



# NSW Legislative Council Hansard

## Road Transport (General) Bill

Extract from NSW Legislative Council Hansard and Papers Wednesday 6 April 2005.

The Hon. GREG DONNELLY [4.00 p.m.] (Inaugural Speech): I support the Road Transport (General) Bill. As this is my inaugural speech, I thank honourable members for their presence in the Chamber and their indulgence. I take the opportunity to acknowledge the presence of a number of family members and friends in the visitors gallery.

The history of the Legislative Council dates back to 1823 and since that time it has served the people of New South Wales continuously. This Chamber provides a forum for reflection and second thoughts. It is a means by which legislation can be revised and refined. While sometimes not being particularly popular with the Government of the day, the Legislative Council has and will continue to be an important part of the democratic process in this State.

I am conscious and proud of the fact that I follow a long line of distinguished union representatives who have served the people of New South Wales in the Legislative Council. Their contribution over many decades in developing policies and supporting legislation that has benefited not just Australian Labor Party voters but all people in New South Wales is significant. I hope that over time I too am able to make a contribution to this Chamber that will be judged worthwhile and meaningful.

The contribution of the trade union movement in this Parliament goes back a long way. Indeed, over the years various officials from my union, the Shop Distributive and Allied Employees Association [SDA] have become members of the Legislative Council. The SDA is perhaps better known as "the shoppoos" or "the shoppies" because the majority of its members work in retail shops, such as supermarkets, discount department stores, department stores and specialty stores. However, during my 19 years of full-time service with the SDA, I never forgot that our membership extended into a number of areas such as fast food, warehousing, distribution, and cosmetic and pharmaceutical manufacture. Those industries have their own unique issues and challenges. Former honourable members of this House who were officials of my union include the Hon. Ernie O'Dea, the Hon. John Johnson and the Hon. Tony Burke.

The strands of representing workers and involvement in the retail industry go back a long way in my family. On my father's side, Cornelius Donnelly, my great, great grandfather, got a complementary one-way voyage to Van Diemen's Land, arriving in 1844. He was sentenced to seven years hard labour for what appears to have been a minor breach of the seventh commandment. The breach, I believe, did not take place in a shop but, rather, involved borrowing some items of clothing that did not belong to him. His son, John, married Mary Kennedy in 1881 and they had 13 children. Four of their sons became union activists. Martin and Jim were involved with the Australian Workers Union, Con with the Timber Workers Union, and Mic with the Railway Workers Union. A generation later my father, Peter Donnelly, served as a shop steward for the Amalgamated Engineering Union at the Commonwealth oil refinery in Port Melbourne. His brother, my uncle Martin, served as a shop steward at Malcolm Moores, an engineering shop, also in Port Melbourne.

My mother's father, William Creek, migrated to Australia from England in 1910. He was a draper and established a successful retail business and Holden dealership at Holyoake and then Banksiadale, in Western Australia. The business moved to the township of Mandurah, about 70 kilometres south of Perth, in 1953. My father joined the business in 1957 after William Creek died. With this family background some may say it was almost inevitable that I ended up as a trade unionist representing retail workers. Looking back, that could be true.

My childhood years could only be described as ideal. Much of this was due to my family life, a matter to which I will return. Besides a devoted and loving family, there was the beach, fishing, golf, going to the drive-in, and playing with my mates after school and on weekends. It was the 1960s and we lived in a country town. People did not lock their doors when they went down to the shops. Leaving the keys in the ignition meant that car keys were not misplaced. Mandurah primary public school had many great teachers who shaped my values and attitudes, and those of many others. Mr Ross Kirkpatrick, who passed away last year, and Mr Ray Cole, the school principal, instilled in the students the importance of hard work, pride in one's community, and respect and concern for others. Through their example they showed us how to apply ourselves, relate properly to others, and be good citizens.

My high school years were spent under the guiding influence of the Brothers and the devoted lay teachers at Christian Brothers College in Fremantle. My five years at the school, where the parents of many of the boys were either Italian or Portuguese, taught me about languages and cultures other than my own. It also taught me that while we are all different we all share a common humanity. Brother Kevin Paull, our history and literature teacher in upper high school, made a big impression on us. He challenged us to think deeply about life and encouraged us to consider the implications for mankind of slavishly adopting various "isms", including totalitarianism in its various forms, materialism and secular humanism. Did these and other variants allow us to live freely and reach our potential, or did they enslave and limit our capacity to discover the full purpose of our existence?

My time at the University of Western Australia covered the late 1970s and early 1980s. My six years of studying economics and industrial relations was broken by one year of full-time work. In 1983 I worked as a shop assistant in a supermarket and I experienced first-hand how hard retail employees work for relatively modest pay. I also observed what a union was able to do when it collectively represented workers.

Whilst at university I read a book about the life of Frederick Ozanam, the founder of the Society of St Vincent de Paul. He

was a man of action, and the organisation he established served the poor all around the world. Today there are more than 552 "Vinnies" conferences that operate in New South Wales. The society's great charity work touches the lives of many thousands each year. Frederick Ozanam was a brilliant scholar. As a professor at the Sorbonne in Paris, he championed in his students the consideration of what he saw as the key questions, as he called them—labour, wages, industry and economics. Individual reason, he argued, became supreme under the doctrine of liberalism. On the other hand, socialism created exaggerated State control that was destructive of the best interests of the family and community. In simple terms, he saw the two approaches as being opposite sides of the same coin. They both led by two different paths into the same materialism. Despite the collapse of the communist model of organising human affairs in the late 1980s, I believe that the key questions that exercised the mind of Frederick Ozanam in the 1830s are as relevant today as they were then

At university, through my study I gained an understanding of how the interaction of supply and demand was very effective at setting prices that cleared the market. However, the market mechanism, whilst efficient, is not perfect. It can have outcomes that are not fair and just, requiring government or third party intervention. I do not accept that the price of labour should be set by whatever the market decides. Labour should never be characterised as being just another factor of production, akin to land, enterprise and capital. When we talk about labour we are talking about human beings and their families, who rely on their wages. In my view, people and their families should not be subject to the harsh operation of markets when it comes to the setting of wages. Whilst at university I met others who shared my views and values. They spoke up at times and on matters when it was not popular to do so. They have been a good example to me. In particular I would like to mention Kate Doust, who became a member of the Western Australian Legislative Council in 2001. She has made, and continues to make, an important contribution in that State's upper House.

I got my start in the New South Wales Branch of the SDA in 1986 and held various positions before becoming Branch Secretary in 1996. I would like to thank Joe de Bruyn, the SDA's National Secretary, for his encouragement, counsel and assistance over those years. He has been National Secretary since 1978, and we look forward to many more years of his strong and effective leadership. I would like to express my gratitude to all the members of the SDA's National Executive, who have been both colleagues and friends to me. Their unity of purpose and hard work enables the SDA to serve its members as well as it does. I would also like to acknowledge Jim Maher, AO, and Geoff Williams, former SDA National President and Vice-President respectively, who were important formative influences on me.

To all the officials and clerical staff of the New South Wales branch, both present and past, I thank you for your loyalty and hard work. With over 75 current staff and many others I have worked with over the years, it is not possible to thank you all individually. However, your contribution has made the SDA what it is today. To all the members of the branch's governing body, the Branch Council, I extend my thanks to you all for your trust and support. I also extend my appreciation and gratitude to the over 2,000 workplace delegates who tirelessly, day in and day out, recruit for the SDA and look after the welfare of the union's members. And thank you to the members, who have supported me and kept my feet firmly planted on the ground over the years. I congratulate Gerard Dwyer, who has recently taken over from me as Secretary of the New South Wales branch. I have no doubt that he will successfully lead the union into the future and wisely navigate the various challenges ahead.

I wish to also express my thanks to a number of individuals whom I have worked with and been encouraged by, including Senator Brian Harradine, who is the father of the Senate, Senator John Hogg, who is the Deputy-President of the Senate, Senator Jacinta Collins, Senator Ursula Stephens, Premier Bob Carr, the Hon. John Della Bosca, the Hon. Eric Roozendaal, the Hon. Tony Kelly, Mr Mark Arbib, who is the ALP New South Wales Branch General Secretary, John Robertson, who is the Unions New South Wales Secretary, and Greg Combet, who is the ACTU Secretary.

Very few are given the opportunity to enter public life and serve the people of New South Wales. I wish to express my appreciation of the Australian Labor Party for the support given to me. It is indeed an honour to be able to represent the party in this Parliament. I would also like to thank a number of solicitors and barristers who have provided great assistance to me and the SDA over many, many years, including Mark Johnson, David Hartstein, D'Arcy Kelly and many others from Holman Webb, Bill Grace, Mark Grady, Phillip Bussoletti, Tony Macken, Karen Fogarty, Tony Rogers, Frank Curran and John Fernon, SC. I owe a particular debt of gratitude to Rocky Mimmo, who has provided me with great encouragement and support along with many thoughtful insights into a range of human rights issues

Labor governments have always been strong supporters of families. I would like to take this opportunity to congratulate the Carr Government for its ongoing support of families in New South Wales. The New South Wales Government's \$117.5 million Families First program is a clear demonstration of that commitment. The program provides services to 468,000 families with children under eight years of age in this State.

It is my view that the family is one of the touchstone issues facing society today. The family is the first and vital cell in society. It is into our family that we are born, and in which we are nurtured and grow. History shows us that where the family unit is strong and stable, society will flourish and prosper. The very wellbeing of the individual person and society depends on the wellbeing of the family. My view about the importance of families has been profoundly shaped by my own personal experience. My parents, Peter and Betty Donnelly, who are here today in the visitors gallery, have been married for 49 years. My sister, Jane, and I have benefited from their devotion in ways we cannot fully appreciate. Our father and mother provided for us in the full sense of the word. I would like to take this opportunity to thank them for everything they have done for us.

Families today are under a lot of pressure, particularly financial. Governments should continue to keep families at the forefront of their thinking when it comes to support. A society that supports and encourages families will reap the benefits many times over. There has recently been a lot of discussion about the work-family balance. Family-friendly workplaces are promoted as an important way of resolving the problem. This might be so, and a lot more can be done to make workplaces more accommodating to those who have family responsibilities. However, what many families desperately want is the

option for one parent, the mother or the father, to be at home spending time raising their children, at least while the children are young. Furthermore, society should be a lot more supportive of parents who make the decision to stay at home to raise their children. Unpaid work, both domestic and voluntary, is of enormous importance to society and should be given far greater recognition and encouragement.

The last five decades have seen major changes in our domestic circumstances, and no doubt that change will continue. The Australian Bureau of Statistics 2005 Year Book details a number of these developments, including the ongoing decline in the marriage rate, the trend towards marrying at an older age, the increase of de facto relationships, the increase of lone person households, the high divorce rate, and the low fertility rate. The figures raise a number of issues that are worthy of significant reflection and debate by legislators and society in general.

The Australian Bureau of Statistics has produced population projections based on census data for families in New South Wales. The number of families in New South Wales is projected to increase from 1.7 million in 1996 to between 2.1 million and 2.2 million in 2021. Over the same period the number of one-parent families is projected to increase at a faster rate than families as a whole. By 2021 there are expected to be between 325,400 and 409,300 one-parent families in New South Wales. Most of these one-parent families will have dependent children, and women will head up the vast majority of these families.

Many of the one-parent families will be the result of family break-up and divorce. These are big numbers in both percentage and absolute terms. As honourable members would appreciate, the cost to society of family break-up and divorce in dollar terms, to say nothing of the emotional impact on the individuals involved, especially children, is enormous. The growing number of one-parent families will increase pressure on the budgets of a number of government agencies. I am well aware that matters relating to family law lie within the ambit of the Commonwealth. However, I make this observation: If, within the next 20 or so years, there are expected to be about 500,000 one-parent families in New South Wales perhaps the State and Federal governments, and the relevant agencies, should consider how they can more closely work together to address the situation. For example, consideration should be given to increasing resources devoted to counselling and mediation services to assist couples experiencing difficulties with their marriages.

Last Sunday we witnessed the passing of an extraordinary person, Pope John Paul II. He was a religious leader and a world leader par excellence. It remains to be seen what his legacy will be. However, throughout his life and, in particular, throughout his papacy he never ceased to promote the dignity of the human person. Indeed, it could be argued that it was his signature issue. He taught that all human life was inviolate and that it must be treated with dignity and respect. He emphasised time and again that without respect for human life our own humanity is diminished. As Cardinal Clancy said at the Requiem Mass last night held at St Mary's Cathedral, "We have all been lucky to live during the reign of Pope John Paul II." His tireless promotion of the innate dignity of the human person and life itself was, and will continue to be, an inspiring example for all of us.

It is pleasing that this Government continues to make employment a priority. The Labor Party and Labor governments, going back to the James McGowan Government of 1910, have a proud tradition of promoting employment in this State. Unemployment in this State is currently at a 20-year low—only 5.1 per cent. More than 500,000 jobs have been created in the past 10 years. The recent announcement by the Premier to boost apprenticeship numbers is very good news, especially for young people. The increase to 1,200 in the number of TAFE places for nurses is also welcomed. As we know, work means a lot more to people than just a payslip at the end of the week. Work enables us to develop fully as people. Through our work we are able to discover and utilise our natural talents, and make a contribution to the common good of society.

I respect the rights of employers, but as a trade unionist I have always believed that the worker is more important than the work. Although many employers and their representatives accept this in principle, competitive pressures, and the relentless drive to maximise profits and shareholder return, can lead to the rights of employees being subordinated and even compromised. Trade unions can play a vital role in ensuring that this does not happen. The world of work continues to evolve as we move from an industrial-type economy to an economy built on services and technological innovation. The issues and challenges today for workers are significant. Many workers have jobs, but only just. Part-time, casual, contract and limited tenure work is endemic in our modern economy. This type of work is tenuous and insecure. Unfortunately, many people want full-time work but their employers will not offer them a full-time job. Many employers seem to adopt the view that they must have an almost totally flexible work force. That may be good for productivity, the share price and profits, but it is not good for employees and their families.

Honourable members would know that systems of compulsory conciliation and arbitration of industrial relations matters developed in Australia early last century. In fact, the New South Wales system predates the Commonwealth system. The centrepieces of the systems have been the industrial tribunals, which have provided, and continue to provide, a sensible framework for employees, unions and employers to deal with, and resolve, their differences. The same tribunals also provide for the creation and updating of awards that set fair and reasonable minimum rates of pay and conditions. I am a firm believer in the role of strong, independent industrial tribunals. I believe that they have, on balance, served the interests of employees, unions, employers and the community at large very well.

We have heard recently of proposals to radically reform industrial relations in Australia. At the moment there is a lot of speculation. The picture no doubt will become clearer over the next few months. Whether it involves, for example, determining wage adjustments to provide for increases in the cost of living, adjudicating on fair and reasonable work standards, certifying enterprise agreements or bringing parties together to resolve their differences, the community holds our industrial tribunals in high regard. Our industrial tribunals are held in high regard because the notion of a fair go all round resonates strongly with Australians.

I congratulate the Premier and the Hon. John Della Bosca, the Minister for Industrial Relations, on standing up and

defending our industrial relations and tribunals. The current debate about a change is designed to take us down the path of industrial relations deregulation. In my view, the reforms that are being canvassed will result in many workers, particularly the low paid and those in insecure jobs, being worse off with respect to their wages and working conditions.

I wish to pay tribute to the Hon. Michael Egan, whose seat in this Chamber I now fill. The Hon. Michael Egan was elected into the New South Wales Parliament in 1978 as the member for Cronulla. He served as the member for Cronulla for two terms. In 1986 he was elected to the Legislative Council. In 1995 he became Treasurer, and remained so up until his retirement in January this year, which makes him the longest-serving Treasurer since the introduction of State Parliament. The Hon. Michael Egan made an enormous contribution to public life in New South Wales. He was an outstanding Treasurer. His wit, his wisdom and his intellect will be missed sadly. We wish him well in his deserved retirement, and I hope he finds the fish biting wherever he throws in his line.

May I take this opportunity to thank all members of the parliamentary staff with whom I have come in contact so far over the past few weeks. They have been very helpful and they have provided me with great assistance. I look forward to getting to know them even better over the months ahead.

In concluding, I wish to acknowledge the support and encouragement given to me by my sister, Jane, and her husband, Barry Tetley, and their children; my father-in-law, Robbie Robinson; my brothers-in-law, Stuart and Keith Robinson; and my aunts, uncles, cousins and numerous family friends. I appreciate all that they have done for me over the years. Finally, I would like to thank my wife, Gaynor, and our children, Matthew, Lucy and Joe. Your support and sacrifices have enabled me to devote myself to the union's work and now to participate in public life in New South Wales. Together you are continuing to shape and influence my views about the importance of families, life and work. Madam President and honourable members, once again, I thank you for your indulgence. I look forward to working with you to serve the people of New South Wales. I am sure there will be unanimous support for the Road Transport (General) Bill.