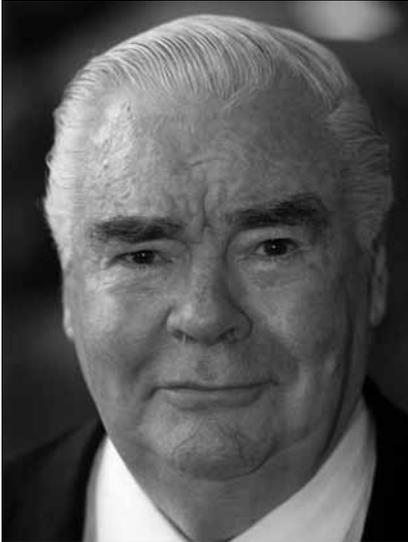


William Kenneth Fisher AO QC (1926–2010)

By the Hon Neville Wran AC QC



I feel distinctly honoured to have been asked to speak for the Bar on this significant occasion convened to honour the Late Bill Fisher AO QC.

Bill Fisher, as we all know, was the second long-serving President of the Industrial Relations Commission since it was established in 1902.

As Michael Kirby observed in his Kingsley Laffer Memorial Lecture, and I quote: 'It is fashionable nowadays in some quarters to dismiss the industrial relations system that operated in Australia for most of the 20th century.'

That certainly was not the case during the long years of Bill Fisher's presidency and if anything his contribution as president emphasised the permanency of industrial relations tribunals.

Fisher was a man of great integrity and commitment to principle – both in law and in life. He believed that people from all walks of life and all ages and all races should have the benefit of the Australian doctrine of 'a fair go'.

I can attest to that commitment for I knew him passingly at school, and at Sydney University, and then at the bar, and then we both had chambers on

the 4th floor of Wentworth. The 4th floor, I might say, was in the early days regarded as a bit of a dumping ground for the odds and ends of the bar who had missed out on chambers in what was then the new building.

The 4th floor comprised mainly newly admitted barristers and some senior lawyers who had not early arranged their chambers.

As time went on, the perception changed and there evolved virtually a bar within a bar – as distinguished advocates like Bill Fisher, Lionel Murphy and Jack Sweeney put their stamp on industrial relations in this state.

All of those three I have mentioned, of course, went on to occupy senior office in the judicial or industrial firmament. In Bill's case, I happened to be the head of government which appointed him president of the Industrial Relations Commission on 18 November 1981. His appointment signalled a change of direction; a change of commitment in the regulation of industrial relations in New South Wales. I believe it is fair to say that Bill reshaped the institution and the direction it took thereafter.

He was a highly active president. He sat as single judge quite frequently, unlike his predecessor Sir Alexander Beattie who rarely did. He encouraged active co-operation with federal industrial relations tribunals and amongst members of the Industrial Relations Commission itself. Terms such as balance and flexibility were grafted into the lexicon of principles in common use in the industrial relations field of practice.

Apart from fundamental changes that reached the four corners of industrial relations regulation, he was responsible for changes that before his presidency had been talked about, but never implemented. In the long list of such

achievements – and it is a long list – I would mention but two: redundancy pay and no stoppage agreements in the construction industry.

Fisher's commitment to fairness undoubtedly influenced his approach to fairer redundancy laws, and as John Shields observed, the credit for entrenching redundancy pay as an award entitlement for Australian workers rightly belongs to Bill Fisher and the New South Wales Commission.

As to no stoppage agreements, Fisher was very much involved in encouraging the use of such agreements and his interest in efficiency as a matter of principle greatly assisted the completion of major developments like Darling Harbour, Sydney Harbour Tunnel and so on. The effects of Justice Bill Fisher's legacy will be felt and measured for many years to come.

Of course, he had a wide practice outside industrial relations. I don't intend to articulate each item in his CV, but I do wish to observe that its length and depth and relevancy to public affairs is quite astounding. Royal commissions, national inquiries, judicial deliberations at high levels fell to Bill Fisher's skills.

What is astounding is that he could do so much in so many fields in such a relatively short time. Outside of the law and industrial relations, he involved himself as a trustee of the Opera House, a strong supporter of Sydney University and other worthwhile activities too numerous to mention.

The fact of the matter is that Bill was a special individual who contributed to the public life of New South Wales and Australia. His wife Margaret and the children are here this morning and we are grateful that we share with you the admiration and respect for Bill – a highly distinguished Australian.