



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

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

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## JANINE MARIE FREEMAN



MLA Nollamara from 6 September 2008 (ALP). Member Joint Standing Committee on Delegated Legislation from November 2008. President Parliamentary Labor Party from September 2008.

When Janine Freeman delivered her Inaugural Speech to the Legislative Assembly on 12 November 2008, following her election some three months earlier on 6 September as an Australian Labor Party member for Nollamara, she followed tradition by congratulating the Speaker upon his election as well as all other members for their election. Thanks were conveyed to parliamentary staff for their warm welcome and assistance and with a more contemporary element to her address she sought ‘to acknowledge the Nyoongah people, the traditional owners on whose country we meet’.<sup>1</sup> Interestingly, the new MLA indicated that she had given consideration to the role of a parliamentary representative. In her view:

The fundamental responsibility of a member of Parliament is to listen to the people, represent them and seek commonsense outcomes in such a way as to advance their interests and the common good. Part of this responsibility is to work with the federal government and local governments to ensure efficient and effective government, to be clear about what we are responsible for and to work together for the public interest.<sup>2</sup>

Coverage was also given to the Nollamara electorate with emphasis on its rich diversity, people from all walks of life, the large Indigenous community and the dominant language spoken other than English being Vietnamese. It was also an electorate with a young population. As a consequence, Janine gave an early signal of one of her priorities when she said, ‘it is clear to me that education is the foundation of the health and prosperity of our community and our state’.<sup>3</sup> This, she contended, ‘makes the provision of community services, quality child care and the role of early childhood education vital’<sup>4</sup>. The work of primary

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<sup>1</sup> *WAPD(LA)*, 12 November 2008, p. 202.

<sup>2</sup> *Ibid.*, p. 203.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

schools, as well as Mirrabooka Senior High School with its 55 nationalities and language groups, were recognised as part of a goal for all students to reach their full potential. Important, too, was the need to:

... recognise the commitment of those in the front-line services of government such as housing, health, child protection and police. These people work with issues in our community that many of us have limited appreciation of or exposure to.<sup>5</sup>

Very significant is:

... building community cohesion and collective involvement... across all sectors of our society, including playgroups, P&C associations, police and community youth clubs, sporting and youth clubs, branches of the Returned and Services League of Australia and ratepayers associations. Organisations such as the Koondoola Ratepayers and Tenants Action Group and senior clubs in Balga and Alexander Heights demonstrate to me the ongoing commitment and effort needed to develop our community.<sup>6</sup>

Born on 12 June 1965, in Osborne Park, Janine Freeman was educated at Newborough Primary School and Scarborough High School. She then completed a Bachelor of Economics at the University of Western Australia, followed by a postgraduate diploma in occupational health and safety plus a certificate in finance services. Her formal education gave her a measure of expertise to fulfil a vast range of employment positions, many of which have been in government departments with a service orientation. Several union and numerous political party posts were also held by Janine before her entry to the Legislative Assembly. She joined the ALP in 1985 and was most appreciative of those who supported her candidature for Nollamara.

Recognition of assistance to win Nollamara also encompassed the Liquor, Hospitality and Miscellaneous Union, including its president Nina Devlin and secretary Dave Kelly. Said Janine, 'I am a proud "misso".'<sup>7</sup> Working for the union was deemed to be very rewarding as it is dedicated to its predominantly low-paid workers with approximately 70 per cent women membership. Moreover, some 15 years involvement in the Labor movement included the post of assistant secretary of UnionsWA. In particular, she sought pay equity and a fair minimum wage. She was also appointed as a member of the WorkSafe Western Australia Commission and a member of the WorkCover board, and represented workers on two industry superannuation funds. An additional part of this commitment was work with Indigenous communities on the campaign for compensation for stolen wages, which led to a call for the current Government to continue to ensure that this historic injustice was remedied.<sup>8</sup> More broadly speaking, in the shadow of the global financial crisis it was clear to Janine that:

... faith in the free market has failed. Therefore, achieving real gains for the economy and alleviating disadvantage can be realised only by a resourced public sector, active regulation and application of the tools of government expenditure.<sup>9</sup>

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid., p. 204.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid., p. 205.

<sup>9</sup> Ibid.

Another of the causes Janine espoused is that of feminism. At university in a politics tutorial, she queried why feminism was not in a course that included other isms that had changed the world such as capitalism, socialism, communism and fascism. She was apparently dismissed ‘with considerable disdain’ as the explanation was that feminism was not a political theory. In her opinion, feminism has changed and continues to change the world. This also led to her acknowledgment of the profound impact of many women upon her career. Included in her listing were many with parliamentary experience such as Dr Carmen Lawrence, Senator Pat Giles, Hon Sue Ellery, Margaret Quirk and Hon Cheryl Davenport (qqqqq.v.).<sup>10</sup>

With an increasing number of women entering Parliament, it has followed that there has been a gradual increase in the attention given to women’s sport. Janine was a highly competent netball player with her record including selection in 1980 as a member of the under-16 state netball team.<sup>11</sup> Her own excellence in the sport has been the basis for her to develop a sound knowledge of the contentious sporting stadium situation in Western Australia, with special interest in the provisions for women’s sport. For instance, she asked some leading questions in Legislative Assembly estimates hearings about an announcement in mid-May 2010 by the Minister for Sport and Recreation, Terry Waldron, of four ‘world standard’ indoor netball courts and office space for Netball WA at Matthews Netball Centre in Wembley, one of the many homes of local netball. Given that the Minister had earlier spoken of the preferred site for a netball stadium facility being at Challenge Stadium, Janine said:

It seems to me that the minister is saying that he wants this multipurpose use [for netball at Wembley] and wants the team to be elite, but wants to put it at cheaper venue ... because it is a girls’ sport and it is cheaper to develop it there. We are not putting them in an elite environment with basketball at the Western Australian Institute of Sport, where there is greater flexibility; we are putting girls’ sport in a cheaper environment.<sup>12</sup>

The same Minister, Terry Waldron, in his capacity as Minister for Racing and Gaming, also had to contend with Janine’s views in debating the Liquor Control Amendment Bill 2010. She felt the legislation missed a couple of opportunities to address some of the serious issues of alcohol abuse in society. One major concern which she chose to speak about was alcohol advertising and its impact upon youth, for in her view:

Scaring people will not undermine the illusion of confidence and the emotional buffering providing by alcohol, and the belief that alcohol is going to give one social and verbal skills. Scare campaigns, such as the ones being currently run, do not resonate with what young people are thinking: they are thinking about the social consequences of their emotional wellbeing.<sup>13</sup>

Janine spoke at great length about the alcohol question but even in her first term in Parliament her speeches ranged across many topics, which invariably conveyed empathy to her constituents who were not the advantaged members of society. For instance, when supporting the Juries Legislation Amendment Bill 2010, she sought to draw attention to the guidelines to

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<sup>10</sup> Ibid., p. 206.

<sup>11</sup> Janine Freeman’s father, Arthur Freeman, played 32 games of league football for West Perth between 1962 and 1964. See Brian Atkinson. *A History and Comprehensive Statistical Analysis of the West Perth Football Club 1885–2009*, Joondalup: West Perth Football Club, 2008. Janine Freeman has noted that she is a Vice Patron of the Subiaco Football Club, which has a boundary encompassing part of her electorate. See *WAPD(LA)*, 23 March 2011, p. 1973.

<sup>12</sup> *WAPD (LA)*, Estimates Hearings, 1 June 2010, p. E15.

<sup>13</sup> *WAPD(LA)*, 12 October 2010, p. 7462.

assist staff and judges in assessing whether jurors can understand and communicate in English. The input of citizens with difficulties in communication was needed to ensure that they did not develop a mistrust of the justice system. She was also concerned about instances in which the onus would be placed on the worker to claim recompense if wages had been lost as a consequence of jury duty. In general, Janine commended the legislative changes to include diversity in the act to assist a wider community representation on juries, but she warned ‘we need to make sure that that equity is substantive in its nature, and not just in the words on the paper’.<sup>14</sup>

Janine has availed herself of the wide range of parliamentary procedures including legislative debates, notices of motion, questions on notice, questions without notice and responses to the annual Premier’s Statement to consistently place on the public record her electorate and party positions. Another role in the Parliament in which she has been engaged is membership of the Joint Standing Committee on Delegated Legislation. This is a very demanding committee duty rarely recognised by the media or electorate. Fulfilling the responsibilities of a parliamentarian, which Janine recognised in her Inaugural Speech, has been an exacting role but approached with vitality. Despite this, as she mentioned in the same speech:

To the most important people in my life, John and Thomas, a special thanks for always returning me to the simple truth that at the end of the day I am mum and Janine and the daily routines of life continue’.<sup>15</sup>

#### *Reflections by the Member on Her Parliamentary Career*

It is hard to exactly reflect on my experience as a newly elected woman in the Western Australian Parliament as it is my experience as I know it, although it is certainly a different experience from that of other women members of Parliament and I can only assume it is a different experience for my male colleagues. However, this difference in Parliament makes for a healthy democracy as Parliament must reflect the diversity of the community and enable different perspectives to be considered.

In my Inaugural Speech in Parliament, I proudly identify as a feminist. I do this because for me it is a foundation political belief in the importance of women’s participation in both the Australian and the greater global political–economic sphere. This importance was demonstrated in the recent Commonwealth Government’s report on equal pay which documented that women’s participation in the workforce has been one of the greatest contributors to the growth of the Australian economy. This is despite the 17 per cent Australia-wide pay gap and the 27 per cent pay gap in Western Australia, which, if addressed, could further increase Australia’s productivity and growth.

For me, feminism is about respect, opportunities and equity; it is not a dogmatic ideology but a framework which recognises the subjective nature of debate in society and acknowledges other perspectives.

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<sup>14</sup> WAPD (LA), 22 February 2011, p. 832.

<sup>15</sup> WAPD(LA), 12 November 2008, p. 206.

My commitment to the status of women is through my strong belief that all voices—workers, women, young people, migrants, unemployed and not just those of influence—should be heard in our society.

With respect to the reflection, I am often asked whether I like being in Parliament. I query whether the question is whether I enjoy being a member of Parliament or being in the institution of Parliament because they are two very different things.

Being elected as a representative of a constituent community is a great privilege. People share with you their stories, their hopes and their dreams and you are constantly inspired by the commitment and good work of people both in government, not-for-profit organisations and the private sector.

The community I represent in Mirrabooka, Koondoola, Alexander Heights, Westminster, Dianella and Nollamara (and after 2013, hopefully, Balga) enjoy the benefits of their suburbs and community. However they recognise that they, like many in the Perth community, require a Government which addresses their day-to-day necessities, such as affordable, available housing, accessible transport and a reasonable standard of living. It is therefore important that I work both with and within the community to identify their particular issues and work with government agencies to advocate on their behalf and represent their interests in Parliament.

In my role as their representative, I endeavour to reflect the issues that concern all sectors of the electorate of Nollamara in Parliament when speaking on and analysing legislation.

For a new member, actually being in Parliament can be quite isolating as the institution of Parliament is based on adversarial structures which can often result in debating not discussing, posturing not problem solving.

As a woman entering the institution of Parliament, the individualised method of operation was foreign to me, after coming from a community worker background where you worked cooperatively to gain an outcome. The transition into Parliament was made easier by the professional development program instituted by the Labor Opposition for the first time in 2009 and developed by Hon John Kobelke, MLA, member for Balcatta.

However, even with this valuable program some of the ‘big questions’ remain unanswered, such as whether the current structure of Parliament and our role as legislators adds value to the lives of Western Australians.

There are a number of issues that play into this question of relevance.

The first is that most people’s day-to-day lives are probably affected more by their Local Government, through planning and development of their suburbs. The issue of governance seems to be one in which each tier of representation (that is, Federal Parliament, State Parliament and Local Government) blames the other (or the previous Government) for the concerns of the community, rather than taking a collaborative approach to come up with the best possible outcome.

It is little wonder the community become disassociated from their representatives, demonstrated most starkly by the average 33 per cent of ratepayers who vote for their local councillor, because they cannot identify with what ‘politicians’ achieve.

The other question I have as a new member of Parliament is whether our role as legislators is overemphasised with a belief that we can legislate for good behaviour and the resultant erosion of the separation of Parliament and the judiciary.

The Attorney General, Hon Christian Porter, when introducing mandatory sentencing legislation for assaults on police officers in 2011, argued that the legislation would act as a deterrent to such unwanted behaviour. The response to this in the public was to argue that, although it was popular, it would not address the problem of the increasing prevalence of alcohol-fuelled violence in our community, and it would undermine the judiciary's capacity to judge each issue before it on the facts.

The further difficulty with much of the legislation that comes before the Legislative Assembly is its 'skeletal' nature. We as legislators regularly find that the real powers are delegated to regulations and government departments establish procedures that attempt to 'cover the field' and call into question the intent of the Parliament.

Further, regulations often refer to departmental manuals or codes or Australian standards which further attempt to prescribe people's behaviour and lead to complaints that commonsense has been thrown out the window and society is over-regulated. It also results in the departments becoming the arbiter of who will be fined or prosecuted, such as in the case of mandatory sentencing, whereby police prosecutors must determine whether the charge be laid under the pertinent piece of legislation, which then delivers a mandated outcome.

The greatest danger in legislating through regulation is people no longer comply with the law—either because they see it as illogical, cumbersome or not applying to them—or they are simply unaware of its existence. Such intentional or unintentional breaches undermine the validity of parliamentarians as legislators, as we are not seen to reflect public opinion and ultimately the role of democracy in establishing civil society and the rule of law.

Another complexity in this is the influence of the media, whereby the symbiotic relationship between the media and members of Parliament do not always appear to be in the best interest of good policy formulation. Instead, the focus seems to be more on the presentation of conflict. So as battlelines are drawn in politics, in the area I represent, the most pressing need for those in my community is housing, gainful employment and the wellbeing of their suburbs.

In conclusion, it would seem that in looking to the future there are some big questions about the structure of our democracy and the way we legislate for civil society. At a micro level in Parliament, as a new member, I believe a focus on how government delivers the benefits of our economy into the community should be afforded greater emphasis. This could occur through a committee system that examines proposed legislation, which consults effectively with stakeholders and is not merely ensuring the necessary 'skeletal structure' is in place. Further, scrutiny on government funding through a more extensive estimates process as exists in the Federal Parliament and in the Legislative Council would deliver a more accountable executive and deliver tangible outcomes to the community.