



**Australian
Human Rights
Commission**

everyone, everywhere, everyday

***The State of Gender Equality in Australia
on International Women's Day: What more needs to
happen?***

Speech by Elizabeth Broderick

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Australian Human Rights Commission

NT Anti-Discrimination Commission

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[Acknowledgement of country]

Thank you **Bilawara Lee** for your warm welcome to country.

I also acknowledge the **Larrakia people** and pay my respects to their elders past, present and future. I honour them for their custodianship of the land on which we gather tonight. Aboriginal and Torres Strait Islander people have long spoken out for equality on both the national and international stage. And in terms of gender equality, they are leading the way with the National Congress of Australia's First Peoples which has both a male and female co-chair and mandated gender equality at all levels.

[Thank you to hosts and audience]

Thank you Commissioner Eddie Cubillo for inviting me to speak tonight. It's great to have you leading the work of the Commission here in the NT.

[Acknowledge any dignitaries present – Minister Malarndirri McCarthy]

I am so pleased to be here with you to celebrate 100 years of the International Women's day.

[International Women's Day - history]

Lucy's story.....

This week I have been travelling across Australia from Sydney, to Canberra, Alice Springs, Perth and tonight Darwin to mark the 100th year of International Women's Day.

There have been hundreds of events around Australia held this week, to commemorate the 100th year of International Women's Day - including many events held here in the Territory.

This has been matched by widespread coverage across the media, whether it be debates on pay equity, quotas for women on boards or violence against women. It has been wonderful to see the energy and momentum of the celebrations, as well to see gender equality front and centre on the national agenda.

The first Australian International Women's Day rally took place in Sydney on March 25, 1928. Back then, women called for equal pay for equal work; an 8 hour day for shop workers and a basic wage for the unemployed. These don't seem like radical demands but even today there are many working women who cannot lay claim to any of them. This is not to say that that the situation for women has not improved over the past 100 years - it has - and it is worth spending some time to reflect on these developments.

100 years ago Australian women finally won the right to vote in all State and Commonwealth elections, although, Indigenous women had to wait another 57 years for the same right.

But even with the right to vote, women were not represented in Australia's parliaments until 1921. And it was not until 1943 that women were elected to our federal parliament for the first time.

Well into the 1960's Australian women in the public service were forced to resign from their jobs as permanent officers if they got married. It was the same in many private companies.

It was only in 1965 that Australian women won the right to drink in a public bar. On a Wednesday afternoon in March that year, two women, Merle Thornton and Rosalie Bognor, entered the public bar of the Regatta Hotel in Brisbane and ordered two beers. When they were refused their beers and asked to leave, they promptly chained themselves to the footrail of the bar.

This was part of the Women's Liberation movement which started in the 1960's. The aim of the movement was not to "have it all" as some contemporaries would have us believe, it was – among other things – to transform the *power relations* between men and women which lay at the foundation of our society.

During the 1980s we saw the demands of women's movements for women's rights codified in Australia's laws. In 1984, the Sex

Discrimination Act was enacted. It gave effect to CEDAW and prohibited discrimination on the grounds of sex, marital status, pregnancy or potential pregnancy, family responsibilities and prohibited sexual harassment.

In the early 1990s we started to see women and men working together to address gender equality. Young “DIY feminists” took the concept of men and women as equals as a given and applied it in both their professional and personal lives. Rejecting the notion of women as victims, many of these women did not identify as “feminists” even though they advocated for their own rights. This is where we are today.

When I think about my own life. I was fortunate to go to university, and when my children were born I was able to work as a partner in a large law firm three days a week. Now I am a federal Commissioner and a mum with two young children. I never let myself forget that this would not have been possible but for a strong women’s movement and a strong gender equality law. I also never let myself forget that there are still many women who don’t have the benefit of many of these opportunities.

[Overview]

But there is still much to do. When we look back in a 100 year’s time we will say, “Yes, 2011, I remember – that was a year of

great celebration – but it was also the year we resolved to finish the unfinished business of gender equality.”

So today I want to highlight three areas where there is still much to do in terms of achieving gender equality in Australia - pay equity, women’s leadership and violence against women.

[Pay Equity]

Pay equity: 100 Years after women first marched in the streets demanding equal pay and four decades after the first Federal pay case, the gender gap still exists in Australian workplaces. Even more alarming is that, over the last four years the gender gap in pay has actually widened to 17 per cent¹. In the ASX200 companies among the key management personnel, the pay gap increases to 28.3%.²

The pay gap is compounded by the fact that most workplaces operate with a view that people who are paid more, matter more. The very existence of the pay gap further marginalises women. Not only are women less but they are perceived to be less valuable.

The opportunity for progress has come in the form of the Australian Services Union’s test case in Fair Work Australia, which covers female-dominated community sector workers. If this application succeeds it will be a major advance for the women who carry out this important work. And it will have a

flow-on impact. There is concern about how any increase will be funded. But I think whether community sector work is undervalued and how any increase should be funded are 2 separate questions.

Pay inequality exists because we allow it to. A concerted effort by business, government and the community is needed to close this gap. I have recommended that a National Pay Equity Strategy be put in place to comprehensively address this issue. We are still awaiting a government response to the House of Representative *Making it Fair: Pay Equity Inquiry*.

[Women in leadership]

I want to say a few words about women's leadership which has been a hot topic over the last year. The reality is women are under-represented at decision-making level in every sector of public life in Australia.

As you will know we started 2010 with the top 200 boardrooms languishing with only 8.4% of female directors. From 2002 to 2010 we increased the number of women on boards by only 0.2%³. And it took the top statisticians in the country to confirm there had been any movement at all.

As Avivah Wittenberg-Cox, a noted gender consultant, says:

“There is massive corporate mis-adaptation to today's talent realities and the subsequent inability to retain and develop women as well as men. I call this “gender

asbestos”. It’s hidden in the walls, cultures and mindsets of many organisations. But ridding the structure of these cultural toxins will require more than pointing accusingly at the mess. It requires a detailed plan for how to move forward and a compelling, attractive portrait of the result. Stop asking ‘What’s wrong with women that they’re not making it to the top? Start asking “What’s wrong with workplaces if they can’t retain and promote the majority of educated Australians?”

The good news is that change is happening. In the past year there has been an almost 600% uplift in the number of women appointed to ASX boards so that we now have over 11% of board directorships on ASX200 companies held by women⁴, largely due to reforms to the ASX Corporate Governance Principles.

You will also have observed over the last week, the significant discussion about the issue of quotas. This debate has long polarised Australians, and there seems to be strong cultural resistance to it by both men and women.

I see quotas as a means of uncovering women’s merit. They are a temporary special measure and as such are permissible under the federal anti-discrimination laws. The CEDAW Committee has called on Australia to consider adopting such measures where necessary, and they may well become necessary. I am not talking about introducing quotas next week,

next month, or next year, but I am saying that if we don't meet the targets set in the public and private sectors by 2015, then we do need to put in place measures that will accelerate change. Legislative quotas should be part of our armoury for realising this goal.

You may also be aware that this week Minister Kate Ellis MP announced that there would be a significant strengthening of the Equal Opportunity for Women in Workplace Agency and the Act, and that more funding would be made available, \$11.2 million, to carry out these reforms.

These are reforms that I have called for in my Gender Equality Blueprint. I support them because not only are they good for gender equality – they're good for business.

There is no nation, organisation or industry that can afford the leakage of women's skills and talents that is currently occurring in Australia. The gender inequality we see at the moment is disadvantaging us all.

Domestic/ family violence

The final area where we have not seen sufficient progress is family and domestic violence. It is still one of the biggest obstacles to the achievement of gender equality in Australia.

I often ask people to name countries where they consider violence against women to be a problem. More often than not

they reel off a list of other countries, but fail to recognize the high prevalence rates in their own country, Australia.

Violence against women continues to be endemic and widespread in Australia. In 2005, the ABS estimated that one in three Australian women had experienced violence since the age of 15.⁵ You do the maths - that's over 3 million women⁶. Over forty percent of these women experienced violence at the hands of a current or former partner⁷. That is over 1.2 million women⁸. It doesn't end there. Each year, this violence is witnessed by over 180,000 children⁹.

The statistics become even more confronting when we look at specific groups of women:

- Indigenous women are 45 times more likely than non-Indigenous women to be victims of domestic violence.⁶ And the homicide rates of Indigenous women are between 9 and 23 times higher at different times in the life cycle than they are for non-Indigenous women.⁷
- Women with disabilities are 'assaulted, raped and abused at least twice as often as women without disabilities'¹⁰.

So you see domestic violence is not just a white person's problem, a poor person's problem or always someone else's problem. It is not determined by how much money you have, where you come from, or how old you are. What we also know is that women from different racial backgrounds, Aboriginal and

Torres Strait Islander women, migrant and refugee women and women with disability may face an even more difficult time.

For example, Zena found it hard when she started her life in Australia as a migrant with a new husband. She spoke limited English and had no friends to help her. Her husband was the one communicating with the outside world. He took care of housing, applying for Centrelink payments and Medicare. He chose their friends. She is quoted as saying, “My husband always told me that if I went to anyone, they would take my children away”.

[DV and work places]

No single government or entity can solve this issue. It will take all of us - government, NGOs, education and business to make a difference. Business has been missing from this conversation. We need also to start talking about domestic violence as a workplace issue.

I say this because in essence, what affects employees also affects employers.

Almost two thirds of women who experience domestic and family violence are in paid work, so there is no question that the issue of violence affects many in our workplaces¹¹.

Women who experience it are more likely to have a disrupted work history, to have to change jobs and work in casual and part time work, than women with no experience of violence¹².

Recently, I was struck by a Four Corners program on men's behavioural change programs. The program followed three men that had voluntarily agreed to undertake a 28 week program to deal with their violence. For two of them, the event that triggered their inclusion in the program was not the fact that they were violent at home and that their wives lived in fear, but rather that they were counselled at work and told that if their abusive behaviour toward their co-workers did not change they would be fired from the workplace.

But there are things that can be done. Over the last six months a number of organisations both public and private sector have developed policies to support staff living with violence – entitlements to domestic violence leave in enterprise agreements, access flexible working conditions, the ability to change extension numbers, and personal safety information training as part of induction.

Addressing this issue has become an urgent priority for me. How is it that in 2011 on the 100th anniversary of IWD, we still don't have an answer to this shameful problem?

Have we become so numb to the statistics that we forget that behind each number is a human tragedy? Have we stopped to think that this could be our mother, our sister, our aunt, our daughter or us?

[Thanking women who work in sector]

Over the last few months I have visited 40 different domestic violence and sexual assault services all across this country. I've met community sector workers, police, lawyers, judges, advocates and many others who have devoted much of their lives to helping these women.

I want to take a moment here to acknowledge the incredible work and dedication of the people who work in such services. They fill me with admiration. The commitment and dedication of workers in this sector is overwhelming – the compassion and personal sacrifice immense. Many of these services are underfunded - they deliver so much with so little.

There is a critical need to increase funding to both existing services, and to provide additional, culturally appropriate services in areas where they are not available.

Here in the Northern Territory there have been some strong initiatives and in particular I want to mention the safe places initiative established jointly by the Federal/ Northern Territory Government's. Currently there are 9 safe places for men and 13 safe places for women in remote communities.

Since they commenced in 2009 there have been more than 1000 intakes - what that means is more than 1000 incidences of potential harm have been prevented. I am planning to visit the safe places at Maningrida on Monday, to see for myself the work being done.

Safe places need to be backed by a range of support services including a police presence in the community. There is also a clear need for more mental health services, to help families deal with the high levels of grief, trauma and stress related to incidents of domestic and family violence.

And there are other innovative examples happening in other states. In October last year, I visited the Frankston Family Violence Centre which provides family violence counselling, legal advice, police and forensic services, child protection, sexual assault services and behavioural change programs. The services are wrapped around the woman and her children.

On the evening before I arrived, a 10 year old girl had rung the crisis care number as her mother was being sexually assaulted. The woman and her children were transported to the centre at 2 a.m. By 10.30 a.m. the next day the woman had had all her locks changed, counselling for her and her children, an apprehended violence order underway, a plan of action and was safely ensconced back in her home. This immediate response relied on the links between the different services.

[What can be done about it]

The Australian Government has just released the National Plan to Reduce Violence against Women and their Children. It has been endorsed by all states and territories, including the NT.

The national plan is a significant step forward for Australia. Violence against women is a national problem which requires a national and local response. The plan which focuses strongly on primary prevention, building respectful relationships and working to increase gender equality is a great first step. But this is just the beginning. You can have the best plan in the world but if it is not effectively implemented then change will not happen. The National Plan must be implemented effectively, independently monitored and evaluated and importantly adequately funded.

[CONCLUSION]

In closing, I want to remember and acknowledge the work of a fellow commissioner from the Afghanistan Human Rights Commission, Hamida Barmaki. I learnt last month that she died in a suicide bombing. It was the birthday of her second daughter (who was turning 14) and the whole family (Hamida, her husband and four children) went out to lunch to celebrate. None of them came home.

As a Human Rights Commissioner she spoke out about the injustices perpetrated upon women and children across her own country. As a Professor at Kabul University she taught many young people about the importance of the rule of law, about democracy and the international human rights system. She worked tirelessly to create a world where all women and men would be treated equally and with dignity.

One of the women she taught wrote movingly about Hamida's death recalling a saying by Albert Pine: "What we do for ourselves dies with us. What we do for others, and the world, remains and is immortal."

On this International Women's Day she stands as an inspiration to all of us.

Finally to each and every one of you, thank you for all the ways you have contributed to women's equality both in Australia and across the world. For all the people you have supported, for all the moments when you found the courage to speak up, when doing nothing might have seemed like an easier option.

Let us build on the struggles of those who have come before us to create a world where:

- women are equal partners with men in all aspects of economic, political and social life
- women are able to work and have a family life
- women do not live with poverty because they have chosen to care; and where
- we are free to live our lives without discrimination, harassment and violence.

Together we can create a more equal and just Australia. Let's make it happen.

Thank you.

¹ ABS, Cat. 6302, Average Weekly Earnings, cited in Equal Opportunity for Women in the Workplace, *Gender Workplace Statistics at a Glance*, http://www.eowa.gov.au/Research_And_Resources.asp.

² EOWA, *Pay, Power and Position: Beyond the 2008 EOWA Australian Census of Women in Leadership* (2009), p. 6. At www.eowa.gov.au/Australian_Women_In_Leadership_Census/2008_Australian_Women_In_Leadership_Census/Pay_Power_Position/Pay_Power_Position_Beyond_the_Census.pdf (viewed 26 October 2009), cited in AHRC (2009) *Gender Equality Blueprint*, AHRC, 19.

³

http://www.eowa.gov.au/Australian_Women_In_Leadership_Census/2010_Australian_Women_In_Leadership_Census.asp

⁴ As at February 2011: <http://www.companydirectors.com.au/Director-Resource-Centre/Governance-and-Director-Issues/Board-Diversity/Statistics>

⁵ Australian Bureau of Statistics (ABS), *Personal Safety, Australia, 2005* (Reissue), Catalogue No. 4906.0 (2006), p 7. At

[www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4906.0Main+Features12005%20\(Reissue\)?OpenDocument](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4906.0Main+Features12005%20(Reissue)?OpenDocument) (viewed 5 March 2010). Note: The ABS defines physical violence to include “any incident involving the occurrence, attempt or threat of physical assault.”

⁶ Australian Bureau of Statistics (ABS), *Personal Safety, Australia, 2005* (Reissue), Catalogue No. 4906.0 (2006), unpublished.

⁷ ABS, *Personal Safety, Australia, 2005* (Reissue), Catalogue No. 4906.0 (2006), p 10

⁸ Australian Bureau of Statistics (ABS), *Personal Safety, Australia, 2005* (Reissue), Catalogue No. 4906.0 (2006), unpublished.

⁹ Access Economics (2004) *The cost of domestic violence to the Australian Economy: Part 1*, Cth of Australia, vi.

¹⁰ WWDA (2007) *It's Not OK: It's Violence*, WWDA, 30.

¹¹ Australian Bureau of Statistics, *Personal Safety, Australia, 2005* (Reissue), Catalogue No. 4906.0 (2006), p 35. At

[www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4906.0Main+Features12005%20\(Reissue\)?OpenDocument](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4906.0Main+Features12005%20(Reissue)?OpenDocument).

¹² S Franzway, C Zufferey and D Chung, (2010) ‘Domestic Violence and Multidimensional Factors: Investigating the impact of domestic violence on women’s employment, health and housing’, *Our Work Our Lives National Conference*, Darwin, 12-13 August 2010.