



# Federal Inquiry into Domestic Violence and Gender Inequality

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**Senate Finance and Public Administration Committees  
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Canberra ACT 2600**

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## **Executive summary**

Women's Health West (WHW) welcomes the opportunity to provide feedback to the Federal government for the Inquiry into Domestic Violence and Gender Inequality. WHW provides the following recommendations to the Federal government:

**Recommendation:** The Federal government commits long-term funding for the implementation of evidence-based primary prevention initiatives, such as respectful relationships education programs in schools, to advance gender equity.

**Recommendation 2:** The Federal government adopt gender transformative strategies that examine, challenge and ultimately transform structures, norms and behaviours that reinforce gender inequality, and strengthens those that support gender equality.

**Recommendation 3:** The Federal government introduce penalties for breaching the Australian Association of National Advertisers' 'Code of Ethics' regarding sexism, gender discrimination and exploitation.

**Recommendation 4:** The Federal government funds the development of social marketing campaigns that raise public awareness and understanding of sexism, that challenge problematic expressions of gender, and that promote diverse and alternative masculinities and femininities among men, women, boys and girls.

**Recommendation 5:** The Federal government funds workplace programs that challenge harmful expressions of masculinity, promote transformative masculinities and challenge sexist, discriminatory or violence-supportive behaviour in workplaces, businesses, media institutions, sporting clubs and schools.

**Recommendation 6:** The Federal government introduces legislated 40:40:20 gender quotas (40 female, 40 male, and 20 female or male) for governing bodies and board positions across the government sector, with reporting requirements and penalties for non-compliance.

**Recommendation 7:** The Federal government accompanies the introduction of gender quotas with a community education initiative for the business, media and government sectors and the broader community, that explains the rationale for gender quotas and their legitimacy as an effective affirmative action model currently used internationally.

**Recommendation 8:** The Federal government trains public sector staff in unconscious gender bias, reports annually on pay remuneration between female and male staff, and mandates employers to report on progress relating to the development of strategies and/or policies relating to the Workplace Gender Equality Agency's five minimum standards.

**Recommendation 9:** The Federal government increases funding to state governments' to ensure the effective implementation of the equal remuneration order to recognise and fairly remunerate the technical skills and work of the community sector and ensure pay equity.

**Recommendation 10:** The Federal government funds superannuation payments for 12 months to all government staff and contracted public servants who take maternity leave,

parental leave or any associated unpaid leave resulting from caring responsibilities for children.

**Recommendation 12:** The Federal government mandate state governments' to fund accessible childcare centres under the same model that provides for universal access to public primary and secondary schools, as a means to increase women's economic participation and independence.

**Recommendation 13:** The Federal government commits long-term funding to the implementation of evidence-based primary prevention initiatives focussed on gender equity across a range of settings and sectors to prevent violence against women before it occurs.

## **Introduction**

Women's Health West (WHW) has actively contributed to the health, safety and wellbeing of women in the western region of Melbourne since 1988, through a combination of direct service delivery, research, health promotion, community development, capacity building, group work and advocacy. Our health promotion, research and development unit offers a range of programs and projects targeted to prevention and early intervention strategies to improve outcomes for women's health, safety and wellbeing. We are leaders in the development of regional strategies to further our work, seeing partnership within and outside the health sector as crucial for bringing about effective and sustainable outcomes for women and children.

In 1994 we expanded our organisation to encompass delivery of family violence services for women and children ranging from crisis outreach and court support, to housing establishment and crisis accommodation options, to counselling and group work programs for women, children and young people. WHW has been an active and strong supporter of family violence reform at a regional and state-wide level, integrating and coordinating family violence services in our region, and ensuring the integration of those services with a range of related sectors, including the housing sector.

Work to redress the gendered and structural inequalities that limit the lives of women and girls is at the core of our business as a feminist organisation. WHW's work is underpinned by a social model of health, which recognises the important influence of, and aims to improve, the social, economic and political factors that determine the health, safety and wellbeing of women and girls in our region. By incorporating a gendered approach to our health promotion practice with women and girls, WHW's interventions have demonstrated effective and sustainable outcomes.

WHW's work is informed by our vision of equity and justice for women in the west, guided by the following five strategic goals:

- Deliver and advocate for accessible, culturally appropriate services for women and children in the west who experience family violence
- Undertake health promotion and primary prevention actions to redress gender inequity and improve the health, safety and wellbeing of women, young people and children
- Collaborate with others to achieve our goals
- Promote good health, safety and wellbeing in our workplace
- Enhance the long term sustainability of our work.

## **Key terms and definitions**

The area of gender equality is complex, and the application of gender equality definitions across Australia is currently inconsistent. WHW has developed a list of definitions related to gender equality, which will be used throughout this submission:

**Sex:** Refers to physical characteristics such as hormones, chromosomes and anatomy. People are generally described as male, female or intersex based on these characteristics (WHW 2014).

**Gender:** A broad term used to describe the socially constructed norms, roles, responsibilities and expectations that shape our understanding of what it means to be a woman or a man within a given society (WHW 2014).

**Gender blind:** A gender-blind approach assumes that gender-based differences do not exist; minimises identified gender-based differences; or ignores gender norms, roles and relations. Gender-blind policy and practice often serves to reinforce and perpetuate gender-based discrimination and inequities (Nobelius 2004).

**Gender responsive:** Gender-responsive policy and practice builds on a gender-sensitive approach, and then takes remedial action to respond to identified gender-based impacts, discrimination, bias and inequities.

**Gender transformative:** A gender-transformative approach proactively and intentionally transforms and alters the underlying gender structures, norms and relations that perpetuate gender inequality (British Columbia Centre of Excellence for Women's Health 2015; Women's Health Victoria 2012).

**Gender equality:** The realisation of equal and measurable outcomes for women, men and gender-diverse people. This includes equal representation; status and rights; establishing equal opportunities for all people to contribute to national, political, social and cultural development; and for all to benefit from these results (WHW 2014).

**Gender equity:** The process of being fair to women, men and gender-diverse people with the aim of achieving equal outcomes for all. To ensure fairness, measures must often be put in place to compensate for historical and social disadvantage that have prevented women and gender-diverse people from operating on a level playing field with men (WHW 2014).

**Gender analysis:** A method for determining how gender norms, assumptions and expectations are reflected in policies, programs and services, and whether this results in different and inequitable outcomes and impacts for particular groups of women and men (Bacchi and Eveline 2010).

**Intersectionality:** The understanding that multiple aspects of identity influence an individual's lived reality simultaneously. A person's gender, ethno-specific background, sexual orientation, ability, class and other factors all interact with individual experiences, and contribute to unique experiences of privilege and oppression (Association for Women's Rights in Development 2004).

**Gender stereotypes:** Stereotypes are overly simplified assumptions that people who share a particular status group also share certain traits in common. Gender stereotypes are therefore overly simplified notions and generalisations of the traits that all women or men are assumed to possess (WHW 2013b).

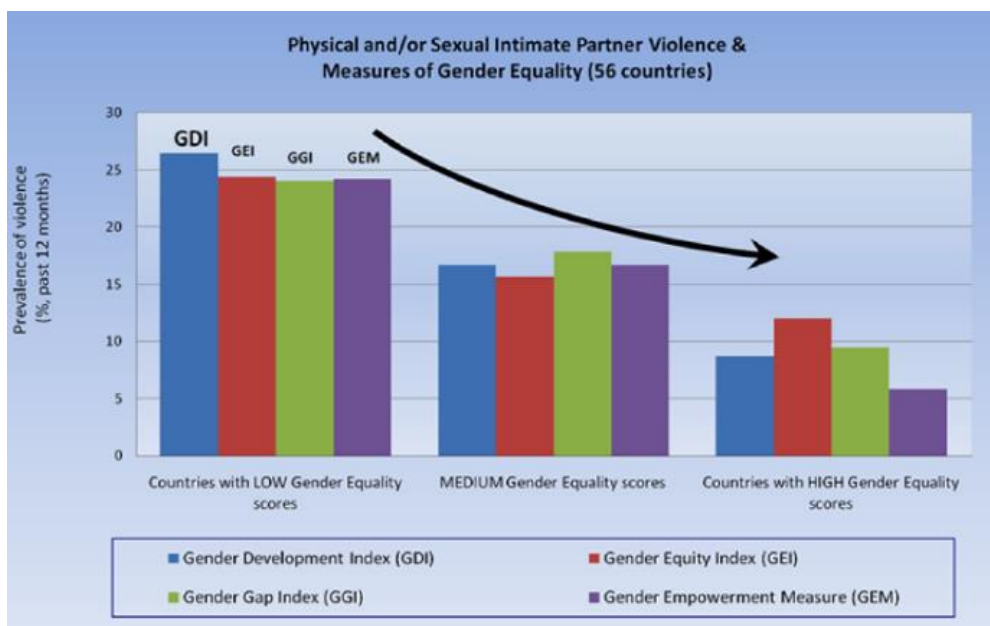
WHW advises the Federal government to focus on gender inequity, as the means to achieve gender equality. Gender inequity is socially produced, avoidable, unfair and systematic in its unequal distribution across the population (WHO, 2015). These inequities have significant social and economic costs for individuals and societies (WHO, 2011).

## The role of gender inequality in all spheres of life in contributing to the prevalence of domestic violence

Violence against women and their children is a prevalent, serious and preventable human rights abuse (Our Watch, 2015). Recent data indicates that one woman is killed every five or six days by her male partner in Australia and that one in four women have experienced violence from an intimate partner (RMIT 2015). In addition, one in four children are exposed to violence against their mother, and the atmosphere of fear and distress this creates (Our Watch, 2015).

Gender inequity is known as the key social driver of men’s violence against women and children, which significantly impacts and hinders the active participation of women and girls in Australia. Evidence shows that in countries where a higher level of gender equity has been achieved, the level of violence against women is lower. The graph below draws on four major international surveys that measure indicators of gender inequality across employment, education, income, health, leadership, political participation and representation in relation to the prevalence of violence against women (Figure 1). The graph demonstrates that those countries with high gender equality scores have a lower overall prevalence of intimate partner violence.

**Figure 1: Intimate partner violence and measures of gender equality**



(Source: UNIFEM, 2010)

In accordance with these findings, the recent national framework *Change the Story* released by Our Watch, ANROWS and VicHealth also makes the inextricably link between gender inequity and violence against women. This framework highlights that violence against women has shown to be significantly and consistently lower in countries where women’s economic, social and political rights are better protected, and where power and resources are more equally distributed between women and men (Our Watch, 2015). According to the World Economic Forum, Australia ranks 36 out of the 145 countries in gender equity. Alarminglly,

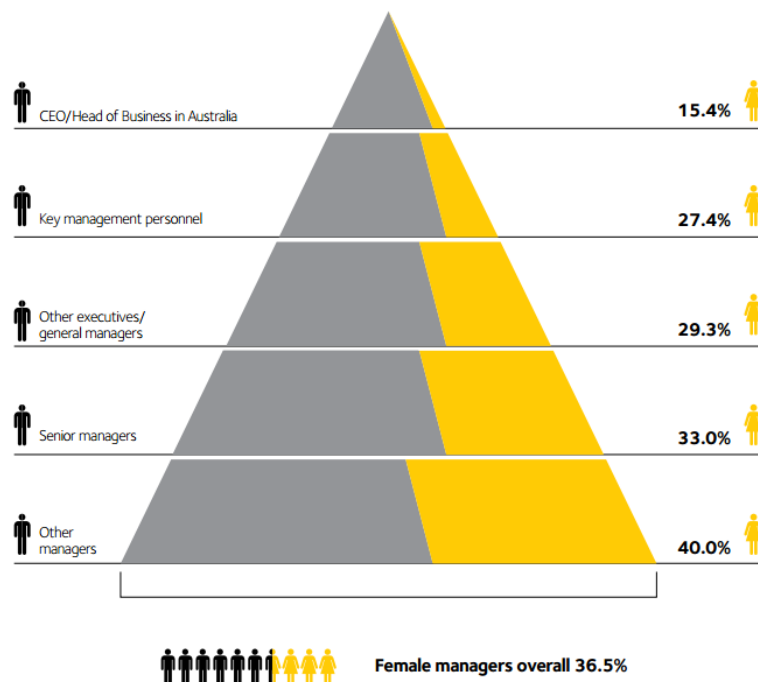
Australia’s rank has fallen since 2014 when we were ranked 24 out of 135. Unfortunately gender inequity continues across Australia and is evidenced across key indicators.

Women’s participation in leadership and decision-making roles

Women’s limited participation in leadership and decision-making roles is a key indicator of gender inequity in Australia. In the current Federal parliament, only six of the 21 cabinet ministers are women. In total, there are more than twice as many male federal parliamentarians, compared to women (71 per cent male compared to 29 per cent female). The disparity is even wider in the number of men compared to women holding ministerial positions (83 per cent male compared to 17 per cent female). In 2015, women held only 39 per cent of the 2570 board positions on Australian Government boards and bodies, and 30 per cent of Chair and Deputy Chair positions on Australian Government boards (Commonwealth of Australia, 2015).

Women continue to also be significantly under-represented in leadership positions across the business sector. Statistics from the Australian Institute of Company Directors also revealed in 2014, 21 per cent of ASX 200 companies did not have a woman on their board, with women only accounting for 17.6 per cent of directors in ASX 200 companies (Workplace Gender Equality Agency 2014). A recent report by PricewaterhouseCoopers indicated that in 2013-2014 only 17.3 per cent of CEOs and heads of businesses were women (2015). A report released by Workplace Gender Equality Agency in 2015 indicated that this percentage has further decreased in 2015 to 15.4 per cent, as demonstrated in Figure 2. In addition, women made up only a quarter of the people in management positions (PwC 2015).

**Figure 2: Proportion of women by management category in 2014-2015**



(Source: Workplace Gender Equality Agency, 2015)

### The pay and superannuation gap

Pay inequity is another key indicator of gender inequity in our country. In September 2015, the gender pay gap in Australia stood at 17.9 per cent (Workplace Gender Equality Agency 2015). This is of particular concern as, despite small fluctuations, the gender pay gap has remained vastly unaltered over the last twenty years (Workplace Gender Equality Agency 2015). The Federal Government's Workplace Gender Equality Agency (2014) has highlighted six main reasons why we continue to have gender pay inequity in Australia. These include:

- Gender discrimination – conscious and unconscious gender bias and prejudice about the assumed skills, characteristics and traits of women and men
- Career breaks – women have the burden of undertaking the majority of unpaid care and domestic work in Australia
- Industrial segregation – the concentration of women and men in particular industries, with substantive pay inequities existing between sectors across Australia
- Occupational segregation – women are over-represented in particular occupations
- and under-represented in others, with women overly represented in clerical, administrative and community service worker roles that are low paid
- Devaluation of women's skills – traditionally female dominated work and work that is associated with traditionally feminine traits (such as caring and welfare support) continue to be undervalued and not recognised as technical skills
- Pay setting methods – the use of awards, collective or individual agreements to set pay, and the subsequent gender inequities that can result.

Furthermore, women spend significantly less time in the labour force because of the inequitable distribution of caring responsibilities placed on women in Australia, with women undertaking the majority of unpaid care work for children, elderly family members and people with a disability (WHW 2013b). Consequently, upon retirement, women's superannuation is significantly less than men's, which places older women at increased risk of poverty, homelessness, and economic insecurity. The Australian government's Workplace Gender Equality Agency (2015) report that, on average, women retire with 46.6 per cent less superannuation than men. This particular expression of gender inequity is determined by many factors, including the continuing gender pay gap in Australia as well as strict gender roles and norms which define what work 'should' be done by women and men.

### **The role of gender stereotypes in contributing to cultural conditions which support domestic violence, including, but not limited to, messages conveyed to children and young people in education and entertainment**

The prevalence of violence against women is significantly and consistently higher in societies, communities and relationships where there are rigid gender stereotypes and distinctions between the roles of men and women (Our Watch, 2015). Rigid constructions of gendered identities (what it means to be 'masculine' or 'feminine') are proven to be key drivers of violence against women. Evidence indicates that people who see men and women as having specific and distinct characteristics are more likely to condone, tolerate or excuse such violence.



In order to prevent violence against women and children, harmful gender stereotypes must be redressed and it is WHW's view that this must be achieved through coordinated cross-sectoral primary prevention action. This action must take place in a range of settings and be aimed at whole populations, communities, organisations and other settings where people work, live, learn and play. These actions need to include (but are not limited to): respectful relationships education in schools, the promotion of women and girls' participation in 'non-traditionally' female roles, the elimination of harmful stereotypes in the media and transformative masculinity initiatives. Each of these areas for action are described in more detail below.

### Respectful relationships education programs

WHW believes that strengthening opportunities for school-based settings to introduce respectful relationships education is an effective primary prevention tool to redress harmful gender stereotypes. WHW has delivered *Girls Talk Guys Talk: A whole of school health promotion program* to secondary schools in Melbourne's west for several consecutive years. This program works closely with one school at a time over a full year to implement and embed healthy relationships and comprehensive sexuality education that is relevant to their context. It is supported by a framework that values the whole school as a setting and works with students, teachers, school nurses parents and community organisations to implement actions across the 'three Cs' of curriculum, community and culture. The whole-school framework is recognised as best practice and has been identified as a critical component of engaging schools in primary prevention efforts to dispel harmful stereotypes early.

WHW has also developed a gender equity program designed to promote equal and respectful relationships with primary school students known as, *You, Me and Us*, which is outlined in case study 1. *You, Me and Us* was funded by the Commonwealth Department of Social Services, but has ceased because of a lack of ongoing funding, despite being the only Victorian respectful relationship education program to work with primary school students.

#### **Case study 1: WHW's You, Me and Us Project**

*You, Me and Us* is a multi-faceted program that works to redress the drivers of violence against women by promoting equal and respectful relationships between young people. This program engages a peer education model to deliver respectful relationship education sessions to young people aged 10 to 13 and 18 to 24 years old in primary schools, sports clubs, youth organisations, TAFEs and universities. It also provides professional development to adults in these settings to ensure sustainability of program messages and outcomes. *You, Me and Us* has been delivered to over 3,750 young people in Melbourne's west.

Professional development of adults in key settings, such as schools, is integral to promoting gender equity. Program evaluation showed increases in young people's knowledge of ethical behaviour, their ability to recognise and enact respectful relationships, and to uncover and challenge gender inequity. Evaluation of adults attending professional development indicated a lack of prior knowledge about gender equity, and highlighted the importance of organisations accessing expertise in gender equity and respectful relationships education to support the roll out of training.

*'It's so crucial to have people who have a lot more knowledge than teachers have around these areas ... [and presented] by people with appropriate skills.'*  
(Primary school teacher, 2014)

**Recommendation 1:** The Federal government commits long-term funding for the implementation of evidence-based primary prevention initiatives, such as respectful relationships education programs in schools, to advance gender equity.

#### Promoting women and girls' participation in traditionally male dominated industries

Increasing women and girls' participation in non-traditional careers including science, technology, engineering and mathematics (STEM) is another way in which to redress harmful stereotypes in Australia. A recent report released by the Workplace Gender Equality Agency (2015) indicated that the Australian workforce is highly gender-segregated. The healthcare, education and social service sectors are heavily female-dominated, while the more lucrative industries of construction, mining and manufacturing are heavily male-dominated. In addition the number of women in part-time work is significantly greater than men, with three out of four part-time positions held by women (Workplace Gender Equality Agency 2015).

Cultural norms and rigid stereotypes continue to inform the choices that women and men make in relation to what is an appropriate profession for a woman and a man in our community. The gendered nature of certain professions also allows unconscious gender bias, gender stereotypes and inflexible conditions within certain workplaces to permeate. WHW recommends that the Federal government take a gender transformative approach to policy and practice to tackle the assumptions around what roles women and men 'should' perform in the workforce, to redress entrenched cultural norms and to de-feminise and de-masculinise certain industries. The aim of these policies and practices is to enhance gender equality by changing the way workplaces (and community more broadly) view, value and assign employment roles to women and men (WHV 2012).

WHW encourages the Federal government to continue to support initiatives that promote and support female entrepreneurship and gender equity within STEM work environments and other male dominated spaces more broadly. An example of this is the Science in Australia Gender Equity (SAGE) program (2016), which focuses on redressing gender inequity to retain female scientists and innovators in these fields. Part of this program requires institutes to demonstrate solid foundations for eliminating gender bias and developing an inclusive culture that values all staff. These organisations are then provided with an award by SAGE for their commitment to gender equity.

Schools are also powerful settings for social change and WHW recommends that the Federal government support state's across the country to encourage schools and other educational institutes to be leaders in gender transformative practice. This could include supporting schools to enact the following:

- Curriculum and learning materials undergo rigorous review from a gender perspective to ensure that materials do not perpetuate gender stereotypes
- Teacher education and policies on recruitment promote a fair representation of female teachers in all subjects, including mathematics and science, at all levels of education and especially in higher levels of education where female students look to their teachers as role models as they begin to shape career perspectives and choices

- Structured and formalised gender-responsive career counselling programs should be considered in order for female and male students to have support and objective guidance as they begin to shape their career choices
- Scholarship programs targeted at women and girls in STEM to pursue further study and eventually careers in STEM fields. This will promote more female role models in STEM fields

**Recommendation 2:** The Federal government adopt gender transformative strategies that examine, challenge and ultimately transform structures, norms and behaviours that reinforce gender inequality, and strengthens those that support gender equality.

### Eliminating harmful gender stereotyping of women and men in the media

Gender stereotyping in the media serve to maintain discrimination, unequal power relations between women and men, and problematic gender identities that relate to violence, dominance and control (UN Women 2015). Research has demonstrated that regular exposure to content that sexually objectifies women has been linked to the development of sexist attitudes and gender stereotyping, which increase the likelihood of gender inequality (OBJECT 2009). Women continue to be overly-represented in advertisements in motherly, domestic or sexualised roles, while men continue to be represented in dominant, aggressive, and unemotional roles. These depictions of gender stereotypes have negative implications for the safety, sexual and mental health of women, men, girls and boys.

The Code of Ethics for the Australian Association of National Advertisers (AANA) and the Advertising Standards Bureau (ASB) outline that advertising and marketing should not:

- Portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender
- Employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people
- Treat sex, sexuality and nudity with insensitivity to the relevant audience (Australian Association of National Advertisers 2012).

Despite this, advertising and media continues to use stereotypical gender-roles, and sexually exploitative or demeaning images and words to depict women and men. Given the harmful consequences and gender inequities that result from media representations of women and men, there is a strong need for penalties for breaches of the Code of Ethics to increase adherence to the guidelines and protect women and men's health, safety and wellbeing.

WHW also reminds the Federal government that the media is a powerful mechanism to promote gender equality through portraying women and men in non-stereotypical and diverse ways, and promoting diverse and healthy depictions of masculinities and femininities (UN Women 2014). We advise that further research is required that identifies and reports on how women and men are represented in the media and advertising industry in Australia, and that explores mechanisms to promote diverse and healthy depictions of women and men in advertising. In the United States of America, the Geena Davis Institute on Gender in Media has been established to engage and educate the media industry in order to reduce gender stereotyping and improve the gender balance of women in entertainment. The institute has

been effective in promoting change within the media, business and educational institutions in this area (Geena Davis Institute on Gender and Media 2016).

**Recommendation 3:** The Federal government to introduce penalties for breaching the Australian Association of National Advertisers' 'Code of Ethics' regarding sexism, gender discrimination and exploitation.

**Recommendation 4:** The Federal government funds the development of social marketing campaigns that raise public awareness and understanding of sexism, that challenge problematic expressions of gender, and that promote diverse and alternative masculinities and femininities among men, women, boys and girls.

#### Promoting transformative masculinity

In order to dismantle rigid gendered stereotypes and achieve gender equality, harmful perceptions of masculinity must also be challenged. Transformative masculinity involves challenging harmful and restrictive constructions of masculinity and, in particular, hegemonic masculinity. In Australia, hegemonic masculinity tends to largely focus on being heterosexual, aggressive, authoritative, courageous and holding power over women (Pease 2010). In the area of preventing men's violence against women, programs that engage a gender transformative approach to masculinity have been shown as a promising practice model in changing men's attitudes and behaviours to prevention of violence against women (Baker 2013).

There are many mechanisms to promote transformative masculinity that include:

- Gender-equitable respectful relationships education with young people
- Workplace programs that focus on challenging unconscious bias and promoting men and masculinity in diverse and non-stereotyped ways
- Workplace and government policies that encourage men to undertake caring and unpaid work, and that encourage men to promote and enable women's leadership
- Awareness raising campaigns that educate the community on the harms of gender stereotypes, including harmful expressions of masculinity, and that promote diverse and alternative forms of masculinity
- Advertising and media standards that prevent representations of harmful expressions of masculinity and promote diverse representations of men in a variety of roles, including those traditionally presented as feminine roles and traits (such as caring for children, emotionally supporting friends, and undertaking domestic labour).

**Recommendation 5:** The Federal government funds workplace programs that challenge harmful expressions of masculinity, promote transformative masculinities that challenge sexist, discriminatory or violence-supportive behaviour in workplaces, businesses, media institutions, sporting clubs and schools.

## **The role of government initiatives at every level in addressing the underlying cause of domestic violence, including the commitment under, or related to, the National Plan to Reduce Violence against Women and their Children**

The business case for government action on gender equity is clear. It enhances health and wellbeing, quality of life, improves work productivity and economic growth, increases the capacity for learning and education, and contributes to poverty reduction, social inclusion and civic participation (WHO 2010).

Achieving gender equity for Australian women and girls is a long-term goal, which requires strong, coordinated government action. The World Health Organisation's (WHO) framework for health in all policies provides important practice principles that must be adopted for gender equity to be realised. The approach recognises that coordinated action across the three tiers of government, and across government departments, is necessary to tackle gender inequity. The Federal government's leadership in adopting this approach will provide the 'mandate, incentives, budgetary commitment and a sustainable mechanism that support government agencies to work collaboratively on integrated solutions' (WHO 2010, p. 2) to achieve equal outcomes for women and men. WHO states that gender inequity is created and reinforced via social and economic factors. A gender equitable Australia is best achieved when government, non-government organisations and the private sector have a mandate for action.

Areas in which the Federal government can mandate action are outlined below.

### Promoting women's participation in leadership and decision-making roles

Women's participation in leadership and decision-making roles is an integral part of achieving gender equality in Australia. The inequity of women's limited participation in leadership and decision-making positions across Australia, is long-standing and deeply entrenched. Substantive remedial action is required if gender equality is to be achieved.

A key measure to redress women's lack of leadership participation is the introduction of gender quotas. Affirmative action in the area of gender equality is not a new concept. *The Equal Opportunity Act (2010)* and *the Sex Discrimination Act (1984)* are two mechanisms that have recognised the need for affirmative policy action in order to achieve equal outcomes for all (McCann 2013). The policy instrument of gender quota-based legislation is a practice currently implemented internationally across numerous governments, including Norway, Spain, France, Iceland and the Netherlands, with laws pending in Belgium, Canada and Italy (Whelan and Wood 2012). In fact, the Australian Labor Party has adopted a gender quota system since 2012, with an affirmative action model that commits 40 per cent of party positions to women (McCann 2013). This system has supported and enabled many talented and accomplished female politicians to hold crucial leadership positions within state and federal politics, and is a testament to the Australian Labor Party's commitment to gender equality.

Despite their proven effectiveness in increasing women's leadership participation, gender quotas have been met with resistance, particularly from the business sector. The most common argument is the espoused belief that gender quotas undermine the principles of merit in selection and promotion processes, unlike current processes that assume the best person is selected for the job based on their merit alone. However, as identified by Melbourne Business Schools Centre for Ethical Leadership, for the merit principle to be applied successfully, certain requirements must be satisfied that:

- The selection process is blind to all non-related job capabilities of the candidate. Research on unconscious gender bias has demonstrated this is commonly not the case
- The criteria and processes used to determine the capability of the candidate are valid, including that they correctly measure and discriminate between candidates, and predict on-the-job performance. An over-reliance on subjective assessment measures such as interviews, which are not protected from the conscious or unconscious bias of interview panellists, makes this difficult to achieve in the present workplace climate
- All people have equal opportunity to be considered for selection and promotion. As there continues to be inequity in women's access to professional development, mentoring and job networks, the fulfilment of these criteria is unlikely (Whelan and Wood 2012).

Evidence suggests that these requirements are not met in current selection and promotion processes of most workplaces across Australia, which leaves the merit principle as an argument against the legitimacy of gender quotas redundant (Whelan and Wood 2012). The Australian Human Rights Commission (2010) in their *Gender Equality Blueprint 2010*, recommended that if substantial progress is not made towards women's participation in leadership positions in Australia, then the Federal government should consider legislating mandatory gender quotas with penalties for non-compliance. Arguably, given that over the last two years women held only 39 per cent of Australian government board positions and 17.6 per cent of directorships in ASX 200 companies, substantial progress has not been made. WHW therefore recommends that the Federal government enact remedial action by legislating quotas to ensure that gender equality is achieved as has been done by the Andrew's government with the introduction of a 50 per cent gender quota for all new Victorian government and judiciary board appointments.

Businesses are also a powerful setting for social change and supporting female leadership. WHW asserts that the Federal government must to introduce legislation to redress the inequity in women's leadership in the private sector in Australia. An excellent example of government leadership in this space is in Norway, where the law requires all public companies listed on the Norwegian Stock Exchange, as well as state-owned companies, to have a 40:40:20 gender quota (40 female, 40 male, and 20 female or male) on their boards. The gender quota legislation was first introduced with a two-year transition period, with penalties applied for non-compliance. Notably, women's participation on corporate boards increased from 6 per cent in 2002 to 36 per cent in 2008 following the introduction of the law (Whelan and Wood 2012).

Formal processes through which businesses can promote gender equality include:

- Equal representation of women in senior leadership roles and on the board
- Equitable access to flexible workplace conditions
- Having gender equity in business goals, strategic plans and budgets
- Developing equitable workplace policies and conditions, such as a 'gender equity code of conduct' with staff, including terms around the unacceptable use of sexist language, jokes, comments, images and materials displayed in the workplace
- Establishing family violence policies and procedures, including:
  - Staff procedures for responding to family violence disclosures from colleagues

- Family violence clause in enterprise bargaining agreement, providing leave entitlements for staff affected by family violence

**Recommendation 6:** The Federal government introduce legislated 40:40:20 gender quotas (40 female, 40 male, and 20 female or male) for governing bodies and board positions across the government sector, with reporting requirements and penalties for non-compliance.

**Recommendation 7:** The Federal government accompanies the introduction of gender quotas with a community education initiative for the business, media and government sectors and the broader community, that explains the rationale for gender quotas and their legitimacy as an effective affirmative action model currently used internationally.

#### Redress the pay and superannuation gap

Pay inequity is unlawful, and places women's economic security, health and wellbeing at great risk. It is therefore the responsibility of the Federal government to take concerted action to rectify this injustice and protect women from economic poverty and ill health.

To redress the gender pay gap, concerted action must be taken to counteract conscious and unconscious gender bias that continues to be a significant problem in Australian workplaces. Research from Melbourne Business School's Centre for Ethical Leadership revealed that women experience significant penalties associated with how their work performance is evaluated in the workplace, including being deemed as less competent for work than their male peers who perform at the same level (Grant, Wood & Sojo 2012). Ensuring staff with recruitment and promotion responsibilities undertake unconscious gender bias training is a key mechanism for reducing gender bias in the workplace. This training is currently optional in workplaces. WHW recommends that Federal and state governments' role-model the practice expectation that staff who have recruitment responsibilities be trained in this area as a first step, and introduce compulsory unconscious gender bias training for all public sector staff with recruitment and promotion responsibilities across all state government departments.

Unconscious gender bias and gender pay discrimination can also be counteracted through gender pay audits. The Workplace Gender Equality Agency has produced tools and resources to support all workplaces to undertake pay gender audits and develop action plans to respond to audit findings. At present, under the *Workplace Gender Equality Act 2012*, all non-public sector employers with 100 or more staff are required to submit an annual report to the Workplace Gender Equality Agency, which includes reporting on the remuneration of women and men in their workplace. Federal, state and local governments are currently exempt from this reporting requirement. This presents a missed opportunity to gather valuable data to inform the internal gender equity workplace development work within government, and for state and local governments to demonstrate leadership and commitment in the area of gender pay equity. WHW advises the Federal government to role-model a commitment to gender pay equity among its own staff, and to adhere to these reporting requirements. This would also provide a clear measure of progress being made across all tiers of government.

Furthermore, under the *Workplace Gender Equality Act 2012*, employers with 500 or more employees are required to have a policy or strategy in only one of the following areas:

- Gender composition of the workforce
- Equal remuneration between women and men
- Availability and utility of employment terms, conditions and practices that relate to flexible working arrangements for employees and working arrangements that support employees with family or caring responsibilities
- Sex-based harassment and discrimination.

Each of these standards are essential to rectify gender inequality and so the current requirement to choose only one area to outline a strategy for change is insufficient. WHW recommends that the Federal government advocate for relevant employers to demonstrate progress towards the development of a policy or strategy for all five minimum standards.

Additionally, to rectify the gender pay gap in Australia, concerted effort must be undertaken to drive a cultural and structural shift in how we recognise, value and remunerate traits and skills traditionally associated with being feminine and female. In 2010 unions led by the Australian Services Union and supported by the ACTU and the Federal government lodged a test case with Fair Work Australia using the equal remuneration laws that had been embedded in the Fair Work Act. Despite clearly winning the case that work in the social and community services sector is undervalued and underpaid, and that this relates to gender, pay equity continues to go unrectified. One reason for this is because the funding to implement the Equal Remuneration Order (ERO) is insufficient to meet obligations for wage increases arising from the order. This is partly because the minimum wage increase associated with the ERO is not funded, and partly because the funding model built by government departments to distribute funds to the sector seriously undervalues the classification levels required in social and community services jobs. This is compounded by the fact that the funds offered by the Federal government are lower than the state government or ERO increases. Essentially, the supplementary funds currently available to WHW and other community sector organisations are insufficient to meet salary costs without significant loss of staff and services to the community. WHW requested a review of the funding model as it impacts on our organisation, in January 2015; we are yet to receive a reply despite repeated requests. WHW recommend that the Federal government increase funding to state government for the implementation of the ERO increases as an important means to redress gender pay inequity.

Action must also be taken to rectify the gender inequities inherent in the design of the current Australian superannuation system. Reforms are required that ensure that women do not continue to be penalised financially for having to take unpaid leave as a result of inequitable distribution of caring responsibilities. The current government-funded federal paid parental leave scheme does not include compulsory superannuation contributions. This places women on unpaid maternity or parental leave at significant risk of economic insecurity and poverty in retirement. The Federal government must redress this current gender inequity in the superannuation system.

We recommend that the Federal government provide superannuation to public servants who are required to take extended unpaid leave because of caring responsibilities, as a condition in their enterprise agreements.

**Recommendation 8:** The Federal government trains public sector staff in unconscious gender bias, reports annually on pay remuneration between female and male staff, and



mandates employers to report on progress relating to the development of strategies and/or policies relating to the Workplace Gender Equality Agency's five minimum standards.

**Recommendation 9:** The Federal government increase funding to state governments' to ensure the effective implementation of the equal remuneration order to recognise and fairly remunerate the technical skills and work of the sector and ensure pay equity.

**Recommendation 10:** The Federal government funds superannuation payments for 12 months to all government staff and contracted public servants who take maternity leave, parental leave or any associated unpaid leave resulting from caring responsibilities for children.

### Easing the strain of balancing work and caring responsibilities

There are two key strategies that can be put in place to ease the strain of balancing work and caring responsibilities: paid parental leave and funding accessible childcare services. These are outlined in more detail below.

#### 1. Paid parental leave

Greater flexibility and eligibility for parental leave is a key area for action by the Federal government. Maternity leave is currently paid to the primary care giver of the baby for the first 18 weeks at minimum wage (\$657 per week). Fathers are entitled to only two weeks of paid parental leave under this Federal scheme, undermining the possibility for gender transformative policy. WHW recommends that the Victorian government advocate to the Federal government for increased, flexible paid parental leave across Australia.

We recommend that the Federal government follow Sweden's model of parental leave as a country that is a gender-egalitarian leader (see case study 2). In Sweden the government provides 480 days of parental leave, transferrable between parents. Both parents must take at least 60 days each, and these days cannot be transferred between them. This policy supports the family to spend time together, increases the confidence of men in fathering, creates greater understanding between partners, builds stronger ties within the family and does not allocate specific gendered parenting roles to women and men. WHW sees this policy change as crucial in easing the strain of balancing work and caring responsibilities by enabling women and men to share this responsibility. We strongly advise the Federal government to increase parental leave entitlements and flexibility of paid parental leave to support equitable primary caring responsibilities between women and men.

### **Case study 2: Parental leave in Sweden**

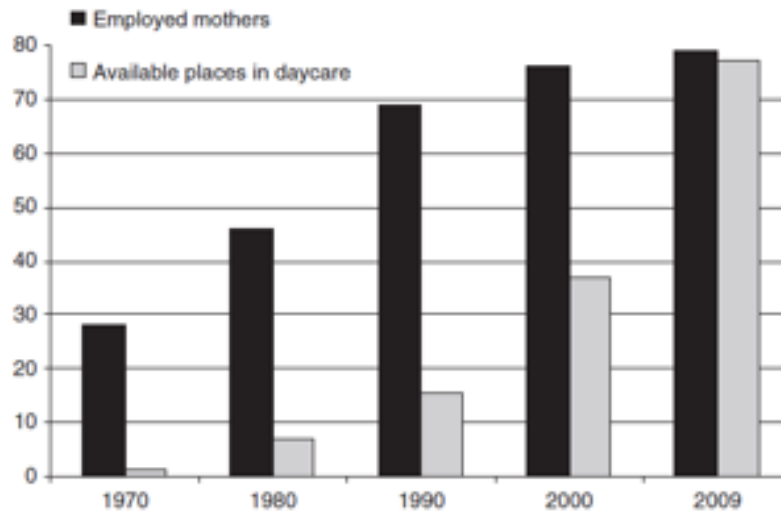
Sweden has an extensive welfare system that promotes a healthy work-life balance, making the country a gender-egalitarian leader. Parents are entitled to share 480 days of parental leave when a child is born or adopted. This leave can be taken by the month, week, day, or even by the hour. Although women still use most of the days, men take around one-fourth of the parental leave on average. For 390 days, parents are entitled to nearly 80 per cent of their pay, up to a maximum of SEK 946 (AUS 154) per day. The remaining 90 days are paid at a flat daily rate of SEK 180. Those who are not in employment are also entitled to paid parental leave. Sixty days of leave are allocated specifically to each parent, and cannot be transferred to the other. In addition, one of the parents of the new-born baby gets 10 extra days of leave in connection with the birth, or 20 days if they are twins. Parents who share the transferable leave allowance equally get a SEK 50 tax-free daily bonus for a maximum of 270 days. Adopting parents are entitled to a total of 480 days between them from the day the child comes under their care. A single parent is entitled to the full 480 days. (Swedish Institute, 2013-2016).

**Recommendation 11:** The Federal government increases parental leave entitlements and flexibility for taking parental leave to increase women's economic security and reduce the burden of caring duties being on women alone.

#### 2. Fund accessible childcare services

Our current privatised, decentralised system of childcare provision creates a range of inequalities and perpetuates cycles of disadvantage within our community given the unequal access to quality, affordable childcare. Women who return to the workplace after childbirth routinely do so with no financial gain as a result of high childcare costs. These discrepancies intensify a range of income, gender, and social inequalities, and perpetuate further disadvantage for diverse groups of women, particularly single mothers. WHW recommends that the Federal government increase the accessibility of childcare to all members of the community by providing publically funded centralised childcare, as is the precedence with primary and secondary school education.

WHW asserts that access to childcare plays a pivotal role in enabling parents, particularly mothers, to return to the workforce after having children, and therefore gain and maintain economic independence and security. The positive impact of increased childcare access for women has been demonstrated in Nordic countries, particularly Norway, where high birth rates have been achieved alongside high rates of female employment (see Figure 3 below; Korsvik 2011). A lack of childcare and the unequal distribution and availability of affordable childcare further entrenches gender inequalities by reducing the economic participation of women and subsequently increasing their dependence on government support and/or their partners.

**Figure 3: Comparing number of mothers employed with available places in childcare in Norway (2009)**

(Source: Korsvik, 2011)

Research demonstrates that public investment to improve the quality and accessibility of childcare services will reap valuable returns for women, families, communities and the Victorian economy (Korsvik 2011). It is WHW's view that public spending to make quality childcare available to all families is a vital investment in social and economic infrastructure. The benefits are evident in data from the five developed economies with the highest percentage of working mothers – Iceland, Slovenia, Denmark, Sweden and the Netherlands – all of which have comprehensive national childcare programs (Mojtehdzadeh 2014). These countries show a negligible gap between the percentage of women working and the percentage of mothers working because of the accessibility of childcare. All of these countries, except the Netherlands, also have female and maternal employment rates of more than 80 per cent (Mojtehdzadeh 2014).

Economic participation, and the lack thereof, is a key social determinant of health and ill-health. International evidence demonstrates that socio-economic disadvantage is a risk factor for poor mental health outcomes, with the strongest association being indicators of poverty and lower levels of education (WHO 2010). Sustained economic disadvantage and low income produces the greatest risk of mental and physical ill health (VicHealth 2007). Publically available childcare is a fundamental step to creating gender equality by enabling women to maintain participation in the workforce and further their career progression. A lack of adequate childcare hinders women to return to the workforce. It also perpetuates unconscious bias (as discussed further in question eight) and discrimination, as employers are more likely to recruit and promote men as they perceive women of child-bearing age to be more likely to take time away from work to be the primary carer of children.

**Recommendation 12:** The Federal government to mandate state governments' to fund accessible childcare centres under the same model that provides for universal access to public primary and secondary schools, as a means to increase women's economic participation and independence.

### Primary prevention of violence against women

The Victorian Health Promotion Foundation (VicHealth) released a landmark document in 2007– *Preventing Violence Before it Occurs: A framework and background paper to guide the primary prevention of violence against women in Victoria*. WHW considers this framework to be among the most significant developments in the approach to preventing violence against women over the course of the last decade. VicHealth’s framework applies a public health lens to violence against women. It accepts that violence against women is a complex and multifaceted social phenomenon. But it also, unequivocally, places the unequal distribution of power and resources between women and men, and the adherence to rigidly defined gender roles, as the underlying drivers of the problem. It shows how these underlying determinants structure social life in multiple ways, from broad societal institutions (such as law, media, religion, family and economic or political structures) to community norms and organisational practices, to interpersonal relationships. This practice framework calls for systemic strategies to tackle these causes of men’s violence against women before the violence begins.

WHW recommends that the Federal government prioritise primary prevention of gender inequity across a range of settings where people work, live, learn and play. True universality means inclusivity: it means everyone must be reached by government action. Primary prevention actions must therefore work from sound intersectional understandings of social life, and strong community development and cultural competency principles. They must be appropriately tailored so they resonate in culturally safe ways with the gendered realities of all Australians. No one must be left out of our primary prevention efforts.

At the regional level, WHW is particularly proud of our role in *Preventing Violence Together: Western region action plan to prevent violence against women (2010)*. *Preventing Violence Together* is the regional partnership and action plan that guides primary prevention in Melbourne’s west. Launched in 2010, after a comprehensive development process, *Preventing Violence Together* is a coordinated, action-based collaboration between WHW and 16 local government, community health, and other organisations (Victoria Police, primary care partnerships) in the region. It is designed to build sustainable environments at the organisational and community levels, through partner-owned initiatives for primary prevention implemented by those who are signatories to the action plan. The action plan was the first of its kind in Victoria, and since its launch other Victorian regions have adopted a similar women’s health service-led approach to primary prevention as best practice. Development of *Preventing Violence Together* was enabled by VicHealth’s framework, along with *A Right to Respect* as the broader policy context.

In addition, WHW advises that it is not possible to end violence against women with disparate initiatives, short-term funding and one-off projects (WHW 2013b). Cross-sector partnerships and long-term funding are integral to establishing primary prevention efforts that are effective and comprehensive. This recognises that the structures, cultures and attitudes that drive violence against women are deeply and widely entrenched in society, requiring comprehensive action across all sectors to bring about change.

#### **Case Study 4: WHW's Preventing Violence Together (PVT) United**

Preventing Violence Together is a regional partnership and action plan to guide the primary prevention of violence against women in Melbourne's western region. PVT is led by Women's Health West and includes partnership between 18 organisations, including the Department of Justice and Regulation, Victoria Police, local government, community health services, primary care partnerships, specialist family violence services and Aboriginal services.

PVT launched in 2010 and was the first of its kind in Victoria, with other regions since adopting similar coordinated partnership approaches. The Department of Justice funded PVT in 2012 for three years to build on the initial work and implement the United Project, an organisational capacity-building project.

A resource hub has been created via the United project, providing a range of tools and resources to promote gender equity and prevent violence against women. A training program has also been developed to build the capacity of partner organisations to implement primary prevention strategies and initiatives, including undertaking gender audits, partnering with Aboriginal communities to prevent family violence, increasing women's leadership in the workplace, and engaging men in the prevention of violence against women.

**Recommendation 13:** The Federal government commits long-term funding to the implementation of evidence-based primary prevention initiatives focussed on gender equity across a range of settings and sectors to prevent violence against women before it occurs.

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