



**Australian
Human Rights
Commission**

Inquiry into Domestic Violence and Gender Inequality

**AUSTRALIAN HUMAN RIGHTS COMMISSION SUBMISSION TO THE SENATE
FINANCE AND PUBLIC ADMINISTRATION REFERENCE COMMITTEE**

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1 Introduction

1. The Australian Human Rights Commission makes this submission to the Senate Finance and Public Administration Reference Committee in its Inquiry into domestic violence and gender inequality.

2 Summary

2. The Commission's submission will focus on the following elements of the Inquiry's Terms of Reference:
 - the role of gender inequality in all spheres of life in contributing to the prevalence of domestic violence;
 - the role of gender stereotypes in contributing to cultural conditions which support domestic violence
 - the role of government initiatives in addressing the underlying causes of domestic violence, including the role of the National Plan to Reduce Violence against Women and their Children.
3. In examining the issues for domestic violence and gender inequality the Commission will highlight the issues of:
 - prevention programs to change behaviours, attitudes and negative stereotypes of women and girls
 - discrimination and domestic and family violence
 - the intersectional nature of gender inequality and its impact on domestic violence in high risk groups
 - the specific impacts of family and domestic violence on children and the recommendations of the *Children's Rights Report 2015*.
 - the manifestation of domestic violence and gender inequality in a workplace context; and
 - coronial approaches to domestic and family violence homicides.

3 Recommendations

4. The Australian Human Rights Commission recommends the Australian Government:

Recommendation 1: address the root causes of domestic and family violence, namely gender inequality, by addressing the full range of gender equality gaps, as well as support prevention programs that work with communities, businesses and governments to address the negative and discriminatory stereotypes of women and girls in all areas of life;

Recommendation 2: recognise domestic and family violence as a protected attribute within existing anti-discrimination legislation and federal employment laws;

Recommendation 3: ensure that future Action Plans under the National Plan explicitly address the intersectional causes of domestic violence as they affect LGBTI people, women with disabilities, children, Aboriginal and Torres Strait Islander women and women from culturally and linguistically diverse backgrounds.

Recommendation 4: incorporate school-based anti-bullying and anti-violence initiatives that address homophobia and transphobia and their intersection with domestic and family violence into school-based respectful relationship programs;

Recommendation 5: consider the recommendations in the *Children's Rights Report 2015* (Chapter 4).

Recommendation 6: introduce workplace entitlements to domestic and family violence leave in enterprise agreements and awards; and

Recommendation 7: support workplaces to introduce and implement domestic and family violence policies and programs.

4 Gender inequality

5. Domestic and family violence is a persistent human rights abuse within Australia. Its prevalence continues to remain at unacceptable levels despite efforts to target and reduce such violence in Australia. The results of the 2012 Personal Safety Survey showed:

there was no statistically significant change from 2005 to 2012 in the proportion of women who had experienced violence in the 12 months prior to the survey. In 2005 an estimated 5.8% of all women had experienced violence in the 12 months prior to interview compared to 5.3% in 2012.¹

6. This highlights the need to address the root causes of domestic and family violence, namely gender inequality, if we are to see a change in the prevalence rates of domestic and family violence.

Violence against women is not the result of random, individual acts of misconduct, but rather is deeply rooted in structural relationships of inequality between women and men.²

7. Gendered violence is rooted in the structural inequalities between men and women. It is both a cause and consequence of gender inequality. The *Declaration on the Elimination of Violence against Women*, notes that violence against women is an obstacle to the achievement of equality. The Declaration further recognises that gender inequality lies at the heart of violence against women:

violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and

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discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.³

8. The Declaration goes on to acknowledge opportunities for women to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence. The recognition of gender equality as a root cause of violence against women has also been recognised by the Committee on the elimination of all forms of discrimination against women in its 19th General Recommendation⁴, as well as by the Secretary-General⁵ and the UN Special Rapporteur on violence against women, its causes and consequences.
9. The United Nations *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) requires governments to take appropriate measures to eliminate discrimination against women, including gender-based violence, such as domestic and family violence and act with due diligence to prevent violations of rights or to investigate and punish acts of violence.⁶
10. There are a range of gender equality gaps in Australia that impact on gender equality in Australia including:
 - The national gender pay gap is currently at 19.1 percent (based on full time, adult, Average Weekly Ordinary Time Earnings)⁷
 - Australian women continue to be under-represented in the workforce, with 78 percent of Australian men aged 20-74 years participating in or looking for work in 2013-14, compared with 65 percent of women.⁸
 - This gap widens with the arrival of children, with 57.5 percent of mothers whose youngest child is aged 0-5 years participating in the labour force, compared with 94 percent of fathers.⁹
 - When employed, women are also more likely to work in part-time or casual roles than men. Within Australia's Workplace Gender Equality Agency's dataset, women comprise 20.3 percent of full-time employees.¹⁰
 - There is also a gender gap in retirement incomes and savings, with the average superannuation balances for women at retirement being 46.6 percent less than those for men.¹¹
 - There are also visible gaps in the representation of women in leadership positions, particularly on in the private sector. The percentage of women on ASX 200 boards was 21.9 percent, as of 31 January 2016.¹² As of 2012, women held 9.7 percent of executive key management personnel positions in the ASX 200; there were seven female CEOs in the ASX 200; and in the ASX 200, women's representation in line management positions was 6.0 percent and in support positions, 22.0 percent.¹³

11. The most concerning manifestation of gender inequality in Australia is in the behaviours, attitudes and negative stereotypes of women and girls. A national survey by VicHealth in 2013 found there are still concerning levels of violence-supportive attitudes in the community. The survey found that: more than half agree that women often fabricate cases of domestic violence in order to improve their prospects in family law cases; nearly two in five believe that a lot of times women who say they were raped led the man on and later had regrets; and up to one in five believes that there are circumstances in which women bear some responsibility for violence.¹⁴
12. The *Declaration on the Elimination of Violence against Women* and CEDAW note the need for appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women.
13. Domestic and family violence, although prevalent is preventable. The Commission welcomes the prevention framework developed by Our Watch, Australia's National Research Organisation for Women's Safety (ANROWS) and the Victorian Health Promotion Foundation (VicHealth) in 2015, *Change the Story: A shared framework for the primary prevention of violence*.¹⁵ The Framework notes:

If we want an Australia free of violence against women and their children we have to challenge the historically-entrenched beliefs and behaviours that drive it, and the social, political and economic structures, practices and systems that support these.¹⁶
14. The Framework identifies five essential actions to address the gendered drivers of violence against women¹⁷, including gender equality, noting that such prevention measures should be implemented in accordance with the principles for the effective implementation of prevention techniques.¹⁸
15. The Commission also welcomes specific prevention programs such as Respectful Relationships Education¹⁹ being implemented in schools around Australia, noting that such prevention programs can make a real difference in long-term attitude and behaviour change.
16. The Commission urges the Australian Government to support and contribute to the implementation of the Framework, including through identifying specific actions from the Framework within the Third Action Plan. As well as through expanding and funding prevention programs, such as Respectful Relationships Education, in educational institutions, workplaces, media, and community settings.
17. **Recommendation 1:** The Australian Government address the root causes of domestic and family violence, namely gender inequality, by addressing the full range of gender equality gaps, as well as support and fund prevention programs that work with communities, businesses and governments to address the negative and discriminatory stereotypes of women and girls in all areas of life.

4.1 National Plan to Reduce Violence against Women and their Children 2010-22

18. The Commission welcomed the twelve-year *National Plan to Reduce Violence against Women and their Children 2010-22* (National Plan) and the commitment and support from the federal, state and territory governments to implementing the plan. The Commission also welcomed the Second Action Plan under the National Plan (2013-2016), and particularly its focus on whole of community action, understanding diverse experiences of violence, supporting innovative services and integrated systems, improving perpetrator interventions and continuing to build the evidence base.
19. The Commission also welcomes the additional funding committed by the Australian Government in 2015 to both prevention and response measures and services.²⁰
20. However, there is a continuing need for adequate and sustained funding for specialist prevention and response services that reflect the diversity of women, and include specialist women's services, crisis and transitional accommodation services, community legal centres, community controlled organisations such as Family Violence Prevention Legal Services, Men's Behaviour Change programs and primary prevention programs which address the underlying drivers of violence.
21. The Commission notes that there will be value in strengthening elements of the National Action Plan including:
 - Grounding the National Plan in a human rights framework which recognises that gender equality is the key to addressing violence against women and that gender inequality, discrimination, harassment and violence are all abuses of women's and girls' human rights.
 - Addressing the specific needs and rights of children and young people recognising that discrimination, harassment, violence, and a lack of safety are all abuses of children's human rights.
 - Ensuring targeted data is collected to inform primary prevention, early intervention and response initiatives with at risk or hard to reach population groups
 - Promoting the capacity building and coordination roles that the National Foundation to Prevent Violence against Women and their Children can play in supporting implementation of the National Plan
 - Effectively utilising ANROWS to build the evidence base, particularly focusing on at risk population groups and primary prevention
 - Building on existing reporting structures to establish an independent monitoring and evaluation system.

4.2 **Anti-discrimination laws**

- 5 Under international human rights law gender-based violence, such as domestic and family violence, is recognised as a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.²¹
- 6 There is a growing body of evidence that shows that victims/survivors can experience discrimination resulting from domestic and family violence, especially in the workplace.²² These women may be discriminated against, for example, as a result of taking time out of work (sick leave or carers leave) or where they have temporarily lower levels of productivity due to the violence they are experiencing at home.
- 7 Women who experience domestic and family violence are not only at risk of discrimination in the workplace, but in other areas of their lives, for example, in the provision of goods and services.
- 8 Evidence also suggests that victim/survivors experiencing discrimination face difficulties seeking legal redress under the existing grounds in the *Sex Discrimination Act (1984)* (Cth) and the *Fair Work Act (2009)* (Cth).
- 9 Recognising domestic and family violence as a protected attribute would clarify and strengthen existing discrimination protections to ensure more comprehensive protections for women. Further, through contributing to retention in employment, it is likely to decrease costs of this form of violence to the Australian economy. It would also serve an educative function in raising awareness of the prevalence, harm and seriousness of this form of violence.
- 10 The Commission has previously recommended that 'domestic violence' be recognised as a protected attribute, in federal anti-discrimination laws as well as in the *Fair Work Act 2009* (Cth).²³ Similar recommendations have also been made by the Australian Law Reform Commission²⁴ and the Senate Legal and Constitutional Affairs Committee.²⁵
- 11 **Recommendation 2:** The Australian Government recognise domestic and family violence as a protected attribute within existing anti-discrimination legislation and federal employment laws.

4.3 **Intersectionality**

22. Gender inequality often intersects with other forms of inequality to affect the nature and prevalence of domestic and family violence. This is particularly relevant to domestic and family violence experienced by lesbian, gay, bisexual, transgender, gender diverse and intersex (LGBTI) people, culturally and linguistically diverse (CALD) people, children, people with disabilities and Aboriginal and Torres Strait Islander people.
23. Whilst violence can affect women regardless of their race, cultural background, socioeconomic status or age, research suggests that particular population groups are more at risk of violence, or more extreme forms of

violence.²⁶ The diverse needs of these populations, including women with disabilities, Aboriginal and Torres Strait Islander women, lesbian, gay, bisexual, trans*, intersex and queer women, children, and women from culturally and linguistically diverse (CALD) backgrounds, are often not adequately understood as there is limited research on the particular needs of these communities, particularly in a primary prevention context.

24. Initiatives to address the underlying causes of domestic and family violence such as gender inequality, need to also recognise people's intersectional identities and address the effects of compound discrimination and intersectional inequality.
25. Addressing intersectional inequality requires the full engagement of Aboriginal and Torres Strait Islander women, women with disability, migrant and refugee women, sexual and gender diverse people, older women and children, in developing support mechanisms and policies for women and their children in Australia.²⁷
26. **Recommendation 3:** the Australian Government ensure that future Action Plans under the National Plan explicitly address the intersectional causes of domestic violence as they affect LGBTI people, women with disabilities, children, Aboriginal and Torres Strait Islander women and women from culturally and linguistically diverse backgrounds.
 - (a) *Domestic and Family Violence experienced by LGBTI People*
27. In 2014 and 2015 the Australian Human Rights Commission conducted a National Consultation on Sexual Orientation, Gender Identity and Intersex (SOGII) Rights. A number of participants in the Consultation raised concerns about the rates of domestic and family violence in LGBTI communities and the lack of inclusive services for LGBTI people.²⁸ There is a lack of comprehensive data about the prevalence of domestic and family violence in LGBTI relationships in Australia;²⁹ however, the available research indicates that incidence rates are comparable to the general population.³⁰
28. LGBTI people experience domestic and family violence within a unique structural framework of heterosexism, homophobia, biphobia, transphobia and intersex exclusion.³¹ This framework can influence:
 - the types of power and control exercised by people using violence
 - victim/ survivor understandings of violence and their responses to it
 - accessibility and response of service providers
 - avenues available in the legal system.
29. Australian researchers have emphasised the importance of an intersectional approach to addressing the underlying causes of domestic and family violence experienced LGBTI people. For example, the 2014 report of the LGBTIQ Domestic and Family Violence Interagency and the Centre for Social Research in Health, University of New South Wales (UNSW), *Calling It What It Really Is: A Report into Lesbian, Gay, Bisexual, Transgender, Gender Diverse Intersex and Queer Experiences of Domestic and Family Violence*,

recommended that school-based anti-bullying and anti-violence initiatives address homophobia and transphobia and their intersection with domestic and family violence.³²

30. The Commission supports this recommendation and submits that these issues should be addressed in the school-based Respectful Relationships program in combination with programs developed to reduce homophobic, transphobic and intersex exclusionary behaviours, such as the Safe Schools Coalition Australia program. Such programs are an essential component of efforts to address the structural factors that contribute to domestic and family violence.
31. The Commission notes that the Australian Government similarly recognised the value of such programs as prevention measures that address gender inequality and intersectional inequality, when it committed \$5 million ‘as a longer-term measure to change the attitudes of young people to violence’, through expanding the Safer Schools website to include resources for teachers, parents and students on respectful relationships’. The Government indicated this will build on the \$30 million national campaign (jointly funded by the Commonwealth, states and territories) to change young people’s attitudes to violence, which will commence in early 2016.³³
32. **Recommendation 4:** The Australian Government incorporate school-based anti-bullying and anti-violence initiatives that address homophobia and transphobia and their intersection with domestic and family violence into school-based respectful relationship programs.

5 Children affected by family and domestic violence

33. In 2015 the National Children’s Commissioner conducted a national investigation into the impact of family and domestic violence on children.
34. The United Nations *Convention on the Rights of the Child* requires Australia to use a child rights-based approach to address family and domestic violence so that:
 - vulnerable and marginalised groups of children are protected
 - the best interests of children are prioritised
 - the views of children are respected
 - prevention measures consider the impact of family and domestic violence in terms of children’s development.
35. The Commissioner’s investigation involved a series of expert roundtables, individual consultations and a submissions process.
36. The findings and recommendations are contained in the *Children’s Rights Report 2015* (Chapter Four)³⁴, which was tabled in Parliament in November 2015. The Commission refers the Committee to the Commissioner’s report on this investigation and the recommendations contained therein (see Appendix A).

37. **Recommendation 5:** The Australian Government consider the recommendations in the *Children's Rights Report 2015* (Chapter 4).

6 Domestic violence as a workplace issue

38. Domestic and family violence is a workplace issue and impacts upon workplaces in several ways: it is a leading contributor to poor health and costs both employers and the Australian economy more broadly. The cost of intimate partner violence to the Australian economy in the 2008-09 financial year was estimated to be \$13.6 billion. If no preventative action is taken, this cost is projected to rise to \$15.6 billion annually by 2021-22³⁵.
39. Domestic and family violence can have impacts in the workplace through decreased staff performance and productivity; negative effects on employee health, wellbeing and morale.³⁶.
40. There have been positive initiatives under the National Action Plan to address domestic and family violence as a workplace issue including funding and supporting the following programs:
- UNSW Gendered Violence Research Network, *Domestic Violence Workplace Rights & Entitlements Project: Safe at Home, Safe at Work*: Working nationally with employers and unions partners, the Project successfully raised awareness of the connection between domestic violence and the workplace and promote the introduction of domestic violence entitlements in industrial awards and agreements.
 - White Ribbon Australia, *Workplace Accreditation Program*: recognises workplaces that are taking active steps to prevent and respond to violence against women, accrediting them as a White Ribbon Workplace.
41. In 2005, two out of three Australian women who reported violence by a current partner were in paid employment.³⁷ Nearly one third of the National Domestic Violence and the Workplace Survey respondents had personally experienced domestic violence, of which nearly half reported that the violence affected their capacity to get to work. 19 percent of respondents who experienced domestic violence in the last 12 months reported that the violence continued at the workplace.³⁸
42. In 2013, the *Fair Work Act 2009* (Cth) was amended to grant employees who are experiencing domestic violence the right to request flexible working arrangements to assist them with these circumstances.³⁹
43. Leave and other protections are available through domestic violence clauses in the agreement or award conditions of over 1 million Australians (as at 2013).⁴⁰
44. An ACTU/UNSW survey of employers in 2015 found that three quarters of respondents reported having a domestic/family violence clause in operation for over 12 months in their organisations. Over a third of organisations reported that employees had requested leave in the past 12 months and of these 92 per cent were women. On average employees requested 43 hours of paid leave in a year and 19 hours of unpaid leave.⁴¹

45. The Agreed Conclusions from the 57th session of the UN Commission on the Status of Women identified the need for ‘measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and to address discrimination and violence against women and girls, as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors’.⁴²
46. **Recommendation 6:** The Australian Government introduce workplace entitlements to domestic and family violence leave in enterprise agreements and awards.
47. **Recommendation 7:** The Australian Government support workplaces to introduce and implement domestic and family violence policies and programs.

7 A Coronial Approach to Domestic and Family Violence Homicides

48. In the Second Action Plan under the *National Plan to Reduce Violence against Women and their Children 2010-2022*, Action 19 requires review of domestic and family violence-related deaths.⁴³ The Action Plan identifies the need to ‘enhance review processes and drive improvements to Commonwealth, state and territory systems [so that they can] work together to identify and respond to women experiencing violence and, ultimately, prevent domestic and family violence homicides’.⁴⁴
49. A critical component of addressing domestic and family violence has been reporting upon the prevalence of domestic and family violence homicides, and acting upon the advice from experts who look closely at these deaths, including coroners.
50. The reviews of domestic and family violence deaths is an important means of identifying systemic issues, that when addressed are key to the prevention of domestic and family violence homicides.
51. Available data on domestic and family violence deaths indicates that in 2015 there were approximately two deaths a week but this data is not entirely reliable. There is currently no standardised definition of what constitutes a domestic and family violence death across Australia’s jurisdictions.
52. In 2015, the Commission commenced a project to standardise reporting on domestic and family violence deaths across Australian jurisdictions. The project’s stakeholders include Commonwealth, State and Territory Ministers; Coroners and *Family Violence Death Review Teams*.
53. The project aims to redress the current gaps in data collection by working towards establishing coronial data collections in Tasmania, the Australian

Capital Territory and the Northern Territory – jurisdictions that are currently without the domestic violence death review function. Through this project the Commission hopes to complete a national picture on domestic and family violence deaths that will show where the patterns of deaths occur, where the system is failing the most vulnerable, and where resources and policies need to be targeted.

54. A further role for this project is to raise awareness about the need to record, monitor and make recommendations about family violence deaths that are relevant to the Commonwealth jurisdiction. There is no Commonwealth coroner and so there is a need to monitor state and territory coronial recommendations directed to Commonwealth agencies such as the Family Court and Centrelink. Currently, there is no mechanism to monitor the implementation of these recommendations. The Commission is currently finalising the report for this project.

Appendix A: Children's Rights Report 2015 (Chapter 4): All I want is a life free from violence

¹ Australian Bureau of Statistics, *4906.0 Personal Safety Australia 2012* (2013). At <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter2002012> (viewed 10 March 2016).

² Secretary-General, *In-depth Study on all forms of Violence against Women* (2006), UN Doc. A/61/122/Add.1, p13.

³ United Nations, *Declaration on the Elimination of violence against Women* (1993), UN Doc. A/RES/48/104.

⁴ CEDAW Committee, *General Recommendation No. 19: Violence against Women*, UN Doc. A/47/38 (1992).

⁵ Secretary-General, *In-depth Study on all forms of Violence against Women* (2006), UN Doc. A/61/122/Add.1.

⁶ United Nations, *Convention on the Elimination of All Forms of Discrimination against Women*, UN Doc A/34/46 (1979); CEDAW Committee, *General Recommendation No. 19: Violence against Women*, UN Doc. A/47/38, (1992), paras 1 and 6.

⁷ Australian Bureau of Statistics, *Average Weekly Earnings* (ABS AWE - 6302.0), Full-Time Adult - Average Weekly Ordinary Time Earnings (Trend)), <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6302.0/>, cited in Workplace gender equality Agency, *Gender Pay Gap Statistics* (September 2015) at: https://www.wgea.gov.au/sites/default/files/Gender_Pay_Gap_Factsheet.pdf (viewed 22 February 2016).

⁸ Australian Bureau of Statistics, *Gender Indicators, Australia, August 2014* (2014). At [http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by percent20Subject/4125.0~August percent202014~Media percent20Release~Women's percent20participation percent20in percent20paid percent20work percent20lower percent20than percent20men's percent20\(Media percent20Release\)~10008](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4125.0~August%202014~Media%20Release~Women's%20participation%20in%20paid%20work%20lower%20than%20men's%20(Media%20Release)~10008) (viewed 22 February 2016).

⁹ Australian Bureau of Statistics, *Gender Indicators, Australia, August 2014* (2014). At [http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by percent20Subject/4125.0~August percent202014~Media percent20Release~Women's percent20participation percent20in percent20paid percent20work percent20lower percent20than percent20men's percent20\(Media percent20Release\)~10008](http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4125.0~August%202014~Media%20Release~Women's%20participation%20in%20paid%20work%20lower%20than%20men's%20(Media%20Release)~10008) (viewed 22 February 2016).

¹⁰ Workplace Gender Equality Agency, *Australia's Gender Equality Scorecard: Key Results from the Workplace Gender Equality Agency's 2014-15 Reporting Data* (2015), 4. At <https://www.wgea.gov.au/> (viewed 22 February 2016).

¹¹ R Clare, *Superannuation and high account balances, April 2015*, (2015).

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- ¹² Australian Institute of Company Directors, Board Diversity Statistics, <http://www.companydirectors.com.au/director-resource-centre/governance-and-director-issues/board-diversity/statistics> (viewed 22 February 2016).
- ¹³ Workplace Gender Equality Agency, *2012 Australian Census of Women in Leadership* (2012). At https://www.wgea.gov.au/sites/default/files/2012_census_summary_tag.pdf (viewed 22 February 2016).
- ¹⁴ VicHealth, *Australians' attitudes to violence against women: Findings from the 2013 National Community Attitudes towards Violence Against Women Survey* (2013), p 13. At <https://www.vichealth.vic.gov.au/media-and-resources/publications/2013-national-community-attitudes-towards-violence-against-women-survey> (viewed 30 March 2016).
- ¹⁵ Our Watch, VicHealth, ANROWS, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, (2015). At <http://www.ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx> (viewed 30 March 2016).
- ¹⁶ Our Watch, VicHealth, ANROWS, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, 2015, foreword. At <http://www.ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx> (viewed 30 March 2016).
- ¹⁷ Our Watch, VicHealth, ANROWS, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, (2015), p33. At <http://www.ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx> (viewed 30 March 2016).
- ¹⁸ Our Watch, VicHealth, ANROWS, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia*, (2015), p44, Appendix 1. At <http://www.ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx> (viewed 30 March 2016).
- ¹⁹ Our Watch, 'Respectful Relationships Education in Schools (Victoria)', [http://www.ourwatch.org.au/What-We-Do-\(1\)/Respectful-Relationships-Education-in-Schools-\(Vic](http://www.ourwatch.org.au/What-We-Do-(1)/Respectful-Relationships-Education-in-Schools-(Vic) (viewed 30 March 2016).
- ²⁰ Council of Australian Governments, *Communique*, April 2015. At <https://www.coag.gov.au/sites/default/files/coag%20communique%2017%20april%202015.pdf> (viewed 22 February 2016); Malcolm Turnbull, Media Release: *Women's Safety Package to #StoptheViolence*, (24 September 2015). At <http://www.malcolmturnbull.com.au/media/release-womens-safety-package-to-stoptheviolence> (viewed 22 February 2016).
- ²¹ CEDAW Committee, *General Recommendation No. 19: Violence against Women*, UN Doc. A/47/38 (1992) [1], [6].
- ²² See, for example, Commonwealth, *Parliamentary Debates*, Senate, 23 January 2013, 27-36 (Anna Davis, National Alliance of Working Women's Centres; Shabnam Hameed, Australian Domestic and Family Violence Clearinghouse; Gaby Marcus, Australian Domestic and Family Violence Clearinghouse; Fiona McCormack, Domestic Violence Victoria; Ludo McFerran, Australian Domestic and Family Violence Clearinghouse). At <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:%22committees/commsen/8eb3bdec-c603-4d2d-9564-674c7bd7b5c2/0000%22> (viewed 10 March 2016); Senate Standing Committee on Legal and Constitutional Affairs, Parliament of Australia, *Report on the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012* (2013) [3.51]-[3.60]. At http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Completed_inquiries/2010-13/antidiscrimination2012/index (viewed 10 March 2016).
- ²³ The Australian Human Rights Commission recommended that federal anti-discrimination legislation and the *Fair Work Act 2009* (Cth) prohibit discrimination on the ground of domestic and family violence. Australian Human Rights Commission, *Consolidation of Commonwealth Discrimination Law – domestic and family violence*, (2012). At <http://www.humanrights.gov.au/consolidation-commonwealth-discrimination-law-domestic-and-family-violence> (viewed 10 March 2016); Australian Human Rights Commission, Post Implementation Review of the Fair Work Act 2009 (2012). At http://www.humanrights.gov.au/post-implementation-review-fair-work-act-2009#s8_3 (viewed 10 March 2016); Australian Human Rights Commission, Australian Law Reform Commission: Family Violence and Commonwealth Laws: Employment and Superannuation (2011). At <http://www.humanrights.gov.au/legal-research-and-resources-1> (viewed 10 March 2016).
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