

HOUSE PROCEDURE COMMITTEE
SET THE STANDARD (RECOMMENDATIONS 10 AND 27)

Australian Human Rights Commission

The Procedure Committee had the following additional questions for the Sex Discrimination Commissioner:

1. Does the Commissioner have any comments on ‘the recommendations from the previous committee’—that is, the recommendations of *A window on the House: Practices and procedures relating to Question Time*.
2. What are the Commissioner’s thoughts on the establishment of a parliamentary committee on gender equality, diversity and inclusion?

Responses to the Procedure Committee’s questions are as follows:

1. I have read the Standing Committee on Procedure’s report: *A window on the House: practices and procedures relating to Question Time*. To manage disorderly conduct of Members during Question Time, the Committee made the following recommendation:

Recommendation 8: The Committee recommends that the House amend standing order 94 so that the Speaker can direct a Member who is disorderly during Question Time to leave the Chamber for a period of either one or three hours (on an escalating basis) to be served during Question Time and the discussion of a matter of public importance.

In *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*, the Commission found that there was a need for clear and consistent standards of conduct, particularly for parliamentarians, and consequences for breaches of those standards. It is my view that the parliamentary codes of conduct currently under consideration should apply to parliamentary proceedings.

In *Set the Standard*, the Commission heard that everyday sexism and other forms of exclusion occur both inside and outside the chamber. The Commission considered that the Standing Orders do not adequately promote a safe and respectful environment which resulted

in recommendation 10 – this current inquiry. The Commission considered that the review of Standing Orders could broaden the definition of ‘disorderly’ behaviour to include acts of bullying and sexual harassment witnessed in the chamber and could also consider sexist and otherwise discriminatory or exclusionary language as ‘offensive’, ‘objectionable’ and ‘unparliamentary’.

I strongly agree with the Committee that there is a need to lift standards of behaviour in Question Time and support recommendation 8. I agree that it is important for the Speaker to have the appropriate tools to stop robust debate from becoming disorderly behaviour. A sliding scale of increasing severity would allow for the application of proportionate sanctions. Consistent and proportionate sanctions drive change in culture and practice and also provide a degree of deterrence. I note this was the only recommendation that related to the current inquiry.

2. I support the establishment of a parliamentary committee on gender equality, diversity and inclusion. A parliamentary committee on gender equality, diversity, and inclusion would be a critical institutional mechanism to place gender equality, diversity, and inclusion at the heart of decision-making. Law, policies, or decisions are never gender-neutral, and without intentional and systematic analysis and scrutiny of the gender, diversity, and inclusion impacts of proposed legislation, there is a risk that legislation may reinforce or exacerbate existing inequalities. Laws, policies, programmes and budgets that assume that ‘one-size-fits-all’ often result in discriminatory or ineffective outcomes. Parliaments have a key role in ensuring not only that everyone is properly represented in decision-making, but also that legislation and government actions take account of the needs, interests, and experiences of different groups.

A parliamentary committee would have the role of scrutinising the work across the Australian Public Service from a gender, diversity and inclusion perspective. All proposed bills would come to the committee for scrutiny on gender equality, diversity and inclusion impacts. A further important role of the committee would be the socialisation of knowledge of gender, diversity and inclusion as it relates to decision-making. By normalising these discussions across the Parliament, the committee will also contribute to a more respectful and

inclusive environment and there will be a deeper understanding of gender equality, diversity and inclusion across the board.

I note that the Inter-Parliamentary Union (IPU) defines a gender-sensitive parliament as one in which structures, operations, methods and work respond to the needs and interests of both men and women. The IPU emphasizes the importance of mainstreaming gender throughout all parliamentary work.

In the UK an Equalities Committee was recommended by the All Party Parliamentary Group on Women in Parliament in their July 2014 report on *Improving Parliament: Creating a better and more representative House*. The Women and Equalities Committee was first appointed by the House of Commons in June 2015. The Committee examines the policy, administration and expenditure of the Government Equalities Office and the wider Equality Hub in the Cabinet Office, and holds the Government to account on cross-departmental work in relation to equality policy and law, including the *Equality Act 2010* and relevant international equality commitments.