

A stylized illustration of a balance scale. The scale is dark grey with a central vertical pillar and a horizontal beam. Two pans are suspended from the beam. The left pan contains a grey silhouette of a male figure, and the right pan contains a grey silhouette of a female figure. The background is a dark teal color. The entire scene is framed by a white, hand-drawn style border.

Gender equality in a generation? Achieving change by legislating with women in mind

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“I am a woman too”
– Miranda Tapsell



Credit: Traveller

A photograph of a person holding a white sign at a protest. The sign has the word 'Feminism' in red, 'back by' in black, and 'Popular Demand' in blue. The background is a blurred crowd of people and green foliage.

Feminism

back by

**Popular
Demand**

Can we achieve
gender equality
within a
generation?



135.6 years away from parity...



The global picture – progress gender equality

- **Suffrage – Women can vote in every nation of the world**
- **Proportion of seats held by women - 21.77% in 2013**
- **School – close to gender parity**
- **University – women surpass men in tertiary enrolment.**
- **Labour force participation - 50.6% compared with 76.7 % for men**
- **Contraceptive prevalence - only 28% of African women aged 15-49 years**



A new measure of gender equality?



Australia and gender equality

Global Gender Gap Index Report 2020

49th



50th



51th



Australia and gender equality

Global Gender Gap Index Report 2021

World Economic Forum's Global Gender Gap Index – Australia



2006 – 15th

2014 – 24th

2020 – 44th

2021 – 50th

**10th richest
country in
the world**

Globally,
Australia
ranks 50th on
the Global
Gender Gap
Index

- 73% of Australian women aged 18 to 21 do not believe that women in politics are treated equally to men.
 - Almost 8 in 10 women aged between 22 and 25 hold the same view.
 - In 2017, 1 in 5 Australian women experience sexual violence after the age of 15.
 - Australian women earn 21% less than men.
- 

WHEN WILL
SHE BE
RIGHT?

The text is rendered in a bold, 3D, blocky font. The letters are primarily blue with pink highlights and shadows, giving them a three-dimensional appearance. The words are stacked vertically: 'WHEN WILL' on the top line, 'SHE BE' on the second line, and 'RIGHT?' on the third line. A small pink flower is attached to the bottom of the question mark.

Credit: UN Women Australia



Credit: Chatham House

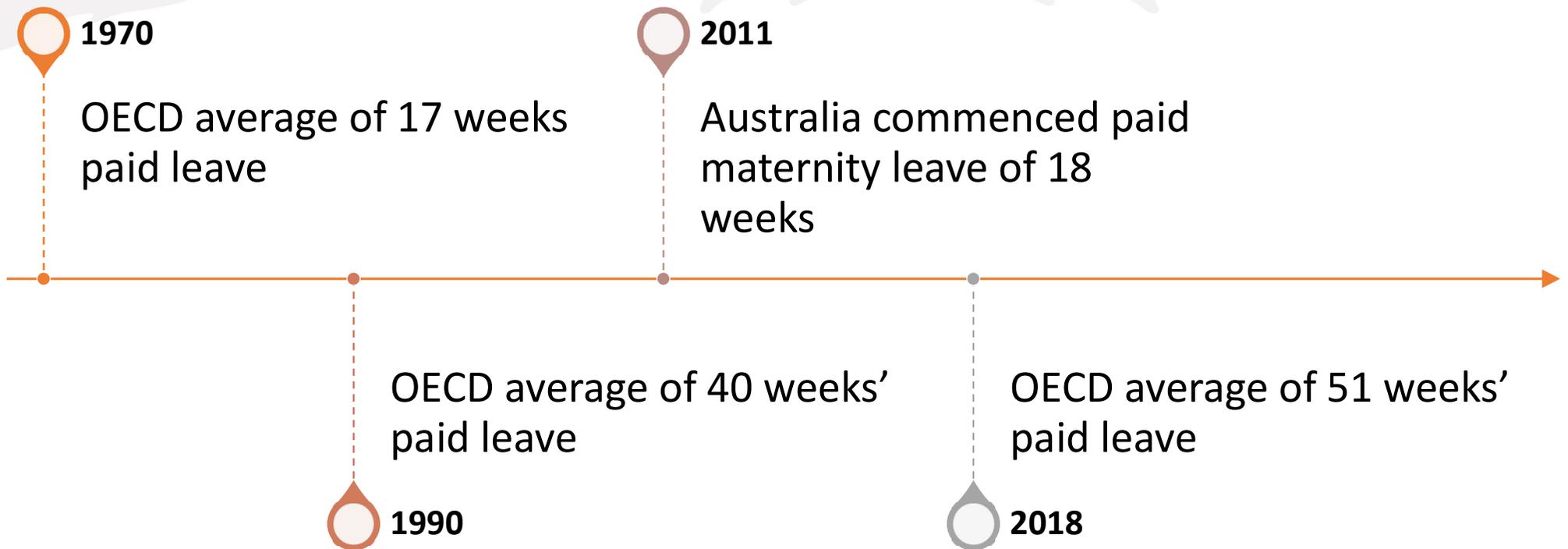




A third world problem? |



Australia and paid parental leave



40 YEARS AT THE FOREFRONT UTS LAW



Gender Legislative Index

Paid Parental Leave Act 2010

Australia 2010

Mostly meeting international standards

Summary

The law partially meets Australia's international obligations, particularly as set out in CEDAW. It provides for paid maternity leave, reducing discrimination against pregnant women and by providing avenues for redress where women are denied such leave. It has an explicit goal of promoting equality between men and women. However, the law fundamentally fails to challenge unequal distributions of labour in the family, as it names mothers as primary carers and therefore risks failing to promote shared responsibility, particularly after the 6-week postpartum period. The law also fails to guarantee women access to information about their rights, which may be a barrier for marginalised women in understanding their entitlements. By failing to require data collection, we are not guaranteed to have a strong picture of how women are benefiting from the paid leave.

Evaluation

[Download evaluation \(PDF\)](#)

Intention Likely Effect

- Does the law guarantee access to non-discriminatory and accessible, affordable, acceptable services?
- Does the law guarantee access to information and education or require the provision of information and education on the issue?
- Does the law guarantee non-coerced and informed decision-making and where relevant, protect women's confidentiality?
- Does the law promote equal relations between men and women?
- Does the law protect women from situations of vulnerability linked to their gender?
- Does the law guarantee accessible and effective remedies (i.e. access to justice)?
- Does the law promote the comprehensive monitoring of the situation of women? This includes promoting gender-disaggregated data collection on the nature of the problem.

	Inconclusive or NA	Gender Regressive	Gender Blind	Gender Neutral	Gender Responsive
1. Does the law guarantee access to non-discriminatory and accessible, affordable, acceptable services?	0/3	0/3	0/3	0/3	3/3
2. Does the law guarantee access to information and education or require the provision of information and education on the issue?	0/3	0/3	2/3	1/3	0/3
3. Does the law guarantee non-coerced and informed decision-making and where relevant, protect women's confidentiality?	0/3	0/3	0/3	2/3	1/3
4. Does the law promote equal relations between men and women?	0/3	0/3	0/3	0/3	3/3
5. Does the law protect women from situations of vulnerability linked to their gender?	0/3	0/3	1/3	0/3	2/3
6. Does the law guarantee accessible and effective remedies (i.e. access to justice)?	0/3	0/3	0/3	2/3	1/3
7. Does the law promote the comprehensive monitoring of the situation of women? This includes promoting gender-disaggregated data collection on the nature of the problem.	0/3	0/3	3/3	0/3	0/3

About this Legislation

- Jurisdiction: Australia
- Year Enacted: 2010
- Number: 104
- [View Legislation \(PDF\)](#)

Score based on International Standards (Overall)

Mostly meeting international standards

- This law has been scored by **3 evaluators**. To learn more about how this score is calculated, visit [Scoring](#).
- In every case, the law has been scored on its textual meaning only. No attention has been given to implementation as a fair evaluation would not be possible based on the information at hand. However, the GLI considers the distinction between intention and likely effect pivotal in many cases. Evaluators have considered both the stated or implicit intention of the law, as well as its likely effect, based exclusively on the text of the law. No consideration has been given to the particular cultural, political, social or demographic situations of that particular country.

International Score (breakdown)

- Evaluator [1] [view benchmark analysis](#).
Mostly meeting international standards
- Evaluator [2] [view benchmark analysis](#).
Partially meeting international standards
- Evaluator [3] [view benchmark analysis](#).
Partially meeting international standards

Australia and paid parental leave

Australia's Paid Parental Leave Act 2010

- (1) The object of parental leave pay is to provide financial support to **primary carers (mainly birth mothers)** of newborn and newly adopted children, in order to:
- a) allow those carers to take time off work to care for the child after the child's birth or adoption; and
 - b) enhance the health and development **of birth mothers and children;**
 - c) encourage women to continue to participate in the workforce; and
 - d) promote **equality** between men and women, and the balance between work and family life

Australia and paid parental leave

In 2017, 95
per cent of
primary
carers in
2017 were
women.

Only 1 in 20
men are
likely to put
their hand up
to take
primary
parental
leave.

In 2019-
2020, 6.5 per
cent of
primary
carers were
men

40 YEARS AT THE FOREFRONT UTS LAW



Gender Legislative Index

Paid Parental Leave and Other Legislation Amendment (Dad and Partner Pay and Other Measures) Act

Australia 2012



Summary

There are no known international standards for paid partner leave/father leave (which in the women's rights field, focus on maternity or maternal leave). However, as against some international standards, this law performs well by promoting shared responsibilities and equality within the household. The law is explicit in its intent to promote equality. By providing access to both fathers and partners in same-sex couples, the law may have the effect of reducing market-based discrimination or inequality suffered by lesbian women whose partner may have given birth or who may be involved in the adoption of a child. Two weeks' pay seems very limited and one evaluator is explicit in their view that such limited paid leave will not promote equality and shared care, particularly given primary carers (most often mothers) will receive up to 18 weeks. Concern has also been raised by one evaluator that there is no additional pay for multiple births, which seems to ignore the reality that multiple births will increase the workload on mothers and fathers. The lack of an explicit call for gender-disaggregated data collection on the law's implementation may act as a barrier to understand how men and women benefit from the Act.

Evaluation

Download evaluation (PDF)

Intention Likely Effect

- Does the law guarantee access to non-discriminatory and accessible, affordable, acceptable services?
- Does the law guarantee access to information and education or require the provision of information and education on the issue?
- Does the law guarantee non-coerced and informed decision-making and, where relevant, protect women's confidentiality?
- Does the law promote equal relations between men and women?
- Does the law protect women from situations of vulnerability linked to their gender?
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- Does the law promote the comprehensive monitoring of the situation of women? This includes promoting gender-disaggregated data collection on the nature of the problem.

	Inconclusive or NA	Gender Regressive	Gender Blind	Gender Neutral	Gender Responsive
1. Does the law guarantee access to non-discriminatory and accessible, affordable, acceptable services?	0/3	0/3	0/3	0/3	3/3
2. Does the law guarantee access to information and education or require the provision of information and education on the issue?	1/3	0/3	1/3	0/3	1/3
3. Does the law guarantee non-coerced and informed decision-making and, where relevant, protect women's confidentiality?	2/3	0/3	0/3	1/3	0/3
4. Does the law promote equal relations between men and women?	0/3	0/3	0/3	0/3	3/3
5. Does the law protect women from situations of vulnerability linked to their gender?	0/3	0/3	1/3	0/3	2/3
6. Does the law guarantee accessible and effective remedies (i.e. access to justice)?	2/3	0/3	0/3	1/3	0/3
7. Does the law promote the comprehensive monitoring of the situation of women? This includes promoting gender-disaggregated data collection on the nature of the problem.	1/3	0/3	2/3	0/3	0/3

About this Legislation

- Jurisdiction: Australia
- Year Enacted: 2012
- Number: 109
- [View Legislation \(PDF\)](#)

Score based on International Standards (Overall)

Mostly meeting international standards

- This law has been scored by 3 evaluators. To learn more about how this score is calculated, visit [Scoring](#).
- In every case, the law has been scored on its textual meaning only. No attention has been given to implementation as a fair evaluation would not be possible based on the information at hand. However, the GLI considers the distinction between intention and likely effect pivotal in many cases. Evaluators have considered both the stated or implicit intention of the law, as well as its likely effect, based exclusively on the text of the law. No consideration has been given to the particular cultural, political, social or demographic situations of that particular country.

International Score (breakdown)

- Evaluator [1] [view benchmark analysis](#).
Partially meeting international standards
- Evaluator [2] [view benchmark analysis](#).
Partially meeting international standards
- Evaluator [3] [view benchmark analysis](#).
Mostly meeting international standards

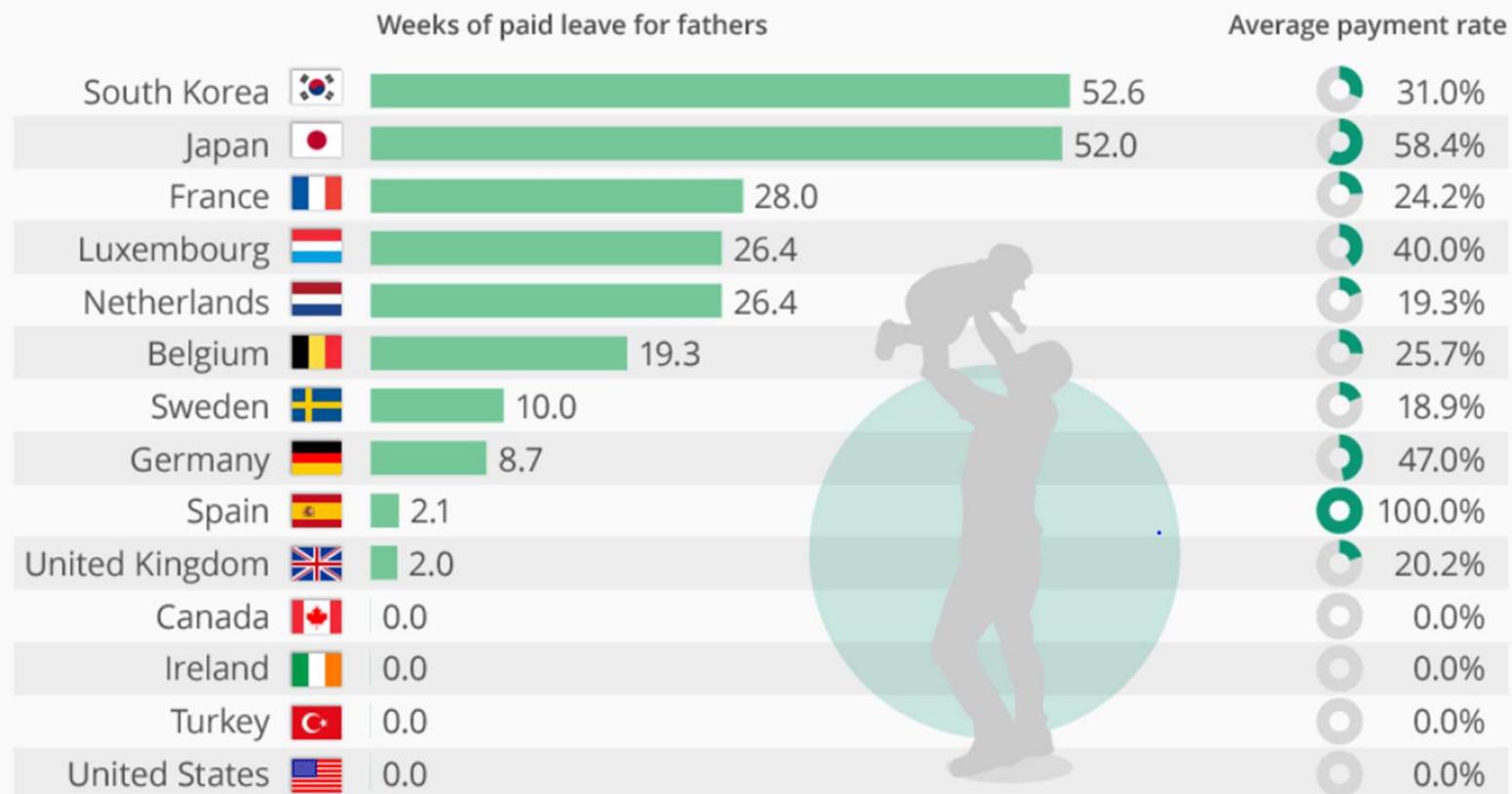
Australia and
paid parental
leave

18 weeks paid
leave for the
primary carer

2 weeks paid leave
for dads and
partners

Where Fathers Receive The Most Paternity Leave

Weeks of paid leave and average payment related to national earnings in 2014



@StatistaCharts Source: OECD

MARCH 2020

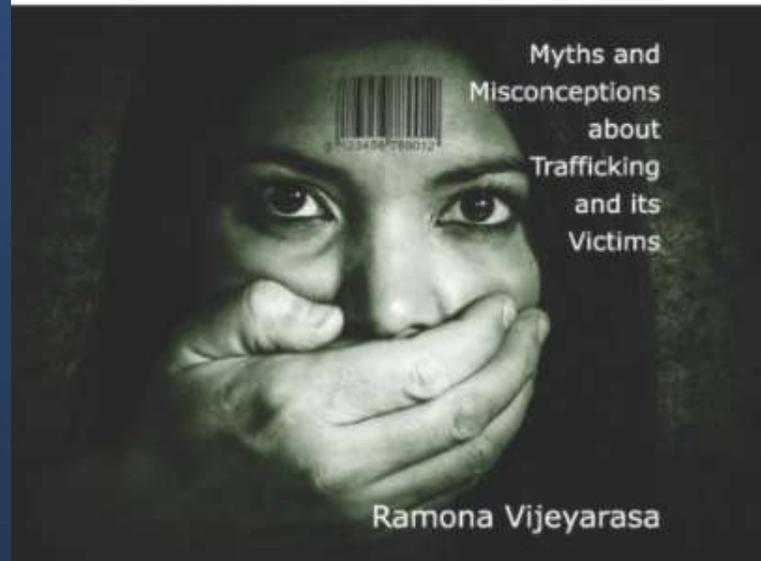
Emma Dawkins
Tanja Kovacic
& Abigail Lewis

Measure For Measure: Gender Equality in Australia



Sex, Slavery and the Trafficked Woman

Myths and
Misconceptions
about
Trafficking
and its
Victims



Ramona Vijeyarasa

GENDER IN A GLOBAL/LOCAL WORLD



Modern Slavery Act 2018

No. 153, 2018

An Act to require some entities to report on the risks of modern slavery in their operations and supply chains and actions to address those risks, and for related purposes

Modern slavery

A highly gendered issue



Credit: Chatham House

Ranking and scoring legislation against global standards for women's rights

4

countries

134

laws evaluated

7

areas of legislation

The Gender Legislative Index is a tool to rank and score legislation against global standards for women's rights.

It highlights the power of the law to deliver concrete change to fulfill women's rights. The GLI facilitates a comparison of laws addressing the same issues, or of legislation across different areas of the law, or comparisons across countries.

The Gender Legislative Index is aimed at helping legislators, activists and advocates to build a body of legislation that works better for women. It seeks to get the law right in the first place, rather than invest in poor or average laws, for the sake of having a law, that later needs amending.



Search Index - By Category

Recently evaluated laws

Coal Mining Industry (Long Service Leave) Legislation Amendment Act

Australia 2011 #137

Not meeting international standards

Tax Laws Amendment (2011 Me- Act 2011

Australia 2011 #43

Insufficient information

Fair Work Am

Aust

How can the law work better for women?

Is Australia heading in the right direction?

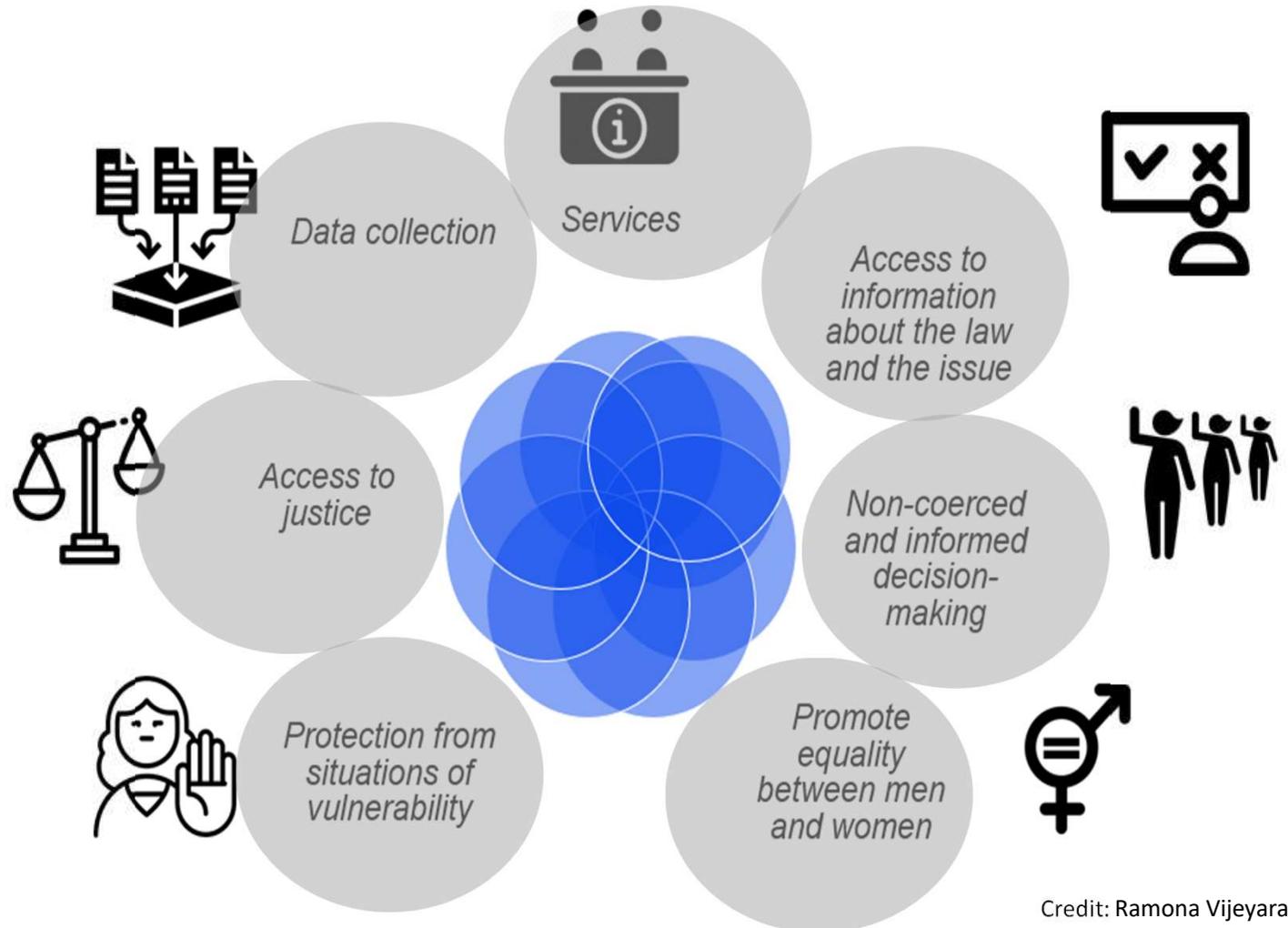


- Balancing shared parenting and protection from violence
- Eliminating dependent spouse tax exemptions



Seven requirements to make the law work for women

8. Does the law guarantee access to information and services, including legal aid, protection and confidentiality?



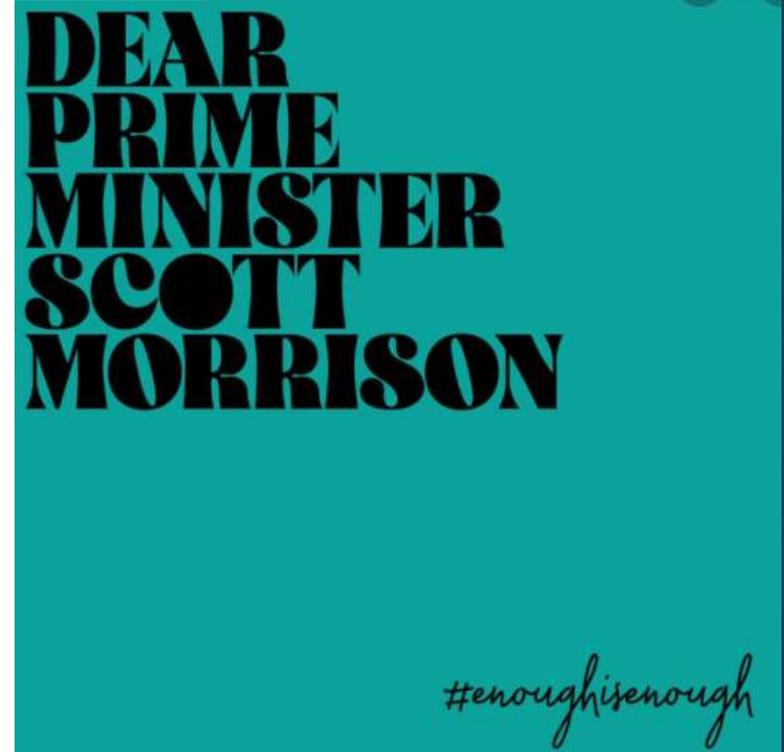
Credit: Ramona Vijeyarasa



What can we do?

Demand more from legislators

- On average, about 200 bills have been introduced into the Parliament each year. Of these roughly 95 per cent originated in the House of Representatives.
- Approximately 70% of all bills introduced into the Parliament became Acts.





Credit: Government WA



**For over 100 years,
women have fought for the right
to be treated equally.**

Now IT'S TIME to get it right!