said Federal. But the dispute has arisen because as I am advised both the N.S.W. State Government and the State AWU want certain elements of the Kurnell Oil Refinery worker's case to be under the N.S.W. jurisdiction.

CARLETON

What are you doing to solve it? What are doing to get the petrol flowing? You are the leader of the country.

PRIME MINISTER

I think you need to let people understand what the basis of the dispute is -- that is because a particular union, the State AWU, want to be under the State jurisdiction and are defying the determinations that have been made so far that the whole oil industry ought to be under the Federal jurisdiction. Now the Commonwealth very strongly supports that because we believe that having a State jurisdiction and a Federal jurisdiction cutting across industries makes no sense whatsoever. I had earlier written to Premiers on matters that were related to this but today the Commonwealth decided that we should put to the States, to the trade union movement and to employers, whether or not there should not be a referral of powers to the Commonwealth so that in the future there could be one industrial jurisdiction.

PRIME MINISTER (continued)

It could be done for a trial period of three years if people like, because there have been many disputes caused by jealousies between a jurisdictions, people leap-frogging, people in the State jurisdiction getting a higher award, people in the Federal jurisdiction therefore being aggrieved.

CARLETON

That does nothing to get petrol flowing in N.S.W. tomorrow though?

PRIME MINISTER

This doesn't do anything to help get petrol flowing in N.S.W. tomorrow. This situation may well never have arisen if Mr. Wran had not given moral support to the State AWU to break out of the Federal jurisdiction. He knows that very well indeed. Now, that doesn't help for tomorrow. But if there is going to be petrol flowing in N.S.W. it is the State Government that has emergency powers in these circumstances. It is the State Government that is using those emergency powers to ration petrol, who could be using those emergency powers - although I believe that should wait until the hearing which is tomorrow afternoon at 2:00 o'clock - who could be using and maybe should later on be using those emergency powers to get people back to work. There are 400 people in a State union that are holding the whole of the State of N.S.W. to ransom. I haven't heard Mr. Wran, at any point, say, throw the weight and moral authority of his Government against those 400 people holding up the whole State of N.S.W.

CARLETON

Apart from the long-term referral question, which is a big and complex issue, for the immediate problem in N.S.W. though is it the case that your are impotent?

PRIME MINISTER

The power is within the N.S.W. jurisdiction, yes it is. It is within Mr. Wran's emergency powers. He understands this and he knows it. Again, I believe the tragedy is that over a significant period the N.S.W. Government has given its moral support to a breakaway section - to try and break out of the Federal jurisdiction - which would lead, even within N.S.W. itself, some of the industry under the Federal award and some of the industry under a State award. That in itself would have the seeds of discontent and disruption -- for one moment the Federal people would be ahead, the State would fight to catch up and they would jump ahead and there would be continual disturbance in a very important industry. Now, we've even tried to assess, to see, to what extent it might be possible to help N.S.W. from other parts of the Commonwealth, but petrol supplies are tight right around Australia and that means if any State was to help to get extra petrol into N.S.W. it would probably have to use its own emergency powers, impose rationing in its own State, to divert supplies to N.S.W.



CARLETON

Mr. Fraser, I thank you on that point, and I am going to go back to Melbourne, but could I just ask; are you going back fishing tomorrow or not?

PRIME MINISTER

I think that might well be doubtful. There will be discussions tomorrow morning with Peter Nolan and such other of his colleagues as he wants to bring to Canberra with him. Ian Viner and one or two others of us will be involved in that. There will be another meeting of Federal Cabinet tomorrow afternoon, certainly those Ministers that are available or present today, to assess the situation again tomorrow afternoon. Tammie at the moment is on that houseboat in Eildon, and whether I get back there or not at the moment I think is very much open to doubt.

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(MR. NOLAN INTERVIEWED FOLLOWING INTERVIEW WITH MR. FRASER)