



## PRIME MINISTER

**SPEECH BY THE PRIME MINISTER, THE HON P J KEATING, MP**

**INAUGURAL FORUM OF THE COALITION OF AUSTRALIAN PARTICIPATING ORGANISATIONS OF WOMEN (CAPOW!)**

It was with great pleasure that I accepted your invitation to participate in today's seminar.

I have some important announcements to make concerning the subject of this seminar, Australia's landmark anti-discrimination legislation, the Sex Discrimination Act.

I will also announce changes to our Affirmative Action legislation.

It would be hard to think of a better occasion to make these announcements than the first event organised by Australia's first coalition of women's organisations, called - appropriately enough - CAPOW!

I am informed that CAPOW! aims to increase communication and cooperation between Australia's leading women's organisations.

Some twenty national women's organisations have indicated a willingness to participate in the coalition when issues arise that concern their memberships.

This is an important new development in the political evolution of women's groups in this country and I wish the coalition every success.

I am very happy to be associated with your first public event.

I understand that six organisations participated in arranging today's forum, among them such long-standing

groups as the Women's Electoral Lobby, the Australian Federation of Business and Professional Women and the YWCA.

Wendy Fatin, who assists me on Status of Women matters, was a founding member of WEL, and I know she was also involved in the formation of another of today's sponsors, the National Foundation for Australian Women.

The remaining two groups involved today are the Australian Women's Health Network and the National Women's Housing Caucus, both examples of newer bodies representing community interests important to women.

These are all groups with whom the Government has worked closely, both through the Office of the Status of Women in my department, or through their periodic membership of the National Women's Consultative Council.

This partnership between women's organisations and the Government is important.

It's important to us because we value your opinions - and your advice.

It's important to us because you help us communicate with women in the community, and because your policy skills and political hard work have contributed greatly to Australia's proud record in advancing the status of women.

I hope it's important to you as well.

I trust that you value the access this Government has accorded women's organisations in its policy making process, including representation at such important national gatherings as the 1985 Tax Summit and the recent Youth Summit, as well as your involvement in various advisory and consultative bodies.

This partnership between women and government has evolved during the ten years of this Government.

It is our way - Labor's way - of working with organisations.

It involves mutual trust and mutual respect - and a genuine sharing of views.

We don't always agree with one another, but at least we listen and we talk. It is a means of moving forward, together, towards our shared goals.

Our partnership with you over the past decade has produced an unprecedented program of reform.

Integral to that program was the Sex Discrimination Act and the Affirmative Action legislation but before I move on to my announcements in that area, I would like to take the opportunity you have given me today to share with you some of my own observations on the changing status of women.

I am sometimes accused of being "unreconstructed" when it comes to the subject of women!

Well perhaps in the past there was some truth to that, but I can assure you that no father of daughters these days can stay unreconstructed for long - and I have three daughters!

I watch them growing up and I worry for them sometimes, as I know the world can still be rough on women.

That alone would be sufficient motivation to do everything in my power to make the world a better place for women.

But in fact my learning process started even before my girls came along.

I have sisters too, and when I reflect back on when we were growing up I realise that I had advantages that were denied to them.

I see now that that was unfair.

I have learned, too, from the subsequent lives of some of the girls I went to school with. One in particular had a very hard time when her husband left her stranded with three little kids.

I've also learned from women I have met in my capacity as a politician representing a suburban electorate west of Sydney.

But I've done more than listen and learn - I've acted.

The media would have you thinking that I'm living testament to the joke that compares Australian men with Treasury bonds - the difference being that Treasury bonds eventually mature!

Well, as Treasurer, I did more than wait for bonds to mature!

I am proud of what I was able to do of benefit to women.

As Susan Ryan (who is here today) will tell you, I'm sure, I gave her support in the Cabinet room for the policies she brought forward - including the sex discrimination legislation.

My colleagues and I made sure we found the funds for programs like child-care - a program which, I don't have to tell this audience, has expanded almost five-fold since Labor was elected.

The one program where I did get directly involved and of which I am immensely proud is the Child Support Agency.

I was instrumental in placing that Agency within the Australian Taxation Office which, I can tell you, was not exactly rapt in the idea back in 1988 when I proposed it.

But they accepted the idea in the end and now can take the credit for overseeing one of the most effective methods in the world of collecting child support from non-custodial parents.

Since the Agency was established, we have gone from collecting maintenance payments from only 30 per cent of non-custodial parents to 70 per cent.

And few things have given me greater pleasure in government than to see justice brought to these shirkers - and for the women and children they left behind to be able to improve their standard of living through payments they are fully entitled to receive.

During the past nine years there has been an increase of 1.5 million jobs, current unemployment levels notwithstanding. Women got 64 per cent of those jobs.

Bill Kelty and I arranged for supplementary payments to go to low-paid workers - the vast majority of whom are women, and the Minimum Rates Adjustment progress which saw child-care workers and others receive hefty and deserved increases.

I backed the portability of award superannuation which saw women, many for the first time in their working lives, able to save for their retirement and not be totally dependent on a husband's super.

And there have been other innovative actions.

For instance, I appointed Anna Booth as the first woman member of the board of the Commonwealth Bank and Hylde Rolfe to chair the Prices Surveillance Authority.

As Prime Minister I have reminded Ministers of the importance of appointing appropriately qualified women to major boards and authorities.

Women now make up around 20 per cent of statutory and non-statutory appointments.

This is not a high number but it is an improvement on the 1988 figure of only 12 per cent.

We can do better than this - and we will.

I was very pleased a few weeks ago when my colleague the Treasurer, John Dawkins, announced the historic appointment of Janet Holmes a Court to the board of the Reserve Bank.

Yet another milestone for women.

Under my Government, there will be many more.

I am proud to be part of a Government which has earned Australia a reputation world-wide for its progressive women's policies.

Several months ago, I had the pleasure of presenting Australia's second CEDAW Report to Mrs Mervat Tallaw, chairwoman of the UN Committee on the Elimination of Discrimination Against Women.

During that presentation, Mrs Tallaw told me she considered Australia to be at the forefront of countries that had made major improvements in the status of women.

Let me assure you today that my Government will continue those progressive policies.

Even in the six months since I delivered the One Nation statement we have been able to build on the achievements of the 1980s and continue our programs of innovative change.

In addition to our major infrastructure reforms, in road and in rail, in electricity and in aviation, we are continuing our economic and social reforms.

The Superannuation Guarantee Levy, which will give low-income women for the first time access to retirement income.

An extra 27,000 child-care places and an increase in fee relief to reduce child-care costs for 135,000 families.

In health, major reforms to Medicare, including \$50 million this financial year to reduce waiting lists, and a further \$1.23 billion over five years to improve access to public hospitals.

In women's health, a major new program was recently finalised when all the States and Territories signed on.

As my colleague the Deputy Prime Minister and Minister for Health, Housing and Community Services, Brian Howe, announced earlier this week, 5 million Australian women will be covered by the cervical cancer program which will provide screening via pap smears every two years for all women aged between 18 and 70.

We announced a \$93 million package of support and assistance for carers - most of whom are women.

I know only too well how valuable is their compassionate work in caring for elderly and disabled people.

And much much more.

Gone - I hope forever - are the days when women's contribution to the economy, and to society as a whole, could be ignored.

Gone - as far as this government is concerned - are the days when women's needs could be overlooked.

The transformation of women's lives over the past two decades is one of the most dramatic social movements we as a country have ever experienced.

Women have moved into the labour market in massive numbers.

From being just 33 per cent of the labour force in 1972, women are now 42 per cent.

In 1972, 39 per cent of women were in the labour force.

Today 52 per cent are and Government projections suggest that by the time we reach the next century, 61 per cent of women will be in paid employment.

Around 40 per cent of adults in the workforce have dependent children, and 45 per cent of women whose youngest child is aged under four are in paid employment.

Women are entitled to economic independence and the figures I have just quoted suggest large numbers of women are eager to achieve it.

There are many rewards to being in the labour force, besides earning an income and gaining an identity beyond one's family roles.

But there are many stresses involved in trying to reconcile our working and family lives.

Women shoulder most of this burden, or should I call it a "double burden", because women tend to be the ones who have the unpaid job of managing the time-tables of family members and who run family finances in addition to their paid job outside the home.

But increasingly men are being called on to share these responsibilities - and this is a good thing. But I know from my own experience the strains this can put on people.

As a Government we recognise the burdens on workers with family responsibilities.

We ratified ILO Convention 156 in 1990 and we are currently developing our policy responses to strongly promote the implementation of this convention.

In particular, we will be encouraging employers to make work-places more "family friendly" so that our private and public lives can mesh more harmoniously than is often the case today.

These kinds of stresses are not the only problems women face in the workplace.

There is also sex discrimination. Being overlooked for promotion. Sexual harassment. Barriers - sometimes overt and ugly, sometimes quite subtle and even invisible - that stand in the way of women participating fully in the economy.

As a Government we are absolutely committed to identifying and removing such barriers where we are able, or to providing remedies to women to take action where that is the appropriate recourse.

Pre-eminent in the latter category is the Sex Discrimination Act and the Affirmative Action Act.

These two pieces of legislation stand as one of Labor's greatest achievements.

When the Sex Discrimination Act was enacted in 1984 it became tangible evidence of our commitment to advancing women's equality.

The Affirmative Action legislation, proclaimed in October 1986, was a world wide first in providing a legislative framework to assist companies to identify and remove barriers to equal opportunities for women in employment.

These laws served as a benchmark of our determination to do all we could as a Government to retrench attitudes and practices that discriminate against women.

They provided legal remedies for women to use against those who would deny them equal opportunities, and they ensured that special programs for women to counter discrimination, or recognise women's special needs, would be available - and lawful.

As a Government we are proud to have crafted such an important reform.

And let me take a moment to pay tribute to Susan Ryan.

I'm sure Susan won't mind if I describe her as the "big sister of the Sex Discrimination Act".

After all, as an Opposition Senator she first introduced similar legislation as a private members bill in 1981 and later, as a Cabinet Minister, made sure this legislation was an early priority of the first Hawke Government.

The legislation has worked.

Women have used it to seek justice and redress.

It has helped change attitudes towards discrimination and has made us understand how widespread - and unacceptable - sexual harassment is.

But like most laws, these need to be scrutinised from time to time to ensure that they are in tune with current realities.

We have been given the opportunity to revisit this legislation with the report of the Lavarch Committee on equal opportunity and equal status for women in Australia.



That report, entitled Half Way to Equal, contains seventy-nine recommendations, many of which deal with the operation of these two laws.

I expect to be able to respond to the report as a whole later this year, but today I want to announce the Government's response to those recommendations which refer directly to that legislation.

Our full response is set out in considerable detail in the statement which I have released today.

Copies are available to all present at today's seminar.

Since some of the responses are somewhat technical, I will not mention them all here but simply concentrate on those we judge to be the most significant.

The Government has decided it will amend the Sex Discrimination Act in the following ways:

- by extending the Act to cover federal industrial awards and certified workplace agreements made after the date of the amending legislation.

This means individuals will be able to complain to the Sex Discrimination Commissioner about the discriminatory operation of awards and certified workplace agreements and she will be able to refer the complaint to the Industrial Relations Commission which will be required to vary the award unless there is a compelling public interest reason not to.

- by prohibiting dismissal on the grounds of family responsibilities.
- by strengthening the sexual harassment provisions of the Act.

We will remove the need for a complainant to demonstrate disadvantage; it will be sufficient for the complainant to have felt offended, humiliated or intimidated by the behaviour in question - and that it was reasonable to have felt that way.

We will make sexual harassment of students by other students, and staff members by students unlawful, extending the present provision which covers only the harassment of students by staff.

We will extend the operation of the sexual harassment provisions to the provision of goods and services and to other areas where discrimination is unlawful under the Act, for instance to unions, clubs, employment agencies and bodies deciding employment qualifications.

Women will gain greatly from this strengthening of the Act.

It means landlords cannot harass tenants, for example.

We will further amend the Act:

- by allowing complaints of victimisation to be dealt with by the Sex Discrimination Commissioner by conciliation.

Previously, people who complained of victimisation had to go to the Federal Court and argue their case all over again to seek redress; this is an expensive and daunting procedure and the Government was concerned that it may have deterred women from making justifiable complaints.

- by ensuring that determinations of the Human Rights and Equal Opportunity Commission are registrable in the Federal Court when they are made.

In the absence of an appeal, the determination becomes enforceable as an order of the Federal Court, thus increasing the effectiveness of determinations of the Sex Discrimination Commissioner which at present are not binding

In responding to the Lavarch Report and following a statutory review by my colleague the Minister for Industrial Relations, Peter Cook, we have also agreed to significant amendments to our Affirmative Action legislation in order to strengthen its effectiveness.

We have decided to adopt a policy of contract compliance, whereby all Government departments will ensure that recipients of Government contracts and industry assistance have met their obligations under the Affirmative Action legislation.

My colleague the Minister for Administrative Services, Nick Bolkus, has already announced that his Department would not purchase goods or services from suppliers who do not comply with the Affirmative Action legislation.

Other departments will follow suit as soon as the operational details are worked out.

We have also decided to extend the operation of the Act to cover voluntary bodies employing 100 or more paid employees.

This will bring an estimated 60,000 additional employees under the Act and will mainly affect the largest charities, independent schools and the Catholic school system.

It is the Government's intention that these amendments to the Sex Discrimination Act and the Affirmative Action (Equal Employment Opportunity for Women) Act will be passed before the end of this year.

The Government has classified them as "essential for passage" during this sitting of the Parliament.

We want to ensure these important and necessary reforms are implemented as quickly as possible.

Our response to the Lavarch Report has been framed with care.

We wanted to be able to reply to the Report as quickly as possible, but we also needed to be sure that the legislation would be improved by any changes.

With some of the recommendations, we felt that more time was needed to consider and consult before agreeing to amend the legislation.

For instance, the Government is aware of the concern by some women's groups that S. 33 of the Act be amended to ensure that special measures to promote equal opportunity for women are not unlawful.

We also know that many of you are worried about the test for indirect discrimination.

Both of these are complex and difficult matters.

I note that you are holding workshops on each of them this afternoon. I do ask that you convey your recommendations to my Office or to the Office of the Status of Women because these are among a number of Lavarch recommendations which the Government has decided to accept in principle but wanted more time to consider.

I have asked my colleague the Attorney-General, Michael Duffy, who was responsible for framing the amendments to the Sex Discrimination Act, to come back to the Government in February next year with definitive responses on those recommendations.

There are two exceptions.

We as a Government felt we needed a longer period of time to consider the implications of removing the permanent exemption of the Australian Defence Forces in respect of women in combat.

My colleague the Minister for Defence Science and Personnel, Gordon Bilney, has agreed to re-examine that exclusion and its legislative basis after he receives the results of a review of women employed in combat-related positions later this year.

Similarly, it was the Government's view that the implications of the exemption present enjoyed by religious schools needed to be thoroughly examined, and widely consulted, before a decision was taken.

In both these cases, the Government has agreed to reconsider the recommendations in September 1993.

To sum up, the overall response I have been able to provide today is comprehensive and very specific.

I have tried to avoid becoming too technical while providing you with a flavour of the extent of our response.

I am satisfied we have been able to respond positively to the vast majority of the recommendations and that where we are not able to act immediately, we have signalled our intention to do so after adequate investigation and consultation.

Finally, let me commend Michael Lavarch and the Government members of the House of Representatives Standing Committee on Legal and Constitutional Affairs for their thorough and constructive report.

They have led us through a complex set of issues with clarity and vision.

But I'm sorry I can't say the same for the Opposition members of that Committee who presented a dissenting report.

They took the view that some of the recommendations for changing the legislation would have "the consequences of diminishing rather than enhancing the equal opportunity and the equal status of Australian women"!

Well, let me say that this is just one more area where the Government and the Opposition are poles apart.

We recognise and want to eradicate inequality, injustice and unfairness.

They want to create new hierarchies, new divisions, new tensions and new antagonisms in our society.

We want to work in partnership with the important Australian groups.

We want to consult with and listen to women's organisations, business, trade unions, welfare groups, environmental groups, young people.

Our one nation is predicated on reconciling the various and differing elements of Australian society.

We want fewer tensions.

We want less aggression and violence.

We want to close the distances in our nation, be they between cities, between sectors or between sexes.

We want accord and harmony.

These are our common goals.

We as a Government and, I am confident in saying, you as members of women's organisations, are dedicated to improving our society, to making it a fairer and nicer place.

I was criticised earlier this week by the press for devoting my entire speech at the National Press Club to a critique of Fightback!

But my main business at the Press Club was to analyse the Opposition's policy because I hold such strong views on the damage that Fightback! would do to this country were it ever to be put into practice.

I hope you will forgive me for saying so in this forum but I believe I would not be doing my job if I were not to alert Australians to the fate that I am convinced awaits them if Dr Hewson and his band of wreckers were ever to get their hands on the levers of Government.

Fightback! is a damaging and destructive doctrine.

It is especially unfair to women.

The Opposition is trying to peddle the fantasy that our proposed tax cuts are of no benefit to women.

Low income earners, many of whom are women, would not benefit from our policy, they allege.

Well, let me set the record straight.

It is Fightback! and the GST that women should fear .

Fightback! will tax the purse - and compensate the wallet.

Give male earners an income tax cut while their wives are slugged with a 15 per cent GST on every item of food and clothing required by the household.

Is this the Coalition's idea of fairness? To leave women to bear the brunt of the tax?

Under the Coalition's enterprise bargaining system, women's wages are likely to fall back to the low levels of twenty years ago when women earned on average only 67 cents for every dollar earned by men.

Under Labor's centralised wage-fixing system, the earnings gap between women and men has been reduced.

A recent ILO study noted Australia's record, showing that award rates of pay for full-time, adult non-managerial woman are now 90.1 per cent of the earnings of their male counterparts, leaving aside overtime.

By extending the Sex Discrimination Act to industrial awards and certified workplace agreements, as I announced earlier, we are demonstrating the strength of our commitment to a fair, award-based industrial relations system.

The barbaric survival of the fittest (and the strongest) policies of Dr Hewson would force women workers off awards and into individual employment contracts where their wages and conditions could be substantially reduced.

Make no mistake about who would suffer most under Fightback!  
- women.

Child-care will be more expensive because of the GST.

More than 100,000 women would lose their Family Allowances.

Health care would once again become an entitlement of the wealthy.

The Coalition would close down the Affirmative Action Agency, slash the resources of the Human Rights and Equal Opportunity Commission and, thus, the Sex Discrimination Commissioner, and generally reduce the role of government in promoting fairness and opportunity for all Australians.

But most of all it would deny us our vision and our determination to make Australia a better and a more equitable society.

Imagine an Australia where women could pursue their dreams and their ambitions, unfettered by discrimination, no longer harassed or deterred by man-made barriers.

An Australia where women were not "half-way to equal" but where we all lived in peace, harmony and equality.

I can imagine such a place.

It's where I want to live; it's where I want my daughters to live.

It is a place we can achieve by working together, the way we do now.

I give you my solemn undertaking today that I will work hard, do my bit to help us get there.

Together, in partnership, I am convinced we can make it.

CANBERRA

19 September 1992