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Introduction

The League is a non-party organization established in 1945 and affiliated to the International Alliance of Women whose principles are “Equal Rights; Equal Representation”. The League’s members are committed to encouragement of widest public participation in the policy process and we thank the Scrutiny of Acts and Regulations Committee for extending the period for submissions to be made to July 1.

Options for reform or improvement of the regime for protecting and upholding rights and responsibilities in Victoria.

1. We are pleased that in carrying out its inquiry, the Committee has been asked to take note of, and make use of as it sees fit, the evidence and findings of, and government responses to, previous inquiries and reports concerning rights and responsibilities in Australia.

2. We wish to bring to the attention of the Committee the Australian government reporting processes associated with principal UN human rights conventions to which Australia is a signatory, in particular relating to the so-called ‘women’s convention’ CEDAW. The League has been involved regularly in both conversations with government over its periodic CEDAW report and also in the NGO or Shadow Report process that over several cycles has been supported by grants supplied by Office for Women FaCSIA.

3. For example the national YWCA led the funded CEDAW shadow report project in 2009, with community and women’s organisations, to produce two reports – one focusing on the rights of Aboriginal and Torres Strait Islander women and another for the general community. Women were consulted to find out the issues of importance to them and to strengthen their understanding of CEDAW rights and later a seven-woman delegation travelled to New York to lobby the Committee dealing with the Convention for the Elimination of all forms of Violence Against Women to ensure that the voices of a cross-section of Australian women were heard. After this, the UN CEDAW Committee made a series of recommendations on how Australian Governments could improve women’s human rights.

4. In 2011 for the 100th anniversary of International Women’s Day the CEDAW project team released the CEDAW Action Plan for Australia online. The plan and its associated action sheets set out an agenda for action nationally and in the States and http://www.ywca.org.au/news/cedaw-report-doing-better-
5. League of Women Voters of Victoria is of the view that in order to better protect the human rights of women in Victoria, reference to CEDAW should be incorporated formally into the Charter by inclusion of a stand-alone substantive equality provision, so as to be better able to address systemic discrimination against women, and to acknowledge and address intersectional discrimination.

6. We are also concerned that with the increasing number of frail, elderly Victorians, preponderantly female, living alone, in receipt of 'ageing in place' packages a very vulnerable population is increasingly in the hands of aged care industry operators who are government contractors often with little effective monitoring of standards of care. The League's view is that better measures should be adopted to ensure that contractors in the public sector, and service providers, not covered by the Charter, are obliged to adopt a human rights framework and in particular adopt a rights based approach in working with women clients.

7. In relation to these proposals we regret that recent amendments to the Equal Opportunity Act included the removal of the own motion power, an additional power for the Commission for which many in the sector had campaigned for many years especially through the WASH coalition. It seems to us regrettable that the monitoring of cases of sexual harassment in the workplace has reverted to the previous situation where EOC report with only show matters brought to court, and industry wide practice of allowing complaints of harassment to run up to the date for hearing before out of court settlement occurs has the effect of disguising the actual incidence of complaints. Of course even the amended act permits ministerial direction so that cases of systemic discrimination on groups of gender and intersectional discrimination can be examined.

8. We interested to note that the Attorney General the Hon Robert Clark MP was quoted in Chris Merritt, The Australian, December 10, 2010 as saying “what you need to tackle injustice on a systemic level is clear statements of government services and the standards to which individuals are entitled. This should be accompanied by benchmarking and reporting on the performance of service providers as well as "proper channels of internal redress backed up with accessible external law remedies". We concur with this view.

Dr Deborah Towns, President

League of Women Voters of Victoria

June 30, 2011