

UNESCAP Questionnaire on the implementation of the outcome of the Fourth World Conference on Women (Beijing 1995)

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Part One: Summary of Overall Achievements and Obstacles (three pages)

The Australian Government is committed to improving and enriching the lives of women to enable them to participate equally in all aspects of Australian life. From 2004-2009 the Australian Government, along with federal states and territories, has made significant progress in the implementation of the Beijing Declaration and Platform for Action. A summary of Australia's overall achievements and obstacles are described in the following section.

- With Government support, women's participation in education has continued to increase with women accounting for 54.5 per cent of all higher education students in Australia in 2005¹.
- Women's health in Australia continues to improve with the average life expectancy of women 83.3 years at birth² and 85 per cent of Australian women in 2004 assessing their health as good, very good or excellent³.
- In 2004 the successful *Violence Against Women. Australia Says NO* campaign was launched. In 2005 police reporting rates for physical and sexual assault of Australian women were found to have increased by 17.5 and 4 percent respectively when compared to 1996⁴, reflecting increased awareness of violence against women being unacceptable.
- In 2003 the Australian Government announced a AUD\$20 million package to combat people trafficking focusing largely on women being trafficked for the purpose of sexual exploitation. In 2004 an Action Plan to Eradicate Trafficking in Persons was released.
- These along with many other achievements have seen continual improvements in equality for Australian women; however, significant challenges still lie ahead.

Since November 2007, the current Australian Government has shifted its gender equality priorities which now include:

- Reducing violence against women;
- Improving economic outcomes for women; and
- Ensuring women's equal place in society.

Internationally, the Australian Government promotes women's human rights in international forums and reports on Australia's progress towards gender equality in line with international obligations. Australia is also committed to developing women as leaders in the Pacific and neighbouring regions. Gender equality is central to Australia's international development cooperation program and improving the participation of women in decision-making and leadership is a priority.

¹ Selected Higher Education Statistics, 2005, former Department of Education, Science and Training

² Deaths - Australia, 2005, Australian Bureau of Statistics

³ Australia's Health, 2006, Australian Institute of Health and Welfare

⁴ Personal Safety Survey 2005, Australian Bureau of Statistics

The Australian Government has already made substantial progress in these priority areas through both international and domestic activities. Some of the key recent achievements are summarised below.

International Achievements

Australia actively participates in mechanisms to address gender inequality internationally. Since being sworn in on 3 December 2007 the Australian Government has increased its efforts to engage internationally on women's issues.

Australia reports to the UN Committee on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on measures Australia has taken to comply with its treaty obligations: Australia lodged its 6th and 7th CEDAW report on 16 December 2008 and anticipates appearing before the CEDAW Committee in mid 2010.

The Australian Government acceded to the Optional Protocol to the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) on 4 December 2008. Australia's accession to the Optional Protocol sends a strong message that Australia is serious about promoting gender equality and that Australia is prepared to be judged by international human rights standards. This also gives women in Australia greater opportunity to contest the implementation and application of human rights and provide for greater accountability within Australia for the promotion of gender equality and non-discrimination between men and women.

Australia participates in the work of the Commission on the Status of Women (CSW) and recently sent a delegation, led by the Federal Minister for the Status of Women, to New York to attend the 53rd session of CSW. For the first time the Australian Government funded an Indigenous delegate and a community sector expert advisor to participate on the Australian delegation.

The Australian Government recently made changes to its Family Planning Guidelines for overseas development programs. The guidelines now support the same range of family planning services for women in developing countries as are supported for women in Australia, subject to the laws of the nation concerned. The Australian Government recognises that the provision of comprehensive family planning advice is a critical element in improving the health of women in the developing world.

The Australian Government Agency for International Development (AusAID) has a lead role in providing support to women in the Pacific region and is responsible for managing the Government's new commitment of \$6.2 million over 5 years for a women's leadership program in the Pacific, in partnership with the United Nations Development Fund for Women (UNIFEM).

Australia provides core funding to the Pacific Island Forum Secretariat including an assessed contribution as a member of the Pacific Island Forum, as well as program funding for undertaking activities in line with the Pacific Islands Forum Secretariat Corporate Plan.

The Australian Government is involved in the Asia Pacific Economic Cooperation (APEC) Women's Leaders Network (WLN). The WLN aims to increase women's involvement in APEC and ensure that the interests of business women are represented at the international level at APEC. Australia hosted the 12th APEC WLN meeting in 2007 and

assisted Peru to host the 13th APEC WLN meeting in 2008. Australia intends to participate in the 14th APEC WLN meeting to be held in Singapore in August 2009.

Australian Government delegations attended thematic discussions on violence against women at the 2008 United Nations Commission on Crime Prevention and Criminal Justice, made contributions to the Interactive Dialogue on Violence Against Women at the Human Rights Council in 2008, and attended triennial meetings of Commonwealth Women's Affairs Ministers most recently in Kampala, Uganda on 11 - 14 June 2007

The Australian Government is dedicated to ensuring that Australia continues to build its role as a development leader by ensuring that an increased aid budget has a genuinely positive impact on those who need it and contributes to poverty reduction.

The Government is strongly committed to the Millennium Development Goals (MDGs). While gender equality is a MDG in its own right (MDG3 – Promote gender equality and empower women), it is also recognised as being critical to the achievement of all the MDGs. Gender equality, therefore, has been elevated to being a guiding principle of the Australian international development assistance program (aid program).

Australia will provide an estimated AUD\$3.7 billion in Overseas Development Assistance (ODA) in 2008-09, an increase from AUD\$3.2 billion in 2007-08.

In 2007-08, the Australian Government provided more than AUD\$90 million through its ODA program for activities that have a direct focus on gender equality and AUD\$650 million to activities that address gender equality as a significant component. Priority focus areas for the aid program in relation to gender equality are: i) reducing violence against women; ii) increasing women's participation in decision-making and women's political empowerment; iii) promoting women's economic empowerment; and iv) improved and equitable health and education outcomes.

Prioritisation of gender equality in the aid program ensures that the views, needs, interests and rights of women and girls, as well as men and boys, shape its future design and delivery in partner countries so that they all benefit from development assistance.

Domestic Achievements

Reducing violence against women

The Australian Government provides national leadership to reduce both the impact and incidence of violence against women and their children. While the criminal justice and health systems in Australia are the responsibility of the state and territory governments the Australian Government recognises it has an important leadership role in reducing the incidence and impact of violence against women, and has established an advisory Council to develop a new National Plan to Reduce Violence Against Women and their Children. The Australian Government has received a copy of the Council's Plan, *Time for Action*, and will work closely with state and territory governments over the coming months to progress the second phase of development of the National Plan.

Improving economic outcomes for women

In Australia, women's earnings, on average, are less than those of men. Average weekly earnings data released by the ABS in 2009 indicates the pay gap between working men

and women in Australia is widening. There are a number of factors that contribute to pay inequity including women's responsibility for unpaid caring and work; more women working part-time in a long hours culture; occupation and industry segregation, undervaluation of women's work; and women having less access to overtime and over-award payments. The cumulative effect of these factors means that many women struggle to be economically independent over the course of their life. The Australian Government is improving women's economic outcomes through a range of measures. These include initiatives that promote family-friendly working arrangements, the introduction of a new workplace relations system with strengthened equal remuneration provisions and fairer safety net and practical superannuation incentives with improved access to superannuation education. The Government is conducting a broad ranging review of Australia's future tax system which includes equity as a key principle. The Government is also increasing support to apprentices, trainees and higher education students, supporting the Women in Export program through Austrade, and has introduced initiatives that support access to affordable, safe and sustainable housing.

Ensuring women's equal place in society

The Australian Government is committed to promoting and supporting women's leadership in every aspect of Australian society. The Australian Government is strengthening the voice of women through increasing women's leadership opportunities through the AppointWomen database for Government board positions; the national Strategy for Increased participation of women on Boards; Indigenous Leadership Development Program; and the Sports Leadership Grants for Women. The Government also engages and consults with women through National Women's Alliances made up of more than 70 women's organisations which ensures women's voices are heard and the issues that concern women are brought to government and publicly discussed.

Major obstacles experienced in introducing and implementing some of the above mentioned programs and strategies are outlined in more detail in Part Four of this paper which highlights the remaining key challenges and constraints for the Australian Government.

Part Two: Critical Areas of Concern of the Platform for Action (ten pages)

The Australian Government has implemented a range of initiatives to address the critical areas of concern outlined in the Beijing Platform for Action. The following section of this report details specific achievements from 2004-2009.

A *Women and Poverty*

The Australian Government has a range of initiatives that provide support services and financial assistance to Australians that seek to prevent poverty and support those in financial hardship. The Australian Government has comprehensive income support and child support systems in place to provide a safety net against poverty for women and their children. The income support and child support systems in Australia recognise that there are times when women are not able to participate fully or partially in the paid workforce due to the substantial economic and social contribution they make through their caring roles or other barriers such as age, disability, or social exclusion.

Australia has a comprehensive family payment system, structured to provide substantial financial assistance to families. The primary family assistance payment is the Family Tax Benefit, delivering around \$16 billion per year in assistance to families.

The Australian Government provides financial assistance to families, older Australians, carers, people with disability and other types of financial assistance to eligible people including, including the War Widow Pension, Service Pension and Crisis Payment (typically natural disaster victims including those victims of the recent Victorian bushfires and Queensland floods).

The Australian Government is committed to long term reform of Australian's pension system. In 2008-2009 the Government has undertaken a thorough review of the pension system and has investigated the appropriate levels of income support and allowances; the frequency of payments; and the structure and payment of concessions or other entitlements as part of the Review. The Pension Review is one of the most comprehensive investigations into Australia's pension system, which is currently celebrating its centenary. Following an extensive consultation process the Pension Review was completed in February 2009 and the final report is helping the government structure a pension reform package that will be announced as part of the next Federal Budget.

B *Education and Training of Women*

Australia is committed to ensuring that all Australian students, regardless of sex, ethnicity, disability or geographical location, receive a world-class education. Australia has strategies in place at all levels of its education system to address any potential for discrimination. The Australian Government recently committed to equal access to education with a AUD\$5.9 billion Education Revolution funding package over five years, and establishment of a multi-billion dollar Education Investment Fund.

Over the past 30 years, women's participation in all levels of education has increased and girls and women are achieving at higher levels than boys and men in school and higher education. Since 2003, Australian women and girls have become better educated. In May

2003 for example, 45.6 per cent of women aged between 15 and 64 years reported having a non-school qualification. By May 2007, this had increased to 50.6 percent⁵.

The Australian Government is also working in partnership with state and territory governments to develop a rigorous, first-rate national curriculum for all Australian students from kindergarten to year 12 in the key learning areas of English, mathematics, the sciences and history. To oversee the development of this national curriculum, the Australian Government is establishing a national curriculum board. The national curriculum will provide a clear and explicit agreement about the curriculum essentials all young Australians should have access to, whatever their gender or socioeconomic background, or the location of their school.

Australia has numerous initiatives in place and being developed to increase, promote and facilitate access to and participation in education. This includes education for disadvantaged groups, vocational education and training, apprenticeships and traineeships, scholarships and grants, student income support, teaching staff and educational information on sexual and reproductive health.

C *Women and Health*

The Australian Government recognises that by improving the health of all Australian women, the health of the whole community is improved. In Australia, women generally fare much better than men on many indicators of health and wellbeing, including life expectancy. However, further improvements can be made on several health indicators, particularly for older women, Indigenous women, women from low socioeconomic backgrounds and for women who live in rural and regional areas of Australia. In recognition of these gaps, the Government is developing a National Women's Health Policy (NWHP) that will address the specific health needs of Australian women. The NWHP will focus on prevention, and will be based on the principle that gender is a key determinant of health, and that the experience of being male or female in society affects people's health and how it is managed. In 2009 the Government will undertake consultations with consumers, the community, health service providers, and state and territory governments to make sure that the NWHP builds on the successes of the previous National Women's Health Policy and meets the varied needs of Australian women at all ages. The NWHP is expected to be finalised in 2010.

Current Australian Government initiatives to address women's health needs include:

- In 2007 the Australian Government made a major commitment in the area of maternity reform. The Maternity Services Review is the first step in developing a comprehensive national plan for maternity services in the future, and is considering issues relevant to the full range of services including pregnancy care, birthing, postnatal care and peer and social support for women in the perinatal period.
- Acknowledging the importance of nurses and midwives to the community, the Government appointed a chief nursing and midwifery officer for Australia in June 2008. The officer will ensure the Government is kept informed about nursing and midwifery issues at a national and international level. The officer will also contribute to the Government's Maternity Services Review.
- Around one in 10 Australian women experience depression during pregnancy, and almost one in five experience it in the weeks and months after giving birth. From

⁵ Annual Report, 2007 NSW Anti-Discrimination Board

2008–09, the Australian Government is providing \$55 million over five years to implement a national perinatal depression plan.

- The Australian Government funds a range of family planning organisations and national bodies to promote women’s choice and access to sexual and reproductive health services. Medicare ensures that all Australians have access to free or subsidised treatment by eligible health practitioners.
- Breast cancer is the most prevalent form of cancer in women. While the number of women in Australia diagnosed with breast cancer continues to increase, more women are now surviving the illness. Breast cancer is the most common cancer experienced by Indigenous women, but the incidence rate is lower than for the non-Indigenous population. Early detection through population based screening and effective follow-up treatment has been a major contributory factor to breast cancer survival. The Australian and state and territory governments continue to fund BreastScreen Australia (the national population based mammogram screening program) and run awareness raising campaigns.
- The Government funds the *Australian Longitudinal Study on Women’s Health*, a landmark study which started in 1995 to identify trends and provide valuable policy information relating to women’s health.
- The Medical Specialist Outreach Assistance Program addresses the comparatively higher burden of disease of people in rural and remote communities by reducing waiting lists for patients to get treatment. A range of specialists travel to rural and remote locations to provide fertility, sexual health, and general gynaecology and obstetric services. In 2006–07 more than AUD\$970,000 was allocated to these types of services in all states and the Northern Territory. This funding enabled more than 9,100 women in rural, remote and very remote locations to consult with a specialist. The Australian Government also continues to fund the Rural Women’s General Practice Service.
- The Healthy Life Program seeks to improve the quality and availability of child and maternal health services, and improve the prevention, early detection and management of chronic disease for Indigenous people.
 - New Directions: An Equal Start in Life for Indigenous Children Program aims to improve the health and education of Indigenous children and their mothers through access to comprehensive mothers and babies services, programs to address rheumatic fever, and accommodation for Indigenous women from remote areas who need to travel to regional centres to give birth.
 - New Directions: Mother and Babies Program aims to improve Indigenous women’s access to antenatal and postnatal care; improve Indigenous children’s health and early development, and facilitate healthy entry into school for Indigenous children.
- The Australian Nurse-Family Partnership Program seeks to improve health outcomes for Aboriginal and Torres Strait Islander children and mothers. The program provides comprehensive, nurse-led home visiting services to improve pregnancy outcomes by helping women engage in good preventative health practices and support parents to improve child health and development.
- A smoking and pregnancy initiative to encourage doctors, midwives and Indigenous health workers to give advice to pregnant women, particularly Indigenous women, about the damage caused by smoking.

D Violence Against Women

On 26 May 2008 the Australian Government announced the formation of an eleven member National Council charged with the responsibility for providing expert advice to

Government on measures to reduce the incidence and impact of domestic and family violence and sexual assault on women and their children.

In addition to delivering a draft National Plan by early 2009, the National Council is providing leadership and guidance to achieve the implementation of key elements of the Government's election commitments to improve women's safety. These commitments include:

- Advocacy and education activities promoting non-violent relationships with women throughout regional and rural communities.
- Engaging with Australia's youth, particularly teenage boys, to promote attitudes and behaviours that enable them to maintain respectful relationships.
- Partnering with state and territory governments to identify best practice domestic violence and sexual assault laws and systems of response, working to achieve greater harmonisation and consistency in the implementation of best practices.
- Investing in research focussed on domestic violence related homicides through the National Homicide Monitoring Program, to inform interventions that will protect women and their children from violence.
- Undertaking research to identify models and programs that are most effective in working with perpetrators of violence, to reduce their violence and its impacts on women and their children.

Additional to these election commitments, Government is also:

- Benchmarking community attitudes to violence against women through a national project in partnership with VicHealth;
- Building evidence to inform the development of housing responses for women and their children fleeing domestic and family violence;
- Strengthening specialist domestic violence and sexual assault service providers, through the Women's Services Network (WESNET) and the National Association of Services Against Sexual Violence (NASASV), through capacity development in the sector.
- Providing funding for community-driven projects within the Family Violence Regional Activities program which aim to reduce or prevent Indigenous family violence and sexual abuse, promoting child protect and safer communities.
- Providing funding for the Family Violence Partnership Program for a range of activities addressing family violence in Indigenous communities. Activities are jointly funded by Commonwealth and state and territory governments through collaborative arrangements.

E Women and Armed Conflict

The Australian Government recognises the serious effect that armed conflict has on women's lives and the need for their involvement in conflict prevention, peace building and

post-conflict reconstruction. As such the Australian Government supports the implementation of Resolution 1325 and is committed to appropriate representation of women in the Australian Defence Force.

Women's Representation in the Australian Defence Force

Increasing the number of women in the defence forces and their length of service are priorities under the Australian Government's Department of Defence, *Defence Strategic Workforce Plan 2007-2017*. The Chief of the Defence Force has established an external women's reference group to present alternative and innovative strategies and options to break down current barriers to women joining and continuing to serve in the Australian Defence Force.

Peacekeeping

Recognising the vital role of the United Nations peacekeepers in protecting civilians from violence, including sexual violence, the Australian Government is committed to women's representation in peacekeeping missions. Nearly 20 per cent of Australian police personnel involved in peacekeeping missions are women and many hold senior roles within these missions.

F Women and the Economy

In order to improve women's economic security the Australian Government is undertaking a number of initiatives to reduce the gender pay gap, increase women's participation in the workforce and support families to balance workforce participation and caring responsibilities.

The gender pay gap

No country has eliminated pay inequities and Australia has done better than most, appearing in the top quartile of OECD states in relation to pay equity. Australia is also generating more equitable pay outcomes than the UK, US, Japan and most OECD states. However, Australia lags behind the Nordic states of Sweden, Norway, Denmark, Finland and Iceland.

The House of Representatives Standing Committee for Employment and Workplace Relations is conducting an inquiry into pay equity and associated issues related to increasing female participation in the workforce. The Committee is expected to report on its findings in the later half of this year.

Productivity Commission Inquiry into Paid Parental Leave

In 2008, the Australian Government announced it would ask the Productivity Commission (an independent Australian Government research and advisory body) to examine ways in which the Government could provide improved support to parents with newborn children. The Productivity Commission's final report was provided to the Australian Government in March 2009. The Government is carefully considering the findings of the Inquiry's final report to ensure Australia's family assistance system supports the best interests of children.

Support for Work and Family

The Australian Government is strongly committed to helping families balance their caring responsibilities and working lives and has introduced initiatives to achieve this objective⁶.

- After its 2007 election, the current Government immediately established an Office of Work and Family in the Department of Prime Minister and Cabinet.
- From 1 January 2010, National Employment Standards will enable both parents to access separate periods of up to 12 months unpaid parental leave and give parents of children under school age the right to request flexible working arrangements.
- The Government will continue to help working families better meet child care costs by increasing the Child Care Tax Rebate from 30 to 50 per cent, at an estimated additional cost of \$340 million in 2008-09.
- The 2008-09 Budget laid the foundations for children in the year before formal schooling to have access to high quality early childhood education programs.
- The Australian Government is providing \$46.7 billion in tax cuts over the next four years to support families.

G Women in Power and Decision-Making

The Australian Government is committed to promoting and supporting women's empowerment and equality through leadership in every aspect of Australian society.

The 42nd Parliament has more female representatives than any other Australian parliament in history:

- Australia has its first female Deputy Prime Minister in the current government
- a third of the House of Representatives and the Senate are women
- just over one-third of Australia's 76 Senators are women (27 women)
- in the House of Representatives about one-quarter are women (40 women, out of a total of 150 members)
- 47 per cent of the Australian Labor Party in the Australian Parliament are women (41 women)
- there has never been as many women in Cabinet in Australia's history as there are today
- there are now four women in Cabinet, three in the outer Ministry and three Parliamentary Secretaries

The Government supports and promotes women's leadership with a range of initiatives which together make up a comprehensive strategy to ensure women's equal place in the world.

H Institutional Mechanisms for the Advancement of Women

The Australian Government is committed to the advancement of women and as such has a range of initiatives in place to support women's leadership, representation in decision making positions in both public and private spheres, and involvement in processes to ensure women's voices are heard. For details on these initiatives see Part Three of this report.

I Human Rights of Women

The Australian Government recognises the importance of protecting human rights and acknowledges that women and girls experience different forms of discrimination in their lives that may be a direct result of or exacerbated by virtue of their sex.

The Australian Government has a long standing history of commitment to the protection of human rights. The Government recognises that protecting human rights is still a significant challenge for our nation. In the past twelve months the Australian Government has made significant progress in a range of important human rights areas:

- The Australian Prime Minister has announced a zero tolerance policy to violence against women and their children and has appointed a National Council to develop a National Plan of Action. Reducing violence against women and girls is a key priority for the Australian Government.
- The Australian Prime Minister gave a National Apology to the Indigenous people of Australia, apologising for the laws and policies of successive parliaments and governments that inflicted profound grief, suffering and loss on Indigenous Australians. The National Apology is a significant step towards reconciliation in Australia.
- In December 2008 the Government welcomed a detailed and comprehensive report by the Senate Committee into the effectiveness of the *Sex Discrimination Act* in eliminating discrimination and promoting gender equality (as described in Part Three of this paper).
- The Government is also committed to the National Human Rights Consultation process, launched on 10 December 2008 by the Attorney-General the Hon Robert McClelland MP. The Consultation is a wide-ranging, national consultation with the Australian community on how best to protect the rights and responsibilities of all Australians, including Australian families (as described in Part Three of this paper).
- The Consultation is being run by an independent committee, supported by a secretariat in the Attorney-General's Department. The committee will report to the Australian Government in mid 2009 on the issues raised and the options identified for the Government to consider that seek to enhance the protection and promotion of human rights.

J Women and the Media

The Australian Government broadcasting industry codes of practice deal with content matters, including the harmful and negative portrayal of women in broadcast media. The Australian Communications and Media Authority is responsible for registering and administering the codes of practice.

The Australian Government Commercial Television Industry Code of Practice and Commercial Radio Codes of Practice advise broadcasters to avoid placing inappropriate emphasis on gender, or on physical characteristics and stereotyped gender portrayals. As well, the commercial Television Industry Code of Practice encourages broadcasters to try to achieve a better balance when using women and men as 'experts' and to include more coverage of the achievements of women in areas like sport.

The Living in Harmony program is the Australian Government's key anti-racism program and aims to address issues of cultural, racial, and religious intolerance by promoting respect, fairness, inclusion and a sense of belonging for everyone. The program is a

community-based education initiative that seeks to strengthen community relations through a range of funding and information strategies. In line with the Beijing Platform for Action, paragraph 243(c), which relates to portrayal of women in the media, the program encourages fair and appropriate reporting of diversity issues, including the multiple roles of women, by producing specific university and cadet journalism curriculum materials.

In 2004, the Victorian Government introduced the *Victorian Government Gender Portrayal Guidelines*. These were developed in consultation with key industry groups and stakeholders, for use in the Government's media, advertising and public relations campaigns.

K Women and Environment

The Australian aid program is currently preparing an environment and climate and strategy which will be published later this year. This document will provide strategic direction to the aid program in responding to environment and climate change challenges experienced by Australia's partner countries in the Asia-Pacific region and beyond.

The strategy will be guided by the overarching principles of the Australian development assistance program, which includes the promotion of gender equality. Respecting this principle will mean, for example, ensuring that women are involved in decision-making around management of natural resources, and recognising that women and men may be impacted by climate change in different ways and may benefit from different kinds of development responses.

The promotion of gender equality is a fundamental principle which is to be integrated into all Australia's development assistance activities, across all sectors and at all levels of program management. Since the environment and climate change strategy is at an early stage of development, we cannot currently supply a list of environment-focused projects and programs which specifically focus on women. Improving how gender inequality is addressed across the aid program will continue to be a high priority for Australia's aid program.

L The Girl Child

Early Childhood Education

All Australian children regardless of gender will have access to early childhood education as part of the Australian Government's commitment to ensure that, by 2023, all children in the year before formal schooling will have access to quality early childhood education programs. The funding is also intended to support the delivery of programs in a manner that better meets the needs of parents and at a cost that is not a barrier to access.

Family Law

In 2006, the Australian Government introduced amendments to its *Family Law Act 1975*, which included a new emphasis on the right of the child to know both parents and be protected from harm. The reforms reflected a presumption of shared parental responsibility after separation where this is in the child's best interests. They also include a compulsory dispute resolution requirement before parenting matters can be filed in court, with exceptions to ensure safety of all parties, particularly when there are allegations of family violence.

Health

In Australia, sterilisation of a child with disabilities must be authorised by a court or tribunal [*Marion's Case* (1992)]. Application for authorisation may be sought under the *Family Law*

Act 1975 (Cth) or relevant state or territory legislation where such legislation exists (i.e. in South Australia, New South Wales, Queensland and Tasmania).

In August 2003, the Standing Committee of Attorney General's (SCAG) considered that a nationally consistent approach to the authorisation procedures required for the lawful sterilisation of minors was appropriate. A Working Group drafted a Model Sterilisation Bill which was released for consultation in September 2006. In response to comments received together with evidence and information gathered relating to this issue, a comprehensive review of the Bill took place.

The review indicated that sterilisations of children with an intellectual disability had declined since the 1997 report - to very low numbers. Evidence also indicated that alternatives to surgical procedures to manage the menstruation and contraceptive needs of women are increasingly available and seem to be successful in the most part. Further, while it was not possible to be definitive due to limitations in the available information, the review concluded that existing processes to authorise sterilisation procedures appeared to be working adequately due to improvements in treatment options and wider community awareness.

Part Three: Focuses on institutional development or those structures and measures countries have put in place to support promotion of gender equality and women's empowerment (four pages)

The Australian Government values the contribution Australian women make in their workplaces, homes and communities across the country and is working to maximise opportunities for women so that they continue to help build an inclusive, safe, fair and unified Australia.

Australia is generally performing well on international indicators of gender equality. The United Nations *Human Development Report 2007–08* ranked Australia second in the world on its Gender Related Development Index and eighth in the world in its Gender Empowerment Measure. The World Economic Forum's *Global Gender Gap Report 2007* ranked Australia seventeenth out of 128 countries on its Gender Gap Index. Australia has improved its ranking on economic participation, driven by advances in labour force participation and reductions in the wage gap between male and female workers.

Australian Government and state and territory government anti-discrimination legislation and policies uphold Australia's commitment to equal rights for women. The Australian Government *Sex Discrimination Act 1984* continues as the overriding legislation for making discrimination against women unlawful.

Australian Government Office for Women

The Government is committed to strengthening the provision of gender analysis, advice and mainstreaming across Government. The Minister for the Status of Women works with other Government Ministers to ensure that women's issues and gender equality are taken into consideration in policy and program development and implementation.

The Office for Women (OfW) supports the Minister in this role, and is the central source of advice for Government agencies on the impact of Government policies and programs for Australian women.

The OfW has strengthened its role in advising Government agencies on the gender dimensions of policy and program development and implementation. For example, the Office for Women now provides advice on the gender dimensions of policy submissions to Cabinet Ministers, to ensure gender equality is considered in the early stages of policy development. This represents a key step in ensuring gender mainstreaming is implemented across Government.

The priorities for the Office for Women include reducing violence against women, increasing women's economic security and independence and working towards the equal participation of women at all levels of Australian society.

All state and territory governments have offices responsible for providing policy advice and delivering programs to address women's issues.ⁱ Ministers responsible for women's issues in the Australian, state and territory, and New Zealand governments meet each year at the Ministerial Conference on the Status of Women. The conference's objective is to ensure coordination and development across jurisdictions of policies that affect the status of women. It also facilitates action on matters of mutual concern and refers agreed issues and strategies to other ministerial groupings.

Legislative framework

The *Sex Discrimination Act 1984* prohibits discrimination on the grounds of sex, marital status and pregnancy or potential pregnancy in the areas of public life, including in employment and education; providing goods, services and facilities, accommodation and housing; buying or selling land; in clubs; and administering Australian Government laws and programs. The Act also prohibits discrimination on the ground of family responsibilities in relation to termination of employment.

All states and territories have anti-discrimination legislation in addition to the Australian Government's *Sex Discrimination Act 1984*. However, any state or territory law or part of a law that is inconsistent with the *Sex Discrimination Act 1984* is invalid under section 109 of the Australian Constitution.

The Australian Government is in the process of preparing its response to the December 2008 report by the Senate Committee on the effectiveness of the *Sex Discrimination Act* in eliminating discrimination and promoting gender equality. The Australian Government response will consider all aspects of the detailed and comprehensive recommendations made by the Committee.

Government monitoring and advisory agencies

The Australian Government regularly consults with the Australian community on how to better recognise, protect and promote human rights. As part of the consultation process, the Attorney-General's Department and the Department of Foreign Affairs and Trade host regular meetings with non-government organisations to consult on the Government's domestic and international approach to human rights. In December 2008 the Australian Government committed to the National Human Rights Consultation process with the Australian community on how best to protect the rights and responsibilities of all Australians. The Government believes that the protection of human rights and responsibilities is a question of national importance for all Australians, and for this reason, has committed to undertake an Australia-wide consultation to determine how best to recognise and protect human rights and responsibilities in Australia.

Australian Human Rights Commission

The Australian Human Rights Commission has statutory responsibility for promoting gender equality in Australia. An independent statutory authority established by the Australian Parliament, the Commission meets the criteria for independent human rights institutions set out in the *Paris Principles*. The Commission has jurisdiction to investigate and, when appropriate, conciliate complaints of breaches of the *Sex Discrimination Act 1984*.

In September 2007, the Australian Government appointed a new Sex Discrimination Commissioner. In 2008, the new Commissioner conducted a Listening Tour, travelling around Australia to hear about the experiences of Australia men and women in relation to sex discrimination and sexual harassment. In the *Listening Tour Community Report*, the Commissioner found that sexual harassment continues as a significant problem in workplaces; there is a growing demand for flexible working arrangements to allow workers, both male and female, to balance work and caring responsibilities; women have significantly less economic security in retirement than men; and Australians would benefit significantly from a universal paid maternity leave scheme.

In 2007, the Australian Human Rights Commission reported to the Government on the issues associated with balancing paid work and family responsibilities. The report—*It's about time: Women, men, work and family*—made 45 recommendations for policy and legislative change, mainly in the areas of employment and workplace relations. The report proposed a new framework for meeting paid work and family/carer responsibilities by addressing three central challenges—changes in caring needs and responsibilities across the life cycle, equality between men and women in paid and unpaid work, and valuing care. The report also included a recommendation to introduce a government-funded scheme for paid maternity leave of 14 weeks at the level of the federal minimum wage, and that new legislation should provide protection from discrimination for employees with family and carer responsibilities, and a right to request flexible work arrangements. The Australian Government is currently reviewing a report into paid maternity leave produced by the Productivity Commission. In 2008 the Australian Human Rights Commission also made an extensive submission to the Senate Committee into the effectiveness of the *Sex Discrimination Act* which is currently being considered.

Equal Opportunity for Women in the Workplace Agency

The Equal Opportunity for Women in the Workplace Agency is a statutory authority located within the Australian Government's Families, Housing, Community Services and Indigenous Affairs portfolio. The agency's role is to administer the *Equal Opportunity for Women in the Workplace Act 1999* and through regulation and education, influence organisations to achieve equality for women in the workplace. The agency works with employers to improve equal opportunity outcomes for women in the workplace by delivering practical solutions, building strategic partnerships, and leading public debate to increase the rate of change.

Equal opportunity practices are encouraged to ensure women have equal access—based on merit—to employment, promotion, transfers, study leave, training and development, higher duties, and so on. While Australia does not rely on targets or quotas, bodies employing over 100 staff have to report to the Equal Opportunity for Women in the Workplace Agency on their compliance with the Act.

In 2006, 99.5 per cent of reporting organisations (2,516 out of 2,529) complied with the Act. The number of non-compliant organisations in 2006 was 13 (0.5 per cent), compared to 14 (0.5 per cent) in 2004–05 and 17 (0.6 per cent) in 2003–04.

Office of Work and Family

In 2008, the Australian Government established the Office of Work and Family in the Department of the Prime Minister and Cabinet. Priorities for the Office of Work and Family include overseeing the new directions for child care and early childhood education; working with the Department of Education, Employment and Workplace Relations to make sure workplace relations reforms take account of work and family issues; producing the first annual *Families in Australia: 2008* report, and improving the process for considering the impact on families of proposals submitted to Cabinet.ⁱⁱ

Social Inclusion Board

The Australian Government believes that all Australians need to be able to play a full role in all aspects of Australian life. To be socially included, all Australians must be given the opportunity to secure a job, access services, connect with family, friends, work, personal interests and local community, deal with personal crisis and their voices heard. Promoting social inclusion requires a new approach to developing and implementing policy and

programs. This new approach requires strong partnerships between all levels of government, business and community organisations to address economic and social disadvantage in Australia. Many Australian Government departments are involved in the social inclusion agenda, and a number of them have established Social Inclusion Units to focus on this priority.

The Australian Social Inclusion Board and the Community Response Task Force have been established to involve the community and business sectors at the highest level. The Board sat for the first time in May 2008 and will report each year to the Minister for Social Inclusion.

The Principles for Social Inclusion in Australia have been adopted by the Government to guide an inclusive approach to policy, programs and services. The Social Inclusion Priorities have also been identified as a focus for the government's work, to support groups in the community who may face challenges to social inclusion. A new National Compact, or agreement, is being developed between the government and the not-for-profit sector as a way to develop a new and stronger relationship, based on partnership and respect.

Commonwealth Plan of Action for Gender Equality

Australia participated in the development of the *Commonwealth Plan of Action for Gender Equality 2005–15*. The plan of action is a framework within which Commonwealth nations are contributing to advance gender equality and equity. The plan formed part of the Commonwealth's contribution to the United Nations Beijing+10 Global Review in 2005. It focuses on four critical areas for Australian Government action—gender, democracy, peace and conflict; gender, human rights and law; gender, poverty eradication and economic empowerment; and gender and HIV/AIDS.

Data collection

Women in Australia 2009, the fifth in the series, published by the Office for Women measures women's progress on several key indicators of gender equity in Australia. It contains sex-disaggregated data and analysis of a wide range of issues affecting women, including population characteristics; family and living arrangements; health, work and economic resources; education and training; safety and crime; and leadership. *Women in Australia 2009* is designed to be a reference for people interested in gender equality, and to underpin future policies, programs and projects that will help women achieve an equal place in society.

The Australian Government is currently undertaking a gender indicators 'stock take' to identify gaps in the availability and accessibility of sex-disaggregated data, including data for Indigenous Australians, people with disability, and people from lower socioeconomic and rural and remote backgrounds.

Beijing Declaration and Platform for Action

The Australian Government continues to take account of its obligations under the Beijing Declaration and Platform for Action (BPFA). As suggested under the CEDAW Committee's 2006 Concluding Comments, paragraph 34, the Australian Government has taken action towards fulfilling these obligations in relation to the following BPFA paragraphs:

BPFA, paragraph 83(p)—Australia believes that both school- and community-based education programs, which focus on mutual understanding of and respect for Australia's

cultural and religious diversity, effectively combat racism and discrimination. The Living in Harmony program aims to promote respect, fairness, inclusion and a sense of belonging for everyone. The program delivers a range of funding and information activities, some of which target the specific needs of women.

BPFA, paragraph 107(a)—All Australian women have the right to informal education programs that support and enable them to acquire knowledge and take responsibility for their health. The Diverse Australia Program is an initiative that evolved from the ‘Living in Harmony’ program which was established in 1998. It is primarily a community-based educational initiative for all Australians and aims to address issues of cultural, racial and religious intolerance by promoting respect, fairness, inclusion and a sense of belonging for everyone. The program provides funding, education and information to help organisations create a spirit of inclusiveness and help ensure all Australians including women from different cultural and religious backgrounds are treated fairly regardless of their cultural background or circumstance.

BPFA, paragraph 124(g) — The Australian Government has a zero tolerance towards violence against women and the priority is to reduce violence against women in all its forms. In 2008 the Australian Government announced the formation of the National Council to Reduce Violence against Women and their Children who are developing a National Plan based on research and an extensive program of consultation with survivors, as well as a range of specialists in the sector. Through the implementation of the National Plan the Australian Government hopes to influence the attitudes and behaviours to enable all Australians to build and enjoy equal, respectful, non-violent relationships that promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes related to violence against women.

BPFA, paragraph 124(k)—In a socially cohesive society, it is important that men’s and women’s social and cultural patterns of conduct have no prejudices, customary practices and other practices based on the idea of the inferiority of women or the stereotyping of roles. A National Action Plan to Build on Social Cohesion, Harmony and Security partnership between a peak Muslim women’s organisation and the Australian Government recently developed a resource to address the misinterpretation and misapplication of Islam. This resource will be distributed through schools, universities, public libraries, government departments and elected officials.

Part Four: Remaining Key Challenges and Constraints as well as any plans for future actions and initiatives (three pages)

The Australian Government has a long history of ensuring women's perspectives, needs and interests are addressed effectively through policy and programs, but like many nations, more is needed to integrate gender equality effectively into government processes. Given that gender inequality is embedded in social arrangements, economic relations and institutions, it is important that the response be multi-pronged, targeting institutional barriers, constraints in policy settings and unhelpful attitudes.

Whole of government work to promote equality between women and men is a priority area for the Australian Government Office for Women. The Minister for the Status of Women has identified the importance of partnering with men to achieve gender equality. Positioning men to show leadership on gender equality within a partnership requires a new way of thinking that requires a conceptualisation of issues as shared problems. How this can be done most effectively will vary depending on the issue. This new approach is reflected in the involvement of men as White Ribbon Ambassadors in initiatives to reduce violence – men's role of *not silent, not violent*.

This whole of government strategy has involved the establishment of a new high level Women's Interdepartmental Committee (IDC) to take forward a broad whole of government program of work and progress agreement on issues ranging from violence to new ways of working across government, and improving economic outcomes for women.

The Minister for the Status of Women addressed the first meeting of the Women's IDC on Wednesday 18 March 2009. The Women's IDC will provide policy co-ordination across Government to improve gender equality. The Australian Government expects that the IDC will offer an opportunity to identify cross-departmental responsibilities for women's issues and to share innovation while providing an impetus to all departments to improve in their areas of responsibility.

The Minister for the Status of Women has also challenged the Australian Public Service to deliver positive outcomes for women under the Government's ambitious women's work program which is being supported by the Office for Women. Key work program priorities include reducing violence against women, introducing a national dialogue on women's work and a commitment to gender equality.

The challenges ahead

Improving economic outcomes for women

The Government is working to improve women's economic outcomes through a range of measures such as:

- **Paid work and family balance** – easing the pressure with more family-friendly work arrangements; better quality, more affordable and accessible childcare; and a Productivity Commission report into paid maternity, paternity and parental leave.
- **Workforce Participation** – introducing a new workplace relations system to build fairer and more flexible workplaces.
- **Social Security** – undertaking a comprehensive review of the pension system as part of the Government's broader review of Australia's Future Tax System. The

Pension Review will investigate measures to strengthen the financial security of seniors, careers and people with disability.

- **Education** – increasing support to apprentices, trainees and higher education students.
- **Women in business** – providing support through Austrade’s Women in Export Program.

Each of these initiatives is a building block in the Government’s strategic response to helping women secure their futures.

Reducing violence against women

The second challenge is to reduce violence against women. The Government is improving women’s safety and building a culture of zero tolerance towards violence against women and their children through:

- **Leadership and planning** – establishing an expert National Council to provide strategic advice to Government through their development of the National Plan to Reduce Violence Against Women and their Children.
- **Prevention education** – supporting the development and delivery of Respectful Relationships programs, particularly targeting Australia’s youth, and founding the White Ribbon Day Foundation to expand their reach into rural and regional communities.
- **Research** – benchmarking attitudes towards violence against women through a \$2 million national survey, and progressing a range of specialist evaluation regarding victim support needs, and perpetrator education and treatment programs.
- **Housing** – expanding models of integrated support to enable women and children escaping violence to remain at home safely through the National Partnership on Homelessness which will see an additional \$1.2 billion invested to help homeless Australians over the next four years.
- **Helpline** – funding crisis support and referral for victims and their families exposed to violence, through the national 24-hour Violence Against Women Helpline 1800 200 526.

Ensuring women's equal place in society

The Government is committed to promoting and supporting women’s leadership in every aspect of Australian society. The Government is strengthening the voice of women through:

- **Women in leadership** – increasing women’s leadership opportunities through the AppointWomen database for Government board positions, the National Strategy for Increased Participation of Women on Boards, Indigenous Leadership Development Program, and the Sports Leadership Grants for Women.
- **Consultation** – supporting the national Women’s Alliances which are made up of more than 70 women’s organisations. The Alliances form a national mechanism by which the Government engages and consults with women to ensure women’s voices are heard and the issues that concern women are brought to government and publicly discussed.

Addressing Indigenous Disadvantage

Closing the Gap on Indigenous disadvantage is a key Social Inclusion Priority. Indigenous Australians experience considerably poorer outcomes than other Australians on most social-economic indicators including health, housing, education, income and employment, community and family safety and contact with the justice system. The Australian Government has taken a strong leadership role in developing the comprehensive Council of Australia Governments Closing the Gap agenda. A number of initiatives seeking to address the challenges of achieving change include:

- **Indigenous Women's Leadership Program** – support to deliver leadership development training to Indigenous women and men.
- **Indigenous Family Safety Policies** – a range of initiatives to reduce Indigenous family violence
- **Indigenous disadvantage** - In February 2009 the Prime Minister the Hon. Kevin Rudd MP outlined a comprehensive and detailed statement to Parliament on the Australian Government's Closing the Gap strategy.
- **Closing the Gap for Indigenous Australians** – a set of ambitious targets for closing the gap on Indigenous disadvantage with respect to life expectancy, child mortality, access to early childhood education, educational attainment and employment outcomes.
- **National Indigenous Reform Agreement** - the National Indigenous Reform Agreement sets out the objectives, outcomes, outputs, performance indicators and performance benchmarks agreed by the Council of Australian Governments.
- **www.indigenous.gov.au** - the Australian Government maintains an Indigenous Portal which provides resources, contacts, information, and government programs and services for Aboriginal people and Torres Strait Islanders.
- **The Department of Families, Housing, Community Services and Indigenous Affairs** - the Australian Government's lead coordination agency in Indigenous Affairs coordinating a range of programs to assist Indigenous people.
- **Program Reforms** – reforms to the Community Development Employment Projects (CDEP) and the Indigenous Employment Program (IEP) from 1 July 2009 to meet targets of having the employment gap between Indigenous and non-Indigenous Australians within a decade.
- **Emerging Indigenous Entrepreneurs Initiatives** - a flexible program aimed at establishing an economic base from which to build future prosperity in communities where historically employment, self-employment and business opportunities have been limited
- **Australian Employment Covenant** - a private sector initiative with an objective of securing 50 000 sustainable jobs for Indigenous Australians
- **Personalised Learning Plans** – a budget measure to provide professional development support to assist teachers to prepare and maintain Personalised Learning Plans for Indigenous students in every year of schooling up to Year 10.
- **Literacy & Numeracy** - expansion of Intensive Literacy and Numeracy Programs for Underachieving Indigenous students' budget measure to establish an evidence base around:
 - innovative literacy and numeracy projects to contribute to a national menu of best practice; and
 - learning methods that will enable assessment of structured approaches to teaching literacy and numeracy to Indigenous school students.

- **Books In Homes** – an initiative to provide nine free books each year to disadvantaged young people in the Northern Territory and in the Murdi Paaki region of New South Wales
- **Student Accommodation facilities in the Northern Territory** - a contribution of \$28.9 million towards the construction and operation of three new boarding facilities in the Northern Territory for Indigenous secondary students.

ⁱ State and territory offices for women are:

- New South Wales: Office for Women, in the Department of Premier and Cabinet
- Victoria: Office of Women’s Policy, in the Department of Planning and Community Development
- Queensland: Office for Women, in the Department of Child Safety
- South Australia: Office for Women, in the Attorney-General’s Department
- Western Australia: Office for Women’s Policy, in the Department for Communities
- Tasmania: Women Tasmania, in the Department of Premier and Cabinet
- Northern Territory: Office of Women’s Policy, in the Department of the Chief Minister
- Australian Capital Territory: Office for Women, in the Department of Disability, Housing and Community Services.

ⁱⁱ The Cabinet of Australia is a council of senior Australian Government ministers chaired by the Prime Minister. The strictly private Cabinet meetings usually occur once a week to discuss vital issues and formulate policy. Outside of Cabinet, there are a number of junior ministers responsible for specific policy areas, who report directly to senior ministers.