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Just Communities: Lies, Atrocities and Answers

Communities in Control Conference
Melbourne, 31 May, 2011

Presentation by

Elizabeth Broderick

**Sex Discrimination Commissioner and Commissioner Responsible for Age
Discrimination**

Elizabeth Broderick:

Thank you very much Carol for that warm welcome. Carol has been a great friend to me for many years now and a great mentor to me and it's a wonderful pleasure to be here. Thank you, Denis, very much for thinking of me when you put this conference together.

As Carol said, I was appointed the Sex Discrimination Commissioner in 2007. I went home to tell my 13-year-old son, Tom. I said, "Guess what Tom? Mum's going to be Australia's Sex Discrimination Commissioner." "Oh Mum that is so gross," he said.

So I've got a number of roles in my life, not just being the Sex Discrimination Commissioner but also embarrassing my children. On International Women's Day a few months ago, my daughter Lucy came home. She said, "Mum, my friends are saying that you're coming in to talk at the school." I said, "Yes, remember we talked about it." "Oh, you are so embarrassing. Can you just work on the tuck-shop like everyone else? And they're charging \$20 to hear you talk. I mean who's going to pay \$20?" She did have a point there. Fortunately a few people did.

But I'm really delighted to be here at the ninth annual Communities in Control conference and to share a platform with three wonderful speakers.

Let me start by acknowledging that we are meeting here on the traditional lands of the Wurundjeri people and I pay my deepest respects to their elders, past and present.

The work that Carol's doing through the Women's Leadership Institute is absolutely changing the way gender is seen in this country. I think that publication, *Advancing Women*, and the Australian awards will take us a step further in ensuring that women across Australia are fully recognised and acknowledged for their efforts in building an Australian society that we can all be part of, that we can all benefit from and that we can be proud of.

Acknowledging and valuing the leadership that women provide in our communities is a vital step to achieving gender equality in Australia. I absolutely believe that, so thank you very much Carol and to the Women's Leadership Institute.

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I know that I'll be nominating a whole host of women so they might have to put a few more extra people on to assess when all those women's applications come in. I hope you all join me in doing that.

It's also great to see Senator Kate Lundy, who I've long admired, thank you very much for launching the publication. It's often difficult to stay whole in politics but that's exactly what Kate's done over many, many years and she's a remarkably great role model for people and particularly for women all across our country so thanks Kate.

I couldn't resist putting this one up [refers to slide]. I love to use it in my corporate sessions. You can see the Chair saying, "That's an excellent suggestion Miss Triggs. Perhaps one of the men would like to make it." A number of us can relate to being in board meetings where we have that experience.

But today I want to start with a story that was recently told to the TED conference. There was TEDx in Sydney just this weekend which was spectacular. It's a conference where different thinkers and experts and specialists come together to share ideas.

This is a story told by journalist and broadcaster Krista Tippett, who described how she saw the world. She says that at the beginning of time the original light of a universe was shattered into countless pieces. It lodged as shards into every aspect of our world.

Our human calling is to look for this light, to point it out when we see it, to gather it up and in so doing to repair the world.

I think it's an important and empowering story for our time because it tells us that each and every one of us, as inadequate as we all are, we all have what's needed to repair the part of the world that we can see and touch.

And as committed community sector workers, you are doing exactly that, repairing the part of the world that you can see and touch. It's what you do every single day. I, for one, draw inspiration and hope from your work, and there are millions of people across this country that do also.

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From that person at the end of a telephone advice line who provides compassionate advice late at night when someone has nowhere to go.

From a lawyer who works tirelessly to help protect and enforce a person's legal rights.

From the health workers who treat each woman with dignity and respect and give them the information they need to make decisions about their body, their physical and mental health.

From the men and women in the refuges, shelters and emergency accommodation, who day after day provide women and children with a safe environment and enable them to start the process of rebuilding their lives.

To the advocates who campaign for systemic change so that it doesn't have to be quite so difficult for individuals.

And the countless others, and I'm sure many of you are represented here in this room today.

You are the people who make our community viable and you are the people who inspire many Australians. Thank you.

But today, what I'd like to do is to focus on three important things. And firstly I want to talk to you a little bit about the developments in the pay equity case, which is the first test case before Fair Work Australia.

Secondly I want to talk about the issue of poverty in retirement and how it disproportionately affects women, often because they've spent a lifetime of unpaid caring work, or have worked in industries like the community sector which have had low levels of remuneration.

And finally I want to conclude with some reflections about women's leadership in Australian communities and talk to you about a couple of inspiring examples that I've come across.

And I do this with the objective of encouraging you to even greater heights, while of course recognising that creating a sustainable, equal and just Australia is everyone's business, not just the business of community sector workers.

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One of my key messages today is that even though there are challenges, they will equal opportunities.

So I want to start with a bit of a disclaimer. I was glad that Denis mentioned it. That is, that although a lot of what I'll say today is framed about women, women's equality is not a zero sum game. It's not a situation where women win and men lose, absolutely not. It's about benefitting both men and women, also about families. And I think you'll see that as we go through the presentation.

So let me begin by talking about the equal remuneration case currently before Fair Work Australia. Just a bit of background, in March 2010 the Australian Services Union and other parties lodged a case with Fair Work Australia, who you'll know is the industrial relations authority.

They argued that the work of a social and community sector worker, what they call SACS, was undervalued and that workers were unfairly remunerated.

They argued that a lot of the undervaluation was due to the fact that the community sector is a feminised sector. Our research shows that the sector comprises of almost 200,000 workers and about 85% of them are women.

As Denis says we also have some terrifically progressive men as community sector workers, men who may experience disadvantage because of their choice to work in what's essentially a feminised industry and an undervalued sector.

So the Australian Services Union told Fair Work Australia that SACS workers had diverse skills and qualifications, often many different university degrees and tertiary qualifications, and that the work that they performed every day was emotionally and intellectually demanding. I couldn't agree more.

They also noted that this workforce included a significant proportion of part-time and casual workers and had a low level of unionisation which presented a persistent barrier to obtaining fair remuneration.

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Now, the Australian Human Rights Commission, of which I'm a Human Rights Commissioner and the Sex Discrimination Commission, we supported the ASU case with our own submission. We argued that remuneration for work of equal value, so equal pay for work of equal or comparable value, is a basic human right, one of which many women in Australia are today deprived.

It's a fact that across our society women in full-time employment are still paid almost 17% less than men. This is despite the existence of legislation that's been in place for many years, despite the previous test cases back in the mid-1970s. Over the period 1994 to 2011 the gap has remained between 15 and 18%.

The tendency to dismiss the type of work performed by the SACS sector as 'women's work', and remunerate it as such, is a large part of the problem. And this has a huge flow-on effect.

So the full bench of Fair Work Australia, after considering numerous submissions and evidence which has been presented to them over the last six months, just last week handed down an interim decision.

What they found in this particular case is that there is not equal remuneration for men and women workers for work for equal or comparable value. The full bench considers that gender has been important in creating the gap between pay.

So what they were saying there was, "You're right. The work is undervalued and gender is one of the reasons that it is undervalued."

So that was an interim finding. They haven't as yet made what we call an 'equal remuneration order' which would say that it's undervalued by this particular amount. What they've done, because they're having trouble working out what that amount or those amounts are, they have called on the applicants to file further submissions in the coming months.

Now, you may have seen the arguments that have been going to and fro about the capacity of government – State and Federal Governments – to meet any increased pay rates for community sector workers. And of course there will need to be a transition plan.

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But whether the work is properly valued and how any increase might be paid, they're two separate issues. A perceived inability to fund equal pay should not impede what is our basic human right and that is equal pay for work of equal value.

Fair remuneration in the community sector is vital, not just for our progress towards equality today but to ensure that those men and women who do this critical work, the most difficult and the most compassionate work in our society, do not live in poverty in their twilight years.

Which really brings me onto my second point and that's about caring and poverty.

The women, and it is disproportionately women, who work in industries like the community sector industry and provide vital community services, they can find themselves in poverty at the time of retirement. They can move from being the supplier of the services to the recipient of those same services in a very few short years.

Now, this poverty doesn't happen suddenly. It's not as if you wake up poor the day before you retire. For many women, their lack of economic security in retirement is the cumulative impact of the many linked incidents of discrimination throughout their lifetimes, often because of the unpaid or lower pay that they receive for the support they provide our communities, support which, after all, benefits all of us.

And I think the best way to just describe this is to put a story to it. So let me introduce you to Cheryl, she's 22, and her partner Bob, who's 29. Bob works in the car manufacturing industry as a line manager. Cheryl has just started her career in the community sector and she's undertaking part-time tertiary studies. She's studying for a nursing degree.

Everything is going along well so a few years later Bob and Cheryl decide to start a family. As Bob is on a higher income in the car company they decide that Cheryl will take the time out to be a full-time mum during the first few years of a newborn baby's life.

But when Cheryl returns to work from maternity leave she's told that her position no longer exists and she's relegated to a role below her skill level with fewer training and promotion opportunities because she needs flexible work arrangements.

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To make matters worse, once she takes up her new casual position she finds herself subjected to sexual harassment by her immediate superior. Almost one in four women will be sexually harassed in the workplace in Australia. That's what the prevalence data shows.

Finding this too much to confront Cheryl resigns, only to find she's out of work for six months before she can secure another casual position.

I think the important thing when we look at this and when we look at the decisions that Cheryl's made, is that nobody could dispute that she's playing a crucial role in the community, but not only that also in her own family.

She's working in an industry that desperately needs new, educated workers, an industry that provides for the wellbeing of others, and she's also caring for her own child.

No-one can dispute that the wellbeing of our Australian economy is reliant on people just like Cheryl making exactly the same decisions that Cheryl's made. Yet if we look at each point in her lifecycle as I've described it, she has paid a financial penalty. And this financial penalty is what leaves her vulnerable to poverty in retirement.

Each event I've described impacts upon the next stage of her life and often negatively. If you have a look at this slide, it illustrates very well the difference between superannuation balances for men and women. You can see that retirement savings for women are approximately half those of men. Future projections show that this gap will remain a problem for coming generations.

Interestingly, when we start off at age 25 we're on a pretty similar base. As we go along we're probably about 70% but when we come up to the end, when we really need to rely on our retirement savings, it's half the retirement savings of men. The gap widens as life goes on.

The question I would ask is if our birthright is equality, why is poverty the end point for so many women, particularly women in the community sector?

There are things that we can do right now to address the financial inequity that I've just described. We need to take strong action by firstly expanding the superannuation co-

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contribution scheme for people on low incomes. This is where you put in an amount and the government matches that amount. We need to provide greater tax incentives for people to make voluntary contributions to their super schemes, particularly people on lower incomes.

We need to ensure that the paid parental leave scheme in this country has a superannuation layer. That was the most disappointing thing about the scheme. That would have been hugely symbolic. It would have said that we recognise women are worse off in retirement, and that we're going to do something about that. The symbolism of having superannuation on paid parental leave would have been great.

We need to consider a national scheme of social insurance for carers, for example by implementing credits that are paid to those who care when they retire. There are some innovative schemes happening overseas and particular in the UK.

There are opportunities that are coming up to take some of these discussions further. The Federal Government is looking to hold a tax summit this year. This will present an opportunity to talk about better valuing the essential work that women and men do in the area of caring.

I look forward to working, and potentially with the Women's Leadership Institute, to see what more can be done to accurately reflect and value this vital community work within our economy.

The third area I want to discuss is women and leadership in the community sector. As we know in this sector we have an overrepresentation of women in many parts. It's a sector where women have set the direction, where women have driven the agenda, often very successfully.

But much of the leadership by women is taken for granted. You would expect over 50% of the awards would be going to women, given that the awards often recognise strong community leaders.

I believe that women's leadership in this sector needs to be recognised, celebrated and encouraged more. The fact is women are underrepresented in any sector that I look across in Australia at the most senior levels. In corporate Australia on ASX 200 companies, women hold almost 12%. That's up from 8% 12 months ago so it's been a significant increase given that we

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hadn't moved anywhere in the previous decade. But it's coming from a very low base, particularly when you think that women are leading in terms of education – 60% of graduates from university are female.

In cooperative research centres, the figure is less than 20%.

And in the not-for-profit sector things are a little better but the most recent figures indicate that even here women only hold about 30% of all board positions.

What I want to do is just finish by giving you two examples of women's leadership in the community sector. I think this shows really well why your skills in community engagement, community development and community empowerment actually matter and why they need to be valued and to celebrate leadership in this sector.

The first example I want to talk to you about is a group of Aboriginal women with whom I've been working over the last four years. When I first became a Sex Discrimination Commissioner I decided to travel the length and breadth of Australia listening to both men and women talk about their learned experience.

I travelled up to the Kimberleys, up to Fitzroy Crossing, where I met some exceptional women, among them two women, June Oscar and Emily Carter, who established a women's resource centre called Marninwarntikura.

What they had done in 2007 was to organise a woman's bush camp where they brought hundreds of women across their community to take stock of the issues facing their community. Alcohol abuse was rife for both men and women. Domestic violence had become an extremely significant problem.

They were effective in lobbying for a ban on the sale of full-strength takeaway alcohol because that was where the problem was. So it was a community-led ban. The alcohol restrictions have been in place now for a couple of years and they're the ones that are supported by the community and adopted by the community.

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But the results have been remarkable. An independent study shows that two years on from that there has been a significant reduction in domestic violence. When I say significant, a reduction of over 43%.

The women came with me. We went into the United Nations and they told their story. So their story was elevated to a global level, so people from 192 countries from across the world came to hear the story of the women of Fitzroy Crossing.

Since we've come back it's just been fascinating to see the growth of that community and the women's resource centre because they realised that having achieved such impressive results there, they were in a position to address some of the other issues, the most significant of which was foetal alcohol spectrum disorder or what we call FASD.

Now, FASD refers to a range of disorders that occur in both indigenous and non-indigenous when mothers drink at harmful levels during pregnancy. Alcohol has an extremely toxic effect on the brain of a developing baby and exposed children may be born with significant damage to their brain and other organs. The research shows that 90% of children born with FASD will be unable to live independently by age 21 and 60% will be in trouble with the law.

Instead of walking away from what might seem like an intractable social problem, these brave Aboriginal women decided to address that issue head on.

Working closely with the George Institute, which is a public health institute at the University of Sydney, the women of Fitzroy Crossing are leading the way for the rest of Australia by undertaking the first Australian study in FASD.

Not only are they seeking to improve the lives currently living with FASD, but they will prevent another generation of brain injured children.

When I look at what's happening up there, their leadership of women, the good men that are supporting them, their story is proof that change can happen, that innovative solutions to intractable social problems are possible and can be found.

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But as you all know, change requires strength, courage and determination. And they're the qualities that the community sector has in abundance.

My final example was in October last year when I visited an integrated sexual assault centre here in Victoria. It's really leading Australia in terms of its response.

The centre comprises a crisis care unit, counselling, legal advice, police and forensic services, child protection, sexual assault services and also behavioural change programs for adolescents. Those services are wrapped around the woman and her children.

On the evening before I arrived a 10-year-old girl had rung the crisis care number as her mother was being sexually assaulted. The woman and her children were escorted by taxi to the centre at 2am on a Sunday morning.

By 10.30am the next Monday morning when I arrived, the woman had had all her locks changed, she'd had counselling for herself and her children, an apprehended violence order was under way, a plan of action was put in place, the school had been notified, she had a Centrelink payment in her account and she was safely ensconced back in her home.

This immediate response relied on the links between the different services and the preparedness of all the services to work together to provide a comprehensive response. And that's a response service I think we can all be very proud of.

So these are two good examples of community leadership which benefit us all.

As we all know, the community sector achieves so much with so little. At the heart of its success lies innovative approaches, a commitment to working with communities, and practical support.

And it is predominantly women who have been at the forefront of this work. We must recognise better the contribution of the sector through pay equity, for example, through proper funding for community work, through equal participation of men and women in all aspects of decision making and through nominations for national awards.

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In 1987 Margaret Thatcher made the remark that there is no such thing as a society, but only a series of individuals driven primarily by self-interest. And she is right. Much of our time is spent pursuing our own agendas.

But how depressing to think that our cultural imagination would envision a world with no shared interest, a world where we do not help each other in times of need, a world utterly lacking in compassion.

We are more than individuals. We're part of dynamic communities and societies that sustain us but to which we also have responsibilities.

Let's grasp the opportunity to create a strong and equitable society, one that recognises, rewards and respects the contributions of all women and men for both today and tomorrow.

So I end my speech as I started with a story from a TED conference, a story I heard Sir Ken Robinson tell during a presentation when he was talking about creativity in education.

It concerned a girl aged six. She was spotted furiously scribbling at the back of her class. As the little girl didn't always pay attention, the teacher went over to see what it was that she was doing.

She said to the girl, "What are you drawing?"

The little girl explained, "I'm drawing a picture of God."

"But no-one knows what God looks like," said the teacher, rolling her eyes.

"Well they will in a minute," the little girl replied.

Just like the little girl, we have yet to discover what a world built around full gender equality might actually look like. But it's the work that you do for individuals every single day that creates the incremental change which over time adds up to a giant leap forward towards a more just and equal world.

Thank you very much.

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