



**MAKING A DIFFERENCE—A FRONTIER
OF FIRSTS**

**WOMEN IN THE WESTERN AUSTRALIAN
PARLIAMENT 1921–2012**

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ADELE FARINA



MLC South West Region from 22 May 2001 (ALP). Parliamentary Secretary 2005–2008. Chairman Standing Committee on Uniform Legislation and General Purposes 2001–2005; Standing Committee on Uniform Legislation and Statutes Review from 2009 (member from 2008). Member Standing Committee on Legislation 2001–2005 and 2008; Select Committee of Privilege 2007; Select Committee into the Police Raid into the *Sunday Times* 2008–2009.

Adele Farina had been a member of the Australian Labor Party for 20 years when in February 2001, at her first attempt as an endorsed candidate, from second place on the party ticket she won a seat in the Legislative Council representing the South West Region. From 1985 to 2000 she had been a delegate to the ALP State Executive, and she had been a delegate at all state conferences from 1986. In 1997 and 2000 she was also a delegate to the national conference and over the years has held numerous other party positions at branch and electorate council level. In her lengthy array of union, political and legal positions, perhaps that which first brought her name to public attention was her four and a half year spell dating from February 1988 as executive officer (planning) and then principal private secretary (chief of staff) to Hon Bob Pearce, a term which ended with the Minister's resignation in October 1992.

Born on 31 March 1964, Adele Farina was the daughter of Italian parents Santino Farina and Restituta Tersigni, who had migrated to Australia in 1959, initially to Melbourne but then to Gwalia to join other family members. There they remained for three years before moving to Perth, where Adele was born. Adele attended the Infant Jesus Primary School and then St Thomas Aquinas College before studying at the University of Western Australia where she graduated initially in arts and then in law following further studies between 1994 and 1997. Prior to her appointment with Bob Pearce in February 1988, Adele was a research officer with the Trades and Labour Council from 1985 to 1986, project officer with the Multicultural and Ethnic Affairs Commission from January to December 1986 and executive officer with the WA Business Advisory Group and WA Trade Union Advisory Group to Hon John Dawkins, MHR until February 1988. Between 1987 and 1990 she served a term on the Bayswater City Council and was deputy mayor from 1989 to 1990. After Bob Pearce's departure from the Ministry, she was employed as adviser to Ian Taylor until the February 1993 election and then

spent 10 months as an industrial relations consultant to Qantas in Sydney before undertaking law studies from 1994, during which time she won the Butterworth prize in banking law, while also spending a three-month term as adviser to Senator Peter Cook from November 1995 to March 1996. After graduating with her law degree, Adele completed what might be called her apprenticeship for parliamentary life, working as an articled clerk in 1998 and then as a solicitor until the 2001 election.

In her Inaugural Speech Adele referred to the hardship experienced by her parents during their early years in Australia struggling to make headway and pay off debts.¹ After a very difficult three years as an underground worker in Gwalia, her father worked in Perth as a grano worker and eventually operated his own business. In the family context Adele indicated that she had seen ‘and personally experienced the hurt of racial prejudice and discrimination’ but that from her parents she had received a commitment to a good education and a ‘strong work ethic’ and had joined the ALP with ‘its reform agenda for correcting the inequalities and injustices in society’.² Additionally, she considered she had experienced ‘the rare privilege of working at all three levels of government’ including roles as a ministerial staffer in several Labor Governments in a variety of portfolio areas.

Adele also took the opportunity during her Inaugural Speech to devote a great deal of time focusing on the contrasting problems within her rapidly growing south west electorate. In this regard, for example, she emphasised the need for the newly elected ALP Government to balance the preservation of native forests with protecting the members of ‘those communities that have traditionally relied on the native forest timber industry as their major industry’.³ In addition, when outlining the Labor Government’s achievements in connection with the northern suburbs railway she argued strongly for the provision of a fast train service from Perth to Bunbury, ‘thus opening up options for city workers’ and reducing the strain on the resources of ‘a rapidly growing capital city’.⁴ Then too, drawing on her experience as a lawyer ‘practising in the area of personal injuries law’, she focused on the limitations of the existing legislation concerning ‘the right of workers injured as a result of negligence on the part of their employer to claim common law damages’.⁵

Throughout her first four year term in the Legislative Council Adele was a Deputy Chair of Committees, as well as serving on the Standing Committee on Legislation and the Standing Committee on Procedure and Privileges. From April 2002 she chaired the Standing Committee on Uniform Legislation and General Purposes. Following the Gallop Government’s re-election in 2005, and her election from first place on the party ticket for a second four-year term representing the South West Region, she was appointed as a Parliamentary Secretary, initially to two ministers covering areas as diverse as Disability Services, Sport and Recreation, Citizenship and Multicultural Interests, Tourism, Racing and Gaming, Youth, and Peel and the South West. Throughout the second term of the Gallop Government and the three-year Carpenter Government term she served as Parliamentary Secretary to ministers responsible for an ever-changing range of portfolios, including, during the last 15 months of government, Disability Services, Tourism, and Culture and the Arts. Following her move to the opposition benches from September 2008, having won a third term from second place on the party ticket,

¹ *WAPD(LC)*, 30 May 2001, p. 644

² *Ibid.*, p. 665.

³ *Ibid.*, p. 662.

⁴ *Ibid.*, p. 665.

⁵ *Ibid.*, p. 663.

Adele was elected to membership of the Standing Committee on Uniform Legislation and Statutes Review and assumed the chair in that committee from June 2009. She also served on two select committees: the Select Committee into the Police Raid on the *Sunday Times* in 2008–2009 and, earlier, the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations.

As was the case with a number of others appointed as Parliamentary Secretaries and Ministers, after her Inaugural Speech a high proportion of Adele's contributions from the floor of the House were largely in the form of asking or answering questions and presenting reports of standing committees on which she served. Typical of her role over the years was one period in August and September 2011 when virtually all the questions she asked affected aspects of the situation in the South West Region she represented; by contrast, while on the other side of the House, on one single day in June 2005 she had to respond to 60 questions concerning various administrative aspects relating to government departments.⁶

In her role as a Parliamentary Secretary Adele was also required to lead the debate on items of government legislation in the Legislative Council. In the case of the Perry Lakes Redevelopment Bill, the opposition upper House leader, Norman Moore, went out of his way on the adjournment debate in December 2005 to congratulate Adele on her handling of the Bill:

It is very difficult being a parliamentary secretary, because they do not get paid much money ... [but] the parliamentary secretaries we have now are extremely good at handling legislation. Without in any way seeking to destroy the career of Hon Adele Farina by mentioning her particularly, her performance in dealing with the Perry Lakes Redevelopment Bill was extraordinarily good. If every minister gave us a summary at the end of the second reading equivalent to the one she gave us on that bill, we would all be very happy.⁷

She also received commendation from her own colleagues for her handling of the Planning and Development (Consequential and Transitional Provisions) Bill in the same year.

While her speeches in general debate were thus for a variety of reasons relatively few in the early years, Adele's participation in the debate on the Acts Amendment (Domestic Violence) Bill in September 2004 was described by former Attorney General Peter Foss as a 'very brave contribution' and he thanked her for 'taking the very brave step of acquainting the members of this House with some of the feeling of what it is to like to be a victim of stalking, especially when the stalker has what has been termed an "imagined personal relationship"'.⁸ In outlining her experience Adele expressed the hope that it would bring 'some value to the discussions and deliberations' on the Bill. She also referred to Peter Foss's willingness under his name to move for incorporation into the Bill amendments she had suggested.⁹

Adele also spoke from the heart in May 2004 on the Human Reproductive Technology Amendment Bill, which she described as providing for 'a very tight legislative framework for the use [in research] of human embryos which are created through assisted reproductive technology for the purpose of achieving pregnancy but which are no longer required by the

⁶ *WAPD(LC)*, 21 June 2005, pp. 2828–3065 passim.

⁷ *WAPD(LC)*, 1 Dec 2005, p. 8023.

⁸ *WAPD(LC)*, 22 September 2004, p. 6223.

⁹ *Ibid.*, pp. 6216–6221.

persons for whom they are created'. In weighing up the complex arguments before reaching the decision to support the Bill, Adele argued that:

If destroying embryos for research or allowing them to succumb involves the same level of harm, but embryonic research involves much greater benefits than the alternative of allowing them to succumb, it makes sense to opt for the more beneficial embryonic research.

In this context she concluded that the role of the parliamentarian was:

to consider the opposing views held by the community and to pass legislation that seeks to balance those opposing views ... [and hence] to provide a legislative framework taking into account those opposing views within which individuals may make their own choices.¹⁰

On daylight saving she made clear her concern that the issue was not one which should have received the media attention or occupied the parliamentary time it had. She discounted the validity of many of the arguments used on either side of the debate and provided statistics suggesting that the response from constituents to her office was the lowest to any of the 'issues that we have dealt with since I became a member of Parliament'. In consequence she decided that she would support the Bill only because it provided 'an opportunity for a further referendum ... I have my doubts about the benefits of daylight saving but every member of the community should have a say on this matter'.¹¹

After she moved to opposition in 2008, Adele took seriously her responsibilities as chair of the Standing Committee on Uniform Legislation and Statutes Review. Thus, for example, on 25 May 2010 she spoke at length on the committee report on the Criminal Code Amendment (Identity Crime) Bill, with particular attention directed to the 'misappropriation and misuse of other persons' identity'. In this case some of the argument was directed to whether or not legislation dealing with this particular problem was a valid issue for a committee focusing on uniform legislation and this included whether categorising it as such could in some way be seen as contributing to the derogation of state sovereignty. In her words 'all uniform legislation has this effect to some degree, and it is a question of the degree to which it is acceptable and where it goes over the limit'.¹² In this particular instance she reported to the House that the committee had found that the Bill raised 'no particular constitutional issues'. In her speech she outlined a significant series of committee recommendations seeking explanations from the responsible Minister and the Parliamentary Secretary acting on his behalf.

Over the years Adele has developed into an experienced and effective contributor from the floor of the House and it is significant that on 21 September 2010 she used the member's statement procedural form to seek the provision of government support for members seeking to draft private members' Bills. In her words:

It is simply unacceptable that members in this place are being asked to draft their own private member's bill. Not everyone has a legal degree. Even those who do may not have the time to devote to the drafting of bills.¹³

¹⁰ WAPD(LC), 11 May 2004, pp. 2574–2575

¹¹ WAPD(LC), 16 November 2006, p. 8343–8344.

¹² WAPD(LC), 25 May 2010, p. 3209.

¹³ WAPD(LC), 21 September 2010, p. 6920.

Her parliamentary career and the content of her contributions suggest that Adele has been one member with a very strong interest in and concern for the nature of the role that the Parliament should play in dealing with issues involving the community at large and more especially when there are significant differences within the community concerning the appropriate legislation that should be created and enforced.

Reflections on the Member's Parliamentary Career

Adele Farina's decision to enter parliamentary politics was first and foremost the consequence of her experiences as a daughter of migrant parents who experienced considerable economic hardship and 'the hurt of racial prejudice and discrimination' and who needed significant assistance and support as the years passed by. She placed great value on the education which her parents had encouraged and made possible and from the outset her capacity to help constituents in need ranked as her first priority, and it was that aspect of her work as a parliamentarian which gave her by far the most satisfaction. At the same time, at a broader level Adele saw a career as a legislator as a means to ensure that the laws that passed through Parliament were good laws or at least better laws and over the years she saw her contribution in particular as coming through committee work and during several years as a Parliamentary Secretary.

The irony of Adele's career has been is that by being in the Legislative Council she has been in a parliamentary chamber which from the late 1980s consisted of members elected for regions from party lists rather than through individual representation of a province. In retrospect this change, she would say, has been to the detriment of voters and all the more so because the continued gerrymandering of the Legislative Council, in terms of wide variations in the number of electors on the roll in each of six regions with identical parliamentary representation, cannot be regarded as in the best interests of good government or a democratic system of government. This said, as member for a rural region Adele, nevertheless, has been able with a satisfying degree of success to take up issues for individuals and groups of rural electors—for example, in making available more medical and other services in more reasonable proximity to constituents' homes.

From Adele's point of view the most disappointing aspect of her more than 10 years in Parliament has been that the Legislative Council has failed constantly in its critical function of providing a House of review as a double check on government and to provide citizens with a 'last' opportunity to be heard and to effect change to legislation. By contrast, when the Legislative Council does function well she believes it significantly enhances our democratic system of government. The problem is that, in Adele's view, ultimately the Council can only perform its functions really effectively through a committee system where members can analyse in detail the provisions of legislation and liaise with stakeholders, and this should mean that every piece of legislation that comes before the Council should be referred to a committee for scrutiny such as is already the case in a number of Parliaments.

During her period in Parliament Adele has had experience sitting in the Legislative Council when a genuine balance of power situation existed, in the 37th Parliament, and by contrast when the Liberals and Nationals between them have formed the Government and hold a clear majority in the Legislative Council, as has been the case since 2009 in the 38th Parliament. In the 37th Parliament most Bills were referred to committees for detailed inquiry and a report to the House, but in the 38th Parliament the governing parties, she believed, consistently used

their power to block such processes—thus in the 38th Parliament to the time of writing date only three Bills had been referred to the Legislation Committee.

Further problems, she believes, arise from the fact that the Legislative Council standing orders restrict committees from inquiring into the policy of Bill, allowing them only to pursue the efficacy of its provisions, and from the fixing of artificial report times for the presentation of reports without regard for either the complexity of a Bill or the workload of the committee. In relation to the uniform legislation committee, of which she was chair from 2009, Adele believes that the scope and focus of that committee's reports have been unreasonably limited to assessing the impact of the proposals in question on parliamentary sovereignty issues. Furthermore, the increasing tendency of the Executive to enter into uniform schemes has had a severe impact on the sovereignty of the WA Parliament, which does not have the opportunity to offer advice before such agreements are entered into.

Politics is inevitably the art of compromise and from Adele's viewpoint the end result, even when compromises are needed for the passage of a Bill, is better laws. Laws that are well written and with errors eliminated better reflect the views of the wide population. To the extent that this has been able to be achieved and given what she has been able to achieve in helping individuals in need and in her advocacy on behalf of the South West Region, Adele will look back on her years in parliamentary politics with pleasure, notwithstanding the many disappointments along the way.