



Walk in the boots of 10,000 men

LOCKOUT

THE STORY OF AUSTRALIA'S MOST VIOLENT INDUSTRIAL CONFLICT

A **STUDY GUIDE** BY ROBERT LEWIS

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OVERVIEW

16 December 1929 was a day that would change a nation. On that day, more than six thousand miners ... hungry, militant and desperate, closed ranks and marched to the padlocked gates of the Hunter Valley coal mine known as Rothbury.

Exploding in brutal violence, this day would remain etched in their lives and their industry forevermore.

What began as an undeclared war on industrial labour, ended up overpowering a government, crippling an industry and besieging a community.

THE GREAT AUSTRALIAN LOCKOUT.

LOCKOUT (Jason van Genderen, 2007) is the story of the 1929-30 lockout of coalminers in the Northern District coalfields of New South Wales.

The 56-minute film shows how one group's legal rights won for them by a strong union were abused by a biased legal and political process.

The demand for coal was collapsing worldwide, and the coal owners in the northern coalfields of NSW announced that they would cut wages and reduce the miners' employment conditions.

The union disagreed, and the miners found themselves locked out of the mines until they would agree.

This caused great hardship for the miners and their families, and resulted in a day of violence when police fired on and bashed protesting miners, killing one man.

The miners found themselves opposed both to the conservative New South Wales government, but also the new Federal Labor government of James Scullin. The governments did not apply the law as it stood, and as a result deliberately supported the powerful mine owners against the workers.

After fifteen months a compromise agreement was reached, with the workers having to accept pay cuts, but the employers having to drop their demand to be able to de-unionize the work force.

The story is told by a mining historian, and by a few remaining eye-witnesses to and participants in this historic event. Three died before completion of the film.

While the film is about the events of 1929, the social forces and issues that it focuses on are still relevant to Australia today.

CURRICULUM APPLICABILITY

Lockout is relevant for senior students in:

- History;
- Politics;
- Studies of Society and Environment (SOSE / HSIE);
- Australian Studies; and
- English.

Teachers can explore ideas and issues through these, the main sections of the study guide:

- 1 Viewing for meaning
- 2 Analysing the film as documentary
- 3 Analysing the film as a representation of history
- 4 Responding to the film empathetically

EXPLORING IDEAS AND ISSUES IN THE FILM



1. VIEWING FOR MEANING

LOCKOUT IS A DETAILED ACCOUNT OF THE EVENTS OF THE **GREAT AUSTRALIAN LOCKOUT OF 1929-30.**

It is best approached by students following the narrative carefully, and discussing key issues as they arise in the film.

The film is divided into eleven key chapters, and teachers are recommended to pause the film after each and answer the following questions.

Chapter 1 Gathering Clouds

- 1.1 Why was coal important economically?
- 1.2 What was life like for the coal miners?
- 1.3 How does the film describe mining families and communities?
- 1.4 An economic depression involves less production of materials, and less buying by consumers. How would this affect coal-mining?
- 1.5 What did the coal owners want to do, and how would this solve their problem?

- 1.6 The mining historian in the film says that the owners made: *A conscious decision to take on the coal-mining unions ... The employers ... saw an opportunity to destroy what was arguably the most-powerful, best-funded, best-organized union in Australia.* Why might the owners and a conservative government want to do this?

Chapter 2 The Players

- 2.1 What dilemma now faced the union leaders?
- 2.2 Describe the role of these three key figures:
 - Charles McDonald
 - John 'Baron' Brown
 - Thomas Bavin
- 2.3 The union refused the demand that they lower wages and reduce their conditions. The employers now imposed a 'lockout'. What is

the difference between a lockout and a strike?

- 2.4 Why did the union now want Bavin to set up a Royal Commission to investigate the coal owners' profits?

Chapter 3 The Waiting Game

- 3.1 A radical group wanted a strike rather than a lockout. How was a lockout a better option for workless coal miners?
- 3.2 How did the miners, their families and their communities adapt and support each other?

Chapter 4 The Winter of Discontent

- 4.1 What difficulties and strains were now placed on the miners and their families?
- 4.2 How did they cope?



Chapter 5 Battle Lines Drawn

- 5.1 The miners had set up 'picket lines'. What are these?
- 5.2 How did the coal owners respond to the demands of the Royal Commission that they have their profits examined?
- 5.3 Coal miners were employed under a Federal, not a State, set of rules. The Federal Labor Party, in opposition, promised to help the coal miners if they were elected at the forthcoming election. How would they have been able to do this?
- 5.4 How did the Bavin State Government try to weaken the coal miners?
- 5.5 The Royal Commission ended – what was the outcome?

Chapter 6 The Powder Keg

- 6.1 The NSW Government now said it would allow the use of 'scab' labour. What is 'scab' labour?
- 6.2 The NSW Government now planned to take over the Rothbury coal mine and get it producing. Why would it want to do this?
- 6.3 Why would the locked-out coal miners oppose this?

Chapter 7 Lifting the Lid on Hell

- 7.1 What happened around Rothbury on 15 December?
- 7.2 What happened the next day?
- 7.3 Several eye witnesses describe the events of that day. What are

the strengths and the weaknesses of oral history in reconstructing historical events?

Chapter 8 Death at Rothbury

- 8.1 Why do we not know the full details of the injuries suffered at Rothbury?
- 8.2 How were the events presented to the public?
- 8.3 Why is it important to have an informal and impartial press in our society?
- 8.4 What is your reaction to learning about this violence in Australian history?

Chapter 9 The Fallout

- 9.1 In January 1930, the High Court ruled that the Federal Government had no jurisdiction in the dispute. Why was that an important decision?
- 9.2 How did coal unions and radical groups start to respond?
- 9.3 What did the NSW Government do with its police force?
- 9.4 The film says that the actions were deliberately provocative. The NSW Government would have said that they did this to control actual or potential disorder. How can we judge which explanation is correct?

Chapter 10 The Second Year

- 10.1 In March 1930, John Brown died. He left most of his property to the judge who had supported the coal owners. What does the film suggest or imply about the support of the judge for the case of the owners? What other explanations are possible?
- 10.2 Do you think judge Knox should have removed himself from hearing any case involving the mine owners?

Chapter 11 The Dark Road Back

- 11.1 A proposal was finally put to end the dispute. The coal miners would accept the pay cut, and the mine owners would not reduce the workers' conditions. How does the film suggest that this was actually a victory for the workers? Do you agree?
- 11.2 During the credits we hear a song to 'Norman Brown', the miner who was shot dead during the lockout. Discuss what ideas it puts to us, and whether you agree with that interpretation.
- 11.3 Why might people create such songs about significant events?

2. ANALYSING the FILM as DOCUMENTARY



LOCKOUT USES A VARIETY OF TECHNIQUES TO TELL ITS STORY.

- 1 Describe and comment on the use of these elements, and their effectiveness:
 - Narrator
 - Historical expert
 - Eye witness participants
 - Historical reconstructions
 - Historic images
 - Graphics to illustrate people and issues
 - Music
 - Use of historical sites
- 2 What overall impression does the documentary create? How does it achieve this?
- 3 Look at this comment by the film's director, Jason van Genderen:

In an age of information technology, emails, chatrooms, blogs and SMS ... it's truly inspiring to work on a project which so strongly embodies a forgotten bond. I'm talking about community spirit, togetherness, working as one to better the position of many individuals and families. It's a hallmark of the Australian spirit, and one so very worth telling.

When Lockout's producers (Greg Hall and Diane Michael) invited me to discuss their story about 10,000 miners virtually abandoned by their employ-

ers, their government and their legal system ... I was simply stunned that this story hadn't become Australian folklore sooner.

What they had unearthed was a story of incredible hardships, bribery, tenacity and undying community solidarity. Against all odds, Lockout chronicles the bravery and strength of the human spirit, the fighter, the worker. It also reminds us that in the apparent balance of democracy lays the tempting opportunity for graft and corruption.

Documenting the story of the Lockout has become an incredibly revealing and personal journey for all our crew. The fact that we were fortunate enough to spend time with the three remaining veterans (before they passed away) allowed us the opportunity of telling their story and cementing the legacy of their struggles. Their eyes still glowed vividly, reflecting times of passion, pain and disbelief ... some seventy-eight years on.

During our week of filming the dramatic recreations, there was many a time we stood in awe at the scene before us ... feeling the gravity of this historical story. The recreation of the legen-

dary dawn march (when some 6,000 miners marched behind the wailing strains of a Pipe Band) brought a tear to the eye of many crew.

I'm also immensely proud of the sheer dedication and talent of our all-local crew. For a story so strongly seeded in the Hunter Valley, it seems so fitting that it's now been brought to life by the very people who live here.

Lockout is not just a documentary, nor a piece of history re-told ... it's much more than that. Lockout is a window to Australia's soul ... it's a reflection of the working man, the fighting spirit, the will to bring community together and the importance of self worth and survival.

There's many things we can still learn from this story, and I invite you to open your mind to them.

- 4 What do you think are the main lessons or messages that we can learn from this film that have relevance to our society today?
- 5 Do you think that the filmmakers have told the story well?



3. ANALYSING the FILM as a REPRESENTATION of HISTORY

LOCKOUT IS A REPRESENTATION OF HISTORY. THIS MEANS THAT IT IS ONE VERSION OF THE EVENTS, **DELIBERATELY CONSTRUCTED** BY THE FILMMAKERS.

They have chosen what to include, what to exclude, and how to structure their version. The result is that it conveys certain messages. All representations do this.

- 1 Here are some alternative representations of the story as they are presented in various history texts – some of which are from textbooks specifically written for students, and others from general histories. Compare these with *Lockout*, using a table like Table 1 (on page 7) to help you compare the different versions:

Representation 1: An academic history (1)

By then the northern coalfield of New South Wales had become another battleground. That the industry there was in urgent need of reform was not in contention: the growth of other fuels had resulted in overcapacity in the industry (the average miner worked only 168 days in 1928) and the restrictive practices of the Coal Vend [owners] allowed too many small and unproductive pits to continue production. The owners proposed to resolve the problem by cutting wages, and

pursued their objective at conferences held during 1928. Unable to obtain the union's agreement, they did not bother about judicial sanction but simply informed 10,000 miners in February that they would be dismissed unless they conceded wage reductions, accepted the owners' control over hiring and firing, and abandoned their right to hold pit-top meetings. Again the picket lines were established, again the police broke them to escort strike-breakers into the pits (and before the end of the year there was another union fatality, this time at Rothbury where the police opened fire on pickets).

ASPECT	VERSION OR REPRESENTATION					
	1	2	3	4	5	6
CONTEXT OF THE EVENTS						
CAUSES						
MAIN ASPECTS DESCRIBED						
PEOPLE INVOLVED						
DEGREE OF DETAIL						
JUDGEMENT OR CONCLUSION ABOUT THE EVENT						
AUDIENCE FOR THE ACCOUNT						

TABLE 1

The intention to starve the miners into submission could hardly have been clearer – one owner told his workers that he would force them to cut grass before letting them into his pit. Here, surely, the Commonwealth was obliged to apply the same sanctions against employers in breach of an award that it had wielded against striking unions. A prosecution was in fact initiated early in 1929 against John Brown, one of the principal owners, but the government meekly withdrew it when the owners made this a precondition of further negotiations. The favoured treatment of John Brown flew in the face of the government's rhetoric of even-handed enforcement of industrial law. Here was a man of enormous wealth, one who could spend £2,000 or more on racing horses and whose estate was declared at £640,000 when he died in the following year – and a generous portion of it was bequeathed to the chief justice of the High Court, which caused many to query that court's impartiality in the recent litigation over the validity of awards. Yet Brown denied work to men on the grounds that he could not afford to mine coal unless they gave up a shilling a day: Latham, the attorney-general, publicly defended Brown's action, explaining it is no offence to refuse to give employment if it is impossible to carry on at a profit, but he advised the Prime Minister in a secret memorandum that the withdrawal of prosecution was 'politically unwise' since it would encourage resistance to the law by strikers ...

During the election campaign, which had been fought on the Bruce–Page government's record of industrial relations, several Labor spokesmen had promised that they would resolve the grievances of the unions. The coal-mines would be opened, strike-breakers would be cleared from the wharves. Not only did the Commonwealth fail to open the mines, it was powerless to prevent the New South Wales government from opening the Rothbury mine with volunteer labour, and the shooting of a picket was followed by police violence and intimidation against the mining communi-

ties. But the Prime Minister refused even to visit the coalfield. Nothing in James Scullin's long apprenticeship as a Labor politician who eschewed all extremes equipped him to deal with this or the other challenges he would encounter. The miners, who were eventually forced to accept the owner's terms, execrated him.

Stuart Macintyre, *The Oxford History of Australia, Vol 4 1901-1942 The Succeeding Age*, OUP, 1986.

Representation 2: A school history textbook

Early in 1926, the government brought in the Crimes Act, which provided heavy punishments for trade unionists participating in strikes. In the following years, it introduced further Acts providing harsh penalties for strikers and encouraging strike-breakers.

Such policies help to explain why the late 1920s saw more violent industrial conflicts than almost any other time in Australian history. In 1928, there was a huge timber workers' strike over increased hours and reduced pay. The government provoked a waterfront strike on the eve of the 1928 federal election and, in Melbourne, several demonstrating waterside workers were shot by panicking police. In 1929, there was a long lock-out of coal miners in the Hunter Valley. In this dispute, a coal-miner was shot dead by police, who had been sent by the Nationalist government of New South Wales to re-open the mine with non-union labour.

Robert Darlington, Vicki Greer, John Hospodaryk, *Historyzone 2*, Heinemann, 2004.

Representation 3: An academic history (2)

At the same time, early in 1929, serious trouble erupted on the main coalfield in Australia, the Hunter River area in New South Wales. The mining companies announced that, owing to the declining demand for coal, they would close down the mines unless

the men accepted a severe wage-cut. The 12,000 miners on the field refused and were at once locked out by the owners in February. Even under the new Arbitration Act, lockouts, in the absence of a strike situation, were illegal. Would the Government prosecute the employers with the same promptness and stringency with which it had been acting against employees? To the surprise of some cynics, Latham, the Attorney-General, did launch prosecutions against the largest and richest mining concern on the field, John Brown and Co., but then, against Latham's advice, Bruce persuaded Cabinet to withdraw the prosecution and this was announced at an abortive conference on 8 April. The Government stood naked before the electors, having, for class ends, perverted the administration of justice under its own most prized law.

Russel Ward, *A Nation For a Continent*, Heinemann Educational Australia, 1977.

Representation 4: An academic history (3)

There were two very serious industrial disturbances during 1929. One concerned timber workers, the other coal-miners, and the Bruce–Page Government's attempt to remedy what it thought was the fundamental cause of the trouble led to its defeat in parliament and at the polls. Employers faced difficult times due to the slowing down of the economy. Employees thought employers had organized a nation-wide conspiracy to undermine labour conditions and union strength. Judge Lukin handed down a harsh award for the timber workers late in January 1929, which increased working hours from forty-four to forty-eight a week. The men went on strike and only returned ten months later, after considerable bitterness and some violence. The employers said it was a strike; the unions called it a lockout. One feature of the dispute was the organization of relief depots financed by contributions from other unionists; another was the trial of several men for conspiracy, arising out of mass picketing. The unions gained nothing.

The same was the case with the NSW coalminers who were locked-out in May 1929 by the colliery proprietors until they accepted reduced wages. The proprietors claimed that they needed to reduce the selling price of coal. This dispute, like that in the timber industry, drew attention to the unwillingness of unions to accept wage reductions when times were poor, even though they accepted increases when times were good. In the circumstances of 1929-1930 they were struggling against the economy, not just against the coal barons and unsympathetic state and federal governments. The situation became very serious in December 1929 when the State Government attempted to open the Rothbury mine with non-union labour, and there was a violent clash between unions and the police. It was not until June 1930 that the miners were at work and the price of coal had been reduced. But by then it had also become very clear that over-production had been the major cause of the dispute.

Frank Crowley, *A Documentary History of Australia Vol 4 Modern Australia*, Nelson, 1978.

Representation 5: A book review on a radical workers' web site

Jim Comerford's eyewitness account of the 15-month Lockout of 10,000 New South Wales miners in 1929-1930 records the inside story of Australia's most bloody and bitter industrial conflict.

For 92-year-old Jim Comerford – miner, union leader, and author of several other volumes of mining history – the story of The Great Lockout of 1929 has been a lifetime labour.

As a 16-year-old pit boy, Jim was an eyewitness to events that saw one miner shot dead by police and scores more seriously wounded on 16 December 1929. In the months before and after the shootings, he also saw innocent men battered senseless by police basher gangs sent to the North-

ern coalfields of New South Wales by a conservative government happy to do the bidding of a clique of renegade coal owners.

Two years ago, talking about his epic story as his handwritten manuscript neared completion, Jim confided that every day since 1929 his thoughts had strayed back to The Great Lockout and the heroes and villains it had produced.

The heroes were the miners, their families, and leaders of the Labour Movement – men like Bill McBlane, Jock Garden, Jack Kavanagh, Dai Davies, Bondy Hoare and scores more.

The ranks of the villains include pit owners' representative Charlie McDonald, 'Baron' John Brown, conservative New South Wales Premier Thomas Bavin and conservative Prime Minister Stanley Melbourne Bruce.

Some Australian Labor Party leaders are also exposed for their betrayal of the coal miners leaving wounds that served only to strengthen the miners' conviction that union solidarity was their only real defence against attacks by employers and governments, regardless of their political colour or stated policies.

The Great Lockout began on 1 March 1929, when a group of renegade colliery owners on the Northern New South Wales coalfields illegally locked-out 10,000 miners. The miners had broken no laws. They had breached no contracts or promises. Their 'crime', in the eyes of the proprietors, was their refusal to accept wage cuts. The pitmen also balked at employer attempts to bring an end to Miners Federation involvement in pit safety and job preference for unionists.

Diminished wages and conditions aside, the proprietors also wanted nothing short of the destruction of the Miners Federation. They saw miners as the front-line of a rising international worker militancy that, they believed, threatened the place of capital as the pinnacle of industrialized society.

This view of skilled workers as liabilities rather than assets was shared by the then conservative State and Commonwealth Governments. It suited these politicians to turn a blind eye to the illegality of the employers' action in locking out the miners. They cared nothing for the hardships, indignities, intimidation, and violence that would be heaped on miners and their families between March 1929 and the end of The Great Lockout in June 1930. Indeed, they actively conspired to break the spirit of the miners and the strength of their Federation ...

Yet despite Jim Comerford's attempts to maintain an air of scholarly detachment in this story of struggle and the maintenance of human dignity against all the odds, it is to his great credit that he never entirely succeeds. The events of the months between March 1929 and June 1930 left personal wounds that cannot be concealed. Nor should they be concealed.

His descriptions of life in Northern district mining towns in the late 1920s are reminiscent of the works of that other great chronicler of the lives of ordinary people, A.J. Cronin.

Jim Comerford brings to life the Friday night outings to the ice cream parlour and the local picture theatres. He captures the comradeship of the early morning walk to work, the pithead banter, and the physical hardships and dangers of the coal miner's life. He crafts a picture of family life, of stepping out in 'Sunday best' clothes, of visits to the local co-operative store.

His description of the mass meetings as The Great Lockout bit deeply into thousands of miners and their wives and children is riveting. And to read those descriptions is to be there on the platform with Bill McBlane, Bondy Hoare and dozens like them.

Jim Comerford is probably at his story-telling best when he recounts the events of that day in December 1929 when police at Rothbury bashed and belted and shot miners where they stood. His description of police

baton charges and the fury of miners who were fighting for their lives is electrifying. His later description of the journey home after the police rampage at Rothbury is sad beyond belief. Images of miners asleep, exhausted or speechless by the open air kitchens set up by wives after the news of Rothbury spread to towns across the northern coalfields will never be forgotten by those who read Jim Comerford's story.

Importantly, Jim Comerford's latest book has a relevance that transcends time. His work well and truly nails a popular misconception that history is only about yesterday. At its very best, history explains today and offers a road map for tomorrow.

Current events in Australia in many respects mirror events in the Australia of the late 1920s and early 1930s. Contemporary assaults on legitimate unionism mirror employer actions in 1929. Arguments of employers today are the same as arguments of employers in 1929 – increased productivity will always deliver more employment opportunities. Individual contracts will deliver thicker pay packets. Unions are 'a throwback to the past'. More is always better.

The employer arguments of today are as flawed as they were in 1929. They represent the shameless philosophies of those who would divide in order to rule. They represent the way back rather than the way forwards.

In telling his story of The Great Lockout, Jim Comerford is making a significant contribution to today's debate on industrial relations. His message is as clear as it is persuasive. It warns: 'United we bargain. Divided we beg.'

http://workers.labor.net.au/features/200605/b_tradeunion_jim.html

Representation 6: Wikipedia entry

ROTHBURY RIOT

On 16 December 1929 police drew their revolvers and shot into a crowd of locked-out miners in the New South Wales town of Rothbury in Australia, killing a 26-year-old miner, Norman Brown, and injuring approximately forty-five other miners. The incident became known as the Rothbury Affair or the Rothbury Riot.

In 1929 colliery owners on the Northern New South Wales coalfields combined as the Northern Collieries Association. On Thursday 14 February 1929 the mine employers gave their 9,750 employees fourteen days notice, that they (the miners) should accept the following new conditions:

A wage reduction of 12 1/2 per cent on the contract rates, one shilling (\$0.10) a day on the 'day wage' rate; all Lodges must give the colliery managers the right to hire and fire without regard to seniority; all Lodges must agree to discontinue pit-top meetings and pit stoppages.

The miners refused to accept these terms, and on Saturday 2 March 1929, all miners were 'locked out' of their employment.

In September 1929, the NSW State parliament introduced an *Unlawful Assembly Act* designed to suppress the miners, which authorized police to break up any gatherings.

During December 1929 about 4,000 miners were demonstrating against the introduction of non-union labour into the Rothbury mine by the conservative Thomas Bavin State Government who had taken over the colliery. The State Government called in 400 officers from the New South Wales Police from other districts to protect the colliery



and allow the entry of non-union labour. On the morning of 16 December the miners had marched to the mine gate led by a pipe band. When the miners charged the gate, they were met by baton charges by the police and hand to hand clashes. Then the police drew their revolvers and shot into the crowd.

The *Sydney Daily Telegraph Pictorial* described the event as 'the most dramatic industrial clash that has ever shocked Australia'.

After fifteen months of starvation and living in poverty, the miners capitulated in June 1930 and returned to work on reduced contract wages. The lockout failed to break the resolve or organization of the miners union.

The mine finally closed in 1974. A monument in honour of Norman Brown is located at North Rothbury.

http://en.wikipedia.org/wiki/Rothbury_Riot

- 2 Prepare your own representation that is better than these.

For more detailed information on the events, go to <<http://archive.amol.org.au/newcastle/greta/roth.html>>.

For more information about the film *Lockout*, go to <<http://www.lockout.tv>>.



4. Responding to the film EMPATHETICALLY

LOCKOUT IS A **FILM ABOUT PEOPLE**. IT IS ALSO A FILM THAT CAN HELP US UNDERSTAND WHO WE ARE AS A NATION TODAY, AND HOW WE HAVE COME TO BE THAT WAY.

These activities will help you think about Australians today and in the past.

- 1 You have an image of what it means to be Australian — of Australian national identity. List some of those features that you think are characteristic of Australians today.
- 2 *Lockout* shows us about aspects of Australian identity in the past. Complete Table 2 (on page 12), summarizing what *Lockout* shows us Australians were like in the past for each aspect listed, and what you

would say Australians are like today for each one.

- 3 One excellent way of understanding similarities and differences is through role playing.

EITHER:

Select one of the themes in Table 2, and role play a short scene firstly for 1929/30, and then for today.

OR:

Select a scene from the film (such as life at home in the depression, preparing for the battle, a meeting where a decision is made about how to respond to the strike) and create a role play to show your empathetic understanding of the situation. You could do this for any one of the main groups — workers, police or employers. A good approach is to show the same scene from the viewpoint of each of the three groups, and then discuss the similarities and differences. •

ASPECT OF AUSTRALIA / AUSTRALIANS	<i>IN LOCKOUT</i>	TODAY
ROLE OF MEN		
ROLE OF WOMEN		
FAMILY LIFE		
UNIONS		
MAIN VALUES		
POWER IN SOCIETY		
GOVERNMENT		
PEOPLE'S RIGHTS		
THE NATURE OF WORK		
SOCIETY AND COMMUNITY		

TABLE 2



The DVD of *Lockout* can be purchased from Ronin Films at
<<http://www.roninfilms.com.au/feature/2444883178.html>>.

PO Box 1005 Civic Square
ACT 2608 Australia

ph: +61 2 6248 0851
fax: +61 2 6249 1640

This study guide was produced by **ATOM**. (©ATOM)
editor@atom.org.au

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