



Australian
National
University

Dr Sonia Palmieri
Gender Policy Fellow
College of Asia and the Pacific
+61 2 6125 6560
sonia.palmieri@anu.edu.au

30 August 2022

Ms Sharon Claydon MP
Chair
Joint Select Committee on
Parliamentary Standards
Parliament House
Canberra ACT 2600

Submission: Inquiry into Codes of Conduct for Commonwealth Parliamentary Workplaces

Dear Ms Claydon

Thank you for the opportunity to make a submission to the Committee's important inquiry on codes of conduct for Commonwealth parliamentary workplaces. As I outline at Appendix A, I have spent over 20 years researching women's parliamentary participation and leadership in Australia and internationally, and developing tools to support parliaments in making institutional change towards gender equality. This work has been interspersed with practical experience in the operation of the Australian parliament. I write this submission based on this research and experience.

Codes are important but insufficient

While codes of conduct are a critical part of institutional change, and I firmly support the submissions made by colleagues at The Australian National University, including our Global Institute for Women's Leadership, they are – by themselves – insufficient.

The Australian Human Rights Commission's report, *Set the Standard*, identified **gender inequality as a key driver** of bullying, sexual harassment and sexual assault in Commonwealth parliamentary workplaces (p. 14). Improving gender equality in these workplaces requires more than the codification of 'appropriate standards of behaviour'. It will require a significant cultural shift in the way we value and legitimise the contribution of women and other marginalised people in the process and outputs of all parliamentary work.

Professor Sarah Childs (author of the UK audit [The Good Parliament](#)) and I have defined a gender sensitive parliament as one that:

... values and prioritises gender equality as a social, economic and political objective and reorients and transforms a parliament's institutional culture, processes and practices, and outputs towards these objectives.¹

Neither of us pretend this is an easy objective, but it is something to which the Australian parliament should now aspire.

Cultural change begins with a deeper analysis of current norms and practice

The parliament – as an institution – needs to redress the historical and cultural normalisation of white, heterosexual, older men as legitimate political actors, whether this be as elected representatives, chiefs of staff, leaders of parliamentary administrations, or political party workers. This normalisation is not only unsafe for others in the workplace, but it has tended to marginalise the diverse perspectives and contributions of anyone who is not white, heterosexual and male in the political process. We see evidence of this marginalisation and exclusion in the [double standards](#) operating in every day Australian political discourse.

While quotas and targets are the obvious solution to increasing diversity and inclusion in this workplace, additional measures should be implemented.

A key place to start is with a **gender sensitive assessment or audit**. These can be undertaken with the support of tools developed by parliamentary organisations such as the [Inter-Parliamentary Union](#) (IPU), the [Commonwealth Parliamentary Association](#) (CPA), or the [Organisation for Economic Cooperation and Development](#) (OECD).

The United Kingdom serves as a useful role model in this respect (see Box 1).

Box 1: Gender sensitive assessments in the UK Parliament (2016–2022)

2016: Professor Sarah Childs (an expert in gender and politics) is seconded to Westminster from the University of Bristol; her [report](#) includes 43 recommendations.

2018: Four members of the House of Commons, four members of the House of Lords, two staff members from each parliamentary department and a staff member from the IPU undertake a [gender sensitive parliamentary audit](#), using the IPU's methodology.

2019: The House of Commons Commission and the House of Lords Commission produce a [joint response to the audit](#).

2021: The House of Commons' Women and Equalities Committee launch a [gender sensitive parliaments inquiry](#), to consider action on gender equality in the House.

2022: Women and Equalities Committee publish [a report](#), and the [government response](#) to the report.

¹ Sarah Childs and Sonia Palmieri. '2.6 Gender sensitive parliaments: Feminizing formal political institutions', Marian Sawer, Lee Ann Banaszak, Jacqui True, Johanna Kantola, *Handbook on Feminist Governance*. Edward Elgar (forthcoming).

How gender sensitive is the Australian Parliament?

My most [recent research](#) on gender sensitive parliaments, undertaken for the Organisation for Security and Cooperation in Europe, identified a suite of measures that parliaments can implement, categorised by each of the three main parliamentary functions (representation, law making, and oversight).

Using these recommended measures, I present my own initial thoughts (through a ‘RAG’ analysis²) of the gender sensitivity of the Australian Parliament.

Red	Amber	Green	Measure
			1. GENDER SENSITIVE REPRESENTATION
■ ■ ■			Adopt measures that support fifty-fifty gender balance in parliament, such as: <ul style="list-style-type: none"> • The adoption of shared leadership, either by establishing co-leadership positions, or rotating the positions between men and women; • Internal rule changes to increase the number of women appointed to parliamentary leadership positions (including committee chairs and leadership positions in the bureau or board); • Internal rule changes to guarantee a proportional and equitable distribution of women parliamentarians across all committees—not just those relating to social issues—and parliamentary delegations.
	■		Strengthen policies and measures that will enforce gender balance among parliamentary and political staff, horizontally and vertically.
■			Introduce a monitoring and reporting system that captures all MPs’ participation across the full range of parliamentary activity; harmonize indicators by referring to databases managed by international organizations; regularly review and publish diversity-disaggregated data; and take action to redress instances of diversity imbalance in participation.
	■	■	Proactively promote a healthy work–life balance, making the everyday job of a parliamentarian more attractive to all by: <ul style="list-style-type: none"> • Supporting all parliamentarians with caring responsibilities (be they newborns, school-aged children, elderly or special-needs dependents) by offering them alternatives to chamber duty and voting, such as paid parental leave and carer’s leave, flexible working arrangements (including remote voting), a proxy vote or vote pairing; • Ensuring that allowances and parliamentary travel entitlements are provided to parliamentarians equitably and transparently, with equality of participation as one of the goals of a fair system of allowances and expenses; • Fully resourcing family-friendly arrangements so as not to increase the care burden of individual MPs.
		■	Ensure that policies and practices on work–life balance are equally available to parliamentary staff.

² RAG stands for Red, Amber, Green; these colours make up a traffic light coding scheme by which to categorise the implementation status of recommendations (or project tasks).

	<ul style="list-style-type: none"> ■* ■ ■ ■ ■ ■ ■ ■ 		<p>Commit to and enforce zero tolerance of all forms of gender-based violence and discrimination in the parliamentary workplace by:</p> <ul style="list-style-type: none"> • Developing a code of conduct through sound and robust data collection using internationally accredited and harmonized indicators; • Reflecting an understanding of the causes and preventions of gender-based violence, and the importance of intersectionality, in the provisions of the code of conduct; • Ensuring that the code of conduct applies to every person who works in the parliament; • Establishing independent mechanisms for complaints handling and redress; • Providing confidential access to assistance for victims; • Ensuring remedies as well as disciplinary sanctions against perpetrators; • Mandating anti-sexism and anti-harassment training for all parliamentary workers; and • Reviewing the code and grievance process regularly, and publicly disclosing (e.g. in aggregate, quantitative form) actions taken by the parliament and the independent complaints mechanism.
2. GENDER SENSITIVE LAW MAKING			
<ul style="list-style-type: none"> ■ ■ ■ 	<ul style="list-style-type: none"> ■ ■ 		<p>Improve understanding of the gendered impacts of government-initiated legislation and budgets by:</p> <ul style="list-style-type: none"> • Requiring, by law, comprehensive government data broken down by multiple demographic indicators including sex, and continue to advocate for more inclusive data collection practices; • Designing, based on existing templates and toolkits, bespoke GSL frameworks that suit their own parliamentary context, including a checklist and guidance on how to use it; • Requiring, by law, that all government policies and legislation be reviewed and assessed before and after for their gender impact and compliance with national obligations under relevant international normative frameworks, requiring that assessment reports be made available to the public and submitted directly to the parliament, and considering the appropriateness of sanctions for non-compliance with impact assessments; • Establishing and formalizing stakeholder relationships with gender experts across diverse policy areas from academia, civil society organizations and the private sector, and drawing on this expertise in legislative and budgetary deliberation; and • Requiring, by law, the practice of gender-responsive budgeting to assess the effectiveness, efficiency, relevance and impact of all policy measures, specifically by studying any budget cuts and advocating against cuts to programmes or initiatives meant to support women and gender equality.
	<ul style="list-style-type: none"> ■ 		<p>Requiring, by regulation, the practice of targeted public consultations so that women and representatives of minority groups are involved in consultation proceedings on legislation that may affect them (including by adapting the timing and methods of consultation, enhancing outreach for particularly</p>

			marginalized groups, and/or conducting smaller or larger, local or regional, or online or offline events).
■			Improve understanding of the relevance of gender equality across all portfolio areas, by: <ul style="list-style-type: none"> • Piloting and/or formalizing gender mainstreaming in areas like the environment and national security, traditionally seen as gender-neutral; and • Formalizing and resourcing relationships with a broad range of gender experts across all policy sectors.
■			Improve internal capacity for gender analysis by: <ul style="list-style-type: none"> • Hiring gender experts across the parliamentary administration, including in non-traditional areas such as communications and broadcasting and information technology; and
	■		<ul style="list-style-type: none"> • Ensuring that all MPs have access to sex- and diversity-disaggregated data collected and analysed by independent sources such as the parliamentary research service or library, think tanks, academia and civil society organizations.
3. GENDER SENSITIVE OVERSIGHT			
■			Ensure that there is a formal body tasked with gender-sensitive oversight that has parliamentary legitimacy and is sufficiently resourced to report on its examination of legislation to the key political organs of the parliament.
■			Mandate all parliamentary bodies with the responsibility for gender mainstreaming, and ensure adequate capacity, tools and resources.
■			Allocate time in the order of business for special debates on gender equality or gender-specific questioning of ministers; monitor the participation of women and men in these debates, and where there are gender gaps in participation, encourage men to play their full role.
■			Offer MPs, parliamentary and political staff professional development courses in gender analysis, gender impact assessments and gender-sensitive public consultations.
	■		Where gender-based discrimination and inequality is uncovered, including in the implementation of laws or policies, ensure that all parliamentarians are able to: <ul style="list-style-type: none"> • Communicate with the minister responsible;
	■		<ul style="list-style-type: none"> • Raise the matter on the floor of the house or through other appropriate parliamentary action;
	■		<ul style="list-style-type: none"> • Take the issue up with the designated parliamentary leader and/or women's parliamentary body tasked with responsibility for gender equality;
■			<ul style="list-style-type: none"> • Network with members "across the floor" to propose new legislation or amendments;
■			<ul style="list-style-type: none"> • Raise the issue with the media, women's organizations and/or party leadership;
■			<ul style="list-style-type: none"> • Engage gender experts to support the drafting of amendments or new legislation to remedy the discrimination.

* Note: Give the Committee's ongoing work on codes of conduct, I categorise this as Amber.

This analysis suggests that while the Australian Parliament has done some work to facilitate MPs' ability to juggle work with their responsibilities to care for infants (through the provision of onsite child care and proxy leave), little or no consideration is given to mainstreaming gender equality in the legislative and oversight work of the parliament.

Doing so, however, would normalise parliament's discussion and analysis of a key driver of inequality in Australian society, and thereby also normalise the contribution of those still considered outsiders in Australian parliamentary democracy.

Parliamentary gender sensitivity assessments are becoming more common in both developed, and developing parliaments. The Joint Select Committee on Parliamentary Standards could either seek to extend its own remit and conduct such an assessment, or recommend that another parliamentary body – such as Parliamentary Leadership Taskforce – drive the initiative.

I look forward to furthering this conversation with you and the Committee.

Sincerely

◀

Dr Sonia Palmieri
Gender Policy Fellow

Appendix A: Chronology of Parliamentary Experience & Engagement

Year	Experience
2021	Seconded to the Australian Human Rights Commission to contribute to its Set the Standard report, specifically sections 5.2 Diversity, Equality & Inclusion, and 5.5 (b) Work environments that foster safety and wellbeing
2020-2021	Researched and wrote OSCE Office for Democratic Institutions and Human Rights' Realizing Gender Equality in Parliament: A Guide for Parliaments in the OSCE Region
2020	Co-wrote UN Women's A primer for parliamentary action: Gender-sensitive responses to COVID-19
2018	Wrote the entry on Gender Sensitive Parliaments for the <i>Oxford Research Encyclopaedia of Politics</i>
2017	Wrote the entry on Gender Sensitive Parliaments in the OECD Toolkit for Mainstreaming and Implementing Gender Equality Implementing the 2015 OECD Recommendation on Gender Equality in Public Life
2016	Wrote IPU's Evaluating the gender sensitivity of parliaments: A self-assessment toolkit
2012-2013	Employed by the Department of the House of Representatives – International and Community Relations Office – Program Manager, Pacific Women's Parliamentary Partnerships
2012	Wrote IPU's Plan of Action for Gender Sensitive Parliaments
2009-2010	Researched and wrote IPU's Gender Sensitive Parliaments: A Global Review of Good Practice
2008	Employed by the UNDP – Project to strengthen the National Assembly of Vietnam
2004-2008	Employed by the Department of the House of Representatives – Committee Office
2003-2004	Employed by the Inter-Parliamentary Union – Researcher on Gender Issues
2003	PhD thesis completed The impact of gender or the gender of impact? A study of interactions in Australian parliamentary committees , University of Queensland
2002	Employed by Department of the House of Representatives – Committee Office
1999	Co-wrote Gendered contributions to parliamentary debates: The case of euthanasia for the Australian Journal of Political Science
1998	Employed by Department of the House of Representatives – Table Office