



VICTORIAN WOMEN'S TRUST

The Hon Tanya Plibersek

15 August 2017

PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear Tanya,

Thank you for the opportunity to provide a submission to contribute to the development of Labor's comprehensive blueprint for gender equality.

It is commendable that you are taking the time and effort to consult with people across the country in doing so. The best public policy emerges from a powerful meld of different sets of experience and wisdom.

It is especially commendable that you seem intent on significant bigger picture policy development to take to the Australian people, rather than adopt a 'small target' approach which almost invariably, lets people down and reinforces the very real malaise now upon wide parts of the electorate at large.

Gender inequity, created and maintained across centuries of systemic disadvantage and discrimination against women and girls, is at the heart of women's lack of access to life's resources and opportunities.

Since our inception in 1985, the Victorian Women's Trust has explored, and continues to address through a myriad of ways improvements to the status of women. We yearn to see in our lifetimes, the achievement of full gender equality. This means tackling head on serious policy issues such as women's lack of economic security, superannuation and gender pay gaps; child-care; supporting and encouraging women's leadership; achieving parity in political representation; and enhancing women's safety, health and wellbeing. Everything we do is about creating an equal future for all.

In this submission, we wanted to share our learnings on what it will take to achieve true gender equality in this country. Recalling Santayana's famous dictum that those who cannot remember the past are condemned to repeat it, we have chosen to go back and reflect on the 1943 Women's Charter.

More than sixty years later, we are provided with a stark reminder that we have not yet achieved many of the Charter's resolutions, despite the fact and that the reforms featured in the Charter 'will benefit not only women, but every man and child.'¹

A substantial narrative shift and policy response is required to engender change and new ways of thinking about those thorny issues that have persisted despite women's best efforts. Labor has a unique opportunity in *Setting The Agenda* to build momentum and a political appetite for bold, sophisticated and measured policies which lead to gender equality and to real and lasting and positive change.



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Thank you again for the opportunity to participate. We also look forward to contributing to the roundtable discussions on *Setting the Agenda* in the future and continuing the conversation.

Mary Crooks AO
Executive Director

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1. How far have we really come? - Reflections on the 1943 Australian Women's Charter

On November 22 and 23 1943, ninety women's organisations from every state came together in Sydney for an unprecedented *Australian Women's Conference-For Victory in War and Victory in Peace*. New South Welshwoman, Jessie Street, was the Conference Chair.

The conference produced a document, The Women's Charter covering 'every aspects of women's interests.'² Its authors intended that the document 'focus the attention of the public on the reforms for which women are striving, and will encourage and stimulate women to renew their age-long struggle for these reforms.'³

In writing the Charter, these women were envisioning the Australian society that they wanted to create after World War II had ended. They wanted to be equal partners in creating and contributing to a post-war Australia, 'women have earned the right and proven themselves capable to take an active and comprehensive part in every aspect of the making of peace'.⁴

The objectives back in 1943 are remarkably similar to those articulated in *Setting the Agenda's* objectives in 2017, in itself a pointer to frustration with our national progress on gender equality.

Women in Public Life

*The Charter affirmed that 'women have a special contribution to make in public life as citizens of a democratic community, and in order that their capabilities may be developed and utilised for the national good.'*⁵

It recommended that:

- a) every encouragement should be given to women to stand as candidates for all elected legislative bodies;*
- b) women be appointed in adequate numbers to national and international conferences, diplomatic posts, to administrative positions of authority and responsibility, and on boards, commissions, etc.*

Six decades on, Australian women are still not sufficiently represented in elected legislative bodies or in positions of authority and responsibility. Neither are they adequately recognised for their contribution to politics in Australia.



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In 2013, the Victorian Women's Trust launched *Credit Where Credit Is Due*, an initiative to recognise and celebrate the efforts and achievements made by the minority government led by Julia Gillard, Australia's first ever female Prime Minister.

On 5 July 2013, thanks to the support of five women donors making non tax-deductible donations, the Victorian Women's Trust placed full-page ads in four major metropolitan newspapers – *The Sydney Morning Herald*, *The Age*, the *Herald Sun* and *The Australian*, reaching an estimated readership of over three million people. The advertorial was translated into Italian, Greek and Mandarin and published in four other papers – *Il Globo*, *La Fiamma*, *Neos Kosmos* and the *Sing Tao Daily*.

This advertorial paid tribute to the minority government led by Julia Gillard, arguing that this term of federal government was a productive and relatively successful period with close to 500 pieces of legislation passed, including landmark bills supporting disability care, action on climate change, education reform, the Murray-Darling River Basin Plan, and the National Broadband Network.

The advertisement generated an extraordinary and overwhelmingly positive response into the office of the VWT for weeks. The feedback came from many women and men all over the country – suggesting a huge reservoir of Australians who had formed their own evidenced view of this period of government and who support the equal role of women in deciding the laws that govern this country.

This huge public response sits at odds with some commentators who suggested the disappointment over the treatment of Gillard was only coming from a limited number of aged feminists! The real significance of the response, however, was that it revealed great numbers of men across all age groups who are not threatened by gender equality, and indeed, are keen to see further progress.

The existence of a such a significant reservoir of public support from Australian men for gender equality suggests that the ALP's preparedness to embrace substantial policy reform around gender equality will be appreciated by many people and not restricted to female constituents.

Equal Rights Legislation

The Charter requested that the Commonwealth Government introduce a Bill designed to abolish sex discrimination and to establish and maintain equality for all citizens without distinctions based on sex, and to provide that any sex discrimination embodied in any laws or regulations be invalid.⁶

The authors of The Charter would have felt overjoyed in 1984 when the Sex Discrimination Act



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became law making it unlawful to discriminate against someone on the basis of gender, sexuality, marital status, family responsibilities or because they are pregnant.⁷

Six decades later, we now know that establishing a legislative framework isn't everything. Law is interpreted, reinterpreted, or ignored by people, police, judges, lawyers and the general public, and reflected in unequal and unjust outcomes for women.

As prominent lawyer and former Victorian Equal Opportunity Commissioner, Moira Rayner observes rightly 'law reform will not work without the cultural change efforts. The cultural change will not work without a place for a woman to stand and say that this is wrong and I have a right to a remedy out of which I can neither be starved nor bullied.'⁸

Employment of Women, Wage Earners and Professional Women

The Charter opens this section with the following:

*'We believe that the standard of living of the whole community is threatened, and animosity between men and women wage-earners is engendered by cheap female labour within the community. We believe that experience has shown that whenever women have been given the opportunity to do work previously performed by men in the professions, in the Public Service, in industry, etc. they have proved themselves capable of measuring up to the established standards.'*⁹

The Charter recommends:

*a) There should be no sex discrimination limiting the opportunities for women, and that they should be given equal pay, equal status, equal opportunity and equal responsibility with men in all appointments and spheres of employment.'*¹⁰

*And that, 'We urge the Commonwealth Government to pass the necessary legislation or regulation to direct the Women's Employment Board to proceed immediately with the complete elimination of sex differentiation in all wage rates for women coming within its jurisdiction.'*¹¹

The copy of the Charter stored at the State Library of Victoria is Muriel Heagney's copy, a woman who campaigned her whole life for pay equity, including involvement in submissions to the Commonwealth Royal Commission on the basic wage in 1923 and the Commonwealth Court of Conciliation and Arbitration for a uniform basic wage for both sexes in 1927. Muriel died in poverty in St Kilda in 1974 a week after the National Wage Case decision had granted adult women a basic minimum wage.¹²



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History has proven that women are just as capable as men in any profession time and time again. History has also taught us that the gender pay gap and gender-segregation in the workforce have persisted for decades despite having the legislation in place. History has also taught us that there have been countless men and women, Muriel amongst them, who have been asking for women to be adequately recompensed for their work for a very long time.

It's about time history reflected the equal capability of both women and men.

Trained Nurses

*The Charter included recommendations on nurses 'in view of their indispensable services to the community', recommending that 'the status of nurses be raised by granting them higher rates of pay, a shorter working day with consecutive hours of duty, and better living conditions.'*¹³

At the Victorian Women's Trust *Breakthrough* event,¹⁴ Ged Kearney, President of the Australian Council of Trade Unions, reflected on her experience as a nurse during the nurse's strike in 1986: 'My colleagues were sick of being devalued and disrespected, of putting up with low pay and sub-standard conditions...So we actually decided that we would ask for fair pay. We said that we didn't want to take a pay cut, but we were told that we were greedy and selfish for not sacrificing ourselves to care for patients. We got an endless barrage of sexist media and political attacks. Of course, the male dominated health professions; doctors, surgeons and administrators were not expected to sacrifice themselves or their pay. We began to reject the excuses for underpayment, and to see the gendered system for what it was. It was unjust, unfair and bad for everyone in society.'¹⁵

Reflecting on where we've got to today, Ged said, 'As with the nurse's strike, we're still struggling against underpayment, and undervaluing of the work that women do. We're still expected to be the ones who take on the work of caring for others, and we are often underpaid or even not paid for doing. So when we take a good hard look at these statistics it reminds us that we need to stop talking about equal pay, and instead identify strategies to close the pay gap.'¹⁶

Government is a key part of building strategies to close the pay gap that are effective and long-lasting. Government needs to design and deliver a series of carrot and sticks (targets, incentives, legislative reviews and penalties) to businesses and corporations in order to close the pay gap so women can begin to be equally and adequately remunerated for their indispensable contribution to our society.



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Servicewomen

*The Charter wanted to ensure that servicewomen were given 'the same status, pay, dependents allows and other benefits and opportunities afforded to Servicemen of equal rank.'*¹⁷

In 2012, Sex Discrimination Commissioner Elizabeth Broderick, on presenting her findings from the *Review into the Treatment of Women in the Australian Defence Force* concluded that, 'despite progress over the last two decades, I am not confident that women can and will flourish in all the varied workplaces that comprise the ADF... service to the ADF does not extend to sacrificing basic human rights – such as a member's right to a family, the right to a work environment free from sexual violence and the right to equality.'¹⁸

In Victoria, it is equally concerning that the Victorian Equal Opportunity and Human Rights Commission needed to investigate the extent of sexual harassment and sex discrimination in the Victorian Police Force in 2015.¹⁹

Equality and safety for female and non-binary individuals within our key national institutions is crucial to ensure they are afforded the same benefits and opportunities as men.

Women as Mother and/or Homemaker

*The women who wrote the Charter believed that the 'indispensable service rendered to the community by mothers, accompanied as it is by inevitable and special handicaps, and responsibilities, demands special consideration and provision.'*²⁰

In recent political discourse, we have witnessed negative and demeaning attitudes towards women surrounding social security policy reform as a cynical way of reducing public support for mothers and families. Aside from the repeated portrayal of new mothers as "double dippers", recently One Nation Senator Pauline Hanson characterised women thus, 'They get themselves pregnant and [the government will] have the same problems they did with the baby bonus, with people just doing it for the money...we have such a welfare handout mentality.'²¹ This is in tandem with the sentiment that the child care and paid parental leave systems (as well as crucial other support schemes) are for budget savings and can only expect a minimum level of support.

*The Charter also affirmed the importance of economic security and independence for mothers/homemakers where 'dependent economic status denies liberty and opportunity and justice to the individual.'*²²



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*a) the mother and/or home-maker be remunerated for her work in the home by a personal endowment of a minimum of 30/- a week, operated on the same principle as child endowment.*²³

The unpaid work, including care work, that women do is still not adequately recognised or recompensed.

According to the Reserve Bank of Australia, £30 in 1943 would be worth \$2,060.15 in 2016.²⁴ Price Waterhouse Cooper (PwC) released a report on unpaid work in March 2017 reflecting that unpaid work is not included in our measure of 'economic activity' 'but we intuitively know that this work generates great value to society' which they calculated a market replacement value at \$2.2 trillion, making it Australia's largest industry.²⁵

PwC concluded that the issue facing Australia is 'how we ensure that the requirements of the unpaid economy, and the value it generates to society, is given appropriate weight in policy and investment decisions.'²⁶

The Charter's recommendation of giving those who undertake unpaid care in our society an endowment is an elegant and simple policy proposal which would go a long way in adequately remunerating those who do unpaid work, mostly women.

Health

*The Charter recommended to the Commonwealth Government that 'a comprehensive health program be adopted that will take into consideration the part that economic security, satisfactory occupation, proper housing, nutrition and education standards play in the maintenance of the health of the community.'*²⁷

This recommendation remains pertinent today given that the largest growing cohort of those at risk of homelessness are older women and the observation by the Victorian Equal Opportunity Commission that 'poverty has a feminised face.'²⁸

The Australian Council of Social Services (ACOSS) noted in 2011 that 'poverty is not caused only by individual circumstances, but also by major inequalities built into the structure of Australian society. Some of the main causes of this inequality and poverty are access to work and income, education, housing, health and community services.'²⁹

Homelessness Australia has found that women are more at risk of homelessness because of housing stress shared with many Australians compounded by gender-based financial/economic



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inequality.³⁰ In the last four years there has been an 83 per cent rise in the number of women over 50 who are couchsurfing because they lack permanent accommodation.³¹

Women in Australia currently retire with 52.8% less superannuation savings than men.³²

Women are overrepresented in part-time work, representing 3 out of 4 part-time workers in Australia.³³

*The Charter further recommended that 'at least one-third of the members of the Board of any hospital or health institution or committee be women.'*³⁴

It has been gratifying to see the Victorian State Government's proactivity on increasing the representation of women in all public paid board positions under their *Safe and Strong: A Victorian Gender Equality Strategy* by 'continuing to address the gender representation in senior leadership positions is a major issue and the government is focused on increasing the number of women in senior leadership positions.'³⁵

Women's representation of paid public board positions increased from 38 per cent in 2015 to 49 per cent in March 2017, showing that rapid change can happen if Government's are proactive and bold in their thinking around gender equality.³⁶

Childcare

*The Charter recommended that the Commonwealth Government, 'subsidise a national scheme for the establishment of a network of child care centres wherever needed and provide that Education Departments, local Councils and elected citizen's bodies in each State co-operate in the development and administration of these Centres in order to develop local interest and effort to the maximum.'*³⁷

The 2015 survey of long day care services by the Australian Childcare Alliance found that 24.5 per cent of centres indicated that accessibility for families is an issue in their area due to parents seeking specific days (52%), an undersupply of services (36%), an influx of families (35%) or an inappropriate mix of services (14%).³⁸

Further, the 2015 OECD *Going for Growth* report recommended that Australia improve performance and equity in education by facilitating access to childcare that is both affordable and scheduled to allow combining work and family life.³⁹



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Current Government policies point to a “self-sufficiency” model of childcare management for families rather than the need for society to facilitate support for families who have children. We query this model. Government has a critical role in national building and universal access to childcare is one such key component-benefiting all families, their workplaces and wider society.

Moral Standards

While the Charter reveals its age in this section in terms of its recommendations around venereal disease, one recommendation stands out:

f) the education of children in the laws of reproduction through the scientific approach...leading up to education of adolescents in the emotional and ethical aspects of sex relations.

Lack of education around consent is a clear issue in Australia, especially amongst young people.

In 2015, the Young Women's Advisory Group (YWAG) conducted a national survey of women aged 16-21 who had attended school in Australia asking about their sexuality and respectful relationships education.

This survey was one of the first in Australia to ask young women what their experiences of sexuality education were like, and to find out whether it met their needs to develop healthy and respectful relationships. With less than 2% of respondents rating their experience of sex education in school as excellent and nearly 50% rating their experience as poor, sex education in Australia is in dire need of reform.

Significantly, the survey found that 63% of young women and girls were not taught about consent.⁴⁰ This is in the context of a 2015 VicHealth survey which found that 22% of male respondents aged 16-24 believe that women often say 'no' when they mean 'yes' and 60 per cent of respondents put the responsibility for consent on the girl.⁴¹

The recent report released by the Australian Human Rights Commission *Change the Course* which surveyed 31,000 university students found that 51 per cent of students have been sexually harassed and 2100 students had been sexually assaulted in the past two years with women four times more likely to have been sexually assaulted than men in a university residence.⁴²

The Governments proposed civil penalties regime on the non-consensual sharing on intimate images indicates the proliferation of image-based abuse in Australia is 'of increasing concern



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for policymakers globally⁴³ A report from RMIT and La Trobe universities *Digital Harassment and Abuse of Adult Australians* found that 1 in 10 adults surveyed reported that a nude or semi-nude picture of themselves had been posted online or sent to others without their consent.⁴⁴

These surveys and reports reveal a serious lack of education and positive culture around consent and ethical relationships for adolescents, university students and adults which, at its most extreme, manifests itself in violence towards women.

So, how far have we really come?

Given the number of recommendations in the Charter that are relevant to women's experiences, opportunities and discrimination in 2017, we haven't come as far in 65 years as its authors would have believed possible in 1943.

Women have known, both instinctively and practically, what they require to become full and productive citizens of society with equal opportunities as men for a very long time.

Women have asked again and again for responsive policy and support programs and yet here we are in 2017 without full gender equality.

In a mixed economy, Governments, Federal and State have critical roles in delivering on gender equality. Leadership is the key. Boldness, imagination and commitment to deliver is what is required.

The Victorian Government's *Safe and Strong* and Labor's *Setting the Agenda* are important initiatives in ensuring that women are genuinely responding to the lived experiences of women.

Effective delivery of good policy which benefits women and helps bring about a more equal society will pay positive dividends. Such responsive Governments are likely to secure longer periods in office in which to advance and consolidate, in lasting ways, reform agendas.



2. Achieving full gender equality-The Medium to Long-term Reform Agenda

Imagine a decade ahead. This is time enough to secure significant advances in gender equality in Australia.

In November 2016, the Victorian Women's Trust ran *Breakthrough: The future is Gender Equality*, the coming together of 1000 attendees and over 130 expert speakers, described in *The Age* editorial as 'one of the biggest gender equality conferences in our nation's history'.⁴⁵ Importantly, the median age of attendees was 35. *Breakthrough* reinforced for us the extent of the interest, passion and hunger for substantial action on gender equality in Australia.

In her keynote *Breakthrough* speech, Trust Executive Director Mary Crooks AO said,

'Gender equality is not a state, or a thing; it's certainly not a utopian state. Gender equality is not simply (or only) a question of realising women's human rights, it is not an end point. It is fundamentally, a nation-building project. It is about shaping, in lasting ways, a better world for our daughters and our sons.'⁴⁶

To this end, the Trust has committed itself to serious follow up action. In Mary's closing *Breakthrough* remarks she said,

'Our serious intent in 2017 is to bring out, in intervals, sets of key strategic breakthrough 'think big' actions, that can be taken up, supported, lobbied for, and then adopted within the next couple of years. We will do this with clever collaboration and some very agile harvesting of the brains in this room, and in the *Breakthrough* program, and with others who are not here. We do not intend to take months and years to consult about these matters. We sort of know what the problem is, and the main thing is that we stop trying to tinker with a poor policy setting. We need to introduce new and compelling policy settings.'

This commitment of the Trust's is why we are keen to participate in the *Setting The Agenda* consultation process. But it also means we are keen, over the next several months, to alert you to the emergent *Breakthrough* actions that we are working on.

In the interim however nation building requires attention to the following non-negotiable areas of policy and delivery:

Safety

One of the things that is holding us back as a country is our shameful incidence of domestic homicide/IPV and the existence of violent and harmful attitudes and behaviours towards women, that persist.

In our view, part of the deeper problem is that we have not developed an honest national conver-



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sation about the reasons men kill women, and this timidity is our own worst enemy, because it stops us from being able to identify where the change has to lie. And that this is a deep-laid issue which to date seems to be too great for people to confront, we revile and we shy away from the fact that men kill their partners with such regularity.

In our *Breakthrough* follow up, we are working on several major initiatives which can potentially can be circuit breakers on the issue of violence towards women. These revolve around a formal recognition of harm, an honest narrative; defining the crime; and changing the language.

Equal Representation

Along with New Zealand, Australia led the world in the enfranchisement of women. Over the century since however, the speed at which women have been ushered into political appointments has been only a little more than glacial. As a nation, we have yet to achieve the promise and potential of the full participation of women. There are critical reasons for doing so. Our male-dominated two-party democratic system is in trouble. There is a sense of institutional decay. Younger people are especially turning away in droves and disengaging from politics. From a national policy perspective, there is too much at stake in managing the increasingly complex policy demands, such as climate change, to witness yet another generation of wasted female talent and capacity. We do not want to wait another century before gender parity is achieved in our national parliament.

The Hon. Tanya Plibersek put it so well at *Breakthrough*:

'We cannot take progress for granted. We have to keep prosecuting the case, that democracy is better and stronger when it is more representative. There is no more important a time to have a greater number of women in leadership positions, because the laws that women have fought for can be unwritten.'⁴⁷

In our *Breakthrough* follow up we are not only interested in the ideas of quotas and targets. We are going further than this and asking ourselves, what kind of mechanisms are required to disrupt the 'pipeline' of white, Anglo, male candidates into pre-selected seats and would there be a new 'pipeline' that enables individuals, no matter the gender, creed, ethnicity, disability or otherwise, to engage so we can have a truly national parliament that reflects the realities of contemporary Australian society.

Economic security: Unpaid work

Full gender equality in Australia would account for women's unpaid work. Following Marilyn Waring's inspirational work over the decades, if we labelled primary care giving in the home for example as the primary health sphere and doctors and hospitals as a secondary, we would see budgets channel more resources into the primary health sphere.

The authors of the 1943 Women's Charter knew full well the incalculable benefits that unpaid work brings to our society and the economic and social benefits that will flow if our Government fully recognises unpaid work as an indispensable part of our nation building going forward and compensates those who undertake it accordingly.

For our *Breakthrough* actions going forward we are bringing Marilyn Waring back as our resident thinker in late January to incubate and grow our policy ideas around unpaid work.



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Economic security: Child care

Child care narratives and policy initiatives put the responsibility on mothers of children to 'make it work' instead of recognising an equal role in child nurturing and caregiving for men with the acknowledgement of the positive effects on society when men are actively involved in raising and nurturing children.

Our Breakthrough follow up in the area of child care has us looking closely at other countries for more effective, affordable and more inclusive models of childcare replacing the current "self-sufficiency" model.

Economic security: Superannuation

The average superannuation balances for women at retirement are 52.8 per cent less than those for men.⁴⁸

There is a lot at stake with such a gap. It goes to the heart of women's economic insecurity in old age which is the difference between them having a comfortable retirement after a lifetime of indispensable contributions to society, or whether they retire in poverty and at risk of homelessness at much higher rates than men.

The Trust believes that it is a sad indictment and symptomatic of our political malaise and the sidelining of women's needs and concerns within our national political narrative that none of the recommendations from Senate inquiries, such as the Senate Economics References Committee Inquiry on the economic security of women in retirement, chaired by Jenny McAllister, were adopted and actioned.

As part of our *Breakthrough* thinking, we are examining what it would take to craft and change a universal superannuation system that is genuinely fair to women.

Conclusion

At *Breakthrough* Dr. Richard Denniss of The Australia Institute delivered a compelling keynote speech on 'how it is that a society as rich as Australia could for a century, for more than a century, overlook the needs of half of its population and reminded us of the three big lies that are used to stall debates about gender equality in Australia:

1. That inequalities in Australia are somehow reflective of bad choices, 'women are making the wrong choices, and because they're making the wrong choices they get bad outcomes. If only women would make better choices, some of their inequality might go away.'
2. We need more evidence. We can't make big policy changes until we acquire the evidence, 'when you're powerful you don't need evidence. Evidence is what you tell powerless people to go and collect, to keep them busy, to come up with an obscene veneer for your inaction.'
3. We, in Australia, cannot afford to tackle these sorts of problems, 'you sit here today in one of the richest countries in the world in one of the richest cities in one of the richest countries in the world, at the richest point in world history. Australia can afford to do



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anything it wants. What it cannot afford to do is everything that it wants, and that's what politics is about, deciding what's important and what's not.¹⁴⁹

It is no accident that Richard's speech has been the most popular content on the Trust's website over the past months since its publication post-*Breakthrough*. People have strong intuitive understandings of blockers to change and reform.

The 1943 Charter summed up the status of women in Australian society as follows:

*Whereas the indispensable contribution that women make to all phases of human life is at present inadequately recognised; and
Whereas they are not accorded the same status, opportunities, responsibilities and rewards as are accorded to men in the community; and
Whereas they are submitted to many discriminations and limitations imposed on account of their sex.*⁵⁰

How galling to think that over 6 decades later that these sentiments still ring true.

Labor has an opportunity with *Setting the Agenda* to lead positively on issues affecting the status of women. It can claim a significant place on the national historical record for doing so. Full gender equality. What are we waiting for?



Endnotes

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- 6 Ibid., 5-6.
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- 14 See page 11 for more information on the Trust's *Breakthrough 2016* event



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