



**Australian Government**

**Department of the  
Prime Minister and Cabinet**

**Office for Women**

Australia's Eighth Report on the implementation  
of the Convention on the Elimination of all  
Forms of Discrimination Against Women  
August 2010-July 2014



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It is my honour to submit Australia's eighth periodic report on the implementation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

The Australian Government is committed to creating an inclusive society where women and men have equal access to opportunities and resources and can thereby participate and contribute equally to the economic and social wellbeing of Australia.

Australia's ratification of CEDAW more than 30 years ago was a significant milestone in our country's acknowledgement of the need for a proactive and well considered effort across all levels of government and community to close the gender equality gap. We have achieved much in the area of women's issues in the last 30 years, but there is no time for complacency—as a society we need more initiatives empowering women.

The Government is resolute in its commitment to end the scourge of domestic and family violence and sexual assault affecting all Australian communities.

All governments in Australia are currently implementing the *National Plan to Reduce Violence against Women and their Children 2010–2022* and ensuring its programmes are properly resourced and effective. In collaboration with state and territory governments this 12-year plan aims to bring about a significant and sustained reduction in violence against women and their children through a whole-of-community effort.

The Australian Government has clearly stated reducing violence against women is a national priority. This is why the Government has elevated the issue of women's safety to the Council of Australian Governments to accelerate efforts and address cross-jurisdictional issues. A jointly funded national campaign was delivered in April 2016 to help reduce violence against women and their children. These efforts complement a \$100 million women's safety package that trials new technologies to keep women safe, strengthens frontline support and provides resources to help parents and teachers engage with young people on respectful relationships.

Boosting women's workforce participation is an economic and social priority for Australia. Under Australia's G20 Presidency in 2014, G20 leaders agreed to work to reduce the gap in participation rates between men and women in G20 countries by 25 per cent by 2025. Australia is working hard making meaningful progress towards this ambitious goal, and creating the conditions to enable more women to get and keep jobs, work more hours, balance work and caring responsibilities and get into leadership roles. In 2015 the Australian Government

announced a \$4.4 billion Jobs for Families Child Care package designed to make childcare—a key barrier to women’s workforce participation—simpler, more affordable, accessible and flexible. We introduced a small business and jobs package, supporting women in small business, encouraging more women entrepreneurs and helping women who are not in employment to become job ready. And we are preparing women for the jobs of the future by getting more women into science, technology, engineering and maths (STEM).

The Australian Government has commenced the process to withdraw its reservation to the CEDAW relating to the exclusion of women from combat roles, including repealing the related exemption from Australian anti-discrimination legislation. This represents Australia’s deep commitment to women’s human rights and gender equality domestically, across our region and globally.

We look forward to the Committee’s consideration of this report as part of an ongoing and productive dialogue about Australia’s efforts to promote gender equality and women’s empowerment.

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**Senator the Hon Michaelia Cash**

Minister for Women

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## Introduction

1. 1 Since Australia's last periodic report on the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2008, government, civil society and business have continued to work in partnership to develop policies, strategies, programmes and initiatives to promote the rights of women.
1. 2 Implementation of agreed actions under the *National Plan to Reduce Violence against Women and their Children 2010–2022* has been progressing well with the launch of the second action plan *Moving Ahead 2013–2016* on 24 June 2014.
1. 3 The reviews into the treatment of women in the Australian Defence Force and employment pathways for Australian Public Service women in the Department of Defence, and the appointment of Australia's Ambassador for Women and Girls were also significant steps towards gender equality.

## Reporting on CEDAW

1. 4 Australia ratified CEDAW on 28 July 1983. Since then commitment to eliminating discrimination against women has been demonstrated by the significant activities and major policy initiatives undertaken by the Australian Government to improve and progress the status of women in Australian society.
1. 5 This report covers key legislation, strategies, initiatives, policies and programmes progressed by the Australian, state and territory governments in the review period from August 2010 to July 2014.

## Shadow CEDAW report

1. 6 The Australian Government funded a civil society consortium, led by the Young Women's Christian Association Australia, to consult and prepare an independent shadow report and a parallel Aboriginal and Torres Strait Islander women shadow report for the CEDAW committee's consideration. These reports are intended to represent community views of women's human rights status in Australia.

## Explaining Australia's system of government

1. 7 Under Australia's system of government, powers are distributed between:
  - the Australian Government
  - six state governments—New South Wales (NSW), Victoria (Vic), Queensland (QLD), Western Australia (WA), South Australia (SA), and Tasmania (TAS)

- two self-governing territory governments—the Northern Territory (NT) and the Australian Capital Territory (ACT)
- just under 600 local councils.<sup>1</sup>

1. 8 Australia has a federal constitutional system in which legislative, executive and judicial powers are shared or distributed between the Australian Government and the constituent states and territories.

1. 9 The Australian Government and all states and territories contributed to this report.

### *Electing a new Australian Government*

1. 10 On 7 September 2013, a Liberal and National Coalition Government was elected which was sworn in on 18 September 2013.

1. 11 One of the first decisions the new government implemented was relocating the Australian Government Office for Women to the Department of the Prime Minister and Cabinet.

1. 12 This move supports a whole-of-government approach, with the Office for Women working across Australian Government agencies to deliver stronger economic and social outcomes for women.

### *Commitment Australia-wide*

1. 13 State and territory governments, civil society and the business sector reinforce and embed, at the community level, strategies and frameworks driven by the Australian Government. The delivery of policy, strategy and initiatives to improve the status of women and girls relies on tri-partite relationships between all tiers of government, civil society and business. This includes strategies developed by state and territory governments that are tailored to meet the specific needs of their populations and complement the work being done at the national level. Programmes and services that are administered by government are commonly delivered at the grass roots by civil society organisations and businesses.

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<sup>1</sup> Facts and figures on local governments in Australia.

Available at: <http://www.regional.gov.au/local/>; <http://alga.asn.au/?ID=59&Menu=41.83>

## Articles 1 to 4

Definition of discrimination against women, obligations to eliminate discrimination, the development and advancement of women, and acceleration of equality between men and women

2. 1 The United Nations Human Development Report 2013–14 ranked Australia second in the world on its Gender Related Development Index.<sup>2</sup> The World Economic Forum’s Global Gender Gap Report 2013 ranked Australia 24th out of 128 countries on its Gender Gap Index.<sup>3</sup>
2. 2 Australian, state and territory government anti-discrimination legislation and policies uphold Australia’s commitment to equal rights for women and obligations under CEDAW. The *Sex Discrimination Act 1984* (SDA) is the key Commonwealth legislation for making discrimination against women unlawful. It gives effect to many of Australia’s obligations under CEDAW, as well as to aspects of International Labour Organization (ILO) Conventions, including Convention 100 concerning equal remuneration for men and women for work of equal value, Convention 111 concerning discrimination in respect of employment and occupation, Convention 156 concerning equal opportunities and equal treatment for men and women workers: workers with family responsibilities, and Convention 158 concerning termination of employment at the initiative of the employer.

## Commonwealth legislative framework

### *Sex Discrimination Act 1984*

2. 3 Australia’s *Sex Discrimination Act 1984* makes discrimination against women unlawful. It prohibits discrimination on the grounds of sex, marital or relationship status, pregnancy or potential pregnancy, breastfeeding, sexual orientation, gender identity or intersex status. It also prohibits discrimination on the ground of family responsibilities in the area of work and prohibits sexual harassment. The Act also promotes the principle of gender equality and requires the appointment of a Sex Discrimination Commissioner.
2. 4 All states and territories have anti-discrimination legislation in addition to the Act. Where a state law is inconsistent with a Commonwealth law, section 109 of the Constitution provides that Commonwealth law prevails to the extent of the inconsistency.

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<sup>2</sup> United Nations Development Programme (2014), *Human Development Report 2014: Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*, pp. 172–175.

Available at: <http://hdr.undp.org/en/content/human-development-report-2014>

<sup>3</sup> World Economic Forum (2013), *Global Gender Gap Report 2013*, pp. 11–12.

Available at: <http://reports.weforum.org/global-gender-gap-report-2013/#=&section=country-profiles-australia>

2. 5 In 2011, significant amendments to the Act came into effect, including:
- ensuring that protections from sex discrimination apply equally to women and men
  - prohibiting direct discrimination against employees on the ground of family responsibilities
  - strengthening protections against sexual harassment in workplaces and schools, and prohibiting sexual harassment through new technologies, and
  - establishing breastfeeding as a separate ground of discrimination, allowing measures to protect and accommodate the needs of breastfeeding mothers.
2. 6 The Act provides a range of permanent exemptions (e.g. for religious bodies and charities) and gives the Australian Human Rights Commission power to grant temporary exemptions from certain provisions of the Act.
2. 7 The Act also allows the use of affirmative action by allowing a person to take ‘special measures’ to achieve substantive equality between men and women. These measures are defined as those that are otherwise discriminatory but designed to promote equality or meet special needs.
2. 8 In 2013 the Act was amended to make it unlawful to discriminate on the grounds of sexual orientation, gender identity and intersex status. Same-sex couples are now also protected under the definition of ‘marital or relationship status’. These protections apply to lesbian, gay, bisexual, transgender, gender diverse and intersex people.
2. 9 The Australian Human Rights Commission (AHRC) can investigate and conciliate complaints of breaches of the Act. This includes complaints of direct and indirect discrimination and sexual harassment. In 2013–14, the AHRC received 447 complaints and finalised 451, with 18 per cent of these concerning sexual harassment. Complaints under the Act account for approximately 21 per cent of all complaints received by the AHRC. Under the *Australian Human Rights Commission Act 1986* (Cth), if a complaint is terminated by the AHRC, the complainant can apply to the federal courts alleging unlawful discrimination.
2. 10 In addition to resolving complaints under the Act, the AHRC also:
- resolves complaints of discrimination or breaches of human rights
  - holds public inquiries into human rights issues of national importance

- develops education programmes and resources for schools, workplaces and the community
- provides independent legal advice to assist courts in cases that involve human rights principles
- provides advice and submissions to parliaments and governments to develop laws, policies and programmes
- undertakes and coordinates research into human rights and discrimination issues.

### *Workplace Gender Equality Act 2012*

2. 11 The *Workplace Gender Equality Act 2012* (Cth) (previously the *Equal Opportunity for Women in the Workplace Act 1999*) was renamed to promote and improve gender equality and outcomes.

2. 12 The Workplace Gender Equality Agency (formerly known as the Equal Opportunity for Women in the Workplace Agency) was established under the Act. It aims to:

- promote and improve gender equality (including equal remuneration) in the workplace
- remove barriers to workforce participation for women
- eliminate discrimination in employment on the basis of gender
- foster consultation on gender equality in the workplace
- improve business productivity and competitiveness by advancing gender equality.

2. 13 The Act requires private sector entities with 100 or more employees to report annually on:

- workforce gender composition
- gender composition of relevant employer governing bodies
- equal remuneration between women and men
- availability and utility of employment terms, conditions and practices relating to flexible working arrangements, including for employees with family or caring responsibilities
- employee consultation on issues concerning gender equality in the workplace
- gender-based harassment and discrimination.

This information is analysed to review employer compliance with the Act.



2. 14 The agency also helps employers promote and improve gender equality in the workplace through its research and programmes.

### *Fair Work Act 2009*

2. 15 The *Fair Work Act 2009* (FWA) delivers pay equity between women and men. An individual or group of workers in the same sector may apply for an order from the Fair Work Commission providing them with equal remuneration for work of equal or comparable value. The FWA does not require evidence of sex-based discrimination by their employer in setting remuneration. It includes 10 national employment standards and modern awards providing employees with minimum protections including maximum weekly work hours, various types of leave, including unpaid parental leave, and public holidays. All modern awards and enterprise agreements must include model flexibility terms, allowing employers and employees to make individual flexibility arrangements, such as part-time arrangements to accommodate family responsibilities.
2. 16 The FWA applies to the exclusion of state or territory industrial laws but does not exclude anti-discrimination legislation.
2. 17 In June 2013, the FWA was amended to include employees with caring responsibilities, parents with children who are school age or younger, employees with disability, mature employees, as well as those experiencing family violence, or caring for immediate family or members of their household as a result of family violence.

### *Human Rights (Parliamentary Scrutiny) Act 2011*

2. 18 The Government's compliance with its human rights obligations in legislation, including those under CEDAW, are scrutinised through a Parliamentary process. This commenced on 4 January 2012 under the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth). All Bills and disallowable legislative instruments introduced into the Australian Parliament must be accompanied by a statement of compatibility setting out the legislation's consistency with Australia's human rights obligations. The Parliamentary Joint Committee on Human Rights examines all bills and disallowable legislative instruments for compatibility. The committee can also inquire into human rights matters referred by the Attorney-General. These processes are designed to encourage early and ongoing consideration of human rights in policy and legislative development, and improve parliamentary scrutiny.
2. 19 Further detail on state and territory legislation is at [Appendix – Articles 1–4](#).

## Government reviews, monitoring and advisory services

2. 20 The Australian Government and state and territory governments have a range of mechanisms to progress the status of women. An example of such monitoring is the *Review into the Treatment of Women in the Australian Defence Force* (ADF).

### *Review into the Treatment of Women in the Australian Defence Force*

2. 21 Between 2011 and 2014, the Sex Discrimination Commissioner led comprehensive reviews of the treatment of women within the ADF and the Australian Defence Force Academy (ADFA).

2. 22 The review examined:

- the treatment of women, particularly the adequacy and appropriateness of measures to promote gender equality, ensure safety, address and prevent sexual harassment and abuse, and sex discrimination
- initiatives to drive cultural change in the treatment of women, including the adequacy and effectiveness of existing initiatives and approaches to training, education, mentoring and development
- measures required to improve the pathways for increased representation of women in senior ranks and leadership.

2. 23 Phase 1 and phase 2 reports were tabled in the Australian Parliament in November 2011 and August 2012. The phase 1 report made 31 recommendations to ensure a safer, more inclusive and equitable environment for women at ADFA. The phase 2 report made 21 recommendations designed to promote cultural and systemic change.

2. 24 Phase 3 of the review audited implementation of the phase 1 and 2 recommendations. This included a focus on ADF recruitment and training schools where behaviour, attitudes and values are embedded. The report on the treatment of women at the ADFA was released in July 2013. The report on the treatment of women in the ADF was released in March 2014. The reports found that significant progress had been made but identified areas for further cultural reform.

2. 25 Work is also being undertaken through the ADF's cultural change strategy, *Pathway to Change: Evolving Defence Culture*. The AHRC is collaborating with the ADF to advise and support the progress of cultural reform.

## Data collection

2. 26 The Australian Government collects data to track progress against gender equality measures.
2. 27 It also tracks progress on particular areas, such as its annual *Gender balance on Australian Government boards report*.
2. 28 State and territory examples are at [Appendix – Articles 1–4](#).

## Australian Government gender indicators

2. 29 The Australian Bureau of Statistics (ABS) develops and updates the Australian Gender Indicators and publishes these on its website. Its Gender Statistics Advisory Group—which includes representatives from the Australian Government Office for Women, other Australian, state and territory agencies, academia and civil society organisations—helps inform gender statistics.
2. 30 The gender indicators report on equality across:
- economic security
  - education
  - health
  - work and family balance
  - democracy, governance and citizenship
  - safety and justice.

2. 31 These are updated biannually to include new data, indicators and commentary, as well as further disaggregation by populations of interest or geography.

2. 32 The ABS is considering expanding reporting to include people from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people and people with disability. It is also collating data on women in business and entrepreneurship to support further policy development.

## Measuring progress under Closing the Gap

2. 33 Closing the Gap is a commitment by all levels of government to improve the lives of Indigenous Australians, particularly Indigenous children. An annual report is produced on progress towards targets.

2. 34 The strategy identifies and commits to targets to reduce Indigenous disadvantage. Achieving these will help Indigenous women and girls make social and economic gains in health, education and employment.

#### Strategic plans and policy statements

2. 35 Many states and territories have specific strategic plans for women, or dedicate components of their overarching strategic plan to women's issues.
2. 36 For example, the *Australian Capital Territory women's plan 2010–2015* is a strategic framework to help the ACT Government improve the status and lives of women and girls in the ACT.
2. 37 A focus is understanding the different needs of women to improve gender equity. Gender impact assessments are also integrated into policy development. Reporting focuses not just on economic value but also environmental and social value, which ensures that gender considerations form part of policy development as well as programme and service design.
2. 38 In 2013, the Tasmanian Women's Plan 2013–2018 was launched. It focuses on six priority areas: economic security and financial independence; education and training; health and wellbeing; housing and homelessness; leadership and community participation; and safety and justice.

#### Measures to prevent discrimination against Indigenous women

2. 39 In addition to general measures to protect Indigenous women, the Australian Government specifically addresses the disadvantage and discrimination faced by Indigenous women who come into contact with the justice system, either as victims or offenders.

#### Frameworks

2. 40 This is achieved through the National Indigenous Law and Justice Framework 2009–2015, the National Framework for Protecting Australia's Children 2009–2020 and the National Plan to Reduce Violence against Women and their Children 2010–2022.

#### Programmes

2. 41 Australian Government programmes include the Indigenous Family Safety Programme, Family Violence Prevention Legal Services, and Indigenous women's projects through the Commonwealth Community Legal Services Programme.

2. 42 The Australian Government also funds Family Violence Prevention Legal Services in 31 rural and remote areas, and eight organisations across Australia specifically to operate Indigenous women’s projects that provide legal services for Indigenous women.

### *International participation*

2. 43 Australia engages on gender equality issues through a range of international forums, including the United Nations, the Asia–Pacific Economic Cooperation and the Commonwealth of Nations.

2. 44 Australia also upholds women’s rights through a range of international frameworks, including CEDAW and the Beijing Declaration and Platform for Action, and regularly reports against these.

2. 45 Additional information about Australia’s international participation is at Article 8.

### *United Nations Commission on the Status of Women*

2. 46 Australia participates in the United Nations Commission on the Status of Women (CSW) to progress our international commitment to advancing gender equality and the status of women. In 2014, the Australian delegation was led by the Minister Assisting the Prime Minister for Women, and included Australia’s Ambassador for Women and Girls and Australia’s Sex Discrimination Commissioner. Two civil society delegates were also funded to join the Australian delegation.

2. 47 Australia has included civil society delegates on the Australian Government delegation to CSW since 1999, and funded civil society delegates to attend each year since 2009.

2. 48 Five National Women’s Alliances are funded by Australia and play a key role in the CSW civil society consultation process. The reach and influence of the Alliances within the women’s sector is vital in encouraging other civil society organisations to fully engage in the CSW process.

### *United Nations Security Council term*

2. 49 As a member of the United Nations Security Council in 2013 and 2014, Australia worked with fellow UN members to:

- ensure relevant peacekeeping and peace-building operations address the impacts of conflict on women and girls
- prevent impunity for sexual violence

- pursue more comprehensive consideration and integration of these issues across the Security Council’s agenda
- advocate for peacekeeping mandates developed by the Security Council to include specific gender equality language and considerations (including the appointment of women protection advisers or gender advisers, where appropriate).

### *United Nations General Assembly (UNGA) and Human Right’s Council (HRC)*

2. 50 Australia advocates for resolutions and statements developed by UNGA and HRC to include specific gender equality language and considerations.

### *Asia–Pacific Economic Cooperation*

2. 51 Australia participates in Asia–Pacific Economic Cooperation (APEC) forums on gender equality such as the Women Economic Forum. This builds on domestic work and helps support trade opportunities for women in Australia and the region.

2. 52 The forum also promotes cooperation between the public and private sectors. The Australian delegation includes self-funded private sector representatives.

### *Equal Futures Partnership*

2. 53 Australia joined the Equal Futures Partnership (EFP) in 2012, a US initiative to expand economic opportunities for women and increase participation in politics and civil society.

### *G20*

2. 54 Since the first G20 Leaders’ Summit in November 2008, five official engagement groups—the Business 20 (B20), Civil Society 20 (C20), Labour 20 (L20), Think 20 (T20) and Youth 20 (Y20)—have been established, gathering key economic and social actors to inform the G20’s decisions. Each of these groups has made recommendations to boost female participation in the workforce.

2. 55 At the Brisbane Summit in November 2014, G20 members were asked to commit to reducing the gap in labour force participation rates between men and women in their country by 25 per cent by 2025. This will bring more than 100 million women into the workforce, significantly increase global growth and reduce poverty and inequality.

### *Indigenous international fora*

2. 56 Australia is committed to promoting and protecting the rights of Indigenous peoples including through:

- the UN Permanent Forum on Indigenous Issues which is mandated to discuss Indigenous issues related to economic and social development, culture, the environment, education, health and human rights

- the UN Expert Mechanism on the Rights of Indigenous Peoples which provides the UN Human Rights Council with thematic advice on the rights of Indigenous peoples.

## Article 5 Sex roles and stereotyping

- 3.1 Australia is committed to breaking gender stereotyping at all levels, including in the media and through achieving better work-life balance for parents, however Australian women still do significantly more unpaid work than men.<sup>4</sup>

### Modifying social and cultural patterns of conduct

#### *Human rights education to eliminate discrimination*

- 3.2 The AHRC, along with state and territory governments, helps educate Australians about human rights and responsibilities.
- 3.3 For example, the Queensland Department of Education, Training and Employment developed diversity training in 2011 which raises employee awareness of legislation and policies, including the state's *Anti-Discrimination Act 1991*, the Commonwealth SDA, and the Commonwealth *Australian Human Rights Commission Act 1986*.

#### *The portrayal of women in the media*

- 3.4 In 2012, the WA Government launched the discussion paper *Women and the Media: who do they think you are?* to coincide with the inaugural United Nations International Day of the Girl Child. The paper's launch included a screening of the US documentary *Missrepresentation*, which explores the links between women's stereotyped portrayals in the media and their absence from leadership roles.

#### *Non-traditional employment*

- 3.5 The Australian, state and territory governments have initiatives to help women and girls enter non-traditional trades and other non-traditional areas.<sup>5</sup> For example, the NSW Government's Women in Trades initiative funds activities to increase the participation of women in non-traditional occupations.

### Educating men and boys

- 3.6 The AHRC, along with state and territory governments, continues to play an important role in educating Australians about human rights and responsibilities.
- 3.7 For example, the *Know Where the Line Is* national awareness raising strategy is a tripartite partnership of the AHRC, the Australian Chamber of Commerce and Industry and the

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<sup>4</sup> The Household, Income and Labour Dynamics in Australia (HILDA) Survey, Families, Incomes and Jobs, Volume 9, University of Melbourne 2014.

<sup>5</sup> COAG Select Council on Women's Issues (2012, 18 July). Communique. Available at: [http://www.dpmc.gov.au/women/files/documents/07\\_2012/final\\_scwi\\_communique\\_19\\_july\\_2012.pdf](http://www.dpmc.gov.au/women/files/documents/07_2012/final_scwi_communique_19_july_2012.pdf)



Australian Council of Trade Unions, which targets employers and employees to prevent and reduce the harm of sexual harassment in Australian workplaces.

3. 8 State and territory initiatives are at [Appendix, Article 5](#).

### *White Ribbon*

3. 9 In 2012 the Australian Government provided early funding for the White Ribbon Australia Workplace Accreditation Programme, which helps workplaces prevent and respond to violence against women.

3. 10 The Australian Government provided additional funding in 2014 to increase engagement with culturally and linguistically diverse and Aboriginal and Torres Strait Islander communities over four years.

### *Male Champions of Change*

3. 11 In April 2010, Australia's Sex Discrimination Commissioner brought together some of Australia's most influential men to form *Male Champions of Change*. The men use their individual and collective influence and commitment to ensure the issue of women's representation in leadership is elevated on the national business agenda.

3. 12 In 2013, a number of champions agreed to sign a 'supplier commitment', which involves ensuring thousands of suppliers implement gender diversity policies or risk losing their contracts. The commitment could affect up to AUD \$30 billion in procurement spending by some of Australia's largest organisations.

3. 13 Early in 2014, the champions partnered with Chief Executive Women to launch a free management model called 'The Leadership Shadow'. This suggests actions and behaviours that are most likely to increase women's representation in leadership positions.

### Responsibilities relating to family

#### *Productivity Commission Inquiry into Child Care and Early Childhood Learning*

3. 14 In 2013, the Australian Government announced the first Productivity Commission Inquiry into Child Care and Early Childhood Learning since the 1990s.

3. 15 It examined how the current system could be made more responsive to the needs of families and the economy, and it looked at the contribution quality child care makes to workforce participation and children's learning and development.

## Article 6 Suppression of the exploitation of women

- 4.1 The Australian Government is committed to combating human trafficking and slavery in all forms, including for sexual and other forms of labour exploitation. The Australian Government does not regard state and territory laws that legalise sex work in some Australian jurisdictions as breaches to obligations under Article 6 of CEDAW, as legalised sex work does not necessarily constitute exploitation of prostitution.
- 4.2 The Australian Government considers that exploitation would arise where the circumstances in which sex workers are employed are exploited or where they do not consent to engage in sex work. Exploitation also arises in situations involving children engaged in sex work. Australia has comprehensively criminalised these forms of exploitation.

## Human trafficking, slavery and slavery-like practices

- 4.3 Human trafficking, slavery, and slavery-like practices are complex crimes and government action is only part of the solution. The Australian Government is building strong partnerships with the non-profit sector, and works closely with a range of non-government organisations.
- 4.4 In 2013, the Australian Government enacted legislation to enhance Australia's ability to prosecute offenders and to protect victims. Australia's *Strategy to combat human trafficking and slavery* addresses the full trafficking cycle from recruitment to reintegration and gives equal weight to prevention, detection, prosecution and victim support.
- 4.5 The Commonwealth *Crimes Legislation Amendment (Law Enforcement Integrity, Vulnerable Witness Protection and Other Measures) Act 2013* improved protections for vulnerable witnesses giving evidence in Commonwealth criminal proceedings, including victims of human trafficking and slavery.
- 4.6 The Human Trafficking Visa Framework enables foreign nationals suspected of being victims of human trafficking to remain in Australia, initially to recover and then to assist with the investigation and prosecution of human trafficking offenders.
- 4.7 The Australian Government's Support for Trafficked People Programme assists trafficked people to find suitable accommodation, medical treatment and counselling, legal and migration advice, and education.
- 4.8 Between 2004 and 2014, 235 people had been referred to the programme, including 212 women and girls.

4. 9 Australia also works with partners in the region to address human trafficking and slavery. This includes through the Australia–Asia Program to Combat Trafficking in Persons which helps law enforcement and justice officials strengthen criminal justice responses in the ASEAN region, and to reduce the incentives and opportunities for human trafficking.
4. 10 The government continues to promote information sharing and activities to address human trafficking through its leadership with Indonesia of the regional forum, the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.
4. 11 Australia also supports other programmes and partners in South East Asia to combat human trafficking, labour exploitation and commercial sexual exploitation of children, as well as programmes in partner countries to strengthen the criminal justice sector.

### *Child, early and forced marriage*

4. 12 Child, early and forced marriage is a serious human rights abuse that occurs both overseas and in Australia. This complex and challenging issue requires the collective efforts of governments, lawmakers, judicial authorities, law enforcement officials, community and religious leaders and other stakeholders.
4. 13 The Australian Government has taken a strong stance on child, early and forced marriage, including by introducing comprehensive offences in the Commonwealth *Criminal Code Act 1995*. The Australian Federal Police has specialised teams to investigate forced marriage. These work in close collaboration with state and territory police.
4. 14 As well as enforcing laws, Australia is investing in community education and awareness-raising by funding non-government organisations to expand legal advice services, establish website information resources, curriculum materials for teachers and an education programme to increase capacity for community organisations to work with at risk groups.
4. 15 Internationally, Australia advocates on forced marriage issues, including at the CHOGM and UNGA, the HRC and the CSW.
4. 16 At the United Kingdom Girl Summit 2014, the Australian Government signed the Charter to end female genital mutilation and child, early and forced marriage.

### *Sexual servitude*

4. 17 State and territory governments are responsible for regulating the sex work industry in Australia.
4. 18 Most jurisdictions have enacted legislation relating to sexual servitude and deceptive recruiting, which allows for the prosecution of cases involving sexual exploitation.

However, state and territory police generally refer human trafficking and slavery related matters to the Australian Federal Police.

4. 19 All jurisdictions have a range of provisions to cover related crimes such as assault, sexual assault, forced prostitution, kidnapping and deprivation of liberty. State or territory offences may be used in conjunction with Commonwealth offences.

#### Research programme

4. 20 Since 2007, the Australian Government has funded the Australian Institute of Criminology to research human trafficking, slavery and slavery-like practices.

4. 21 The research includes a strong regional focus. Projects undertaken include:

- examining the nature of trafficking and related exploitation in the sex industry, non-sex industry contexts and partner migration
- human trafficking and related exploitation in Asia–Pacific
- the nature of trafficking offenders in Australia
- domestic trafficking
- improved monitoring of human trafficking, slavery and slavery-like practices in Australia.

## Article 7 Political and public life

- 5.1 The Australian Government appointed its first female Foreign Minister, Julie Bishop, in September 2013. In November 2013, Senator Nova Peris OAM became the first Indigenous woman in the Australian Parliament. Julia Gillard became Australia's first female Prime Minister in 2010. Australia's first female Attorney-General, Nicola Roxon, was appointed in 2011, and Australia's first female Governor-General, Dame Quentin Bryce AD, completed her term in office in March 2014.
- 5.2 With the exception of SA, every Australian state and territory has had a female leader.
- 5.3 Australia ensures women have a voice through a range of mechanisms. This includes through ministerial advisory councils and local community meetings that address specific issues.

### *National Women's Alliances*

- 5.4 The Australian Government funds the National Women Alliances. These represent over 180 women's organisations across Australia and bring forward their views, voices and issues, particularly those from marginalised and disadvantaged groups.
- 5.5 States and territories have also developed targeted strategies for engaging with women in the community. See [Appendix – Article 7](#).

### *Voting*

- 5.6 Women and men have an equal right and obligation to vote in national, state and territory elections.

### *Women in parliaments*

- 5.7 The representation of women in Australia's parliaments is about 30 per cent. At 7 July 2014, women comprised 29 per cent of all Australian parliamentarians. Federally, there is a higher representation of women in the Senate (38.2 per cent) than the House of Representatives (26.7 per cent).<sup>6</sup>
- 5.8 Australian states and territories apply a range of measures to increase the number of women in their parliaments.
- 5.9 For example, SA's Strategic Plan is targeting an increase in the percentage of women nominating to stand in local, state and federal government elections in the state.

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<sup>6</sup> McCann, J. & Wilson, J. (9 July 2014). *Representation of women in Australian Parliaments 2014*. Parliamentary Library Research Paper Series, 2014–15, pp. 4–5.

### *Women in the public service*

5. 10 The Australian Public Service (APS) is Australia's federal civil service. APS organisations provide information, services and support to almost every part of Australian life. With a staff of over 160,000 people, it is one of Australia's largest employers.
5. 11 At 30 June 2014, women comprised 39.6 per cent of the total senior executive staff. Of the 98 agencies with an independent agency head, 29 per cent were women. Considering agency size, small and medium agencies were slightly more likely to have a female head (30 per cent and 29 per cent respectively), than large agencies (26 per cent).<sup>7</sup>
5. 12 Each state and territory has its own public service that administrates state and territory based policies, programmes and services. Traditionally these include justice, consumer affairs, health, education, forestry, public transport, and roads. See Appendix – Article 7.

### *Indigenous women in the public service*

5. 13 In 2009, the Australian Government committed to increase Indigenous employment in the public sector to 2.7 per cent by 2015 to reflect the projected national Indigenous working age population share.<sup>8</sup>
5. 14 In July 2012, a new APS Indigenous Employment Strategy was launched with the support and endorsement of the Diversity Council and Secretaries Board. The strategy supports agencies to increase Indigenous representation through a range of targeted activities.
5. 15 The APS Indigenous workforce is predominantly female, with Indigenous women comprising more than two-thirds (67.1 per cent) of ongoing Indigenous employees. This is higher than the representation of women in the broader APS workforce, with women comprising 59.1 per cent of ongoing non-Indigenous employees.<sup>9</sup>

### *Women in the judiciary*

5. 16 Three of the six Justices of the High Court of Australia, the highest court in the country, are female. The Chief Justice of the High Court is male. In 2013, there were 46 (30.9 per cent) women federal justices and magistrates.<sup>10</sup>

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<sup>7</sup> Australian Public Service Commission, *State of the Service Report 2013-14*, Available at: <http://www.apsc.gov.au/publications-and-media/current-publications/state-of-the-service/state-of-the-service-2013-14>

<sup>8</sup> Council of Australian Governments, National Partnership Agreement on Indigenous Economic Participation (2009). Available at: <http://employment.gov.au/national-partnership-agreement-indigenous-economic-participation>

<sup>9</sup> Australian Public Service Commission, *State of the Service Report 2012*.

<sup>10</sup> Australasian Institute of Judicial Administration, *Judges and Magistrates*; Unpublished data, Australasian Institute of Judicial Administration.

5. 17 The states and territories share a similar representation of women in the judiciary, at around one third.

5. 18 At June 2014:

- more than half of judicial officers in the Family Court of WA were women. WA is the only state or territory which has its own family court<sup>11</sup>
- 50 per cent of the permanent judicial officers in the ACT were female
- the NT had 38 per cent female representation in the judiciary.<sup>12</sup>

### *Women on government boards*

5. 19 The Australian Government is working towards a gender diversity target where women hold at least 40 per cent of Australian Government board positions.

5. 20 At 30 June 2014, women held 39.7 per cent of Australian Government board positions.

5. 21 Assistance is provided to Australian Government departments to increase the representation of women on their boards including through the website AusGovBoards.gov.au and the BoardLinks programme, a network to increase the number of Australian Government board candidates.

5. 22 Information about state and territory women on government boards is at Appendix – Article 7.

### *Women on private sector boards*

5. 23 In 2014, the percentage of women on Australian Securities Exchange (ASX) 200 boards was 19.3 per cent.<sup>13</sup> In 2014 6.1 per cent of women held a CEO position in the ASX 200 companies.<sup>14</sup>

5. 24 The percentage of women on ASX 200 boards increased significantly between 2010 and 2014 from 10.7 per cent to 19.3 per cent. Women comprised 30 per cent of new appointments to ASX 200 boards over 2013–14.<sup>15</sup>

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<sup>11</sup> Women Lawyers of WA, 2014. 20<sup>th</sup> Anniversary Review of the Chief Justice's Gender Bias Taskforce Report. September 2014, p.239.

<sup>12</sup> Department of Attorney-General and Justice Annual Report 2013–14, Northern Territory Government.

<sup>13</sup> Australian Institute of Company Directors real time real-time statistics as at May 2014. Available at: <http://www.companydirectors.com.au/Director-Resource-Centre/Governance-and-Director-Issues/Board-Diversity/Statistics>

<sup>14</sup> Australian Institute of Company Directors, *30% by 2018: Gender diversity progress report*, June–August 2015.

<sup>15</sup> Strategy &S' 14th annual study of chief executive succession, available at: <http://www.strategyand.pwc.com/global/home/what-we-think/chief-executive-study>

5. 25 Since 2011 the ASX has required listed companies to disclose the extent to which they have followed its gender diversity recommendations. Under the *If not, why not* policy, where companies have not followed all of the recommendations, they must explain why.
5. 26 The Australian Government partners with the Australian Institute of Company Directors (AICD) to deliver scholarships to women aspiring to leadership and board roles. These target key groups of women, including those in rural and remote locations and male-dominated industries.
5. 27 In July 2014 the Australian Government announced a third round of board diversity scholarships, continuing its partnership with AICD for a further two years. This delivered 140 scholarships to women seeking board directorships from key groups including women in rural and remote locations, and women in male-dominated industries.
5. 28 In May 2014, the Australian Government funded the Australian Mines and Metals Association to deliver the Australian Women in Resources *E-Mentoring Programme*. This champions talented women in the sector, supporting them to advance their careers.
5. 29 The Australian Sports Commission is delivering the *Women Leaders in Sport* initiative, which provides women administrators, coaches and officials with intermediate or advanced training to reach their leadership potential.



## Article 8 International representation and participation

6.1 The Australian Government participates in international fora to promote equality, freedom from violence, and greater economic participation for women in the Asia–Pacific and globally.

### Department of Foreign Affairs and Trade

6.2 The Australian Government has appointed an Ambassador for Women and Girls and has also set a target requiring that at least 80 per cent of aid investments, regardless of their objectives, effectively address gender issues in their implementation. Where there are persistent challenges and slow progress, there will be investment in enhancing:

- women’s voices in decision-making, leadership, and peace-building
- women’s economic empowerment
- ending violence against women and girls.

6.3 The Australian aid programme will also align with our international efforts by:

- expanding women’s access to and participation in the global economy through international fora, such as the G20
- ensuring empowerment of women and girls in our region is a high priority for global and regional bodies
- providing practical support to address issues affecting women and men during and after conflict, to ensure women participate in peace processes that their needs for protection are met and that gender perspectives are included in peacekeeping operations.

6.4 At March 2014, women comprised approximately 28 per cent of Heads of Mission or Heads of Posts with the Department of Foreign Affairs and Trade.

### Australian Defence Force (ADF)

6.5 At 1 July 2014, 15.0 per cent of the ADF permanent workforce were women, including 18.6 per cent in Navy; 11.8 per cent in Army; and 18.2 per cent in the Air Force. Women comprised 14.7 per cent of personnel deployed on military operations at 1 July 2014.

6.6 A senior ADF female has attended the NATO Committee on Gender Perspective annual conference and meeting in Brussels since 2011. This committee advises on gender issues and supports the integration of a gender perspective into NATO’s military operations.

## Australian Federal Police (AFP)

### *International Deployment Group*

- 6.7 The AFP International Deployment Group deploys Australian police domestically and internationally for stability and security operations, United Nations missions and capacity development.
- 6.8 The group increases female representation in leadership and management roles through targeted training programmes.
- 6.9 For example, the AFP supports the Pacific Islands Chiefs of Police Women's Advisory Network and has sponsored Pacific delegates to attend the 2013 Australasian Women and Policing Advisory Council conference in Australia.
- 6.10 The International Deployment Group and the Pacific Police Development programme also fund female police officers from across the Pacific to attend gender specific workshops conducted by the Fiji Women's Crisis Centre.

## Article 9 Nationality

- 7.1 Australia is one of the world's most successful immigrant societies and the Australian Government delivers policies and programmes which recognise this diversity. The Commonwealth *Australian Citizenship Act 2007* makes no distinction in relation to gender for either citizenship by application or citizenship by birth. Anyone from any country may apply to migrate or resettle, regardless of ethnic origin, gender or language background.

## Migration

### *Woman at Risk programme*

- 7.2 Australia maintains its Woman at Risk visa category, which provides resettlement in Australia for women who are living outside their home country without traditional support mechanisms, such as the protection of a male relative, and who are in danger of victimisation, harassment or serious abuse. This category recognises the priority the United Nations High Commissioner for Refugees gives to the protection of refugee women in particularly vulnerable situations. We are one of only a few countries with a specific programme for women at risk.
- 7.3 The Australian Government sets aside places for the Woman at Risk visa category within its Humanitarian Programme each year. Since its establishment in 1989, the programme has granted visas and a new life for around 15,000 women and their dependents. The Woman at Risk quota of 1,000 places was delivered in 2013–14, and has been increased to 1,200 in 2015–16.

### *Pre-settlement*

- 7.4 The Australian Government provides a pre-embarkation orientation programme for refugee and humanitarian entrants preparing to settle in Australia. Topics include an overview of Australia; government; cultural adjustment; law and values; and citizenship.

### *Post-arrival programmes*

- 7.5 Australia's Department of Social Services (DSS) administers programmes to help new arrivals. The Humanitarian Settlement Services programme provides early, practical support on arrival and throughout the initial settlement period. It helps humanitarian entrants to establish new lives and participate in Australia's economic and social.
- 7.6 Longer-term settlement support is available under Settlement Services grants, which fund organisations to help eligible migrants to become self-reliant and participate in their first five years in Australia.
- 7.7 A free interpreting service also provides equitable access to key services.

### *New migrants and the law*

7. 8 Australian Government initiatives inform new migrants and humanitarian entrants about their rights under Australian law, including the right to gender equality. These initiatives also provide information on support services if migrant women need assistance.

### *New migrants and safety*

7. 9 *The National Plan to Reduce Violence against Women and their Children 2010–2022* acknowledges women have diverse experiences of violence and that some are more vulnerable than others.

7. 10 The National Plan's Second Action Plan commits to increasing our understanding of experiences of violence and improving culturally and linguistically diverse (CALD) women's safety. It also commits to working with communities to reduce violence and support women and their children, including by:

- providing an additional \$1 million to White Ribbon Australia to increase engagement with CALD communities
- targeting social marketing initiatives to CALD young people and communities
- requiring additional information disclosure by the Australian husband or fiancé applying for an overseas spouse visa.

### *Strengthening Communities Activity*

7. 11 Strengthening Communities Activity aims to strengthen communities and promote social inclusion and participation of vulnerable people. It funds organisations to deliver responsive and integrated services and to address barriers affecting vulnerable people (including women) and their relationships with the local community and broader society.

## Article 10 Education

- 8.1 Australia is ranked first in the world for the educational attainment of women, and is committed to delivering high-quality education to students, regardless of their gender, age, ethnicity, disability or geographical location.<sup>16</sup>
- 8.2 Formal schooling in Australia starts with a preparatory year followed by 12 years of primary and secondary school. In the final year of secondary school, students can study for the Senior Secondary Certificate of Education which is required for entry by most Australian universities and training institutions. It is also recognised as an entry requirement by many international universities.
- 8.3 In 2014, 90 per cent of females and 83 per cent of males between 20 and 24 years had attained a Year 12 or formal qualification at Certificate II or above.
- 8.4 In 2014, 42 per cent of females and 31 per cent of males between 25 and 29 years had attained a Bachelor Degree or above<sup>17</sup>

### Access to and participation in education

- 8.5 The *National Foundation Skills Strategy for Adults* provides a 10-year framework to increase the foundation skill levels of all working age Australians by 2022. It is a coordinated approach by Commonwealth and state and territory governments to build foundation skills policies, programmes and initiatives to develop the foundation skills of all working age Australians.

### Early childhood

- 8.6 The *National Quality Framework for Early Childhood Education and Care* regulates and assesses the quality of child care and early learning services.
- 8.7 It applies to most long day care, family day care, preschool and kindergarten, and outside school hour care services. It includes:
  - a national legislative structure that creates a uniform approach to regulation and quality assessment of education and child care services
  - a national standard for the quality of education and care services
  - a national quality rating and assessment process that rates services against the standard.

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<sup>16</sup> World Economic Forum, *The Global Gender Gap Report 2013*. Geneva, World Economic Forum, 2013 [cited 5 November 2013] Available from: <http://www.weforum.org/issues/global-gender-gap>

<sup>17</sup> ABS, Cat. No 4125.0 – Gender Indicators, Australia, Feb 2015, Canberra.

8. 8 The Australian Children’s Education and Care Quality Authority oversees and implements the framework with regulatory authorities in each state and territory.

### *Primary and secondary*

8. 9 Government or public schools are owned and operated by state and territory governments. The Australian Government provides supplementary funding for both government and non-government schools.

### *Higher education*

8. 10 Tertiary education is the third stage of education after secondary education. It encompasses university courses as well as vocational education and training (VET), which combines coursework at technical and further education (TAFE) colleges and on-the-job components. Community and distance learning centres also deliver tertiary level courses.

8. 11 Encouraging young women to pursue careers in traditionally male dominated fields is a priority. The Young Australian of the Year in 2012 was Marita Cheng, a University of Melbourne mechatronics and computer science graduate. In 2013 young women claimed three out of the five Australian Training Awards recognising students engaged in VET.

### *Education for disadvantaged groups*

8. 12 There is a diverse range of programmes supporting disadvantaged groups to access education in Australia.

8. 13 The national needs based schools funding model incorporates a base per-student amount plus extra funding to target disadvantage, such as for students from poorer socio-economic backgrounds, students with disability, Aboriginal and Torres Strait Islander students and those in regional and remote areas.

8. 14 The Australian Government funds the Adult Migrant English Programme, which provides eligible new migrants and humanitarian entrants up to 510 hours of free English language tuition to enable social and economic participation in Australia. Each year since 2010, the programme has assisted around 55,000 people from more than 180 countries, about 65 per cent of who are women. If clients have under school-aged children, free childcare is provided so clients can attend classes.

8. 15 Training Places for Single and Teenage Parents is an Australian, state and territory government initiative that improves job readiness and workforce participation for single and teenage parents. Support includes payment towards enrolment fees, course supplies, counselling services, transport arrangements, literacy and numeracy support, and job readiness training.

#### Vocational education and training

8. 16 Career education and vocational learning is delivered to secondary students within the broader curriculum to help build greater awareness of the work world. It includes learning delivered in live or simulated work places and career education. In 2013, there were 239,734 secondary students aged 15 to 19 years enrolled in a VET course, of these, 53 per cent were male and 47 per cent were female.

#### *Apprenticeships and traineeships*

8. 17 Apprenticeships are available at various certificate levels in more than 500 occupations.

8. 18 These include traditional trades, as well as emerging careers in most sectors of business and industry. The Australian Government is the main source of funding for apprenticeships and traineeships.

8. 19 States and territories are bolstering their apprenticeship programmes, including encouraging women to participate in traditionally male-dominated trades.

#### Support for education through the Australian aid programme

8. 20 Australia's overseas aid investments are delivering better education in our region. It promotes learning for all—with a focus on girls, disadvantaged children and those with disability—through teacher training, curriculum development and education infrastructure.

8. 21 In 2012–13, Australia helped more than one million overseas girls and boys go to school by building or upgrading 8,500 classrooms and providing financial and nutritional support. Australia also helped train 72,130 teachers and 33,830 school officials, and provided more than 2.5 million textbooks.

## Article 11 Employment

9.1 In Australia, approximately 65 per cent of working-age women participate in the labour force, compared with just over 78 per cent of working-age men.<sup>18</sup> Australia's female participation rate is above the OECD average, but below other similar economies, like Canada and New Zealand. Increased women's workforce participation is addressed by all levels of government through a range of initiatives and opportunities. For relevant legislation see [Appendix – Article 11](#).

### National agreements

#### *National Agreement for Skills and Workforce Development*

9.2 In April 2012, COAG introduced a revised National Agreement for Skills and Workforce Development. This identifies long-term objectives in the areas of skills and workforce development. The agreement includes \$1.4 billion of Australian Government funding for states and territories each year for vocational education and training.

#### *National Partnership Agreement on Skills Reform*

9.3 In April 2012 COAG agreed a new National Partnership Agreement on Skills Reform. Over \$1.75 billion over five years from 2012 was committed to reform the training system and increase Australia's skilled workforce and levels of workforce participation.

### Equal remuneration

9.4 In June 2012, the Fair Work Commission handed down its first equal remuneration order under the FWA's equal remuneration provisions, awarding wage increases of between 23 and 45 per cent over eight years for approximately 150,000 social and community services sector workers.

9.5 The Pay Equity Unit was established within the commission in 2013 to inform matters relating to pay equity under the FWA, including annual minimum wage reviews, the four-yearly reviews of modern awards, and equal remuneration cases. Since then the unit has commissioned and published an independent report *Equal Remuneration under the Fair Work Act* as well as research on the childcare sector.

9.6 The biennial Employee Earnings and Hours (EEH) published data reports on hourly rates of pay. EEH shows a gap of 12.1 per cent between male and female full-time employees in May 2014.

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<sup>18</sup> ABS, Cat. No.4125.0 *Gender Indicators*, Australia, August 2015.



9. 7 An alternative and widely reported measure of the gender pay gap is using Average Weekly Earnings (AWE) trend data (Cat No 6302.0), which estimates average weekly ordinary time earnings and average weekly total earnings by gender. In May 2014, the weekly gender pay gap was 17.1 per cent. The pay gap in the private sector is 22.4 per cent compared to 12.4 per cent in the public sector.
9. 8 Australian, state and territory governments have a range of measures to decrease this gap. For example, the Australian Government is supporting participation through more affordable childcare, and is also working with business to raise awareness and drive cultural change through the Fair Work Ombudsman, the AHRC and the Workplace Gender Equality Agency.

### Supporting women with family responsibilities

#### *Paid Parental Leave*

9. 9 The *Paid Parental Leave Act 2010* (Cth) provides two payments for working parents who care for a newborn or adopted child.
9. 10 Parental Leave Pay is a payment of up to 18 weeks at the rate of the National Minimum Wage to support working parents with primary care of a newborn or newly-adopted child. Dad and Partner Pay is a payment of up to two weeks at the rate of the National Minimum Wage for eligible working fathers and partners who share the role of caring for a newborn or adopted child.
9. 12 On 1 March 2014, the government introduced the Newborn Upfront Payment and Newborn Supplement to replace the Baby Bonus. These are paid with Family Tax Benefit Part A where Parental Leave Pay is not being received.

#### *Child care*

9. 13 Child Care Benefit is a means-tested payment to help families with the costs of approved or registered care. It covers up to 50 per cent of out of pocket expenses up to a limit of AUD \$7500 per child per year. It is not income tested.
9. 14 Jobs, Education and Training Child Care Fee Assistance assists with the cost of approved child care, mostly for female sole parents who receive an income support payment to undertake work, study or training to enter or return to the workforce.

### Employment for Indigenous women

9. 15 Improving employment outcomes for Indigenous Australians is a responsibility for all agencies across the Commonwealth public sector.

9. 16 The Remote Jobs and Communities Programme (RJCP) is part of the Closing the Gap strategy agreed in 2008 by the Council of Australian Governments, and is consistent with the Indigenous Economic Development Strategy 2011–2018.
9. 17 It includes a single point of contact for job seekers and employers in every RJCP remote region, and will have a greater focus on adapting activities to local requirements and opportunities.
9. 18 From 1 July 2013 to 31 July 2014 there were 57,344 job seekers who were on RJCP for at least one day. Of these, there were 24,746 females representing 43.2 per cent of the caseload. There were 19,211 Indigenous female job seekers representing 77.6 per cent of female job seekers and 43.9 per cent of Indigenous job seekers.
9. 19 RJCP reforms are proposed to:
- require all eligible job seekers between the ages of 18 and 49 to participate in up to 25 hours a week of activities that build job readiness and contribute to the community
  - make available \$25 million a year to help establish enterprises in remote communities that can host work-like activities, deliver jobs and provide much needed services to communities
  - fund employers to employ a remote job seeker
  - streamline payments to providers.
9. 20 The NT Government Office of the Commissioner for Public Employment operates an Indigenous Women’s Leadership Programme. This also redresses the lack of representation of Indigenous staff in senior management and executive officer positions in the NT Public Service. Between August 2010 and July 2014, 64 Indigenous women graduated from the program.

#### Employment for women with disability

9. 21 The Australian Government and state and territory governments are improving employer awareness of the benefits of employing people with disability, reducing barriers and disincentives, and encouraging innovative approaches to employment such as social enterprises, or initiatives to assist people to establish their own small business. The Australian Government’s Wage Connect, together with the Social Enterprise Development and Investment Fund, have been successful in helping social enterprises to develop and grow.

## Older women's employment

### *The Restart Programme*

9. 22 Since July 2014 the Australian Government's Restart Programme has been supporting employers who employ and retain eligible job seekers who are 50 years of age or older, and who have been unemployed and on income support for six months or more.

## Sexual harassment and discrimination in the workplace

9. 23 The Australian and state and territory governments recognise the serious barriers that workplace sexual harassment and discrimination can generate for workforce participation.

### *Supporting Working Parents: Pregnancy and Return to Work National Review*

9. 24 In 2012, approximately 67,300 women employees (19 per cent) perceived some level of discrimination in the workplace while pregnant. The most common kinds were missing out on promotion (34 per cent); and missing out on training or development opportunities (32 per cent).<sup>19</sup>

9. 25 The *Supporting Working Parents: Pregnancy and Return to Work National Review* report was released in June 2014, which shows that discrimination towards pregnant employees and working parents is widespread.

9. 26 The review identified key strategies and actions for:

- addressing the high prevalence of discrimination
- strengthening the adequacy of existing laws, policies, procedures and practices
- promoting leading approaches
- identifying focus areas for further monitoring, evaluation and research.

9. 27 The Department of the Prime Minister and Cabinet is funding resources for employers and employees on obligations, rights and entitlements in relation to pregnancy, parental leave and return to work in the workplace. This will be key to addressing the gap that currently exists between the law and its implementation within organisations.

### *AHRC Survey on Sexual Harassment in Australian Workplaces*

9. 28 The AHRC conducted a national telephone survey in 2012 to investigate the prevalence, nature and reporting of sexual harassment in workplaces over the past five years.

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<sup>19</sup> Australian Bureau of Statistics (2012) *Pregnancy and Employment Transitions*, cat. no. 4913, ABS, Canberra.

9. 29 It found that one-third of women (33 per cent) have been sexually harassed since the age of 15, compared to nine per cent of men (based on the legal definition). Only one in five respondents who were sexually harassed made a formal report or complaint.<sup>20</sup>
9. 30 The survey demonstrated the need for a number of key strategies to address sexual harassment in the workplace, including:
- development and implementation of effective prevention strategies, and
  - a highly visible community education campaign.
9. 31 In 2014, the AHRC, the Australian Council of Trade Unions and Australian Chamber of Commerce and Industry launched the *Know Where the Line Is* strategy to prevent and reduce the harm of sexual harassment in Australian workplaces. This includes resources for both employees and employers.<sup>21</sup> Many employers have also developed and implemented their own policies and procedures on sexual harassment.

#### Employment in non-traditional areas

9. 32 The Australian Government supports the national training system by funding Industry Skills Councils to develop nationally recognised qualifications that meet skills needs. Industry engagement in developing qualifications is at the heart of the national training system, and is underpinned by the Australian Qualifications Framework and regulated by the Australian Skills Quality Authority. The system also ensures that national qualifications are recognised in all Australian states and territories.
9. 33 Councils also promote the training and re-training of women, particularly in non-traditional trades. Two projects include the *Women in Industry Hub* and *Automotive Mentor Programme*. There are also awards, scholarships, and conferences aimed at encouraging women to work in non-traditional areas/industries.
9. 34 Auto Skills Australia is encouraging women to enter the automotive industry through the Mentor Adviser Apprenticeship Programme and the Women in Auto Trades Campaign.
9. 35 The Australian Government funded an AHRC toolkit to increase women's representation in male-dominated industries, such as mining, construction and utilities.

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<sup>20</sup> Ibid, p.15.

<sup>21</sup> Australian Human Rights Commission (July, 2014), *Know Where the line is* (<https://knowtheline.humanrights.gov.au/>).

### *Vocational education and training (VET)*

9. 36 The Australian Apprenticeships Incentives Programme is the primary mechanism for encouraging participation in the Australian apprenticeships system.
9. 37 The number of apprenticeships completed by women increased from 67,101 in the 12 months ending 30 June 2009 to 96,502 in the 12 months ending 30 June 2013. The total number of female apprentices in training decreased over the same period from 142,633 to 135,385. At June 2013, women made up 33 per cent of those in training and 40 per cent of commencements. Training is concentrated in the clerical and administration and sales occupation groups, and women are under-represented in the technicians and trade workers field.<sup>22</sup>

### *Women in the resources sector*

9. 38 The Australian Mines and Metals Association and Australian Women in Resources Alliance are funded to help employers attract and retain women. They undertake employer engagement and marketing campaigns to target particular groups in resource and allied sectors including Indigenous women, graduate women in non-traditional roles, and recently trade qualified women.

### *Women in the ADF*

9. 39 Gender restrictions in ADF combat role employment were formally removed in 2011. Since 1 January 2013, all ADF employment categories have been open to women, except Special Forces, which opened on 1 January 2014. Direct entry into ADF roles from the public is expected by January 2016.

### *Women in Global Business (WIGB)*

9. 40 This programme supports Australian businesswomen to take their products and services to the world. It is funded by the Australian Government and delivered in partnership with state and territory governments.
9. 41 It is increasing Australian women's participation in international trade and investment, advancing their involvement in international business, raising their profile within the local and international business community, and connecting them to international networks.

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<sup>22</sup> NCVET 2013, National Apprentice and Trainee Collection, number 77, Australian Government Department of Industry, Canberra.

## Article 12 Health

10. 1 Policies have been implemented to make the health system more responsive to women. In 2010, a *National Women's Health Policy* was released which maintains the government's commitment to ensure that all Australian women have better health and health care.
10. 2 Nationally, data collection for women's health is through initiatives such as the 2011–2013 Australian Health Survey, the National Health Survey and the Australian Longitudinal Study on Women's Health which has monitored the health status and determinants of more than 40,000 women since 1996.
10. 3 Australian women's life expectancy has dramatically improved, increasing from 59 in the early 1900s<sup>23</sup> to around 84. The latest available data show that female life expectancy at birth in 2010–2012 was around four years higher than that of males (84.3 years compared to 80.1 years respectively).<sup>24</sup>
10. 4 Aboriginal and Torres Strait Islander women's life expectancy at birth is on average 9.5 years less than that of non-Indigenous women. Over the last five years the gap in life expectancy between Indigenous and non-Indigenous women reduced by 0.1 years and for men by 0.8 years.<sup>25</sup>

### *Australia's health care system*

10. 5 Australia has a mixed public and private health care system. The core feature is Medicare, which provides universal access to subsidised medical and pharmaceutical services, and free hospital treatment as a public patient.
10. 6 There are currently six national agreements in place across healthcare, education, skills and workforce development, disability services, affordable housing and Indigenous reform.

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<sup>23</sup> AIHW Australia's Health 2012, cat. no. AUS 156, Canberra.

<sup>24</sup> Australian Bureau of Statistics (2013) *Gender Indicators*, cat. no. 4125.0, ABS, Canberra.

<sup>25</sup> Australian Bureau of Statistics (2013) Life Tables for Aboriginal and Torres Strait Islander Australians, 2010–2012, cat. no. 3302.0.55.003, ABS, Canberra.

10. 7 The National Healthcare Agreement 2012 affirms the commitment of all levels of government to:

- ensuring a focus on disease and injury prevention and the maintenance of health, not simply the treatment of illness
- meeting primary healthcare needs efficiently through timely and quality care
- ensuring people with complex care needs can access comprehensive and coordinated services
- providing timely and appropriate high quality hospital and hospital related care
- meeting the needs of older Australians through high quality, affordable health and aged care services appropriate, as well as enabling seamless, timely transition within and across different sectors
- achieving health outcomes for Indigenous Australians comparable to the broader population and those living in rural and remote areas, and
- a sustainable health system that can respond and adapt to future needs.

10. 8 For more information, see paragraphs 508 to 511 of Australia's *Common Core Document*, June 2006.

#### Health issues for Australian women

##### *Reproductive health*

10. 9 Reproductive health and rights are interlinked with gender equality. They overlap with many other areas of health, including education, health promotion, violence prevention, socialisation of gender roles and sexuality, and mental health issues.

##### *Family planning*

10. 10 The Australian Government funds a range of family planning organisations and national bodies to promote women's choice and access to sexual and reproductive health services. Medicare ensures all Australians have access to free or subsidised family planning treatment by eligible practitioners.

##### *Antenatal care*

10. 11 The National Evidence-Based Antenatal Care Guidelines support Australian maternity services to provide high-quality antenatal care to healthy pregnant women.

## *Maternity*

10. 12 In November 2010, the Australian Government and state and territory government health ministers endorsed the National Maternity Services Plan—a national framework to guide policy and programme development across Australia for five years. It focuses on primary maternity services during the antenatal, intra-partum and postnatal periods and identifies four key priority areas: access, service delivery, workforce and infrastructure.

## *Breastfeeding*

10. 13 The *Australian National Breastfeeding Strategy 2010–2015* was endorsed by Australian Government and state and territory government health ministers in 2009. It provides a framework to address the protection, promotion, support and monitoring of breastfeeding in the community.

## *Antenatal and postnatal depression*

10. 14 Around one in 10 Australian women experience depression during pregnancy, and up to one in seven experience it in the year after giving birth. The National Perinatal Depression Initiative funds improved prevention and early detection of antenatal and postnatal depression and provides better support and treatment for expectant and new mothers experiencing depression.

## *Postnatal care*

10. 15 Australia invests in maternal and child health services to provide mothers and their babies with the best possible start to life. This includes through maternal and child health services that offer all mothers and their babies home visits and access to free consultations at two, four, six to eight and 12 months of age.

## *Immunisation*

10. 16 Australia was the first to introduce an ongoing government funded National Human Papillomavirus (HPV) Vaccination Programme for girls aged 12 to 13 years and a time-limited school and community catch up programme for women aged up to 26 years (2007 to 2009). In February 2013, the programme was extended to include boys aged 12 to 13 years, with a catch- up programme for boys aged 14 to 15 years in 2014.
10. 17 The HPV vaccination coverage rate for Australian girls turning 15 years in 2013 who received all three doses is 71 per cent. The coverage rate has shown modest increases since 2009 and is amongst the best in the world.



## Mental health

10. 18 The Family Mental Health Support Service provides early intervention support to help families with children and young people who are at risk of, or affected by, mental illness.
10. 19 Highest priority is given to vulnerable children, young people and their families including those from an Indigenous or culturally and linguistically diverse background, children and families in contact with the child protection system, and young people transitioning from out- of-home care.

## Cancer

10. 20 Australia has national population screening programmes for breast, cervical and bowel cancers. These are free to women in the target age group of 50–74 (for breast screening) and to men and women participating in bowel cancer screening. Medicare rebates are available for costs associated with cervical screening.
10. 21 The number of women in Australia diagnosed with breast cancer is increasing. It is the most prevalent form of cancer in women. However more women are surviving the illness. Breast cancer is the most common cancer experienced by Indigenous women,<sup>26</sup> but the incidence rate is lower than for the non-Indigenous population.<sup>27</sup>
10. 22 Bowel cancer is the second most common cause of cancer-related death in Australia. Over 1,900 women in Australia die from bowel cancer each year.<sup>28</sup> The National Bowel Cancer Screening Programme enables eligible Australian women and men to undertake free testing. In the 2014 Budget, the government committed a further AUD \$95.9 million over four years to accelerate implementation of a biennial screening interval for all Australians aged 50–74 between 2015 and 2020. Between 2006 and 2012 over 800,000 women participated in the programme.

## Disadvantaged and at risk groups of women

### *Closing the Gap on Indigenous disadvantage*

10. 23 The Australian Government is committed to health equality between Indigenous and non-Indigenous Australians and has a target to close the gap in life expectancy by 2031.

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<sup>26</sup> Australian Institute of Health and Welfare 2013. *Cancer in Aboriginal and Torres Strait Islander Peoples of Australia*. Cancer series no. 78. Cat. No. CAN 75. Canberra AIHW.

<sup>27</sup> Australian Institute of Health and Welfare and Australasian Association of Cancer Registries 2012. *Cancer in Australia: and overview*, 2012. Cancer Series no. 74 Cat. No. CAN 70. Canberra, AIHW.

<sup>28</sup> Australian Institute of Health and Welfare and Australasian Association of Cancer Registries 2014. *Cancer in Australia: an overview*, 2014. Cancer Series no. 90 Cat. No. CAN 88. Canberra: AIHW.

10. 24 While there have been improvements, there are disparities in health outcomes in key indicators such as life expectancy, age-standardised death rates and chronic disease rates.
10. 25 The Australian Government is working with state and territory governments, civil society organisations and the Indigenous community health sector on areas requiring improvement.
10. 26 More than half of all episodes of care by Indigenous primary health-care services funded by the Australian Government were provided to females (59 per cent or 1.5 million) in 2011–12. States and territories have also implemented services to address health needs of Indigenous women.
10. 27 The Australian Government funds primary health care organisations to deliver services to Indigenous Australians. In 2013–14, approximately 270 organisations were funded to provide Indigenous specific primary health care, child and maternal health care, social and emotional wellbeing and substance use services. Of these, around two thirds (166) are Aboriginal Community Controlled Health Organisations.<sup>29</sup>
10. 28 Chronic diseases are responsible for two-thirds of the mortality gap, with the largest gap in the 35 to 59 years age group. The Australian Government established the Indigenous Australians' Health Programme (IAHP) in 2014 to address chronic disease. Activities include action to reduce smoking rates and promote healthy lifestyles, and systems support for evidence based clinical management of chronic disease.

### *Indigenous maternal and child health services*

10. 29 Maternal and child health services are generally provided at two levels—universal and targeted. Universal programmes include access to antenatal care, public hospital birthing services, post-natal care, immunisation, health services funded through the Medical Benefits Schedule and medicines funded through the Pharmaceutical Benefits Scheme.
10. 30 The Australian Government announced the *Better Start to Life* approach in 2014 which includes funding of AUD \$54 million to expand the number of *New Directions: Mothers and Babies Services* sites from 85 to 136; and AUD \$40 million to expand the *Australian Nurse Family Partnership Programme* from three to 13 sites.
10. 31 This initiative is a nurse led home visiting programme that helps Aboriginal or Torres Strait Islander pregnant women to improve their health and that of their baby.

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<sup>29</sup> Australian Institute of Health and Welfare 2015. Aboriginal and Torres Strait Islander health organisations: Online Services Report—key results 2013–14. Aboriginal and Torres Strait Islander health services report No. 6. IHW 152. Canberra: AIHW.

### *National Partnership Agreement on Indigenous Early Childhood Development*

- 10.32 The Indigenous Early Childhood National Partnership Agreement funds Local Health Districts to improve early development for Indigenous children.
- 10.33 Community engagement and development are strong components of the model and Local Health Districts have conducted Aboriginal focus groups to improve service delivery. Eight Aboriginal health trainees are funded under the initiative and packages of tertiary-level education, mentoring, workplace and cultural support have been built in to strengthen these positions.
- 10.34 From January to December 2013, over 300 pregnant Aboriginal women were seen across NSW.

#### *Rural and remote health*

- 10.35 The health challenges faced by women and their families living in rural and remote communities are exacerbated by fewer resources, poorer access to services, limited availability of key health professionals and lower socioeconomic status.
- 10.36 Four groups of chronic conditions account for approximately 70 per cent of the gap in mortality rates between rural/remote areas and major cities:
- heart disease (19 per cent) and other circulatory disease (18 per cent not including stroke)
  - diabetes
  - chronic obstructive pulmonary disease (nine per cent)
  - cancers (15 per cent), especially lung and prostate cancers.
- 10.37 The Rural Health Outreach Fund, established in July 2011, helps improve access to medical specialists, general practitioners and allied and other health providers in rural and remote areas. Specialists travel to these locations to provide fertility, sexual health, and general gynaecology and obstetrics services. In 2013–14, 460 communities received outreach services, compared to 421 communities in 2012–13 and 384 in 2011–12. The Australian College of Rural and Remote Medicine is also funded to provide telehealth services.
- 10.38 The Australian Government funds the Royal Flying Doctor Service to deliver the Rural Women's General Practitioner Service, which provides pre-natal and post-natal support,

cervical screening, breast and skin examinations, family planning consultations, health promotion, counselling and child health services, such as immunisation programmes.

#### Other marginalised groups

10.39 All levels of government are committed to assisting marginalised groups to access health care.

#### Female genital mutilation

10.40 The Australian Government does not tolerate female genital mutilation (FGM).

10.41 It is a criminal offence in all states and territories to perform FGM, and to remove a child from the state or territory in which they live for the purpose of performing FGM. The maximum penalties range from seven to 21 years imprisonment.

10.42 A range of FGM education initiatives have been funded, including community based education workshops, continuing professional development for health workers and an online national resource centre.

#### Abortion law reform

10.43 Laws relating to pregnancy termination are matters for states and territories. The Australian Government has no constitutional powers in this area.

#### Supporting women's health through the Australian aid programme

10.44 The Australian Government works with partner governments, research institutes, civil society and development partners to improve the health of poor and vulnerable women in the Indo-Pacific. The focus is on supporting strong health systems which are needed to save lives and keep women and children healthy.

10.45 In Indonesia in 2012, Australian aid helped almost 30,000 women give birth with a skilled birth attendant, which halved the number of maternal deaths in the hospitals supported by our programme.

10.46 Through Australia's core contributions to the World Health Organization (AUD \$20 million in 2012–13), United Nations Children's Fund (AUD \$34 million in 2012–13) and the GAVI Alliance (AUD \$47.5 million in 2012–13), Australia is supporting routine immunisation to save children's lives. From 2011 to 2013 our support helped provide full immunisation of 7.7 million children in developing countries against major diseases, and stopped 3.9 million people dying from preventable diseases. Australia has also supported introduction of the human papillomavirus vaccine in Pacific Island countries.

## Article 13 Economic and social participation

11. 1 In Australia, women are free to participate in all aspects of public life—social, cultural, economic, and political.
11. 2 The government supports a range of policies and programmes aimed at ensuring increased opportunities for women’s economic participation (see Article 11).

### Caring for children, people with disability and the elderly

11. 3 Women undertake a disproportionate level of caring responsibility for children, the elderly, and people with disability. They comprise 92 per cent of primary carers for children with disability, 70 per cent of primary carers for parents, and around half (52 per cent) of the primary carers of partners.<sup>30</sup>
11. 4 Australia’s National Disability Strategy 2010–2020 provides a 10-year framework for improving life for Australians with disability, their families and carers, and seeks to ensure that broader community and mainstream services and facilities are available and accessible.
11. 5 The National Disability Insurance Scheme (NDIS) is a major reform to increase the independence and social and economic participation of people with a significant and permanent disability. The *National Disability Insurance Scheme Act 2013* provides assurance that people with disability will be able to receive supports based on their needs, and that they will have choice and control over that support.
11. 6 The scheme is aligned with the *United Nations Convention on the Rights of Persons with Disabilities*. Every Australian jurisdiction (except WA) will be covered by the scheme by 2019–20.
11. 7 The Australian Government funds programmes to support families and carers of people with disability, including the Respite Support for Carers of Young People with Severe or Profound Disability programme. This principally benefits carers of young people with severe or profound disabilities less than 30 years of age. It also supports carers who are experiencing significant stress in caring for a person with disability up to 65 years of age.

### Australian Government financial assistance

11. 8 There are two main forms of financial assistance for carers of people with disability, a severe medical condition, or who are frail aged. Carer Payment is available to people who, due to their caring role, are unable to support themselves through substantial workforce

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<sup>30</sup> Australian Bureau of Statistics, *Survey of Disability, Ageing and Carers, Australia 2009*, Basic CURF, Version 3, CD Rom (2009). Findings based on SPRC’s analysis of ABS CURF data.

participation. Carer Allowance is a supplementary payment for people who provide daily care and attention in a private home, and can be paid in addition to an income support payment.

11. 9 Other types of financial assistance are provided to eligible people, including the War Widows Pension, Service Pension and Crisis Payment, which are payable to victims of extreme circumstances (typically natural disasters), domestic violence, recently released prisoners and humanitarian entrants.
11. 10 The Department of Human Services delivers payments and programmes that assist families with the costs of child care. In addition to the most common assistance of Child Care Benefit and Rebate, the following support is provided:
- Special Child Care Benefit—for eligible parents with temporary hardship or children at risk
  - Jobs, Education and Training Child Care Fee Assistance—for eligible parents undertaking activities such as job search, work, study or rehabilitation to enter or re-enter the workforce.

### *Support services and assistance*

11. 11 Assistance for carers includes information, support, counselling and respite. For example, the *Young Carers Respite and Information Services Programme* helps carers up to 25 years of age who need support to complete their secondary education or vocational equivalent due to the demands of their caring role.
11. 12 On 18 November 2010, the *Carer Recognition Act 2010* came into force, which mandates that carers have the same rights, choices and opportunities as other Australians. The Act's *Statement for Australia's Carers* sets out 10 principles for Australian Government agencies and funded organisations to adopt in developing policies and delivering services for carers or the person they care for.

### *Housing and women with disability*

11. 13 Under the National Affordable Housing Agreement (NAHA), the Australian Government, states and territories are committed to ensuring that all Australians have access to affordable, safe and sustainable housing that contributes to social and economic participation.

11. 14 The Australian Government provides states and territories with approximately AUD \$1.3 billion annually under the NAHA, including approximately AUD \$250 million to address homelessness.

#### Volunteering and leisure activities

11. 15 The Department of Social Services administers two programmes to support volunteering—the Volunteer Grants initiative and the Volunteer Management Programme.

11. 16 Volunteer Grants are for community organisations to support their volunteers. The Volunteer Management Programme provides funding to volunteer support organisations to support, encourage and recognise volunteering in communities.

## Article 14 Women in rural and remote areas

12. 1 Women living in regional and remote areas of Australia are increasingly engaging in traditionally male dominated fields. They continue, however, to experience gender discrimination, particularly in agriculture, transport and construction. In 2011, the proportion of women in agriculture was 31 per cent, in the fishing industry 27 per cent, and in forestry 18 per cent.<sup>31</sup>

### Rural women's initiatives

12. 2 The Australian Government's Community Investment Programme funds projects supporting women in rural and remote areas. For example, the Kimberley Aboriginal Law and Culture Centre received funding from 1 July 2011 to 30 June 2014 for its Yiriman Project to strengthen relationships between at risk Indigenous women and families across four language groups in the West Kimberley region.

12. 3 The Rural Industries Research and Development Corporation's Rural Women's Award recognises rural women's contribution to primary industries, resource development and rural Australia. The award is designed to build skills and help women contribute to leadership and decision-making.

### Regional Development Australia committees

12. 4 The Australian Government's Regional Development Australia (RDA) programme includes a national network of 55 committees made up of local leaders who work with government, business and the community to develop their regions.

12. 5 Nationally, female representation on RDA committees is about 38 per cent, close to the gender target for Australian Government board positions (40 per cent female, 40 per cent male and the remainder of either gender).

12. 6 The government works with committees to improve female representation by partnering with peak bodies and organisations to increase applications from women, promoting membership through professional bodies, and linking Quality Performance Improvement Plan funding for RDA committees to capacity building activities.

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<sup>31</sup> Australian Bureau of Agricultural and Resource Economics and Sciences (2011). Available at: <http://www.agriculture.gov.au/abares>



### *Family Violence Prevention Legal Services*

12. 7 The Australian Government funds Family Violence Prevention Legal Services in rural and remote areas. These provide culturally appropriate assistance to Indigenous adults and children who are victims of family violence.

### *Commonwealth Community Legal Services Programme*

12. 8 Under this programme, organisations across Australia are funded to provide legal services for Indigenous women. It provides outreach services to rural or urban fringe communities and offers alternative legal assistance where there are conflicts of interest with Indigenous or family violence prevention legal services.

### *Patient Assistance Travel Scheme*

12. 9 This scheme in the NT acknowledges the challenges of accessing specialised medical services due to the remoteness and distribution of the territory's population. It helps those needing emergency and planned specialised health care to access these services.

### *Rural women and employment*

12. 10 The Australian Government encourages women to take prominent leadership positions throughout rural communities and to participate in rural development.

12. 11 Sponsorship is provided to the Rural Industries Research and Development Corporation's Rural Women's Award, which identifies and supports emerging leaders with the capability and resources to drive change and build economic and social development within rural communities. Between 2010–2014, the government helped fund the award which allowed 27 winners and 25 runners up to receive training and networking opportunities.

12. 12 The Department of Agriculture also provides four rural women scholarships to the Australian Rural Leadership Programme.

## Article 15 Equality before the law

13.1 Women in Australia have full equality before the law.

### Legislation

13.2 All Australian Government legislation is drafted to be gender neutral.

13.3 Australian law, in almost all circumstances, treats de facto relationships and married relationships equally.

### Judicial system and reform

#### *Family Court of Australia*

13.4 The Family Court of Australia applies the *Family Law Act 1975 (Cth)* and matters under other legislation such as the *Marriage Act 1961 (Cth)* and child support legislation.

13.5 It is a superior court of record established by Parliament in 1975 under Chapter 3 of the Constitution. It commenced operations on 5 January 1976 and consists of a Chief Justice, a Deputy Chief Justice and other judges. The court maintains registries in all Australian states and territories except WA, which has its own court.

#### *Federal Circuit Court of Australia*

13.6 The Federal Magistrates Court was renamed the Federal Circuit Court of Australia in April 2013, and the titles of its judicial officers changed from Chief Federal Magistrate and Federal Magistrate to Chief Judge and Judge respectively.

13.7 The court is an independent federal court under the Australian Constitution. It is a federal court of record and a court of law and equity. Under section 8 of the Federal Court Circuit Act the court is constituted by the chief judge and judges as appointed. Judges are appointed under the Federal Court Circuit Act serve as justices in accordance with Chapter III of the Australian Constitution.

13.8 Establishment of the court marked a change in the administration of justice at the federal level in Australia. Australia had not previously had a lower level federal court, although a considerable amount of federal law work had been done in state and territory courts of summary jurisdiction under the provisions of the *Judiciary Act 1903 (Cth)*.

#### *Legal aid*

13.9 The Australian Government funds legal aid commissions to provide legal assistance to disadvantaged people. In June 2010, the Australian and state and territory governments signed a new National Partnership Agreement on Legal Assistance Services. This

provides federal funding to legal aid commissions and drives nationally significant reform across the legal assistance sector.

13. 10 Legal aid commissions provide better and early access to information and services that can help people prevent and resolve disputes. In each state and territory, legal aid commissions deliver legal assistance services in criminal, family and civil law matters. Some legal assistance is available free to everyone, including brochures, information sessions or telephone legal advice.

### *Community Legal Centres*

13. 11 The Australian Government Attorney-General's Department administers the Community Legal Services Programme which, in addition to funding a range of generalist and specialist community based legal services, also funds community legal centres to assist women. Funding for Indigenous projects and rural women's outreach services is also provided.

### *Women in the criminal justice system*

13. 12 State and territory governments have primary responsibility for the criminal justice system, including sentence administration and the operation and management of prisons. The Australian Government works with states and territories to address issues including discrimination against women in prison and issues of women from Indigenous and culturally and linguistically diverse backgrounds.
13. 13 A 2011 Australian Institute of Criminology publication, *Good practice in women's prisons: a literature review*, considered recent initiatives and developments in Australian corrections policies and programmes, prison system management and operations, security issues, physical and mental health and parental responsibilities. Among the recommendations was the development of programmes that address women's needs, and education, employment and treatment options that were culturally and gender-sensitive.

### *Indigenous women*

13. 14 The Australian Government provided AUD \$74.6 million in 2013–14 to Aboriginal Legal Services across Australia to deliver culturally sensitive and effective legal assistance and services to Indigenous Australians. In 2012–13, the Aboriginal Legal Services provided assistance to 61,373 women across urban, regional and remote areas.
13. 15 The National Indigenous Law and Justice Framework 2009–2015 addresses Indigenous women's contact with the criminal justice system as victims, defendants and offenders. It

aims to improve Australian justice systems to prevent discrimination against Indigenous women and ensure they are treated equitably before the law.

13. 16 The Australian Government funds Family Violence Prevention Legal Services units in 31 rural and remote areas. These provide culturally appropriate assistance to Indigenous adults and children through legal assistance, casework, counselling and court support services.
13. 17 Under the Commonwealth Community Legal Services Programme, funding is provided to eight organisations across Australia to provide legal services to Indigenous women across issues including family law, tenancy, domestic and sexual violence, and consumer rights.
13. 18 The Australian Government also funds the *Cross Borders Indigenous Family Violence Programme*, developed to reduce the risk of violence based re-offending in remote Aboriginal communities. The programme covers the remote regions of the NPY (Ngaanyatjarra Pitjantjatjara Yankunytjatjara) lands of South Australia, Western Australia and the Northern Territory.

#### Alternatives to custody for women

13. 19 Miruma is a residential facility at Cessnock in NSW, which provides a diversionary programme for women with co-existing mental health disorders and long-term alcohol and other drug issues. In 2013–14, a total of 52 women participated in the Miruma Programme, up from 42 participants in 2012–13. A total of 63 per cent completed the programme and of these, 79 per cent were released to stable accommodation.

## Article 16 Family life, marriage and violence against women

14. 1 Domestic violence has no place in Australia and all levels of government work to ensure that appropriate laws, policing, education and support operates to reduce its incidence. Central to this is the government's commitment to reducing violence against women and their children.
14. 2 In Australia, around one in three women have experienced physical violence since the age of 15, and around one in five women experience sexual violence.<sup>32</sup> Indigenous women are 34 times more likely to be hospitalised due to family violence related assaults than other Australian women.<sup>33</sup> In 2008–09, it was estimated that domestic violence and sexual assault perpetrated against women in Australia cost AUD \$13.6 billion each year and, if no action was taken, the figure was likely to rise to AUD \$15.6 billion by 2021–22.

### Preventing and reducing violence against women and their children

#### *National Plan to Reduce Violence against Women and their Children 2010–2022*

14. 3 The National Plan, released in February 2011, is the overarching mechanism bringing together government and the community to reduce the levels of violence against women and their children.
14. 4 The plan targets domestic and family violence and sexual assault—gendered crimes that have an unequal impact on women. It recognises the diverse needs and experiences of women with disability, young women, women from culturally and linguistically diverse backgrounds and Indigenous women, and provides scope to tailor responses based on their specific circumstances.
14. 5 The plan demonstrates Australia's commitment to upholding the human rights of Australian women through CEDAW, the Declaration to End Violence against Women (DEVAV), and the Beijing Declaration and Platform for Action.
14. 6 The First Action Plan—Building a Strong Foundation (2010–2013) focused on laying the groundwork for long-term change. Initiatives delivered include:
- establishing Our Watch, formerly the Foundation to Prevent Violence against Women and their Children, and The Line, a youth social marketing campaign on respectful relationships

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<sup>32</sup> Australian Bureau of Statistics, 2013 *Personal Safety Survey*, Cat. No. 4906.0, Canberra.

<sup>33</sup> Productivity Commission, 2011, *Overcoming Indigenous Disadvantage: Key Indicators 2011*.

- establishing 1800RESPECT, a free, confidential telephone and online counselling, information and referral service to support to people who are experiencing or are at risk of sexual assault, family or domestic violence
- DV-alert, a training programme designed to help health and allied health workers better understand and identify domestic and family violence
- Australia's National Research Organisation for Women's Safety (ANROWS), formerly the National Centre of Excellence to Reduce Violence against Women and their Children.

14. 7 Further information on these initiatives is included in [Appendix – Article 16](#).

#### Release of the Second Action Plan (2013–2016)

14. 8 The Second Action Plan was launched on 27 June 2014 to build on achievements under the First Action Plan. It takes stock, reflects on gaps, develops new actions and strengthens implementation of the National Plan. It is about building and introducing practical national initiatives.

14. 9 In February 2014, the Australian Government hosted four half-day national roundtables to gauge achievements under the First Action Plan and to support development of the second plan. Leaders from national peak bodies, civil society and business sectors and subject matter experts attended these discussions.

#### Initiatives for women with disability

14. 10 The National Plan recognises that women with disability are more vulnerable to violence. They often have difficulty accessing pathways to appropriate support and have fewer options to escape violence. They also face challenges in accessing critical information, support and services.

14. 11 In 2013 the Australian Government funded the *Stop the Violence Project*, which was conducted by Women with Disabilities Australia, People with Disability Australia and the University of NSW. The Project Steering Group was chaired by the Sex Discrimination Commissioner. The project provided an evidence base to support future reform to better respond to the needs of women and girls with disability experiencing violence. As part of the project a National Symposium on Violence against Women and Girls with Disabilities was held in late 2013.

### Culturally and linguistically diverse (CALD) women

14. 12 The Second Action Plan of the National Plan commits to increasing our understanding of violence to improve targeted support and information and encourage community leadership (National Priority Two). Research by Australia's National Research Organisation for Women's Safety (ANROWS) will support efforts under the Second Action Plan, including those focused on CALD women.

### Domestic and family violence as a workplace issue

14. 13 The Australian Bureau of Statistics estimates that between 55 per cent and 70 per cent of women who have experienced violence are currently in the workforce—that is approximately 800,000 women, or around one in six female workers. The 2011 National Domestic Violence and the Workplace Survey found that nearly half (48 per cent) of respondents who reported experiencing domestic and family violence said the violence had affected their ability to get to work.

14. 14 Under the National Plan, the Australian Government funded Safe at Home, Safe at Work to address the impact of domestic violence in the workplace and promote domestic violence entitlements through enterprise bargaining. A number of public and private sector organisations have introduced leave and other protections through domestic and family violence clauses in their agreement or award conditions. As of 2013, over one million Australian workers are able to access such leave and other protections.

14. 15 State and territory governments are implementing a range of additional measures to address and prevent violence against women. Further detail can be found at [Appendix – Article 16](#).

### Data collection

#### *National Data Collection and Reporting Framework*

14. 16 Data relating to violence against women and their children in Australia is generally inconsistent. Variations in data estimates across Australia are affected by differences in what is captured, counted and reported across states and territories.

14. 17 Australian governments have committed to develop a National Data Collection and Reporting Framework for domestic and family violence and sexual assault, which will improve information available to support research, policy development, operational decision making, education and community awareness activities into the future. The

project extends over the life of the National Plan with the framework expected to be operational by 2022.

### National surveys

14. 18 The Australian Government will fund national surveys under the National Plan. This includes the ABS Personal Safety Survey, which provides data on the rates of violence against women in Australia, and the National Community Attitudes Survey on Community Attitudes Towards Violence Against Women. These will be repeated every four years across the life of the National Plan.

### *Personal Safety Survey*

14. 19 The Personal Safety Survey presents information on people's experience of physical or sexual assault or threat to help understand the nature and extent of violence in Australia.

14. 20 Personal interviews were conducted from February to December 2012 with approximately 17,050 people in all states and territories and the survey results released in December 2013. They indicated that:

- Around one in three Australian women have experienced physical violence since the age of 15 and 4.6 per cent of all women aged 18 years and over had experienced physical violence in the 12 months before the survey.
- Around one in five women had experienced sexual violence since the age of 15 and 1.2 per cent of all women aged 18 years and over had experienced sexual violence in the last 12 months.
- Women were more likely than men to experience violence by a partner. In 2012, about one in five women aged 18 years and over had experienced violence by a partner since the age of 15.
- Women in the age groups 18 to 24 years (13 per cent) and 25 to 34 years (8.1 per cent) were more likely to experience violence in the 12 months prior to the survey, compared to all women (5.3 per cent).

### *National Survey on Community Attitudes Towards Violence Against Women*

14. 21 Understanding community attitudes is important for shaping and influencing future initiatives to prevent violence against women. Vic Health has managed the National Survey on Community Attitudes Towards Violence Against Women (NCAS) which establishes a benchmark against which attitudinal changes can be closely monitored over time. A national survey was conducted in 2009 and results were compared with an



equivalent national survey conducted in 1995. Data collection was completed in June 2013 and the report was released in 2014.

14. 22 The survey found that the majority of Australians have a good knowledge of violence against women and do not endorse most attitudes supporting violence.

14. 23 The results from the survey will continue to target interventions that build cultures of non-violence and equal and respectful relationships between men and women.

#### Women facing additional risk

#### *Protecting Indigenous women and children*

14. 24 The Australian Government recognises the particularly high incidence of violence experienced by Indigenous women and their children. The national plan focuses on ways to strengthen Indigenous communities to prevent violence and recognises that solutions must be right for specific local circumstances.

14. 25 Australian and state and territory governments have a range of specific measures to address the issue of violence against Indigenous women and their children and the plan supports Indigenous communities to create and build their own solutions to prevent violence.

14. 26 The Indigenous Family Safety Programme funds 31 projects in more than 100 regional, communities across Australia to promote family and community safety.

14. 27 The Strong Families Programme undertakes a planning and coordination process for consenting families with complex issues receiving services from two or more agencies. Aboriginal families comprise two thirds of Strong Families clients, so engaging Aboriginal families to share relevant information, identify goals and develop plans to meet their needs is a key focus. Information on state and territory highlights is at [Appendix – Article 16](#).

#### Legislation

14. 28 In 2011 the Australian Government amended the *Family Law Act 1975 (Cth)* to improve the family law system's response to family violence and abuse. The changes introduced a new definition of family violence, which includes examples of harmful behaviours such as physical assault, emotional manipulation, economic abuse, and threatening behaviour. The definition is closely aligned with the definition recommended by the Australian and NSW Law Reform commissions in their report *Family Violence—A National Legal Response*. The changes continue to promote a child's right to a meaningful relationship with both parents, but emphasise that the child's safety is paramount in situations of conflict.

14. 29 In May 2014, amendments to the *Crimes (Domestic and Personal Violence) Act 2007 (NSW)* commenced to authorise senior police to approve provisional apprehended domestic violence orders (ADVO) and to extend police powers to direct and detain a person for the purposes of serving provisional ADVOs and improving immediate victim safety.
14. 30 In June 2014, the NSW Parliament passed amendments to the *Crimes (Domestic and Personal Violence) Act 2007* contained in Part 13 A to allow information sharing between government and non-government services. This will facilitate access to domestic violence support services for victims and prevent or lessen serious threats to the life, health or safety of a victim.
14. 31 In Victoria, the *Family Violence Protection Act 2008* establishes a system of court issued family violence intervention orders and police made family violence safety notices, and creates criminal offences for contravention of those orders and notices. The Act has been amended to create new indictable offences for serious and persistent contraventions of family violence safety notices and family violence intervention orders.
14. 32 Most recently, the Victorian Government announced a Royal Commission into Family Violence which will focus on preventing family violence, increasing early intervention, improving victim support, making perpetrators accountable, and helping agencies better coordinate their response.
14. 33 In 2010, the QLD Government commenced a major review of the state's domestic violence legislation, the *Domestic and Family Violence Protection Act 2012 (QLD)*.
14. 34 More recently the QLD Government set up a special taskforce on domestic and family violence to develop the report, *Not now, not ever: putting an end to domestic and family violence*.
14. 35 In SA, the *Intervention Orders (Prevention of Abuse) Act 2009*, which came into effect in December 2011, gives police and courts greater powers to prevent and stop family abuse. The laws also make it easier for victims to remain in the family home and make the perpetrator leave.
14. 36 The *Northern Territory Criminal Justice Legislation Amendment Act 2011* repealed section 42 of the Criminal Code, which excused a spouse from criminal responsibility for offences committed against their spouse's property (for example arson or criminal damage) except where they were separating or there was an intention to defraud or injure

some other person. The amendment also extended the definition of domestic and family violence to include economic abuse and intimidation.

### Protecting Australia's children

#### *National Framework for Protecting Australia's Children 2009–2020*

14. 37 The National Framework for Protecting Australia's Children 2009–2020 and the National Plan to Reduce Violence Against Women and their Children 2010–2022 are aligned to strengthen safety outcomes for children. In April 2009, COAG endorsed the National Framework, a partnership between the Australian, state and territory governments and the community sector. The aim of the National Framework is to deliver a substantial and sustained reduction in child abuse and neglect over time.
14. 38 The National Framework is being implemented through a series of three year Action plans. Key achievements under the *First Three Year Action Plan, 2009–2012* include the development and delivery of the *Building Capacity, Building Bridges* project. This provided training in child and family sensitive practice adult-focused services, such as domestic and family violence services, to strengthen their response to the needs of children at risk of abuse and neglect.
14. 39 The focus of the *Second Three Year Action Plan, 2012–2015* is to improve the safety and wellbeing of children by strengthening families and delivering early intervention and prevention approaches through collaboration across mental health, domestic and family violence, drug and alcohol, education, health and other services. The first National Children's Commissioner was appointed during this period, marking a significant step in the protection of children in Australia.

### Support through the Australian aid programme to end violence against women

14. 40 The Australian Government works with national governments, civil society, international partners, and men and women to reduce and respond to violence against women. This helps ensure women have access to support such as medical services and counselling, and that violence against women is addressed and prevented.
14. 41 For example, the Australian Government supports women survivors of violence in countries including Fiji, Nepal, Papua New Guinea, Solomon Islands, Sri Lanka, Timor-Leste, and Vanuatu. This includes emergency shelters, counselling and legal advice.

## State and territory anti-discrimination legislation

### *New South Wales (NSW)*

NSW has adopted laws prohibiting discrimination against women. The *Anti-Discrimination Act 1977* (NSW) makes it unlawful to discriminate against a person on a number of grounds, including pregnancy and breastfeeding, disability, race, sexual harassment, age, homosexuality, carers' responsibilities, marital or domestic status and transgender. Discrimination on these grounds is unlawful in employment, provision of goods and services, education, accommodation and registered clubs. In addition, discrimination on the grounds of carer responsibilities is unlawful in the area of employment.

The Anti-Discrimination Board of NSW administers the Act.

In 2013–14, of the 4,748 enquiries to the board, 2,141 were from or on behalf of a woman. In the same reporting period, complaints of sexual harassment almost equalled all other types of sex discrimination complaints with 95 complaints. Of these, 88 complaints related to the workplace and two-thirds were from women. Other sex discrimination complaints including pregnancy and breastfeeding discrimination numbered 105 or 8.8 per cent. In this period, women lodged 49.2 per cent of all complaints; the majority of the complaints lodged were on sex discrimination, carer's responsibilities and sexual harassment.

### *Victoria*

Victoria has three key pieces of human rights legislation:

- *Equal Opportunity Act 2010*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Racial and Religious Tolerance Act 2001*.

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body that has responsibilities under these three laws. In 2013–14, it received disputes raising 2,718 identifiable issues, including sex discrimination (or approximately six per cent of the total number of issues); sexual harassment (eight per cent); carer status (four per cent); parental status (four per cent); marital status (two per cent); pregnancy (two per cent); and breastfeeding (less than one per cent).

### *Queensland (QLD)*

QLD's Anti-Discrimination Commission (ADCQ) administers the state's *Anti-Discrimination Act 1991*.

From July 2010 to June 2014, the ADCQ accepted 245 complaints alleging sex discrimination (estimated 91 per cent from women), 114 alleging pregnancy discrimination (100 per cent from women), 11 alleging breastfeeding discrimination (100 per cent from women), 296 alleging sexual harassment (estimated 78 per cent from women), 164 alleging family responsibilities discrimination (estimated 77 per cent from women) and 15 alleging discrimination on the basis of gender identity (100 per cent from women). Of these complaints, 63 per cent related to employment.

### *Western Australia (WA)*

The *Equal Opportunity Act 1984* (WA) was enacted by the WA Parliament in 1984 and came into operation in July 1985. The Act was reviewed in 2007 to include breastfeeding as a ground of unlawful discrimination, and requiring government departments and agencies to show how they are identifying and eliminating discriminating practices and promoting equal outcomes for women as employees and as their clients.

From July 2010 to June 2014, the Equal Opportunity Commission WA received the following number of complaints from women: 207 alleging sexual harassment, 87 alleging family responsibilities and family status discrimination, 83 complaints alleging sex discrimination, 73 alleging pregnancy discrimination, 25 alleging sexual orientation discrimination, four alleging breastfeeding discrimination and three alleging discrimination on the basis of gender history. Just over half of all the total complaints were made by women (54 per cent), of which 57 per cent related to employment.

### *South Australia (SA)*

SA administers the *Equal Opportunity Act 1984* (SA). In 2013–14, the SA Equal Opportunity Commission fielded 201 complaints, 35 of which were made by women and included allegations of pregnancy, association with a child, caring responsibilities, marital status, and sex discrimination, or were related to sexual harassment.

The SA Parliament passed amendments in 2009 to add a range of additional protections, including for people with caring responsibilities. In 2013, the Act was amended to broaden an exemption from discrimination on the ground of sex.

## *Tasmania*

The Tasmania *Anti-Discrimination Act 1998* prohibits:

- discrimination on the basis of gender, pregnancy, breastfeeding, marital status, family responsibilities and parental status
- sexual harassment
- conduct that is offensive, humiliating, intimidating, insulting or ridiculing on the basis of 14 prescribed attributes including gender, pregnancy, breastfeeding, marital status, family responsibilities and parental status
- other specified conduct.

Since 2008, a number of exemptions have been granted under the Act to permit positive discrimination towards women in certain areas. For example, employers can:

- advertise for and appoint women caseworkers for organisations
- target and recruit women custodial officers in the redevelopment of women's prisons
- advertise and target women in the electrical contracting and aluminium smelting industries
- elevate women on the process worker waiting lists.

## *Northern Territory (NT)*

The *Anti-Discrimination Act 1992* (NT) protects from unfair discrimination on grounds of race, sex, sexuality, age, marital status, pregnancy, parenthood, breastfeeding, impairment, trade union or employer association activity, religious belief or activity, irrelevant criminal record, political opinion, affiliation or activity, irrelevant medical record, or association with person with an above attribute, and from sexual harassment and associated objectionable conduct and to provide remedies for persons discriminated against.

## *Australian Capital Territory (ACT)*

The ACT was the first Australian jurisdiction to legislate for a bill of rights in the *Human Rights Act 2004* (ACT). The Act incorporates most of the rights protected under the *International Covenant on Civil and Political Rights* and the limited right to education, as enshrined in the *International Covenant on Economic, Social and Cultural Rights*. The rights protected include recognition and equality before the law, including equal protection against discrimination and the right to protection family and children.

## Data collection

States and territories also collect and publish data disaggregated by sex.

In 2012, the NSW Government launched *Women in New South Wales*, a major statistical report on the status of women. Women's progress towards equality is tracked annually by examining gender equity in areas of social life critical to women's wellbeing including health, education, work, financial security, leadership, and safety and justice.

The QLD Office for Women provides state-based, sex-disaggregated data on key areas of gender equity in the state, including education and training, workforce participation and economic security, safety, health, housing and leadership status.

In WA, the Women's Report Card is produced triennially. It is a statistical snapshot of women in the state across a range of indicators and enables a longitudinal assessment of the progress of women and their standing across indicators including education and training, workforce participation, leadership, domestic violence victimisation and lifestyle.

## Appendix – Article 5

### Educating men and boys

#### *Men's Referral Service (NSW)*

The NSW Government committed AUD \$2 million over three years to fund NSW's first telephone counselling and referral service for violent or potentially violent men to help reduce domestic violence. It provides anonymous and confidential telephone counselling, information and referrals for men who use or are at risk of using violence against women (partners) and their families.

#### *Father-Inclusive Policy (WA)*

A Father-Inclusive Policy was announced in 2012 in WA to support better sharing of caring responsibilities for children between women and men. The policy recognises the benefits of positive father involvement in parenting, supports development and delivery of parenting services which are receptive to the needs of fathers, and increases participation of fathers in parenting services, supports and activities.

#### *Partners in Prevention (ACT)*

The ACT's Partners in Prevention initiative brings together leaders from key corporate and industry areas to identify ways to prevent violence against women individually, in the workplace and organisationally. The initiative includes the ACT Partners in Prevention Awards which recognise strategies and activities that create awareness of gendered violence in the ACT.

#### *Chiefs for Gender Equity (SA)*

The SA Commissioner for Equal Opportunity established the Chiefs for Gender Equity—a group of male industry leaders working to achieve sustainable change that increases the participation of women at the highest levels of industry. The group targets and supports men to drive and initiate change within the organisations that they lead.



## Appendix – Article 7

### Women on government boards

#### *State and territory government examples*

In 2007, the ACT Government set a target of achieving and maintaining 50 per cent representation of women on its boards and committees. In 2012, ACT Government boards and committees achieved 47 per cent female membership. The ACT Women's Register matches women who have relevant skills and expertise with board and committee vacancies.

The Victorian Government has set a target for women to receive 50 per cent of new and re-appointments to state government boards and committees. At June 2014, women comprised 33 per cent of public sector board members (excluding school councils).

Among a range of targets, the *South Australian Strategic Plan* aims to achieve 50 per cent representation of women members and chairs on all state government boards and committees by 2014. Progress has been made, with the number of women on these boards and committees increasing from 33.6 per cent in January 2004 to 47.7 per cent at June 2014.

In NSW, women held 38 per cent of state government board and committee positions at 31 December 2013 and this has remained relatively stable. The portfolios with the highest proportion of women board and committee members were family and community services (56 per cent), ageing (61 per cent), disability services (72 per cent) and women (76 per cent).

At 30 June 2014, 42 per cent of members of WA Government boards and committees were women.<sup>34</sup> In 2011, WA re-launched its Interested Persons Register to encourage women's appointment to government boards and committees. When new board appointments are being made by State Cabinet, it is a requirement that the register be consulted.

Tasmania's *Strategy for increasing women's representation on Tasmanian Government boards and committees* increases women's awareness of the opportunities that exist for board membership, training and mentoring, and helps to promote women as candidates for board appointments.

The government also maintains the Women's Register, an online database of women who would like to be appointed to boards and committees.

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<sup>34</sup> Department of Local Government and Communities, 2015 Women's Report Card 2015. Government of Western Australia.

In the NT, there are 479 female and 919 male board/committee members on government boards which equates to 34 per cent female representation.<sup>35</sup>

Engaging with civil society

### *State and territory government examples*

The NSW Council for Women's Economic Opportunity advises on strategies to increase women's economic participation. It brings together experts from the engineering, construction, manufacturing and education and training industries.

Community consultations undertaken by the NSW Ministerial Taskforce on Aboriginal Affairs during 2012 identified gender equality as essential for ensuring strong Aboriginal community governance. The outcome is OCHRE – Opportunity, Choice, Healing, Responsibility, Empowerment – which incorporates a range of education, employment and accountability initiatives.

The Victorian Office of Multicultural Affairs and Citizenship delivers the Refugee Action Programme which supports newly arrived migrants to more fully participate in the community, plan tailored community-owned responses to local issues and develop community capacity. This programme is also implementing strategies to build the capacity of and empower women and their local communities.

In QLD, Cultural Diversity QLD funds community groups to conduct projects that help ensure the full development and advancement of women in the social and cultural fields.

The SA's Premier's Council for Women provides leadership and advice to ensure the interests and needs of women are at the forefront of the state's policies and strategies. The South Australia Government also provides opportunities for Aboriginal and Torres Strait Islander women to come together in a culturally supportive environment to talk about issues which affect their lives.

In WA, the Minister for Women's Interests' Women's Advisory Council conducted community consultations between 2010 and 2013 to seek women's views on government policy, issues of concern and to produce findings for further investigation and action. The findings helped map essential services and service gaps in specific regions, and informed development of the publication Women's Interests Strategic Directions 2011–2014.

In Tasmania, the Tasmanian Women's Council champions the rights and interests of women in government decision making. The 12-member council represents the social, economic, demographic and regional diversity of women in the state. It advises the Tasmanian Government

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<sup>35</sup> As reported by the Northern Territory Cabinet Office on 7 January 2014.

on important issues to women and contributes to strategies that address inequality and increase the participation of women in all aspects of society.

In 2012 the Northern Territory Office of Women's Policy held public consultations in Alice Springs and Darwin, and began developing a new women's policy which is expected to establish formal engagement mechanisms for women in the territory.

The ACT Ministerial Advisory Council on Women provides strategic advice to the ACT Government on issues affecting women. Membership consists of women from different backgrounds that reflect the ACT community, and includes representatives from the Women's Centre for Health Matters and the ACT Women and Prisons Group.

### Women in the public service

#### *State and territory government examples*

In Victoria at June 2014, women held 43 per cent of public service executive positions (up from 38.7 per cent in 2010) and 34.8 per cent of executive public entity positions (up from 30.7 per cent in 2010). This compares to the overall representation of women in the public sector at 67 per cent.

At the same time in Queensland, women accounted for 33 per cent of senior executives and 49 per cent of senior officers.

Target 52 in the *South Australia Strategic Plan* aims to reach and maintain 50/50 gender equity for public sector employees in the executive levels (including chief executives) by 2014. At June 2014, 43.1 per cent of executives were women.

At 30 June 2014, women comprised 71.9 per cent of the WA public sector workforce and 30.1 per cent of the senior executive service.

The overall representation of women in the Tasmania state service was almost 70 per cent. Women accounted for 27.5 per cent of senior executive service officers, equivalent specialists and above.

At June 2014 in the NT, women comprised 63 per cent of the public service and made up 44 per cent of senior management roles in the public service.

Women comprised 64.8 per cent of the total ACT public sector, and held 43.2 per cent of service executive positions and 51.9 per cent of senior officer positions.

## Appendix – Article 11

### Legislation relating to employment protection

#### *Sex Discrimination Act 1984 (SDA)*

In 2011, the SDA was amended to make breastfeeding a separate ground of discrimination and to extend the prohibition on discrimination the grounds of family responsibilities to all areas of work, not just termination. This ground of discrimination is intended to be equally available to both women and men. These amendments also added, “...eliminating so far as possible, discrimination on the ground of family responsibilities in the area of work” to the objects of the Act.

#### *Paid Parental Leave Act 2010*

The *Paid Parental Leave Act 2010* (Cth) introduced a paid parental leave scheme that since January 2011 has provided 18 weeks pay at the rate of the National Minimum Wage. Fathers and supporting partners have been entitled to two weeks’ leave since 1 January 2013.<sup>36</sup>

#### *Fair Work Act 2009*

In June 2013, the *Fair Work Act 2009* (Cth) was amended to broaden the category of employees who can request flexible work arrangements to include those with caring responsibilities, parents with children who are school age or younger, employees with disability, those who are mature age, as well as employees who are experiencing violence from a family member or who are providing care and support to a member of their immediate family or a member of their household as a result of family violence.

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<sup>36</sup> Paid Parental Leave and Other Legislation Amendment (Dad and Partner Pay and Other Measures) Act 2012 (Commonwealth).

## Appendix – Article 14

### Rural networks

#### *State and territory government examples*

In Victoria, the Rural Women’s Network is linking groups of and individual women in rural areas. It has 11,000 members. For more than 25 years, it has produced the *Network* magazine, a newsletter for Victorian women to share experiences and discuss issues relating to living in rural and remote areas. It provides news on changes to policy and updates on new initiatives that impact on women.

The Rural, Remote and Regional Women’s Network of Western Australia recognises, promotes and expands the contribution women make to their communities. Through its website, calendar of events, publications and social media activities, the network shares and promotes information relevant to the development of women, including inspirational stories, grants and awards programmes, training events, and news.

In QLD, the government delivers free and confidential information and referral services through Women’s Infolink. This includes a free call telephone service, website and web based service information facilities, social media, and a range of information addressing women’s issues.

## Appendix – Article 15

### Cultural awareness training for corrective officers

#### *State and territory government examples*

The Victorian Aboriginal Justice Agreement is a formal arrangement between the Victorian Government and Koori community to improve Koori justice outcomes and reduce over-representation in the criminal justice system. Now in its third phase, the arrangement has an increased focus on improving the safety of Koori families and communities. Priorities include reducing conflict between families, lateral violence and Koori youth offending, and addressing the needs of Koori women in the justice system, particularly their history of trauma and victimisation.

The NSW Anti-Discrimination Board is partnering with the state's Corrective Services Indigenous Unit to deliver cultural awareness training and to help new corrective officers understand:

- how anti-discrimination laws apply to them
- cultural differences that they must consider when working in the prison environment.

## Appendix – Article 16

### Initiatives under the *National Plan to Reduce Violence against Women and their Children 2010–2022*

#### *Our Watch*

In July 2013, the Australian and Victorian governments established the independent, not for profit organisation, Our Watch. Its aim is to advocate, raise awareness and engage civil society and the broader Australian community to drive nation-wide change in the culture, behaviours and attitudes that underpin and create violence against women and their children. The NT, SA, Tasmanian and QLD governments are members.

#### *The Line*

The Line is a social marketing campaign aimed at changing attitudes and behaviours that contribute to violence. It targets 12 to 20 year-olds, as this is when many young people become interested in relationships and form their ideas about them. The campaign uses social media to encourage discussion and debate on relationship issues and what sorts of behaviour cross the line.

#### *1800RESPECT*

1800RESPECT—national sexual assault, family and domestic violence counselling services—is a free confidential telephone and online counselling, information and referral service to help anyone who has experienced, or is at risk of sexual assault or domestic and family violence.

#### *DV-alert*

This training programme is free and nationally accredited and helps community frontline workers better understand and identify domestic and family violence, and improve their referral and support skills.

#### *Australian National Research Organisation for Women’s Safety (ANROWS)*

In 2013, all Australian governments partnered to establish ANROWS (then known as the National Centre of Excellence). ANROWS is a key initiative under the national plan and provides a national research hub to enable researchers, policy makers and practitioners to link-up and provide evidence-based responses to reduce domestic and family violence and sexual assault.

## Strategies to reduce violence against women and their children

### *State and territory government examples*

#### *New South Wales (NSW)*

In February 2014 the NSW Government launched the NSW Domestic and Family Violence Framework for Reform, *It Stops Here: Standing Together to End Domestic and Family Violence* in NSW. It is designed to improve prevention and responses to domestic violence, including changing the way that victims receive help and are supported to recover.

A key initiative is Safer Pathway, which includes risk identification, referrals and local service coordination, and gives victims a single contact point to organise the support they need when they need it. The Australian and NSW governments also support more than 330 Specialist Homelessness Services (SHS) across NSW, which deliver a balance between early intervention, crisis and post-crisis support. Women are the most frequent users of SHS, representing 57 per cent of all clients in NSW.

#### *Victoria*

In 2012, the Victorian Government launched Victoria's Action Plan to Address Violence Against Women and Children 2012–2015—a whole-of-government plan for prevention, early intervention and response initiatives and services. In 2013, the Victorian and Australian governments launched the Foundation to Prevent Violence against Women and their Children. The foundation is tasked to lead the conversation about violence against women and their children, raise community awareness and change attitudes and behaviours in organisations, communities and families across Australia.

#### *Queensland (QLD)*

The QLD Government funds a range of initiatives including community based sexual assault services to help women access information and support to deal with the trauma they have experienced and to rebuild their lives.

The Helping out Families initiative is helping prevent families from entering or re-entering the statutory child protection system. The Safety Upgrades Programme has provided funding to support victims of domestic and family violence and their children to remain in their home. In 2013, the three-year *Make the call* social marketing campaign was launched to encourage friends, family, neighbours and work colleagues to report their concerns that someone they know may be experiencing domestic violence.



### *Western Australia (WA)*

In WA the Department for Child Protection and Family Support is the lead agency responsible for family and domestic violence strategic planning and manages the state's Family and Domestic Violence Prevention Strategy to 2022.

The strategy aligns state and national priorities for responding to family and domestic violence with a particular focus on supporting an integrated response across government that works towards the safety of adult and child victims (who are predominantly women and girls), and accountability for the perpetrator of violence. Aboriginal and CALD communities are at the forefront of the strategy.

### *South Australia (SA)*

*A Right to Safety – South Australia's Women's Safety Strategy 2011–2022* has a broad focus—from early intervention work focused on preventing violence, through to community education and awareness, as well as improving services responses to women experiencing violence.

As part of the strategy, the *Family Safety Framework* ensures that services to families most at risk of violence are provided in a more structured and systematic way.

*A Right to Safety* also includes Violence Against Women Collaborations, which build community capacity to prevent and reduce the incidence of violence against women by creating cultural and attitudinal change within the community.

The *Taking a Stand: Responding to Domestic Violence* initiative includes policy responses such as a Women's Domestic Violence Court Assistance Service and strengthening penalties for people who are proven to be consistent domestic violence offenders.

### *Tasmania (TAS)*

*Taking Action: Tasmania's Primary Prevention Strategy to Reduce Violence Against Women and Children 2012–2022* adopts a public health approach to reducing violence against women and children with social justice as a core value.

Safe at Home, Tasmania's criminal justice response to family violence, provides a holistic response to family violence incidents. The safety of victims and their children is the paramount concern of Safe at Home and is realised through a pro-arrest, pro-prosecution policy.

### *Northern Territory (NT)*

The Indigenous Family Violence Offender Programme is conducted in both Alice Springs and Darwin prisons, and is also delivered in various other locations across the territory. It aims to

challenge the attitudes and behaviours that lead to violence and abuse and reinforce the view that family violence is unacceptable.

### *Australian Capital Territory (ACT)*

The ACT *Prevention of Violence Against Women and Children Strategy 2010–2017* is the first of its kind in the territory. It guides violence prevention activities across government and supports key service providers (government and non-government) to provide flexible and targeted responses to women and children experiencing violence, including Aboriginal and Torres Strait Islander women and women with disability.

Strategies responding to family violence in Indigenous communities

### *State and territory government examples*

#### *New South Wales (NSW)*

The NSW Aboriginal Family Health Strategy aims to reduce the incidence and impact of family violence in Aboriginal communities in NSW and build the capacity of individuals and communities to prevent, respond to and recover. Aboriginal Family Health Workers respond to local needs and contexts. Initiatives promote Aboriginal independence and empowerment.

#### *Victoria*

The Victorian Indigenous Family Violence 10-year plan provides a partnership approach to address Aboriginal family violence. It outlines the vision, objectives and actions which guide, inform and direct the Aboriginal community and the Victorian Government to reduce Aboriginal family violence over the coming years.

#### *Western Australia (WA)*

In WA, the Aboriginal Affairs Coordinating Committee Sub-Committee on Family Youth and Children was established to examine issues related to the delivery of support services to Aboriginal families, youth and children. Its focus is on key government and community priorities such as issues of early intervention, youth at risk, homelessness, family and domestic violence and youth justice as well as assistance to access other services, including Centrelink, family support services and legal and counselling services.

#### *Northern Territory (NT)*

The NT Government has a range of initiatives to support and empower women and children, provide education and refuge and in turn provide employment for local women. These include

Safe Places, Mobile Child Protection Teams, Mobile Outreach Services, Remote Aboriginal Family and Community Workers and Children and Family Centres.

