

NON-CUSTODIAL PARENTS PARTY (EQUAL PARENTING)

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Committee Secretary,
Senate Legal and Constitutional Affairs Committee
Department of the Senate
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Parliament House
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Dear Sir/Madam,

**Re. Submission to the Inquiry into the Effectiveness of the
Commonwealth Sex Discrimination Act 1984 in Eliminating
Discrimination and Promoting Equality.**

We would like to make a submission to the Senate Standing Committee for
Legal and Constitutional Affairs.

This is with regard to the Effectiveness of the Commonwealth *Sex
Discrimination Act 1984* in Eliminating Discrimination and Promoting
Equality

1. Introduction

For far too long, the supporters of feminism have used the *Sex
Discrimination Act* as a code for intolerance and discrimination against
males.

It is time for a change.

We have had the opportunity of viewing a draft copy of the *Dads on the Air* submission made to this Inquiry. We fully agree with the comments made by the author of that submission.

We particularly support the view that any proposed changes to the *Sex Discrimination Act 1984* must be based upon true gender equality.

2. Specific Comments

We have provided comments to items (b), (g), (l) and (n) of the Submissions Paper.

(b) The Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW).

In the present *Sex Discrimination Act*, Section 3 “Objects” states:

The objects of this Act are:

- (a) to give effect to certain provisions of the *Convention on the Elimination of All Forms of Discrimination Against Women*; and
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A full and complete copy of the CEDAW document is then provided in the Schedule of the present *Sex Discrimination Act*. This is obviously to reinforce the importance of the contents of the CEDAW document to the *Sex Discrimination Act*.

We believe that should the CEDAW be continued to be left in the *Sex Discrimination Act* then one of two things should occur. The CEDAW document should be either re-worded or a disclaimer provided in the *Sex Discrimination Act*, itself. This disclaimer should state that avoidance of discrimination against men is just as important as the avoidance of discrimination against women.

As an example, the present wording of Article 2(b) of CEDAW states that

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women.

This section could be re-worded to read as

States Parties condemn discrimination based on sex in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination and, to this end, undertake:

To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination based upon a person's sex

However the disclaimer is probably the simpler means of achieving the desired result.

(g) Preventing Discrimination, including by Educative Means.

There is currently an imbalance in this area. The *Sex Discrimination Act* does not properly address this issue.

One example of this currently biased-type of education campaign is called *Violence Against Women, Australia Says No (VAS ASN)*.

The VAW ASN campaign was first run in 2004. The campaign is quite extensive and includes a Help Line, TV, Cinema and radio advertisements and national mail-outs. The campaign's current annual budget for 2008/2009 is \$19 million. This is all provided from the Federal Government's 2008/2009 Budget.

The VAW ASN campaign is organized by the Federal Government's *Office of Status of Women*. It is then organized through a contract media organization. The main media campaign is run over three periods of three (3) weeks each year.

This is to coincide with the three (3) traditional family days of Mothers' Day, Fathers Day and Christmas Day. For example, one of the three (3) VAW ASN media campaigns commences three (3) weeks before Fathers' Day and ends on the first Sunday in September (i.e. Fathers' Day)

The VAW ASN campaign is decidedly anti-male orientated and is therefore discriminatory.

The *Sex Discrimination Act* should make provision to prevent discrimination by one gender against the other gender. This is particularly with respect to the inappropriate use of educative means in that regard.

(l) Addressing Discrimination on the Ground of Family Responsibilities

Family values seem to be an area that has been forgotten in the current *Sex Discrimination Act*. Family values should be the main objective of any couple.

Full-time, long-term paid should not be looked upon as the ultimate aim for either sex. Rather the objective should be a collective one. This is to allow for full-time parenting for children, particularly in their early years.

For example, the family responsibility provisions of the *Sex Discrimination Act* need to be expanded. This is not only to include dismissal. It should include the whole range of indirect discrimination that parents can suffer, such as being denied promotion, etc.

(n) Scope of Existing Exemptions.

Section 43 of the *Sex Discrimination Act* states that

43 Combat duties etc.

- (1) Nothing in Division 1 or 2 renders it unlawful for a person to discriminate against a woman on the ground of her sex in connection with employment, engagement or appointment in the Defence Force:
 - (a) in a position involving the performance of combat duties; or
 - (b) in prescribed circumstances in relation to combat duties.
- (2) In this section:

combat duties means such duties as are declared by the regulations to be combat duties for the purposes of this section.

Section 43 exempts discrimination against women who do not wish to take up combat duties.

Section 43 should be removed in its entirety.

Joining the Australian Defence Force is voluntary. Should someone of either sex choose to join the Defence Force, then they must be expected to be treated equally.

3. Conclusion

We thank you for allowing us the opportunity to make this submission to the Senate Inquiry

Yours faithfully

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Non-Custodial Parents Party (Equal Parenting).