

Australia: McArthur Express workers face up to 10 years jail for protesting

Chris Gordon, Socialist Equality Party candidate for Parramatta
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Two workers arrested outside the McArthur Express transport depot last month, while protesting against the company's sudden closure, attended Blacktown Local Court in western Sydney on October 17, facing serious charges that carry up to 10 years imprisonment.

Contrary to their expectations—that the case would be dropped following representations to the police by the Transport Workers Union—the two young men, Anthony Coenradi and Andrew Moore, were told that the prosecution would proceed. Coenradi was informed that his charge of “affray” was so serious that his case would be adjourned to the District Court. Police said no representations had been received from the TWU, and no union official was present.

The charges against Coenradi and Moore—affray, intimidating a police officer and resisting arrest—bear no resemblance to what actually happened on September 26, after the company went into liquidation, locked its gates and sacked more than 700 workers without notice, entitlements or payment of wages owing to them.

On that day, a group of workers gathered at the McArthur Express depot in Seven Hills to seek access to their lockers, as well as obtain information and termination documents from the company, without which they could not apply for unemployment benefits. After peacefully entering the depot, they agreed to leave the premises and assembled at the front gate.

The state Labor government's response was to mobilise about 30 police, including plainclothes and riot squad officers with dogs, to protect the company and ensure that trucks and other vehicles could leave the property.

When Anthony Coenradi walked in front of a truck leaving the depot, he was tackled to the ground by two plainclothes officers and held in a chokehold then later charged. The charge against him of affray is one of the most serious “public order” offences in the NSW Crimes Act. It is defined as “using or threatening unlawful violence towards another” that “would cause a person of reasonable firmness at the scene to fear for his or her personal safety”.

Andrew Moore was arrested for “intimidating a police officer” and resisting arrest after he went to assist his mother, Jackie Moore, who had tried to help Coenradi. Police threw her

to the ground, and manhandled another woman, Tina Allen, who was due to give birth within two months. Under the Crimes Act, anyone who “harasses or intimidates a police officer while in the execution of the officer's duty, although no actual bodily harm is occasioned to the officer, is liable to imprisonment for 5 years”. If the incident occurs during a “public disorder” the penalty is 7 years imprisonment. Each charge of resisting arrest also carries a penalty of up to 12 months imprisonment.

The TWU left the two young men on their own, despite originally promising to write to the police to ask for the charges to be dropped for “extenuating circumstances”. When the WWSW called TWU senior official Mark Crosdale, asking him to explain the union's failure to appear at court or write a letter, he hung up the phone. Coenradi and Moore later went to the union office, where a letter was drafted to be sent to the police.

The TWU has refused to organise any industrial or political campaign to defend Coenradi and Moore or take any action against the Labor government's use of the riot squad to attack and arrest workers demanding their basic entitlements. The police mobilisation was a direct assault on democratic rights. The real “crime” at McArthur Express was the throwing of hundreds of workers out of work, not the legitimate protest of sacked workers and their families. It seems that any expression of resistance or unrest by working people is now met by a police-state response.

As the Socialist Equality Party (SEP) has pointed out in its federal election statement, the McArthur Express arrests, coming less than three weeks after the extraordinary police-military mobilisation against protestors during the Asia Pacific Economic Cooperation (APEC) summit in Sydney, demonstrate that the real targets of the vast expansion of police powers in the so-called “war on terror” are not terrorists, but ordinary working people and youth.

The TWU's refusal to conduct any campaign to demand the lifting of the charges against the two arrested workers is in line with the union's failure to mount any defence of the McArthur Express jobs. The union has simply told the sacked workers to seek help individually from the Howard government's General Employee Entitlements and Redundancy Scheme (GEERS). Nearly four weeks on, despite constant phone calls to GEERS,

many workers have still received no payments to compensate for the loss of unpaid wages, redundancy pay, annual and long-service leave.

In addition, the minimal benefits available from GEERS do not cover thousands of dollars in unpaid superannuation. Moreover, federal Workplace Relations Minister Joe Hockey has confirmed that the GEERS scheme will pay nothing to the many McArthur workers who became subcontractors at the company's request. This ignores the fact that most of the subcontractors worked exclusively for McArthur Express.

The SEP calls for the immediate dropping of all charges against Coenradi and Moore. We will be launching a campaign against this attack on basic democratic rights by the state Labor government with the complicity of the union. What happened at McArthur Express is a sharp warning of what a Rudd federal Labor government is preparing to carry out against the working class. Like his state counterparts, Labor leader Kevin Rudd, with the assistance of the trade unions, will escalate the ongoing assault on jobs and living standards and suppress all opposition by working people.

Outside Blacktown Court, we spoke to Coenradi and Moore about their arrests.

Andrew Moore said: "I went to the union meeting the night after all this happened, and I questioned the union official. She said they were writing a letter to the police, asking them to drop the charges because of extenuating circumstances. When we asked her why, she said this is what the police said had to be done to get us off the charges.

"This morning we've been told that the charges are still proceeding, and we should get legal advice. No-one from the union is here. It's a dog act by the union. They said they would do something to help the workers, but it was just words coming out of their mouths. I'm not a TWU member, but I was there to support the workers, some of whom I used to work for. What the union has done is not right.

"As for the charges, I don't know how I could have 'intimidated' police, with seven police on top of me. All I was trying to do was cross the road to get to my mum, and I got dragged down to the ground by seven police. All this was captured on the news cameras. I couldn't move.

"When we got to the police station it was blatantly obvious that the police were discriminating against me, because I asked for a video-taped interview, which is my right, and the cop turned around and said, 'No, you're too much of a prick, I'm not going to interview you.' I had several rights violated while I was in custody.

"All this with the police is cracking down on people who are doing nothing. Just like yesterday, a taxi driver doing his job at Sydney airport was told to move on by the police. Then they pulled him out of his car and sprayed him with capsicum gas. There was no need for that.

"This is turning into a police-state. I don't know why this is happening. Everyone has the right to protest peacefully. That's

what was happening at McArthur.

"Look what happened at APEC. The police let the Chaser comedians in; even with one dressed as Osama bin Laden. This war on terrorism's not about fighting terrorism. George Bush started the war, supposedly to fight bin Laden, not to take over Iraq. Now, the world is changing—we have to watch what we say and when we say it. It all comes down to the oil. That's why Bush's father invaded Iraq in the first place."

Anthony Coenradi added:

"How they can charge me with affray is beyond me. There was even a photo of me in the [Sydney] *Daily Telegraph* showing a cop with his hand around my throat, and my mate trying to get me away from them. After I got away, we made a deal with the police officer in charge to let the trucks and administrative staff out, so long as one truck stayed there.

"As the truck came out, I walked across and the next minute I knew the cops grabbed me. After my mates got me away, I went to run to stop the truck coming out and I got tackled to the ground by someone in plain clothes, who I didn't even know was a police officer, and another person in an orange shirt.

"It's absolutely ridiculous. I'm now facing 10 years in jail for something I shouldn't even have been charged with. The police didn't tell me until I was at the police station that I had been charged with affray. When I asked what it was—because I didn't know—they said it was causing fear against police. I don't know how I did that, seeing how skinny I am, and they had more than 30 police there, with the dog squad. I don't even like violence; it was a peaceful protest.

"The union got brought in to help us out, but they've left us high and dry. I blame the government, and the industrial relations laws. Howard keeps talking about record low unemployment, but the WorkChoices laws are being used to sack people every week, and those that can get work are being paid minimum wages.

"Originally, I only went down to the warehouse to get my stuff out of my locker, and they wouldn't let me do that. I still have no money or a payout from GEERS. They said they would give me a redundancy payout of a minimum four weeks, and the holiday pay I was owed. It's been a hassle to get the money from GEERS. We've had to travel to different places to go to meetings and fill in forms, all without any money to pay for petrol."

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