

IN THE AUSTRALIAN CONCILIATION
AND ARBITRATION COMMISSION

WELCOME TO COMMISSIONER BARNES

Coram: SIR JOHN MOORE - President
MR. JUSTICE LUDEKE
MR. JUSTICE KIRBY

MR. COMMISSIONER NEIL
MR. COMMISSIONER HOLMES
MR. COMMISSIONER BRACK
MR. COMMISSIONER STANTON
MR. DEPUTY PUBLIC SERVICE ARBITRATOR BOOTH
COMMISSIONER COHEN
COMMISSIONER GRIFFIN
MR. COMMISSIONER SWEENEY
MR. COMMISSIONER CONNELL
COMMISSIONER BARNES

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY ON MONDAY, 3 JULY 1978, AT 10.05 A.M.

MOORE, J: Commissioner Barnes?

COMMISSIONER BARNES: I have the honour to announce that I have received a Commission from His Excellency the Governor-General appointing me a Commissioner of the Australian Conciliation and Arbitration Commission. I present the Commission.

MOORE, J: Mr. Registrar, I direct that the Commission be recorded.

(The Registrar made at the foot of the Commission the following endorsement:

"Presented to the Australian Conciliation and Arbitration Commission at Sydney and recorded this 3rd day of July 1978."

The Commission was signed by the Registrar and returned to Commissioner Barnes.)

MOORE, J: Mr. Keogh?

MR. M. B. KEOGH, representing the Minister for Employment and Industrial Relations:

If the Commission pleases, I appear today on behalf of the Minister for Employment and Industrial Relations, Mr. Tony Street. The Minister has asked me to convey to Commissioner Barnes his regrets at being unable to attend personally to welcome you to the Commission.

Commissioner Barnes, much of the media attention focussed on the work of the Commission, particularly in recent times, has tended to fall, and quite naturally, on the work of full benches and, again in particular, on national wage hearings and wage fixation inquiries and so on. I believe that one result of this is that the very real importance of many other facets of the Commission's work tends to be overlooked by the general public and yet the work of individual members of the Commission in settling disputes across a spectrum of industries is vitally important to the community.

This work demands people of very real quality, of long experience in the industrial relations area and with a detailed knowledge of industrial relations. You have such knowledge and experience; moreover, people who have worked with you in the industrial relations area during your long career in it have been very impressed with your sincerity and judgment and I believe these qualities will assist you in the new and challenging role you have now accepted as a Commissioner.

My Minister has asked me to express his very best wishes to you in your new career and trusts that it will not only be a fruitful one for both the Commission and the community, but also a very satisfying one for you, yourself. May I add my own personal congratulations on your appointment and wish you all the best for the future. Thank you.

MOORE, J: Mrs. Blunden?

MRS. A. BLUNDEN, representing the Women Lawyers' Association of New South Wales:

If the Commission pleases. Mr. President, your Honours, members of the Commission and ladies and gentlemen: it is an honour and a great pleasure to be called upon to speak this morning on behalf of the Women Lawyers' Association of New South Wales to welcome Commissioner Barnes on her appointment to this Commission.

Commissioner Barnes is a member of long-standing of the Women Lawyers' Association. In 1967 she was our secretary and in 1971 she was convenor of our Research Committee.

Amongst those who know her she has the reputation not only of being hard-working and conscientious, but also of being good company and pleasant to work with.

The Women Lawyers' Association was constituted 26 years ago out of an informal association which had existed for some ten years before that. One of its objects is to make suggestions and to work for the reform of the law and the administration of the law, particularly as it affects women and children.

It is especially pleasing, therefore, that Commissioner Barnes has been appointed to this Commission where she will have the opportunity of contributing in the industrial sphere in which the role of women has long been significant and is increasing in importance. This is a jurisdiction where the decisions have a far wider-reaching effect on the community than is always generally appreciated and it is appropriate that we should be proud of your appointment, Commissioner Barnes. We congratulate you and we wish you well, and we thank you, Mr. President, for affording us the opportunity of addressing the Commission on this occasion.

MOORE, J: Thank you, Mrs. Blunden. Mr. O'Toole?

MR. P. O'TOOLE, representing the Australian Council of Trade Unions:

Your Honour, the President, Deputy Presidents, Commissioners, ladies and gentlemen: on behalf of the Australian Council of Trade Unions it is my pleasure this morning to congratulate on their behalf Commissioner Barnes on her appointment to the Commission.

Commissioner Barnes, your experience and qualifications, your dedication and participation in the affairs of the Commission have undoubtedly been recognized by your appointment as a person possessing the attributes required to carry out the very onerous duties of preventing and settling disputes under the auspices of the Conciliation and Arbitration Commission.

There is a very important meeting in Melbourne this week and it was not possible for members of the Australian Council of Trade Unions' Interstate Executive to be present here today. They do send their congratulations and very best wishes to you and welcome you as a member of the Conciliation and Arbitration Commission.

On their behalf, and on behalf of the Labor Council of New South Wales, we look forward to your fair participation in the affairs of this Honourable Commission.

MOORE, J: Thank you, Mr. O'Toole. Mr. John?

MR. G. D. JOHN, representing the Council of Professional Associations and the Association of Professional Engineers, Australia:

If the Commission pleases: the opportunity given to the Council of Professional Associations and its affiliate, the Association of Professional Engineers, Australia, to speak at this welcome to you, Commissioner, is a privilege.

Your contribution to the work of the council has been a considerable one. You have carried the council's interests before national wage proceedings and other proceedings in this Commission during the time in which the industrial relations system in this country has been under the microscope. Your capacity for work, your constant desire to make, wherever possible, a positive contribution has gained you great respect not only within the council but within the larger industrial arena as well. We feel privileged to have been associated with you in this period. We will miss your counsel, your friendship and your unstinting assistance.

As far as your immediate colleagues in the Association of Professional Engineers, Australia, are concerned, I know you have many personal expressions of goodwill to carry with you in your endeavours. We all feel that you will bring to your tasks in this commission the full measure of the attributes which have marked your work with us.

I extend to you our congratulations and our wish that you will have a happy and fruitful tenure of office.

MOORE, J: Mr. Noakes?

MR. B. NOAKES, representing the National Employers Policy Committee:

On behalf of the private employers it gives me great pleasure to welcome the appointment of Commissioner Barnes to the Commission.

Private employers have had close contact with Commissioner Barnes both in her capacity as a representative of the Association of Professional Engineers, Australia, and also in her role as advocate for the Council of Professional Associations in national proceedings.

In both of these areas she has given ample demonstration of the qualities which are required for the effective discharge of the duties which she is now undertaking. In national proceedings she has consistently demonstrated an ability to deal with matters under debate in a constructive and practical manner. Her submissions have always been followed by us with interest and attention.

We look forward to a long period of continued association with her and we trust that she finds satisfaction and fulfilment in her new role.

MOORE, J: Thank you. Commissioner Barnes?

COMMISSIONER BARNES: Mr. President, members of the Commission, Mrs. Blunden, Mr. John, Mr. O'Toole, Mr. Keogh and Mr. Noakes, ladies and gentlemen:

Thank you for your words of welcome and the support and encouragement which is clearly evident in the complimentary things you have said of me this morning. I thank you also, Sir John, for arranging this ceremony and express my appreciation of the kind way in which you and other members of the Commission have greeted my appointment.

Throughout my professional life I have met with much encouragement in entering new fields of endeavour, particularly from members of the legal profession and people engaged in the practice of industrial relations, many of whom, I may say, were complete strangers to me. It is this sort of encouragement and the goodwill accompanying it which lies at the heart of this great system which our community has devised and fostered for the development and maintenance of harmonious industrial relationships.

Just as I have been the recipient of much goodwill over the many years past, it is my earnest hope that I shall in my new capacity be able to make my modest contribution to the further promotion of that same goodwill which our Act not only recognizes but elevates to central importance.

Indeed, continuing this theme, it seems to me that our present scheme of wage fixing arrangements is a perfect example of the goodwill principle in operation. One may assert, I think, that the consensus which supports this system - a consensus which is shared by an extraordinary diverse and large number of interests - is a demonstrable manifestation of that goodwill without which no undertaking of this character could survive.

One tempers this observation, of course, with the acknowledgment that total unanimity does not, nor could it ever, in practice prevail but, recognizing the diversity of views which it is the Commission's task to reconcile, one may safely say at least that this factor is a pervading influence in the conduct of affairs within the Commission.

For my part I enter into my new duties with some humility but also with some anticipation that the days ahead will be rewarding in many ways.

Industrial relations in Australia over the last few years, in the course of taking a new direction, have achieved a new dimension, a fact which attests to the inherent capacity of the federal system and those who administer it to adapt to the winds of change.

We are entering upon a very interesting era as regards the operation of both the federal and state systems and I look forward to the introduction of new and possibly novel arrangements which would have been regarded as quite outside the realms of practicability if mooted a few short years ago.

In a minor way perhaps I might claim to have played some small part in contributing to the more recent developments and, amongst other things, I look forward to meeting the challenge of implementing those principles of wage fixation which will shortly emerge from the review currently proceeding.

One may profitably reflect that there is another side of the coin with respect to the advocating and sponsoring of new proposals in that one may eventually be called upon, as it seems I may be, to translate those changes into reality. It is indeed a sobering thought for advocates.

Again I thank those of you who have spoken at this welcome and all who have come to attend this ceremony for the generous support shown to me today, a most memorable day for me and one which I and my family will never forget.

I hope I shall faithfully discharge the trust reposed in me to the betterment of industrial relations and that those with whom I shall be dealing in future will say of me that I acted humanely, reasonably and fairly.

I am indeed honoured at having been accorded the privilege of serving this our community.

MOORE, J: The Commission will adjourn sine die.

AT 10.19 A.M. THE COMMISSION ADJOURNED
SINE DIE