

GOVERNOR'S SPEECH: ADDRESS-IN-REPLY

The PRESIDENT: Order! I remind members that the Hon. Adam Searle is about to make his inaugural speech. I ask members to extend to him the traditional courtesies.

The Hon. ADAM SEARLE [6.01 p.m.] (Inaugural Speech): I acknowledge the traditional custodians of this gathering place, the Gadigal people of the Eora nation, the first lawgivers of this land. I pay my respects to elders past and present and pledge my service and friendship to the elders and communities who are with us today. I congratulate you, Mr President, on your election as the Presiding Officer of this House, one of the oldest public offices in Australia.

It is a profound honour to be elected to this Chamber, the first legislature of our nation. I worked in and around this Chamber in another capacity from 1994 until 2000 both in opposition and in government with some of the finest servants of the New South Wales people, such as Jeff Shaw. Little did I suspect at that time that I would one day serve in this House or the manner in which I would arrive here. As John Lennon once famously remarked, "Life is what happens to you while you are making other plans." It is a great honour to have the opportunity to serve the community in Parliament. I am very conscious of that and hope in the time I have here, however long that may be, I make a contribution to the public good. I will do my best to uphold the trust of those who have placed their faith in me.

All of us come to this place from many paths and many journeys. We hope that the wisdom and experience acquired on those journeys will make us better servants of the people we represent when we arrive here. My journey began here in Sydney only a few months before man first walked on the moon. My parents, Bill and Gloria, raised me on the far North Coast of New South Wales in what can only be described as alternative circumstances. We traded eggs from our chickens for milk from the people who lived opposite who had a cow. We grew all our own fruit and vegetables and Mum made all our bread. Today my partner, Alison, does something of the same but on a smaller scale at our place in the Blue Mountains. Our family travelled to unusual places, such as India and Nepal. From these experiences I learnt that Western society did not have a monopoly on culture and that injustice and inequality must be opposed in every way possible.

While the laid-back, easy-going stereotype of the alternative community in the early 1970s has some basis in fact, my parents always worked very hard on their land to provide for me and to try to achieve self-sufficiency. From that example I learnt that we should never judge people by their appearance or their apparent lifestyle. I learnt that application and determination in the face of extreme odds are necessary if you are going to achieve anything worthwhile in life. I learnt the value of conservation and the need to preserve the land that sustains our life and guard our nation's precious and limited resources such as water. I learnt about the value of community and the reality that we grow stronger by sharing the burdens and joys of life with others.

At the heart of my childhood was the experience of mortality. My father brought me back from death in October 1975 when I drowned in the dam on our farm. He not only gave me life for a second time; he gave my children their chance at life. By good fortune he had just completed a first-aid course where he learnt the resuscitating techniques that he used to bring me back to life. I am forever in his debt. My father was many things at different times in his life—a gardener, a builder and later a television writer and producer. He was responsible for shows such as *A Country Practice*.

The Hon. Melinda Pavey: Hear! Hear!

The Hon. ADAM SEARLE: Hear, hear, indeed. Through my father I learnt of the importance of the arts and culture as an enriching factor at the core of our community's life. My father is no longer with us in person, but he remains vividly with me here tonight and always. My mother was and is a powerful force in my life. She was a homemaker and nurturer. She actively encouraged my desire to learn, to express myself and to follow my dreams, but only so long as I had a decent trade to fall back on, hence my learning of the law. My two sisters, Emily and Josephine, were in many ways my trial run at parenthood.

Being so much older than them, I was entrusted by our parents with many aspects of child rearing. It was an invaluable experience for me for the time when I was fortunate enough to have my own children. It was lucky for me but perhaps less so for my sisters because, apparently, I was stern and unyielding when I had care of them. They like to tease me because they say that I am now a real softy with my own children. My sisters have always provided me with love, support and encouragement in all my endeavours in life. Although neither of them is able to be here tonight, they also are with me in spirit.

All of us in this place have eventually encountered an understanding of the power of politics to make a difference. For me, it commenced with a visit by Bob Hawke to my family's farm at Easter 1979. Conversations with Bob Hawke confirmed the deep sense of social justice instilled in me by my parents. It seemed natural that at the age of 15 I eventually found a political home in the Australian Labor Party. The proposition that the Australian Labor Party is imperfect is obvious. No organisation composed of human beings and enduring for 120 years could be anything else.

But, for all its faults, Labor remains the great force for progressive change in Australian society. Whatever advancements have occurred for working people, the disadvantaged, the marginalised, whether we speak of economic, social or other forms of disadvantage, they have all or mainly come about through the actions of Labor in Parliament. For this reason I have never lost my faith in Labor's capacity for renewal and regeneration, its ability to refresh itself at important junctures in its history so that it can continue with its historical mission of making this State the best place in which to live, work and raise a family. That faith was only strengthened and affirmed for me through the example and inspiration of Jeff Shaw.

Tonight I honour the legacy of Jeff Shaw to our State, to the law and, above all, to the working people, the disadvantaged and the marginalised in society. Jeff was one of the great minds of his generation and one of the greatest law reformers in our State's history. Although he was a shy man, he was also warm and generous with a great sense of humour. He also saw a social purpose in the practice of law. As a professional advocate he was tireless in his work to improve the pay and conditions of working people. At this he excelled, successfully representing unions in industrial courts in landmark cases, including in the High Court and on one occasion the Privy Council in London.

When Labor went into opposition after 1988 Jeff answered the call to serve. In public office he pursued a vigorous program of progressive civil and criminal law reform without equal, not because it was popular or fashionable but because he thought it was right. He leaves behind a powerful legacy as a leading barrister, a reformist Attorney General and a judge. More than this, he demonstrated by his own example that a person of integrity and imagination can make a significant contribution to public life in this State.

He is held in high regard by those engaged in the law at every level, in the industrial relations community where he spent so much of his working life, and on all sides of the New South Wales Parliament. I pause to acknowledge the very many kind and generous things that were said in this Chamber, from all quarters, and in the other place on the occasion of Jeff's passing. Jeff Shaw's invitation for me to work for him in opposition in 1993 was an invitation as welcome as it was unexpected. He said, "Listen, you will get to have input into the next Labor Government's policies and we can have some fun on the way." As they say in the classics: it was an offer too good to refuse—and he was right, we did have a lot of fun over the next six years.

When Labor came to government in March 1995 Jeff named me as his chief of staff. I was very young—I was only 25—and many thought that I did not have the experience necessary for a role of such sensitivity. My appointment was resisted by some, but Jeff, who could be stubborn on occasions, dug his heels in and insisted. He placed his faith in me to be the chief prosecutor of his agenda within the Government and with other stakeholder interests, both inside and outside the Parliament. As a result I was given the opportunity at a very early age to see straight into the heart of government and public administration in this State.

Far from being dispirited by this experience over five years, I came away with a very enhanced appreciation of what could be achieved in public life with commitment, imagination and determination. I also saw first-hand how important it is to have people in key roles who believe in progressive political values and who have a rich policy agenda and also the technical skills needed to achieve outcomes. In that process I also came to appreciate and value the processes of this House in making public policy.

During this time I was very fortunate to have the support of skilled, committed and loyal colleagues—many of whom are here tonight—who worked on Jeff's ministerial staff: Bruce Grimshaw, Shaughn Morgan, Pete Lewis, Liz Jurman, Jessie Choy, Marian Trenerry, Kate O'Rourke and many others too numerous to mention. I would also like to honour the memory of the late Virginia Knox, who was chief of staff to the Hon. Tony Kelly, who worked also with Michael Egan and who for many years helped to run the business of this Chamber. Many generations of Labor staffers were taught their trade by Virginia. She is no longer with us but the debt that many of us owe her is enduring.

It was originally intended that I should only work with Jeff for two years in government, but it was nearly five years before I eventually left. I knew that I had to move on and that remaining a staffer, as enjoyable as it is, is not a good thing to do indefinitely. But I had only the vaguest notion of what I should do next—probably something to do with public policy and maybe in the public service or in academia if I was lucky. Jeff had the view that I should go to the Bar. Of course, I later discovered that Jeff thought everyone should go to the Bar. To persuade me to do this I later learned that he had played a bit of a trick. One Friday morning he took me to watch the special leave applications in the High Court. I did not notice at the time but when the court runs some of these lists it has what is known as "hose-out day", when all the absolute losers are dealt with in one go.

We sat there for a few hours and watched some barristers put their case and other barristers, seemingly effortlessly, have them hosed out without even raising much of a sweat. Jeff said to me, "You could do that. Why don't you just give it a go?" So I did. Little did I know what I was letting myself in for. Jeff took a keen interest in the wellbeing of not only the many people who came into contact with him but he also took a special interest in his staff. In return, those who worked for him imbibed a sense of vocation: that they were contributing to

something greater than themselves. The commitment of those involved to changing things for the better is often overlooked by political commentators when they write about politics. I think that was the essence of Jeff Shaw.

On the occasion of my election to this place last week a senior member of the House who sits opposite and who knew Jeff said in welcoming me that he hoped that I could bring a little bit of Jeff back into this place. I know that I am no Jeff Shaw, but if during my time in this place I can reflect in debates at least some of his decency, his thoughtfulness and his creativity, I think he would be pleased and I will have done very well indeed.

Of the many commitments I bring to this place none is greater than my commitment to the needs and aspirations of working people and their right to organise collectively. In my time at the Bar I principally practised in the areas of industrial and employment law, appearing mainly, but not only, for workers and their unions. Even when I appeared for employers, whether it was on industrial issues or occupational health and safety prosecutions, I have been grateful for the learning, developed over decades, by the industrial tribunals and courts of this State, and for the humanity, practicality and impartiality of the judges, magistrates and commissioners before whom I have appeared. My years of legal practice have only deepened my respect for the rule of law. The essential role of courts and tribunals independent from executive government is one of the necessary cornerstones of our liberal democracy. Above all, those cases and proceedings confirmed my faith in the rights and dignity of working people.

While there are many cases in which I am happy to have been involved, there is none that I am more proud of than the pay equity case for childcare workers that I conducted for the Liquor, Hospitality and Miscellaneous Workers Union. Those workers were some of the most underpaid and undervalued in the workforce, and they lacked the industrial muscle to obtain higher wages and better conditions through industrial action. They needed an independent umpire who was able to hear evidence about the gender-based undervaluation of their conditions of employment, and to make a fair and appropriate decision to address that. The importance of the independent Industrial Relations Commission as an agent for achieving social justice for more than 100 years of this State's history should not be underestimated; it should be respected and, in my view, it should be retained.

In my time in practice I have also enjoyed the collegiate support of fellow practitioners, some of whom are here tonight, and they do me an honour by being present. I acknowledge the presence of my secretary Dominique and of fellow barristers from my Chambers, including Richard Kenzie, QC, and Max Kimber, SC, and too many others to name individually—although I will embarrass him by making a special mention of Shane Prince. Although an outstanding counsel in matters both commercial and industrial, Shane has also made a significant humanitarian contribution in providing support and representation to many who seek the protection of our country through asylum. Shane's commitment to the rule of law and his quality as an advocate in this area are without equal.

Apart from my experiences as a staffer and an advocate, I also bring, like many other members of this House, experience in local government. I am deeply indebted to the people of the Blue Mountains for their faith in and support of me as a local councillor and for two years as mayor. In the mid to late 1990s two mentors of mine, Joy Anderson—the only female mayor of the Blue Mountains—and Alma King, a branch member, highlighted to me the value of local government and the opportunity it provided for community services. Joy and Alma are now both gone but through their urging and, dare I say it, conniving, I was

preselected and ultimately elected to represent Ward 2 on Blue Mountains City Council, and I am subsequently in the process of serving my third term.

Like so many who enter public life, I was spurred on by what I saw as injustice and, frankly, incompetence. At the time Blue Mountains council had dropped the ball on developing a new local planning instrument that properly recognised the unique natural beauty and heritage of the Blue Mountains—later recognised by World Heritage listing. After exhaustive consultation and a struggle with the then State Government we achieved a state-of-the-art and, I believe, unique local environment plan that has provided significant protection to the environment from inappropriate development. It was a case study in ensuring that sustainability, integrity and public benefit informed the approach of public authorities to the issue of development.

My experience on councils also brought me into contact with some exceptional individuals whom I would like to acknowledge tonight. I pay tribute to Mark Greenhill, who is present in the public gallery. Mark served with me on council from 1999 to 2004, during which time he was also a very effective advocate for western Sydney as the President of the Western Sydney Regional Organisation of Councils [WSROC]. When Labor chose a replacement for Faye Lo Po' in the seat of Penrith in 2003 my view is that it should have been Mark. That it was not says something about the Labor Party at that time.

After a break, undertaken for work reasons, Mark was re-elected to council in 2008 with a 6 per cent swing to him. Those with a good memory know that 2008 was not a good year for the Australian Labor Party at council elections, and it was particularly bad in western Sydney. Despite that, Mark Greenhill attracted a swing. Mark and I were at school and university together and we have been close colleagues in politics since 1992. His son Sam, my godson, is with him in the public gallery tonight.

I could not have achieved what I have in public life without Mark's personal and political support over many years. One practical example of that is my preselection for the Federal electorate of Macquarie in 2001. Macquarie was thought to be winnable and I wanted to contest the seat for Labor. In this quest I was supported by the former Labor members for Macquarie Maggie Deahm and Ross Free, and I acknowledge their friendship and support. I was also supported by many local rank and file party members, but opposed by other sections of the party. In what can be described in Labor terms only as a rugged preselection process I was chosen to be the Labor candidate. Crucial to that outcome was carrying every vote in only one of the six branches. In only one branch did I not drop a single vote. It was the Blaxland-Glenbrook branch, which was Mark Greenhill's branch. That could not have happened without his commitment and support.

As they say, you have to be careful what you wish for and 2001 was not Labor's year. The double whammy of September 11 and Tampa made sure of that, as did Labor's flawed small-target strategy. We did better in Macquarie than we did elsewhere, largely because we held the line in the Blue Mountains. I acknowledge the efforts of my then campaign director, Mark Ptolemy, who is also in the gallery tonight. One of the enduring lessons for Labor from that campaign is that you cannot successfully build your political strategy on your opponent's weaknesses. If an opposing leader addresses his or her weaknesses, as John Howard did in 2001, you have nowhere to go. You have to stand for something in politics: you have to believe in something. If you do not, or if you pretend to be something you are not, the electorate will smell a rat, they will find you out and they will reject you. Developing policies

from core beliefs is not merely desirable as a matter of principle but in the longer term it is smart politics. I think my friend Rodney Cavalier would agree with that.

Defeat in Macquarie was a setback and it hurt. However, it also made me a better person. It afforded me the ability to continue to develop my practice of law and my forensic skills. It has given me more time to be with my family and to gain more life experience. I believe that these things have made me better able to make a contribution to public life. That time also allowed me to continue to serve as a councillor and to deal with issues at the grassroots level with limited resources. I was able to serve on the board of the Western Sydney Regional Organisation of Councils as treasurer for four years and, in time, as mayor. That experience, managing a \$135 million budget when the local ratepayers provided only \$44 million and the rest came in the form of ad hoc grants from State and Federal governments for a limited period and for limited purposes, was often a real challenge.

That was particularly so when you must look after \$640 million in assets that need \$100 million in investment over the next 10 years and you do not have it. That has given me an insight into the chronic infrastructure funding shortfall impacting local government throughout Australia, not only New South Wales. That is a key challenge for our State. We must ensure that communities have the local infrastructure they need. I hope I will be able to participate in debate in this place about how those needs should be met. George Black, one of the first Labor members elected to this Parliament in 1891—although as a member of the other place—said on the occasion of his first speech:

We have not come into this House to make or unmake ministries. We have come into this House to make and unmake social conditions.

He knew, as did later generations of Labor representatives, that Labor was not intended to be a vehicle for personal advancement but to achieve real and fundamental changes in society. He knew that to do that Labor Party members must draw on their own life experience to develop policies and programs which speak directly to the life experience of their communities and which meet their needs in a tangible way. Doing that provided the foundation for Labor's long record of success in this State electorally, but more importantly in a public policy sense, and we must relearn it.

New South Wales faces many challenges and the Labor Party must ensure that it is fit and ready to meet them. I will touch on just a few. The pressure for more and affordable housing in the Sydney Basin is threatening the land needed for food production. A city or State that is not self-sufficient in food production will eventually place itself at risk. That risk is magnified if infill development is decreased in favour of more greenfield development. However, housing is becoming almost unaffordable in the Sydney Basin and that has caused real tension.

There is no easy solution, but one possible option is to provide better transport systems, particularly when new developments are being rolled and not as an afterthought. Western Sydney is home to 1.9 million Australians and it has an economy larger than that of Singapore. In addition, 75 per cent of the people who live in the west also work in the west. Despite that, there is no proper integrated western Sydney transport system to get people around the region. That is partly a problem of geography. The residents of western Sydney often have no option but to use their car because there is no public transport. We must do better if our city is to continue to work effectively.

We also need to reinvigorate our civic institutions, including this Parliament. Putting aside the recent controversy about the leadership of parliamentary committees, we should not run risk of there being less transparency and accountability, particularly when the Government has a significant majority. Conscience votes allow members to perform at their best because they can say what they believe in and try to persuade colleagues through debate and not merely sound bites. One example of that is the debate we will soon have about the future of at least one magistrate. We should consider more frequent conscience votes where possible.

Parliamentary committee reports are sometimes overlooked and left to gather dust. A free debate and vote by members in both Houses on recommendations of parliamentary committees, commissions of inquiry, oversight bodies and perhaps even coroner's reports would be a significant step forward in empowering parliamentarians and providing them with a greater role in policy development. I have been around long enough to know that there will not be a stampede to embrace these notions. However, consideration should be given during this parliamentary term to ways in which we can strengthen the role of members.

I will conclude my remarks in the only way possible, with gratitude. I thank my local branch members, who have selected me for public office on numerous occasions, stood at street stalls in appalling weather and handed out how-to-vote cards for me on election day over many years. I pay tribute to branch secretary Romola Hollywood and my other supporters who are here today: Tim Murawski, Suzie Davies and others from the local area, including Andrew Williamson and my council colleagues, Alison McLaren and Mark Greenhill. I also thank Susanne Jamieson, who taught me occupational health and safety law at university, and Professor Ron McCallum, who taught me labour law.

I also thank Gary Punch, Paul and Lucy Howes, Judy Reid, former Premier Kristina Keneally, who with her husband Ben and my colleagues from the Sydney University Labor Club—Andrew West, James Carleton, Chris Siorokos, Emma Maiden, Jeff Collins and others—have supported and encouraged me for many years. I also thank the officials of the New South Wales Australian Labor Party: Secretary Sam Dastyari; Assistant Secretary Chris Minns; Party President Michael Lee; and the Secretary of Unions NSW Mark Lennon. Without their support I would not be here tonight. I pay tribute to former Party President Bernie Riordan. He is a friend and supporter as well as a client. I also pay tribute to his father, Joe, who was one of the giants of Labor in the twentieth century and a very great gentleman.

Of course, my final but not my least important thanks go to my family. I thank my mother, Gloria, who is here tonight from the North Coast, and my parents-in-law, Jan and Les. Above all, I thank my partner Alison and our three children, Grace, Eleanor and James. Alison is a wonderful, warm, passionate and enthusiastic person, a fine lawyer, a keen gardener and great mother to our children. I know the strains that holding elected office places on a family, including the many absences from home that other members have already reflected on in their inaugural speeches. That is a heavy burden. Public life is built on the sacrifices of families and this hidden price should never be forgotten.

Notwithstanding this, Alison and the children have supported me in my previous roles as councillor and mayor over more than a decade and continue to support me now that I have embarked upon this parliamentary journey. To Alison and our children, whom I love more than words are able to express, I say thank you and, I am sure, not for the last time. As our son James often says, "I love you more than the tenderest of love hearts." In return I say to them, "I do too. I love you with all my heart."