



De Jure vs De Facto Gender Equality Within the Commonwealth of Australia: A Disturbing Dissonance Between a Robust Legislative Framework and the Empirically Imbalanced Realities Across Government and Society

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De Jure vs De Facto Gender Equality Within the Commonwealth of Australia: A Disturbing Dissonance
Between a Robust Legislative Framework and the Empirically Imbalanced Realities Across
Government and Society

Edward Enriquez

A Thesis in the Field of International Relations
for the Degree of Master of Liberal Arts in Extension Studies

Harvard University

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Abstract

This project shows that there is a vast dissonance between *de jure* and *de facto* gender equality within Australia. Despite Commonwealth efforts to effect change, including: the adoption of an array of international gender protocols and conventions; the introduction of a national maternity leave scheme; the creation of multiple women-focused agencies to protect and promote women empowerment; and the requirement of private-sector employers to track key gender indices, gender imbalances remain profoundly entrenched across government and society. Specifically, low levels of female representation persist in three core leadership areas: (1) seats within national and subnational governments, either elected or appointed; (2) within the legal system across all jurisdictions, either before the bench as litigators, presiding as judges or justices in court, or holding the office of attorney-general; and (3) membership on governing boards and bodies across all levels of management within the public and private sectors. As a result, women are under-represented from key decision-making forums and critical leadership roles throughout Government and society, subsequently impeding women's opportunities to equally shape decisions and contribute to policies addressing their unique needs, including maternity and their role in serving as the nation's primary care-givers, whether because they self-elect into it or because they see no other choice. Simply put, women in Australia are not valued, honored or recognized as equally as men, neither in society nor in Government. Finally, this project highlights that the rate of change for women's progress within Australia falls far behind global trends in cross-national comparisons, being outperformed by scores of poorer and less developed African and Latin American nations with regards to women's share of power within government, with the

data showing that women's citizenry in Australia will remain unequal to men's for decades to come.



Author's Biographical Sketch

Edward Enriquez is a native New Yorker, currently living on the Gold Coast, Queensland with his Australian wife of sixteen years. As a nontraditional student who battles with ADHD, anxiety, depression and dyslexia, he hopes that the completion of this project, and his master's degree from Harvard University, will be an inspiration to others who battle with similar conditions.

Dedication

To my beloved wife, Megan. You have enriched my life far beyond what I could have hoped or imagined. You are my best friend, the love of my life, my eternal soul-mate.

And to my beloved mother, Teresa Galvis, whose exemplary life as a mother and woman laid the foundation of my understanding that as part of humanity's destiny to bare the image of God, men and women must be treated, valued and honored equitably.

Acknowledgments

The completion of this project would not have been possible if not for the generous and invaluable wisdom, guidance and encouragement of my thesis advisor Doug Bond, PhD, Lecturer at Harvard University, and my thesis director, Ethan Fosse, PhD, Assistant Professor of Sociology at the University of Toronto. My sincere thanks for their encouragement and belief in my ability to overcome challenges throughout this entire process. Special thanks to Dr. Fosse, whom I met at Harvard, and without whose wise and patient counsel I could not have accomplished this project.

I am also grateful to have been part of the Harvard community and wish to thank the following professors who have impacted my scholarship and my understanding of gender equality (listed in the order I was enrolled in their courses): Meghan Healy-Clancy, PhD, non-Resident Fellow at the Du Bois Institute at Harvard University's Hutchins Center for African and African American Research; Kelly O'Neill, PhD, Associate Professor of History Harvard University, Eurasian Studies; and, Carla Martin, PhD, Lecturer on African and African American Studies Harvard University. A heartfelt thank you to these women for their academic insights, passion and vigor in their respective fields which helped mold my approach to scholarship.

Acknowledgement of Country

I acknowledge the Traditional Custodians of the land on which I work and live, the *Yugambah* people. I pay my respects to Aboriginal and Torres Strait Islander Elders past, present and emerging; and recognize the strength and resilience of Aboriginal people in this land.¹

¹Acknowledgement of Country is part of the Reconciliation Australia initiative that seeks to bring reconciliation between the Indigenous and non-Indigenous peoples of Australia. The acknowledgment is a protocol of respect, acknowledgment and reconciliation toward the First Australians and the Traditional Custodians of the land. “It promotes an awareness of the past and ongoing connection to place and land of Aboriginal Australians” (Korff, 2018, sec. Why Are Welcomes and Acknowledgements Important?) Source: <https://www.creativespirits.info/aboriginalculture/spirituality/welcome-to-country-acknowledgement-of-country#ixzz5LmOLVWI3>.

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Introduction

In 2007, the Australian National University released a report within its *Democratic Audit of Australia* series entitled, *How Well Does Australian Democracy Serve Australian Women?* It assessed the strengths and weaknesses of the Commonwealth as a democratic state, specifically, it considered the extent to which “Australian democracy has promoted the equality of men and women” (Maddison & Partridge, 2007, p. xiii). The report’s authors, Sarah Maddison and Emma Partridge (2007), concluded that since the John Howard government:

...there has been a substantial decline in Australia’s previously high level of commitment to gender equality. Each of the areas examined has suffered from a combination of political opposition to feminist goals and lack of effective pressure from the Australian women’s movement... this diminished political commitment to gender equality is impacting on policy and programs that most affect women’s equal citizenship (p. 97).

Gender equality is one of the most important human rights issues of our time. The United Nations and virtually all human rights proponents view gender parity universally as an indissoluble component to achieving global prosperity, sustainability and the promotion of stable and peaceful polities (United Nations, 2018). The United Nations Development Programme (UNDP) has identified gender equality and women’s empowerment as a “pivotal principle of human development” critical to all areas of its work and the attainment of their goals (United Nations Development Programme, 2016, p. 10). They also recognize that “unequal gender relations are a structural risk factor for armed violence;” and that “inclusive governance and the advancement of women’s equal participation move countries towards a more stable democracy,” as the empowerment of women is understood to be a critical factor in building state resiliency (United Nations Development Programme, 2016, p. 10).

The Australian Government has a long history of advancing gender equality and women's empowerment both domestically and internationally. Australia has a robust gender policy framework, which include multiple women-focused governmental agencies, offices and services, such as: the Office for Women, the Sex Discrimination Commissioner, and the Workplace Gender Equality Agency. Women in Australia have access to world-class education, state of the art healthcare and modern infrastructure. They benefit greatly from living within one of the world's most prosperous and stable democracies. As a result, women in Australia live in some of the best cities in the world, including three that consistently rank in the top ten. In 2017, and for the seventh consecutive year, Melbourne was the world's most liveable city, followed by Adelaide (5th), and Perth (7th) out of a cohort of 140 cities (The Economist Intelligence Unit (EIU), *Global Liveability Report*, 2017). These national accomplishments are the result of women and men who have embraced and fostered good principles of society-building, which include determination, hard-work, courage, and ingenuity.

There is a long and rich heritage with respect to the contributions made by the women of Australia, both past and present. These contributions have not only been a source of inspiration to fellow Australians but also to countless men and women across the world within an array of fields and disciplines that include: science, technology, medicine, politics, law, literature, aviation, sports and journalism. These women include: Stanford University Fellow Mary-Anne Williams, an artificial intelligence and social roboticist specialist who has been a keynote speaker at scientific, government and education conferences and events across the world, including: the *United Nations WSIS Forum on the Impact of AI*, the *International Conference on Robotics and Automation*, Stanford Law School, Graduate School of Business Stanford University, the Australian Department of Trade & Foreign Affairs, and the World Science Festival (Dean, 2016; M.-A. Williams,

2018); and Tanya Monro, an award-winning physicist and director of the Institute for Photonics and Advanced Sensing, renowned for her work in photonics, and holds 18 scientific patents across the world for discovering unique methods of characterizing photoluminescence (Dean, 2016; University of Adelaide, 2018). And from Australia's past, Tasmanian born Louise Mack (1870-1935), the world's first women war correspondent chronicling her eye-witness account of the 1914 Germany invasion of Antwerp during World War I for two London newspapers--*Evening News* and *Daily Mail* (Phelan & Mack, 1986); and also from Australia's past, aviator Maude Rose 'Lores' Bonney (1897-1994). Although born in Pretoria, South Africa, Bonney was 6 years old when she first arrived in Australia and where she later learned to fly, overhaul engines and modify aircrafts. In 1933, Bonney, became the first woman in the world to fly from Australia to England, and in 1937, she became the first pilot (man or women) to fly from Australia to South Africa (Lappan, 2018). These are but a fraction of the awe-inspiring women of Australia whose accomplishments within their respective fields and disciplines have richly contributed to Australian society. These women serve as examples of the still neglected potential that awaits a nation that permits women and girls to exceed without cultural restrictions and societal barriers.

It is expected, then, that Australia, a stable high-income democracy, with the world's 2nd highest Human Development Index (HDI), has successfully impacted social constructs to breakdown gender barriers, discrimination and reduce violence against women. The data, however, reveals a different reality. This project highlights that despite being a modern and prosperous state, richly endowed with an awe-inspiring legacy of human accomplishments from countless women, and despite possessing a robust legislative framework to both protect and advance women's rights, women's citizenry

within the Commonwealth is not equal to their men's.² This project shows that there is a vast dissonance between *de jure* and *de facto* gender equality within Australia. Despite Commonwealth efforts to effect change, including: the adoption of an array of international gender protocols and conventions; the introduction of a national maternity leave scheme; the creation of multiple women-focused agencies to protect and promote women empowerment; and the requirement of private-sector employers to track key gender indices, gender imbalances remain profoundly entrenched across government and society. Specifically, low levels of female representation persist in three core leadership areas: (1) seats within national and subnational governments, either elected or appointed; (2) within the legal system across all jurisdictions, either before the bench as litigators, presiding as judges or justices in court, or holding the office of attorney-general; and (3) membership on governing boards and bodies across all levels of management within the public and private sectors. As a result, women are under-represented in key decision-making forums and critical leadership roles throughout Government and society, subsequently impeding women's opportunities to equally shape decisions and contribute to policies addressing their unique sex-based needs, including maternity and their role in serving as the nation's primary care-givers, whether because they self-elect into it or because they see no other choice. Simply put, women in Australia are not valued, honored or recognized as equally as men, neither in society nor in Government. Finally, this project highlights that the rate of change for women's progress within Australia falls far behind global trends in cross-national comparisons, being outperformed by scores of poorer and less developed African and Latin American nations with regards to women's share of power within government,

² The following terms will be used interchangeably with their corresponding entities: Commonwealth (Cth) with Australia or the Commonwealth Government of Australia; Government with the Government of Australia; and, Parliament with the Parliament of Australia.

with the data showing that women's citizenry in Australia will remain unequal to men's for decades to come.

This project will first explore the Commonwealth's legislative framework that legally binds the government to protect and advance the empowerment of women to ensure that the quality of citizenship is substantively equal across gender, specifically, that an individual's rights and opportunities are not dependent on their sex. This project will then examine longitudinal data on key gender indicators tracked by both the Commonwealth and the international community to assess the current state of gender equality as manifested within society and government. To that end, this project will explore current levels and trends in gender distribution in the following indices: first, gender-based violence; second, labor market and income attainment; third, share of seats on public and non-public boards and bodies; fourth, government appointments as ministers and cabinet members; fifth, political representation within the government at both the national and sub-national levels; sixth, representation within the legal system--as legal practitioners, as judges and justices and as attorney-generals; and, seventh, federal and civil society recognition of women within Australia's highest honors, the Order of Australia. Next, this project provides a cross-national comparison of Australia's global rankings and scores to determine current levels and the relative rate of change in gender indices in relationship to global results captured within longitudinal data from the following organizations: United Nations Development Programme (UNDP), Organisation for Economic Co-operation and Development (OECD), World Economic Forum (Forum), and Inter-Parliamentary Union (IPU). This project will then conclude with a summary of the findings, including the contextualization of these findings within five economic development theories, specifically: Neoliberalism, Modernization Theory, World Polity Theory, World-Systems Analysis and Dependence Theory. It is the intention of this project

to prompt the Commonwealth and civil society alike to use these findings as a platform from which to engage in an honest discussion regarding the realities of gender imbalances within their domains as they move forward to the full inclusion of women and girls as both beneficiaries and shapers of Australia's future.

Project Parameters

Given that all individuals identifying as female are to be treated equally under the law regardless of being Indigenous or non-Indigenous, or any other ethnicity, culture or citizenship, this project will not disaggregate the data other than by gender. Although this project acknowledges that there are conspicuous differences in gender indicators between ethnicities, specifically between Aboriginal and non-Aboriginal women, including: rate of violence against women; education and income attainment; and political representation within government, this project attempts to present and analyze the data with indifference to existing demographical subgroups, in that its primary focus is to capture an accurate picture of the health of women's citizenry and opportunities as it compares to men's. This project also acknowledges that not all gender indices are balanced against women, including: educational attainment, rate of homicide victimization, rate of suicide and life expectancy.

Summary of Commonwealth Jurisdictions

A quick summary of Australia's eight subnational jurisdictions: six state and two territories, ranked by population, is provided below in Table 1. The top three most populous states--New South Wales, Victoria and Queensland are contiguously located in eastern Australia, containing 77.8% of the population and constituting 36% of the continent's landmass (Australian Bureau of Statistics, 2018). Additionally, the capital cities

of these three states, particularly Sydney and Melbourne, have historically been the cultural, economic, political and academic engines of the Commonwealth.

Table 1. Subnational Jurisdictions of the Commonwealth Summary

Rank	State / Territory	Abbr.	Capital	Area (km ²)	Population	% of National Population
1	New South Wales	NSW	Sydney	800,641.00	7,915.10	32.0%
2	Victoria	VIC	Melbourne	227,416.00	6,385.80	25.8%
3	Queensland	QLD	Brisbane	1,730,647.00	4,965.00	20.0%
4	Western Australia	WA	Perth	2,529,875.00	2,584.80	10.4%
5	South Australia	SA	Adelaide	983,482.00	1,728.10	7.0%
6	Tasmania	TAS	Hobart	68,401.00	524.70	2.1%
7	Australian Capital Territory	ACT	Canberra ¹	2,280.00	415.90	1.7%
8	Northern Territory	NT	Darwin	1,349,129.00	246.70	1.0%
	Australia	AUS	Canberra	7,691,871.00	24,766.10	100%

Jurisdictions are ranked by population. Canberra¹ is both the capital of the Commonwealth and of ACT. Source: Australian Bureau of Statistics (ABS) 2018.

Yes, Women Must Be Included

Although many, including this project, take for granted the argument that gender parity is important, there are some, however, that make the claim that gender inequalities do not matter as long as men in government, the judiciary and corporate leadership are not sexist. The purpose of this chapter is to therefore lay the foundation as to why equality is important, and why there is an imperative to elevate the representation of women across government and society in order to ensure that women's citizenry is substantively equal to men's. It is essential that policies and agendas are equally informed and reflect the interests, needs and perspectives of women as they do men's.

Additionally, this chapter will also argue that feminism and gender analysis are still needed to define politics and the understanding of excellence within scholarship. Understanding that these issues encompass an array of multi-disciplinary literature that expands decades of salient research, it is the humble position of this project to lay the foundation of the ethos behind this work within this one chapter in the hope to disclose to its audience that this project unequivocally takes the positions that women, their views, their interests and their needs, are to be valued, treated and honored as equally as men.

Women's Unique Needs and Perspectives Are Valuable

Feminist political scientist Lynne E. Ford (2017a) explains that the pursuit of equality for women is complex and paradoxical. There are those within the women's movement who believe that equality is only possible when the law eradicates the difference between women and men, requiring that both women and men be treated equally (Ford, 2017b, Chapter 1). These follow the *legal equality doctrine*. By contrast, there are those who follow the *fairness doctrine* that:

consciously recognizes the differences between men and women and argues that women will always be disadvantaged if they are not somehow compensated for the social, economic, and political consequences of those differences. What matters most to advocates of this second approach is that women are treated fairly—and fairness may require laws, policies, and practices that treat women differently from men (Ford, 2017a, Chapter 1).

Collectively, these doctrines create the equality-difference paradox (Ford, 2017a). Gender equality, however, is too nuanced and complex to bifurcate solely into these doctrines. Instead, this paradox necessitates a tension that both enriches and strengthens women empowerment (Ford, 2017a). Women's views, interests and needs, while varying between and among women, are nonetheless different to men's, yet are equally valuable and necessary to the nations and societies in which they live. Legislation and policies

informed by women's unique sex-based needs, interests and views are essential to ensuring that the quality of women's citizenry is equal to men's across government and society alike.

Women must be properly compensated for the vital role they play within society, a view shared across virtually all women rights organizations, domestic or otherwise. Maternity, a societal bedrock, is unique to women. Additionally, women self-elect at a much higher rate than men to take upon themselves the role of society's primary caretakers, a phenomenon that has persisted for millennia upon millennia throughout human history that one sex would primarily carry the weight of caretaking to the benefit of all. To level the playing field, women need to be compensated by government and society, as stipulated by various international women's rights conventions and treaties, including articles and protocols from the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Labour Organization (ILO), and United Nations 2030 Agenda Sustainability Development Goals.

Women have a positive effect on institutions and agencies as they bring about change in perspective and priorities. Tamara F. Lawson (2009) identified "gender mainstreaming of personnel and policies" within the International Criminal Court, specifically the International Tribunal for the former Yugoslavia (ICTY) as having a positive impact on international criminal law (p. 186). Women's participation within the courts contributed to significant change in prosecutorial discretion as:

...gender equality in prosecutions has created a window, through which the criminal victimization of women is being exposed and seriously addressed first in municipal legal systems and correspondingly in international criminal law. Modern international tribunals are boldly pursuing indictments alleging sexual violence and changing the status quo of wartime rape where impunity was the rule instead of the exception (Lawson, 2009, p. 215).

Though this is merely one example of the powerful and positive impact women have when given equal standing in decision-making spheres, this project cannot stress enough that women's equal participation within society and government is unequivocally essential to orientating policies and agendas of institutions and organizations to fully reflect their own unique interests, perspectives and needs. It is not enough that men represent women within society and government as men simply cannot fully represent the desiderata of women as intimately as they can themselves.

The Importance of Feminism and Gendered Analyses

The important contribution of feminism and gendered analyses to political thought should not be taken for granted as they are needed to redefine our understanding of politics.

Indeed, one of the most important contributions which feminism and gendered analyses make to the study of political science is the need to reconceive more traditional constructions of the very concept of 'politics' itself (Johnson, 2015, p. 696).

Due to the prevalence of androcentrism within society, feminist theorists have long questioned the construction of knowledge, including methodological and epistemological issues (Harding, 1987; Johnson, 2015). As a result, the salient contributions of feminism within scholarship have shaped the way many disciplines, including political science, engage gender issues (Johnson, 2015). As gender issues are pertinent to the full spectrum of political thought (Carpenter, 2007; Foster, Kerr, Hopkins, Byrne, & Ahall, 2013), including the methodological approaches that are used within the literature, it is vital to understand its importance, as a failure to do so "can result in an incomplete understanding of both the factors influencing politics and the very real impact of (a gendered) politics on the lives of citizens" (Johnson, 2015, p. 696). Feminism explores how and why gender inequality manifests, and seeks to provide solutions to correct imbalances and offers a

vision for equality (Watson, 2013). To that end, feminists examine how political theory is understood, focusing on the “state and its role in either the reproduction of gender inequality or its potential for redressing such inequality” (Watson, 2013, sec. Abstract). This is significant given that gender bias within the discipline of political science has serious implication for the evaluation of feminist theory and gendered analyses (Cowden, McLaren, Plumb, & Sawyer, 2012; Johnson, 2014, 2015; Koo, 2002). Specifically, the gender biases derived from the traditional social constructs of male-dominated discipline not only influences the content of research it also shapes what is considered excellent scholarship (Cowden et al., 2012; Johnson, 2014, 2015). Feminism and gendered analyses therefore play a critical role in redressing how political thought engages gender issues.

Gender Equality Within the Australian Context

This chapter will explore Australia's legislative framework and its political machinery that address gender equality, which have been informed by international conventions and treaties, a result of Australia's vibrant engagement within the international community. This chapter will then explore whether Australia's legislative framework and governmental agencies acknowledge sex-based differences to the extent that a citizen's rights or opportunities are not dependent on their gender. To that end, it is vital to investigate if Australia's legislation and political machinery have impacted entrenched gender imbalances, including the Commonwealth's own historic practice of recognizing and appointing men to government at a significantly higher rate than women.

Australia's Domestic Legislative Framework

The Commonwealth's legislative framework to address gender discrimination and equality is robust, anchored in multiple international human rights laws and conventions. Established in 1986 under its former name, Human Rights and Equal Opportunity Commission, the Australian Human Rights Commission (AHRC) is responsible for safeguarding and investigating infringements of its anti-discrimination laws, including gender discrimination. In addition to the AHRC, sub-national jurisdictions of Australian states and territories have their own anti-gender discrimination legislations and institutions. The following is a list of the laws, by jurisdiction, addressing gender discrimination and equality (Australian Human Rights Commission, 2018, p. 1):

- Sex Discrimination Act 1984 (Cth)
- Australian Capital Territory (ACT) – Discrimination Act 1991

- New South Wales (NSW) – Anti-Discrimination Act 1977
- Northern Territory (NT) – Anti-Discrimination Act 1996
- Queensland (QLD) – Anti-Discrimination Act 1991
- South Australia (SA) – Equal Opportunity Act 1984
- Tasmania (TAS) – Anti-Discrimination Act 1998
- Victoria (VIC) – Equal Opportunity Act 2010
- Western Australia (WA) – Equal Opportunity Act 1984

Office of Women

Formed in August 1976 as part of the Department of the Prime Minister and Cabinet, the Office of Women has been working with agencies across the Government to “progress policies and programmes to advance gender equality across Australia and ensure women feel safe and live without fear of violence” (“Office for Women,” 2018, sec. Current Initiatives). The Office for Women is headed by the Minister of Women, currently held by the Honourable Kelly O’Dwyer MP, who affirmed the Government’s determination “to improve women’s economic participation and empowerment, and reduce violence against women” (O’Dwyer, 2018, p. 3). These goals align with Australia’s international obligations as defined by multiple treaties and conventions on gender and women’s rights, highlighted in the following sections.

WGEA’s Vision: Promoting & Improving Gender Equality

The Workplace Gender Equality Agency (WGEA) is the federal agency responsible for “promoting and improving gender equality across Australia as mandated by the 2012 Workplace Gender Equality Act (Workplace Gender Equality Agency: Australian Government, 2017, p. 2). WGEA in no uncertain terms states that its “vision is for women

and men to be equally represented, valued and rewarded in the workplace.” Non-public sector employers with 100 or more employees are required to remit an annual report to track WGEA’s mandatory six gender equality indicators (GEI):

- GEI 1: Gender composition of the workforce
- GEI 2 - Gender composition of governing bodies of relevant employers
- GEI 3 - Equal remuneration between women and men
- GEI 4 - Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities
- GEI 5 - Consultation with employees on issues concerning gender equality in the workplace
- GEI 6 - Sex-based harassment and discrimination.(Workplace Gender Equality Agency: Australian Government, 2017)

In November 2017, the agency released its most recent report, constructed from a dataset based on 11,000 employers and approximately 4.1 million employees--40% of the Australian labor market from the 2016 to 2017 reporting period (Workplace Gender Equality Agency: Australian Government, 2017).

The Commonwealth's International Obligation

Australia is actively engaged within the international community that has informed its gender-policy framework on women's rights and empowerment. The Attorney-General's Department highlights that Australia is a state party to seven core international human rights treaties, several to which the U.S. is not (Australian Government: Attorney-General's Department, 2018a). Additionally, Australia has adopted United Nations Security Council Resolution (UNSCR) 1325, and seven subsequent resolutions on Women, Peace and Security; and, the Commonwealth has endorsed the non-binding UN 2030 Agenda for Sustainable Development, which includes the 17 Sustainable Development Goals (SDG). These treaties, resolutions and goals are the global standard of best practices for women's rights, they are the internationally accepted roadmap that shape policies and agendas of national governments with regards to gender parity. Listed below are the international agreements the Commonwealth has either signed or endorsed:

- International Labour Organization (ILO) Conventions on gender:
- International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1983
- Beijing Declaration and Platform for Action, 1995
- Optional Protocol to CEDAW, 2000
- UNSC Resolutions Women, Peace and Security, 2000:
UNSCR 1325, 1820, 1888, 1889, 1960, 2016, 2122 and 2422
- UN Sustainable Development Goals:

- SDG 5: Gender Equality
- SDG 16: Peace Justice and Strong Institutions

ILO Conventions on Gender Equality:

Australia has been an active member of the International Labour Organization since 1919, having ratified a total of 58 Conventions and one Protocol.³ The ILO has four key ILO Conventions addressing gender: (International Labour Organization, 2018a)

- Equal Remuneration Convention (N° 100)
- Discrimination (Employment and Occupation) Convention (N° 111)
- Workers with Family Responsibilities Convention (N° 156)
- Maternity Protection Convention, 2000 (N° 183)

However, the Commonwealth has only ratified three of the four, rejecting the most recent Maternity Protection Convention (N° 183). This is significant given that Convention N° 183 seeks to recognize the important role women play in society as child-bearers (International Labour Organization, 2018b).

Maddison and Partridge (2007) pointed out that at both the federal and sub-national levels Australian laws fail to recognize that most women require special needs. Specifically, the report points to a lack of commitment from the Commonwealth to expand gender equality by addressing specific hindrances that thwart women from full participation in society, workforce and government. The lack of a national maternity leave with pay scheme, explain Maddison and Partridge, adversely impacts women, who

³ The Commonwealth has ratified 7 of 8 Fundamental Conventions: 3 of 4 Governance Conventions; and 48 of 177 Technical Conventions. For a complete list of all the ILO accords Australia is party to, see "Ratifications for Australia": http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:4889183960065:::P11200_INSTRUMENT_SORT:1

constitute the bulk of Australia's primary domestic caretakers. As a result, women find it difficult to engage in vital sectors of society and government as freely as men, creating a gap between female and male participation in key decision-making and leadership roles across the Commonwealth and society that is alarmingly wide.

ICESCR 1966

Monitored by the United Nations Committee on Economic, Social and Cultural Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR) is one of three other UN resolutions that make up the international Bill of Rights, see appendix 6. In 1975, "Australia agreed to be bound" by ICESCR ("Human Rights Explained: Fact sheet 5: The International Bill of Rights," 2018, p. 2). As a Party State of ICESCR, there are specifically three articles that inform the Commonwealth of its obligations to women--

Articles: 3, 7(a)(i) and 10(2):

(Article 3) The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

(Article 7(a)(i)) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.

(Article 10(2)) Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.

Convention on the Elimination of All Forms of Discrimination against Women
(CEDAW)

Although the Commonwealth became a State Party to CEDAW, the government initially elected not to be bound by all its provisions, specifically, the Government made a reservation to article 11(2):

The Government of Australia advises that it is not at present in a position to take the measures required by article 11 (2) to introduce maternity leave with pay or with comparable social benefits throughout Australia (Office of the High Commissioner for Human Rights (OHCHR), 2018).

This legally released the Commonwealth from having to implement a nation-wide maternity leave with pay scheme, consequently freeing its constituent states and territories to do the same. This choice impacted the government's other international obligations, explicitly, the Beijing Platform for Action (BPFA).

Maternity Leave with Pay, a Result of CEDAW Committee Engagement

However, after years of international engagement with the CEDAW Committee and the advocacy from women's rights groups within civil society, the Paid Parental Leave Act came into effect in January 2011, making it the first national statutory scheme of its kind. This was a significant legislative development within Australian laws as it reversed the Commonwealth's previously held reservation to article 11(2)(b) of CEDAW, a reservation which had prompted Maddison and Partridge (2007) to call out the Commonwealth as being uncommitted and "ambivalent" to its obligation in expanding women's rights as define by its CEDAW obligations, see appendix 3 (p. 3). Until that point, Australia was only one of two OECD states that did not have a national maternity scheme, the United States

was the other.⁴ This new development did not go unnoticed by the CEDAW Committee. In its July 2010 report (CEDAW/C/AUL/CO/7), the CEDAW Committee “notes with satisfaction” how the Commonwealth enacted legislation to “advance the status of women” in the passing of its Paid Parental Leave Act 2010 (CEDAW Committee, 2010, sec. Positive Aspects (8)). This legislation was a turnaround for the Commonwealth, considering its initial reservations (see appendix 4).⁵

Beijing Declaration and Platform for Action (BPFA) 1995

BPFA or Platform for Action is still considered one of the most progressive women’s rights blueprints focusing on the following 12 critical areas concern (United Nations Women, 2018b):

- Women and the environment
- Women in power and decision-making
- The girl child
- Women and the economy
- Women and poverty
- Violence against women
- Human rights of women
- Education and training of women
- Institutional mechanisms for the advancement of women
- Women and health
- Women and the media
- Women and armed conflict

The Platform for Action is a “visionary agenda for the empowerment of women” (*Beijing Declaration and Platform for Action*, 2014, Chapter Introduction) that “imagines a world where each woman and girl can exercise her freedoms and choices, and realize all

⁴ At present, the United States still does not have a national leave with pay maternity plan. Not only is the U.S the sole remaining OECD state that does not have one, the United States is one of the few industrialized nations globally that lacks one.

⁵ See Appendix 4 for the full account of Australia’s Statement and Reservations to CEDAW.

her rights,” (ibid.) including living free of violence, participating in decisions-making roles, and earning equal pay for equal work. However, as the empirical data presented in the following chapters show, the Commonwealth fails in all three aspects of BPFA’s total vision.

Optional Protocol to CEDAW

Although the Commonwealth initially rejected the Optional Protocol to CEDAW, in 2009, it has since withdrawn its reservation, allowing individuals to bypass the government to communicate directly with CEDAW Committee regarding violations of rights protected under CEDAW (“The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): Sex Discrimination - International Activities,” 2018). The Optional Protocol also enables the CEDAW Committee to investigate claims of serious or systematic violations of CEDAW through an inquiry, should the Commonwealth fail to protect or enforce women’s rights within its borders, see appendix 5.

United Nations Security Council Resolutions (UNSCR) on Women, Peace and Security

In 2000, Australia signed UNSCR 1325 and its seven subsequent resolutions: 1820, 1888, 1889, 1960, 2016, 2122 and 2422. Recognizing that armed conflict impacts women and men differently, it “urges international actors to consider the gendered differences inherent in conflict when developing peacebuilding solutions,” including implementing measures to protect women from gender based violence and sexual exploitation, and “beyond incorporating the needs of women during conflict, UNSCR 1325 recognises the need to increase women’s participation in the peacebuilding process” (United Nations Women, 2018c). Although these resolutions speak more to the Commonwealth’s overseas peacebuilding policies, it nonetheless informs its gender policy framework.

UN Sustainable Development Goals (SDS): SGG5 and SGD16

In September 2015, the Minister for Foreign Affairs Julie Bishop MP, along with 193 leaders and ministers from across the world, endorsed the United Nations 2030 Agenda for Sustainable Development (2030 Agenda). Australia was an active participant in the discussion and design of the 2030 Agenda, considering it as “both a domestic and international agenda” that is:

well-aligned with Australia's foreign, security, development and trade interests - especially in promoting regional stability, security and economic prosperity. It also helps Australia in advocating for a strong focus on economic growth and development in the Indo-Pacific region and in promoting gender equality, governance and strengthening tax systems. (Australia Government: Department of Foreign Affairs and Trade, 2018, sec. Australia and the 2030 Agenda for Sustainable Development).

The 2030 Agenda is comprised of the 17 Sustainable Development Goals (SDGs), which is the international roadmap to advance development efforts for not only national governments, but for also non-state shareholders, such as the corporations, civil society, the academia, and international organizations. The 17 Goals are: 1: No Poverty; 2: Zero Hunger; 3: Good Health and Well-Being for People; 4: Quality Education; 5: Gender Equality; 6: Clean Water and Sanitation; 7: Affordable and Clean Energy; 8: Decent Work and Economic Growth; 9: Industry, Innovation, and Infrastructure; 10: Reducing Inequalities; 11: Sustainable Cities and Communities; 12: Responsible Consumption and Production; 13: Climate Action; 14: Life Below Water; 15: Life on Land; 16: Peace, Justice and Strong Institutions; and 17: Partnerships for the Goals. Although all the Goals are important, two specifically inform the Commonwealth with regards to gender equality, namely, SDG 5: Achieve Gender Equality and Empower all Women and Girls; and SDG 16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels, see appendix 1 and appendix 2 for the complete list of targets.

CSW Member

Australia has a rich history within the global women's movement and remains a leader internationally in women empowerment, earning the broad respect of women's organizations and human rights institution across the globe, particularly in the United Nations. Australia was one of the fifteen founding nations of the Commission of the Status of Women (CSW) established in 1946 as part of the United Nations Economic and Social Council (ECOSOC). CSW "is the principal global intergovernmental body exclusively dedicated to the promotion of gender equality and the empowerment of women" (United Nations Women, 2018a). Serving as the UN organ for gender equality, CSW sets the international standards on women empowerment, gender mainstreaming and gender targets, having drafted several conventions, declarations and women-focused agencies, including: *Declaration on the Elimination of Discrimination against Women, 1967*, (which was the precursor for CEDAW); United Nations Development Fund for Women (UNIFEM, 1976); and United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW, 1978). Representing Australia's only female delegate at the 1945 founding of the UN, along with fifteen other women from around the world, Jessie Mary Grey Street (1889-1970) helped to form CSW (Australian Women's Register, 2018). Street became recognized both nationally and internationally for her work in women's right as well as other peace and social issues globally, including having cofounded the New South Wales Social Hygiene Association (1916) and becoming the President of the United Associations of Women (1928) (ibid.).

In March 2018, it was Australia's fifth time serving as a Member of the Commission. Minister for Women, Kelly O'Dwyer, led the delegation to the 62nd Session of the UN

Commission on the Status of Women (CSW62) in New York.⁶ The Commonwealth has sent a delegation to every CSW session since 1946 “to prosecute Australia’s priorities for gender equality and highlight practical solutions to some of the most pressing challenges to realising gender equality” (O’Dwyer, 2018, p. 4). For CSW62, the Commonwealth reinforces its commitment to the “Agreed Conclusions to accelerate the implementation of the Beijing Declaration and Platform for Action and progress international commitments for gender equality” (ibid.).

Since 1999, the Commonwealth has included representatives from national human and women rights institutions to its delegations to CSW sessions. For CSW62, in addition to the Minister for Women O’Dwyer MP, Australia’s delegation included seven women, five representatives from government and two members of civil society: Dr. Sharman Stone, Australia’s Ambassador for Women and Girls; Kate Jenkins, Sex Discrimination Commissioner; June Oscar AO, the Aboriginal and Torres Strait Islander Social Justice Commissioner; Trish Bergin, First Assistant Secretary for the Office for Women; Amy Haddad, Assistant Secretary and Principal Gender Equality Specialist, Gender Equality Branch, Department of Foreign Affairs and Trade; Jo Stewart-Rattray, from Australian Computer Society; and, Dr. Patricia Hamilton, from National Rural Women’s Coalition (ibid., p. 10). In addition, Australia hosted four side events at CSW62:

- *Solutions for Online Digital Inclusion* – highlighted how Australia uses technology to foster social inclusion for women and girls who live and work in Australia’s remote and rural regions.

⁶ ECOSOC elects forty-five Member States to serve on four-year terms as Members of the Commission. Members are rotating on the equitable geographical distribution of each region, see: <http://www.unwomen.org/en/csw/member-states>.

- *Male Champions of Change* – focused on the effective strategies to increase representation within non-traditional occupations, i.e. STEM fields, policing and resource and energy sector by focusing discussions on the importance of male leadership to confront sexism.
- *Women in Leadership: Lessons for Australian Companies* – presented research from the Workplace Gender Equality Agency and the Business Council of Australia that showed the benefits to Australian companies that increased female leadership representation and pursued gender mainstreaming policies.
- *Bridging the Digital Gender Divide* – presented OECD results on digital gender divide to encourage the implication of gender policies and promote awareness of entrenched biases within the new economy.

These events and Australia’s high-level delegation representation has garnered Australia a “strong and well-respected reputation” within not only the CSW, but also within the United Nations and the larger international women’s rights community (ibid., p. 8).

The 2010 Gender Equality Blueprint: Making Women in Leadership a Priority

The Commonwealth acknowledges the importance of female representation within leadership both from a human rights perspective and for its pecuniary benefits. In 2010 the Australian Human Rights Commission released its *2010 Gender Equality Blueprint* that focuses the Government efforts on five key priorities to significantly enhance equality across the Commonwealth: 1 - Balancing paid work and family and caring responsibilities; 2 - Ensuring women’s lifetime economic security; 3 - Promoting women in leadership; 4 - Preventing violence against women and sexual harassment; 5 - Strengthening national gender equality laws, agencies and monitoring (Broderick, Goldie, & Rosenman, 2010).

Women in leadership is essential to breakdown stereotypes about the role of women with the workplace and society (Australian Human Rights Commission, 2012). Additionally, the Commonwealth acknowledges that there are economic benefits to increasing female representation within the labor market, specifically the potential of boosting the Australian GDP by 11% as economic activity would increase by 20% (ibid.)

Exploring Key Gender Indices Within the Commonwealth

Considering the Commonwealth's official commitment and salient contributions to women's rights and empowerment both nationally and internationally, and its strong gender legislative framework, including multiple women-focused governmental and non-governmental agencies, it is important to juxtapose de jure gender equality with empirical realities to accurately assess the effectiveness of Australia's policies, the levels of adherence to global goals and capture a true picture of the state of women's citizenry within the Commonwealth as it compares to men's. To that end, this chapter will examine the following gender data: violence against women; participation within the workforce; leadership roles within the private sector; representation within government both at the national and subnational levels; leadership roles within the public sector; the legal profession (including, judges and justices, and attorney-generals); and recognition within Australia's highest honors. Despite the Commonwealth's robust legislative framework, its many women-focused agencies and its international obligations to protect women's rights and expand empowerment, the data empirically reveals that women's citizenry is not equal to men's, as women are simply not valued, honored nor treated as equally as men within the private sector, the legal profession or Government.

The Commonwealth Respond to Protect Women

Before diving into the data, it is important to first acknowledge that the Commonwealth's response to eliminate violence against women has been proactive and comprehensive as it considers women's safety a national priority. Furthermore, the

Government's priority on this matter aligns with several international institutions, including the World Health Organization (WHO) that states:

Violence against women is both a consequence and a cause of gender inequality. Primary prevention programmes that address gender inequality and tackle the many root causes of violence, changes in legislation, and the provision of services for women living with violence are all essential. WHO regards the prevention of violence in general – and violence against women in particular – a high priority (García-Moreno, 2005, sec. Forward).

The Commonwealth has spent millions on commissioning reports, studies and surveys to develop a plan that would reduce the rate and the impact of gender-based violence. Additionally, the Government has created laws, policies, women-focused agencies and national plans of action that involve all jurisdictions and their respective law enforcement agencies, courts and women-focused services. Specifically, in 2011, the Government released the *National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan)*. Endorsed by the Council of Australian Governments (COAG),⁷ the National Plan is the “first plan to coordinate action across jurisdictions,” setting out the framework for a 12-year action plan, comprised of four 3-year plans: First Action Plan (2010 to 2013) – *Building Strong Foundations*; Second Action Plan (2013–2016) – *Moving Ahead*; Third Action Plan (2016–2019) – *Promising Results*; and Fourth Action Plan (2019–2022) – *Turning the Corner (The National Plan to Reduce Violence Against Women and Their Children 2010 – 2022, 2011, sec. Foreword & pp. 12–13).*

This plan shows Australia's commitments to upholding the human rights of Australian women through the Convention on the Elimination of All Forms of Discrimination against Women, the Declaration to End Violence

⁷ Founded in 1992, the Council of Australian Governments (COAG) is comprised of the Australian Prime Minister (who serves as chair), the First Ministers of each state and territory and the President of the Australian Local Government Association (ALGA). COAG is an intergovernmental forum to co-ordinate action by all Australian governments on matters of national importance (Council of Australian Governments (COAG), 2018).

Against Women and the Beijing Declaration and Platform for Action
(*ibid.*, sec. Foreword).

Despite all of this, the data presented in the following section shows that the Commonwealth has not been able to decrease the rate of violence against women.

Disturbingly High Rate of Violence Against Women

The Institute of Criminology estimates that at least one woman is killed every week by her current or former partner, many of whom have a history of domestic violence, (Bryant & Bricknell, 2017). The Australian Government is fully aware of the gravity of the rate of violence against women. “Domestic violence is a serious and widespread problem in Australia,” acknowledges the Australian Criminal Intelligence Commission (ACIC) (Australian Criminal Intelligence Commission, 2017, sec. Our Services). Forty-one percent of women in Australia from the age of 15 have experienced violence, and 19% have experienced sexual violence (Kwok, Cox, Russell, Partridge, & Zosel, 2017, p. 3). Unfortunately, these figures echo global trends. Prevalence of lifetime violence against women in many societies has reached “epidemic proportions,” according to a study that analyzed the data of 137 case studies, mostly across North America and Europe (Alhabib, Nur, & Jones, 2010, p. 369). Most alarming within the Australian context is the rate of domestic and sexual violence against women, and while varying from jurisdiction to jurisdiction, rates within the State of Victoria are particularly disconcerting. The Organisation for Economic Co-operation and Development noted that “domestic violence is the leading contributor to death, disability and illness of women in Victoria under the age of 45” (2014, p. 3).

Homicide Rate Against Women Spikes

Despite an historic low in the overall rate of homicide nationally, homicides against women spiked. In 2017, the Australian Criminal Intelligence Commission, being one of five agencies within the Government of Australia's Department of Home Affairs, released its *Homicide in Australia 2012-13 to 2013-14: National Homicide Monitoring Program Report*, stating that across Australia homicide rate reached a historical low for the 2013-2014 fiscal year--1 per 100,000, the lowest since 1989 when the National Homicide Monitoring Program (NHMP) began collecting data (Bryant & Bricknell, 2017, p. ii). From 2012 to 2014, males continued to represent the bulk of both homicide victims (n=328; 64%) and offenders (n=483; 88%) (Bryant & Bricknell, 2017, p. ii). The 2013 to 2014 rate of victimization disaggregated by sex was 1.3 per 100,000 for males and 0.8 per 100,000 for females (Bryant & Bricknell, 2017, p. ii). Nonetheless, ACIC noted that females are still experiencing a "disturbingly high rate of violence" despite the overall downward trend in homicides (Australian Human Rights Commission, 2017, p. 3). Domestic homicide increased 5.13% of its substantive proportion within all homicides, from 39% to 41% in 2010 to 2014 (Bryant & Bricknell, 2017, p. 37). The substantive proportion of intimate partner homicides (IPH) also increased (8.6%) within domestic homicides from 58% to 63% during the same period (ibid.). This increase in intimate partner homicide is significant given that (1) 79% were female victims, a 3.2% increase from the year prior, and (2) this upward increase occurred despite a 25-year historic downward trend in the overall national homicide rate, signaling a gender convergence in homicide victimization as the rate of men killing men decreased, while rate of men killing women increased in Australia.

It is difficult, then, to understand why the ABS reported a 13% increase in sexual violence against women for the years 2005 to 2016 as a rate that "remained steady:"

The proportion of women experiencing sexual violence in the last 12 months has remained steady between 2005 and 2016 (1.6% in 2005 compared to 1.8% in 2016). However since 2012, there has been an increase, from 1.2% in 2012 to 1.8% in 2016 (Australian Bureau of Statistics, 2017d, sec. Key Findings: Changes in Violence Prevalence Rates over Time).

To ensure that the data present by the ABS is not obscured by this misstep, Table 2 below is provided to highlight that the rate of change of sexual violence against women from 2005 to 2016, and from 2012 to 2016 was 12.5% and 50%, respectively, both of which are significant.

Table 2. Rate of Change in Sexual Violence Against Women Does Matter

Sexual Violence Against Women 2005 to 2016				
2005	2012	2016	Rate of Change (2005-2016)	Rate of Change (2012-2016)
1.6%	1.2%	1.8%	12.5%	50%

Source: Personal Safety, Australia, 2016 Cat. No. 4906.0.

Impact of Intimate Partner Violence (IPV) on Women

In 2016, the Australia’s National Research Organisation for Women’s Safety (ANROWS), a team of researchers from the Australian Institute of Health and Welfare, released the results of their burden of disease study on the impact of intimate partner violence on women. A burden of disease study measures the “combined impact of living with illness and injury (non-fatal burden) and dying prematurely (fatal burden) on a population” (p. 7). The impact of intimate partner violence on women is interconnected to

other diseases and risk factors burdening women. More than any other leading risk factor, IPV represented 5.1% of the total burden on women aged 18-44, followed by alcohol use (4.1%), tobacco use (2.3%) and occupational hazards (2.2%), see Table 3.1.

Table 3.1 Contribution of Risk Factors to the Burden on Women

Contribution of Risk Factors to the Burden on Australian Women Aged 18 Years and Over, 2011				
aged 18-44			aged ≥18	
Rank	Risk Factor	%	Risk Factor	%
1	IPV	5.1%	Tobacco use	8.3%
2	Alcohol use	4.1%	High Body Mass	5.1%
3	Tobacco use	2.3%	Physical Inactivity	5.1%
4	Occupational Hazards	2.2%	High Blood Pressure	4.6%
5	High Body Mass	1.8%	Alcohol use	3.3%
6	Drug use	1.8%	High Blood Sugar	2.5%
7	Physical Inactivity	1.8%	IPV	2.2%
8	Childhood sexual abuse	1.2%	High Cholesterol	1.9%

Source: Examination of the Burden of Disease of Intimate Partner Violence Against Women in 2011: Final Report (Ayre et al., 2016, p. 54, Table B.2).

The following is a list of the subsequent outcomes due to IPV victimization: depression; anxiety; suicide and self-inflicted injuries; homicide and violence; alcohol abuse; and early pregnancy loss (Ayre et al., 2016, p. 54, Table B.3). Specifically, depression, anxiety and suicide/self-inflicted injuries represented 91% of all IVP outcomes on women aged 18 years old and over, see Table 3.2.

Table 3.2 Disease Outcome of Intimate Partner Violence

Disease Outcome % of IPV, Australian Women Aged 18 Years and Over, 2011				
aged 18-44			aged \geq 18	
Rank	Risk Factor	%	Risk Factor	%
1	Depression	36.3%	Depression	39.4%
2	Anxiety	33.0%	Anxiety	33.3%
3	Suicide & Self- Inflicted Injuries	20.0%	Suicide & Self- Inflicted Injuries	18.2%
4	Homicide & Violence	8.1%	Homicide & Violence	6.7%
5	Alcohol-use Disorder	2.3%	Alcohol-use Disorder	2.3%
6	Early Pregnancy Loss	0.3%	Early Pregnancy Loss	0.2%
Total		100.0%	100.1%	

Source: Examination of the Burden of Disease of Intimate Partner Violence Against Women in 2011: Final Report (Ayre et al., 2016, p. 54, Table B.3).

Table 3.3 shows the contribution of intimate partner violence on the disease burden of six other burdens impacting women in Australia. Intimate partner violence contributed to 44.6% of the overall homicide and violence burden on women aged 18 years old or older, and 46.2% for women aged 18-44. IPV contributed 27.6% to the overall early pregnancy loss burden on Australian mothers aged 18 and over; 28.7% of all the overall suicide/self-inflicted injuries burden on women 18 years and over; and 24.9% of the overall depression burden on women aged 18 years and over.

Table 3.3 Contribution of Intimate Partner Violence to Total Disease Burden

Contribution of IPV (%) to Total Disease Burden, Australian Women Aged 18 Years & Over, 2011				
aged 18-44			aged ≥18	
Rank	Risk Factor	%	Risk Factor	%
1	Homicide & Violence	46.2%	Homicide & Violence	44.6%
2	Early Pregnancy Loss	27.6%	Suicide & Self-Inflicted Injuries	28.7%
3	Suicide & Self-Inflicted Injuries	27.4%	Early Pregnancy Loss	27.6%
4	Depression	23.6%	Depression	24.9%
5	Anxiety	17.3%	Alcohol-use Disorder	18.4%
6	Alcohol Abuse	5.6%	Alcohol Abuse	6.2%

Source: Examination of the Burden of Disease of Intimate Partner Violence Against Women in 2011: Final Report (Ayre et al., 2016, p. 54, Table B.4).

The figures from Tables 3.1, 3.2 and 3.3 show that the impact of this one gender-based violence has on women is significant and profound. The effects of intimate partner violence on women's health and well-being is not isolated to the immediacy of its events, instead IPV significantly contributes to the burdens women already carry from other diseases and risk factors; and, its impact on women is protractive and complex as it bleeds across all aspects of a woman's life. The "exposure to intimate partner violence (IPV) has serious health outcomes for Australian women and their children" (Ayre et al., 2016, p. 7). It is estimated that violence against women and children cost Australia \$22 billion (AUD) in 2015-2016 (KPMG (prepared for the Australian Government Department of Social Services), 2016, p. 11). However, KPMG Deputy Chair, Liz Forsyth explained that when accounting for "Aboriginal and Torres Strait Islander women, pregnant women, women with disability, and women experiencing homelessness," who were "underrepresented in the PSS [Personal Safety Survey]," the total cost of violence against women and children to Australia for the 2015-16 fiscal year may have been closer to \$26 billion (ibid., p. 4).

Disappointing Trends in Gender Income Distribution

Despite prior trends towards convergence, the data for the past two decades shows that the narrowing of the income gap has decreased, particularly in high-income occupations. Men continue to out-earn women in every industry and occupation including ones that are highly-feminized (Workplace Gender Equality Agency: Australian Government, 2017). Presently, Australia's income gap is 15.3%, remaining consistent with figures for the past twenty years that hovered from 15% to 19%. For the 2016-2017 reporting year, this spread amounted to \$26,000 more for men per annum (Workplace Gender Equality Agency: Australian Government, 2017).

Women Pay a Price for Being Primary Care Providers

Scholarship clearly shows that in nearly all advanced democracies, the profession of caretakers, such as nursing, childcare and social workers, and the “emotions and activities around care in the private sphere” are both highly gendered (Stephens, 2012, pp. 132, 3). Meaning, whether paid or unpaid, women are the primary caretakers within societies. This is also the case within Australia, and it is trending upward. Specifically, from 2009 to 2015, the number of women serving as the primary caretakers to a person with disability increased 11.5% (Australian Bureau of Statistics, 2017c, sec. Table 10.4). For 2015, women were more than twice as likely than men to undertake this important role of caring for Australia’s most vulnerable (ibid.). And, by the end of the 2016 fiscal year, women represented 95.1% of employees within the private sector who elected for primary parental leave,⁸ either paid or unpaid (ibid., sec. Table 10.3).

There is a cruel irony in women choosing to take upon themselves the important role of society’s primary caretakers. Simply put, women pay a price for it; and the Government is aware. In 2010, the Commonwealth acknowledged within its *Gender Equality Blueprint* initiative that:

Australian women still have limited choice when it comes to paid work, often because of their family and caring responsibilities... This leads to women having less than half the superannuation that men receive when they retire. We also know that women are more likely to experience poverty than men and be far more reliant on the Age Pension (Broderick et al., 2010, p. 8).

Furthermore, women who are paid caretakers suffer a ‘wage penalty’ for working within highly-feminized profession (a fuller discussion on the wage penalty for working in highly-

⁸ Primary parental leave is the leave taken by the member of a couple, regardless of gender, who identifies as having the greater responsibility for the day-to-day care of a child.

feminized industries is provided below). And for the women who do qualify for the government's Paid Parental Leave Scheme, they suffer a penalty given that the pay is at the federal minimum wage, and, more significantly, does not include contributions to superannuation, subsequently impacting women's opportunities to earn as much as men, who elect as primary caretakers at a much lower rate (Broderick et al., 2010). Given that there is no monetary incentive for men to take leave, as there is no pay for secondary caretakers, the current scheme subsequently reinforces traditional gender roles within the workplace and society, contributing significantly to income disparity, and more broadly, gender inequality across Australia.

Women who serve as caretakers tend to have low representation within the labor market. Specifically, representation for female primary care-givers of individuals with disability within the Australian labor market for 2015 was: 56.7% not within the labor market; 27.4% worked part-time; and only 13% worked full-time (Australian Bureau of Statistics, 2017c). As a result, the opportunity for these women to earn as much as men and to contribute to their superannuation as much as men is hampered. This is significant given that the mean superannuation for Australian women aged 55-64 in the 2015-2016 fiscal year was 58% lower than men's (Australian Bureau of Statistics, 2017b, sec. Table 2.6).

Motherhood Wage Penalty

The role of primary care-taker has a disruptive effect on women's ability to fully engage the labor market due to the amount of time and energy they allocate to those in their care. This is significant given that interruptions and short work hours are significant contributing factors to the gender income gap (Blau & Kahn, 2017, p. 853). These interruptions force care-givers to seek employment with flexible hours, which also comes

at a price as there is a wage penalty for such accommodations (Goldin, 2014). Mothers are especially vulnerable to job disruptions and high-stress work-family conflicts forcing them to seek part-time employment or occupations with flexibility, all of which impacts their years of work experience and diminishes their seniority, productivity and future earnings, subsequently exposing them to discrimination (Budig & England, 2001). Specifically, across low, middle and high-income earners, there is on average a 7% wage penalty for first time mothers, and a reduced penalty for each subsequent child (ibid., pp. 219–220). Married and divorced women are impacted more than never-married, and penalties are greatest for women in high-wage, high-skilled full-time employment (Budig & England, 2001; England, Bearak, Budig, & Hodges, 2016). All working mother cohorts examined, regardless of age, race or their specific human capital endowments, pay a price. Additionally, this penalty has persisted for decades despite significant societal and economic changes since studies first began on women born in the mid-1940s (Yu & Kuo, 2017). In 1979, the women authors of the *Convention on the Elimination of all Forms of Discrimination Against Women* knew the importance of maternity and the need for compensation given their immense contribution to society:

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole, aware that a change in the traditional role of men as well as well the role of women in society and in the family is needed to achieve full equality between men and women (UN General Assembly, 1979, sec. Annex).

This project strongly concurs and furthermore points out that the Commonwealth is a state-party to the convention. Yet, due to the structural practices under the current

labor market regime, women who self-elect as primary care-takers bear the brunt of the cost despite their important contribution to society:

...there is a serious equity problem when we all free ride on the benefits of mothers' labor, while mothers bear much of the costs of rearing children... Reducing the extent to which mothers bear the costs of rearing children is a worthy goal... But if there are costs to employers of restructuring work to eliminate the motherhood penalty, deciding who should pay them is part of the larger question of who should bear the costs of raising the next generation. A general equity principle is that those who receive benefits should share in the costs (Budig & England, 2001, p. 221).

Gender Roles, Gender Segregation and Discrimination Contribute to Income Disparity

Within the sociological and economics literature, there is a debate regarding sex segregation and income disparity between men and women. Specifically, two competing hypotheses: devaluation (or social devaluation) hypothesis (Baron & Newman, 1989; Bellas, 1994; England, 1992a, 1992b; Hausmann, Kleinert, & Leuze, 2015; Kilbourne, England, Farkas, Beron, & Weir, 1994; Reskin, 1988)⁹ and specialized human capital hypothesis (Tam, 1997-- who lays much of his claims on Becker's (1975) contribution)¹⁰ to explain the wage effects of occupational sex composition. Devaluation hypothesis argues that due to a societal cultural devaluation on women's labor, there is a wage-penalty, or wage effect, on individuals who work in feminized occupations. This is significant given that segregation is a robust contributor to gender income disparity (Blau & Kahn, 2017). By contrast, specialized human capital hypothesis argues that human capital (i.e. special skills, experiences and training) explains the wage difference across

⁹ Hausmann, Kleinert, & Leuze's (2015) argument introduces a more extensive impact of social devaluation on women, specifically that there is social devaluation of all employed women that goes beyond the gender composition of an occupation a woman works in.

¹⁰ To clarify, Becker's (1993, c1975) contribution to human capital does not speak directly to the social devaluation versus human capital debate; instead, it is the foundation upon which Tam (1997) lays much of his claims.

gender. Meaning, after controlling for specialized human capital skills (e.g., math, engineering and other STEM training), the pay gap across gender vanishes as men select into occupations that require more skill and are therefore compensated more fully. However, Paula England and Joan Hermsen (2000) discovered that “after controlling for individuals’ human capital, the specific and general human capital demands of the occupation, and industry,” there remained a 5% to 8% “wage penalty” on all individuals (regardless of race or sex) who worked in highly feminized occupations (p. 1750). In other words, laborers enjoy “a premium for working in an occupation containing more men” (ibid.).

Due to global long-term trends in female education attainment, women have tilted the balance against men, subsequently triggering a convergence in work experience across gender. Despite these gains, women are still disadvantaged within the labor market. Francine Blau and Lawrence Kahn (2017) explain that traditional human capital variables are no longer strong explanations for the gender wage gap. Instead, “gender differences in occupations and industries are quantitatively the most important measurable factors” to explain the wage disparity (ibid., p. 854). Important factors also include the differences in: gender roles, gender division of labor and discrimination (ibid., p. 789). This is significant given that gender segregation within the Australian labor market is acutely high. Angela Barns and Alison Preston (2010), in their article “*Is Australia Really a World Leader in Closing the Gender Gap?*” explain that gender segregation is deeply entrenched within the Australian labor market, where 55.8% of women work in highly-feminized occupations and industries (Barns & Preston, 2010, p. 96). This has a negative impact on women’s opportunities to enter nontraditional, high-income professions. Long-term trends in gender segregation and employment patterns within Australia proliferate *boys-club* culture throughout the labor market, particularly within the nontraditional, high-income

sectors of mining, energy, and technology (ibid.). These masculine cultural strongholds significantly impact women's progress and opportunities as attraction and retention are already serious challenges facing women within these sectors (ibid., p. 97).

Within the Australian context, the 2016 KPMG report *She's Price(D)Less: The Economics of the Gender Pay Gap*, prepared for the Diversity Council Australia (DCA) and the Workplace Gender Equality Agency, showed that sex discrimination is the single largest contributing factor to gender pay disparity, and it is trending upward. Specifically, from 2007 to 2014, the contribution of sex discrimination to income disparity increased from 35% to 38%, which included both direct discrimination and unconscious bias (Wingrove & Ferrier, 2016, p. 2). The combined contribution of industrial and occupational segregation also increased from 28% to 30% during the same period, 19% and 11% respectively (ibid.). Although the component attributable to women working in part-time positions decreased from 11% to 4%, this was the result of an increase in the number of women in part-time employment who earned high-incomes (ibid.).

WGEA Reporting Is Raising Awareness

In 2017, WGEA Director, Libby Lyons, noticed that by the fourth year of mandatory data reporting for employers, there had been a significant increase in employers focusing on gender issues (Workplace Gender Equality Agency: Australian Government, 2017, p. 3). Organizations have begun to prioritize gender as a business imperative, with more than 50% having voluntarily adapted corporate strategies and policies to address equitable gender remuneration, leadership development, retention and advancement (ibid.). Additionally, employers reported that gender equality was now a key performance indicator for management (ibid.). However, Lyons also acknowledged that although there

was a 10.8% rise in the number of employers analyzing their gender remuneration data, there was still “much more to be done” (ibid.).

Private Sector Leadership Not Engaging in Gender Mainstreaming

Grave gender imbalances persist across private-sector leadership. Ms. Lyons identifies a resiliency to gender balance corrections across Australian boardrooms:

Men still dominate the faces around these top tables and the data suggests boards are not engaging with gender equality issues. As the guardians of organisational strategy, boards must step up if we are to continue building momentum for change (Workplace Gender Equality Agency: Australian Government, 2017, p. 3).

Data from the 2017 Australian Bureau of Statistics *Gender, Democracy, Governance and Citizenship* report quantifies the director’s concern and disappointment, see Table 4. Across the complete spectrum of private sector leadership, women were under-represented. Particularly jarring, only 12.9% of Australian chairs within the private-sector were held by a woman in 2016 (Australian Bureau of Statistics, 2017a). Men were 673% more represented than women as chairpersons, and 512% more represented as CEOs. Holding all rates constant, women will never reach parity among CEOs in Australia, as there was a negative 5.4% rate of change from 2014 to 2016, see Table 4. Women made the most gains within key management personnel positions (9.2%), followed by executive/general manager positions (8.3%) and director positions (4.2%). Although convergence was greatest at the lower levels of leadership, there was still a 57% gap between men and women; while gaps were highest at the higher levels of leadership; specifically, an 81% gap between men and women as CEOs, and an 85% gap as chairpersons across Australia’s boards and bodies, see Table 4

Table 4. Private Sector Leadership by Gender

	2014			2015			2016			RoC (2014- 2016)	Expected Year
	no.	%	ratio	no.	%	ratio	no.	%	ratio	%	
Chief Executive Officers (CEOs)											
Males	4374	82.70%	4.786	4415	84.60%	5.505	4351	83.70%	5.119	1.10%	
Females	914	17.30%	0.209	802	15.40%	0.182	850	16.30%	0.195	-5.40%	Unknown
Key Management Personnel (KMP)											
Males	15242	73.90%	2.828	16682	72.60%	2.65	16030	71.50%	2.505	-3.30%	
Females	5389	26.10%	0.354	6295	27.40%	0.377	6398	28.50%	0.399	9.20%	2030
Other Executives/General Managers											
Males	23325	72.20%	2.601	24782	70.70%	2.409	23535	69.90%	2.324	-3.20%	
Females	8966	27.80%	0.384	10289	29.30%	0.415	10127	30.10%	0.43	8.30%	2030
Directors of Governing Board/Body											
Males	23873	76.30%	3.224	30268	76.40%	3.229	30470	75.30%	3.055	-1.30%	
Females	7404	23.70%	0.31	9374	23.60%	0.31	9974	24.70%	0.327	4.20%	2052
Chair Persons Governing Board/Body											
Males	3455	88.00%	7.367	4920	85.80%	6.037	4966	87.10%	6.738	-1.10%	
Females	469	12.00%	0.136	815	14.20%	0.166	737	12.90%	0.148	8.10%	2052

Each year (2014, 2015, 2016), shows the number, the percentage and the ratio for each gender. The “ratio” columns are the ratios of each gender compared to the other. The value of “1.000” equals parity, and “0.000” equals no parity. The “Expected Year to Reach Parity” was calculated using the following formula:

$$(eg \text{ Expected Year for Chair Persons}) = \left(\frac{LN \left(\frac{0.5 * 100}{0.129 * 100} \right)}{LN(1 + 0.081)} \right) * 2 + 2017 = 2052$$

“Unknown” in the “Expect Year” column is use when the rate of change for females is negative. Source: ABS Report: 41250DS0013 - Gender Indicators, Australia, September 2017 (Australian Bureau of Statistics, 2017a).

Women Must Be Invited to the Table

Women representation within leadership is important. Veteran Washington D.C. civil rights and sex discrimination lawyer and member of the International Women's Forum Debra Katz explains that the "tone" of organizations regarding women is set by leadership (Katz, 2018). Because leadership often surround themselves with others who not only enable and facilitate their behavior and attitudes towards women but also emulate it, there is no peer-accountability at the top (ibid.). This is significant as the "single thing that drives sexual harassment in the workplace is leadership" (ibid.). There is a 'bleed down' effect throughout the organization as others take their cues from above on how to treat and value women, which then becomes normative, subsequently creating within work environments a vacuum of urgency to foster a culture that is respectful, equitable and harassment-free (ibid.). The Commonwealth has also documented this critical dynamic regarding the importance of women within leadership, stating that:

...disparity between men and women in leadership roles, perpetuates existing stereotypes about the role of women, both at work and in wider society, and exacerbates gender pay inequity. Further, research has shown that having significant numbers of women in leadership positions encourages and sustains other women. This means that unless systemic change in gender diversity in leadership is achieved, there is limited chance of the disparity improving on its own. (Australian Human Rights Commission, 2012, sec. Why Is Women in Leadership a Priority?).

Gender Diversity Increases Firm Productivity and Performance

Gender diversity in leadership, as with cultural and racial diversity, has returns to a host of pecuniary benefits for corporations, including, resource value, team productivity, innovation and market capitalization (Campbell & Mínguez-Vera, 2008; Dwyer, Richard, & Chadwick, 2003; Francoeur, Labelle, & Sinclair-Desgagné, 2008; Torchia, Calabrò, & Huse, 2011; Waddock & Graves, 1997). Additionally, it is not simply in adding the token women here or there, instead, scholarship shows that there is a correlating rate of return that is

dependent on proportionality of women as decision-makers (Campbell & Mínguez-Vera, 2008; Torchia et al., 2011; Waddock & Graves, 1997). Meaning, as the representation of women within an organization's leadership increases so too does the associated benefits, which include, team innovation, social and financial performance, impact of marketing campaigns and increase the number of investors.

Women's Voice in Politics and Policymaking

The representation of women in government across national and subnational levels is considered a key indicator of women empowerment, tracked globally by national and international women's and human rights organizations, including: United Nations, Organisation for Economic Co-operation and Development, the Inter-Parliamentary Union and the World Economic Forum. This section will examine how women's political power across the Commonwealth compares to men's, specifically focusing on the levels and trends of women's share of seats obtained from elections and governmental appointments. The data reveals that there is a de facto bias against women with regards to governmental appointments to ministerial and cabinet posts. This is significant as governmental appointments are a public proclamation on *who is* and *who is not* deemed suitable, qualified or worthy of positions of power and authority within government. Moreover, the disturbing gender imbalances across Australia's governments reveal that women simply do not participate or contribute to the decision-making process of either the Commonwealth or its eight jurisdictions as equally as men.

Woman's Voice is Faint within Government

Table 5.1 was constructed using data from the ABS's *Gender Indicators, Australia, Sep 2017* report. Despite upward trends, women have not reached parity in any of the four

principal areas of government, with large gaps persisting since 2007. Women were not able to surpass 33% representation in any of the following governmental organs: House of Representative (28.7%); Senate (32.9%); Federal Ministers (23.3%); Federal Cabinet Ministers (26.1%). There were 330% more male federal ministers than women; and, despite a 100% increase in women since 2007, there was still 300% more male federal cabinet ministers than women in 2017. Also for the same year, the greatest convergence was in the Senate, and the lowest was within federal Ministerial positions--30% and 70% gaps respectively between men and women.

The significance of Table 5.1 is not only that it reveals the number of women the Australian public chose to send to Canberra, it also reveals how many women the Government itself chose to appoint to its key positions. Specifically, for 2017, only 7 women were appointed as federal ministers, and only 6 women were appointed as cabinet ministers, representing 23% and 26% respectively, which is far from the Government's commitment to 50:50. For all of the public proclamations the Commonwealth makes regarding its commitment to gender equality (as informed by CEDAW, IOL, UN Sustainability Development Goal and the UN Committee on the Status of Women, to mention a few), there is still no parity within its key leadership posts. These appointments are deliberate choices made by the Government that was not bound by a limited pool of highly qualified female candidates. On the contrary, despite having the rich opportunity of selecting from a cohort of women with expansive political and leadership experiences, the Government failed to appoint enough women to reach gender parity among its own ministerial and cabinet posts. Only two women were added as federal ministers, and only three more women to the Cabinet over a 10-year period, despite that three additional cabinet posts were created during that same period. Holding all rates constant, neither

federal ministers nor the Cabinet is expected to reach parity for decades to come—2040 and 2034, respectively, see Table 5.1.

Table 5.1. Federal Seats Disaggregated by Gender for 2007-2017

Federal Parliamentarians, Ministers and Cabinet Ministers, 2007 to 2017								
	2007			2017			Rate of Change 2007-2017	Expected Year to Reach Parity
	no.	%	ratio	no.	%	ratio	%	
Federal Parliamentarians in the House of Representatives								
Males	113	75.30%	3.054	107	71.30%	2.488	-5.30%	
Females	37	24.70%	0.327	43	28.70%	0.402	16.20%	2054
Federal Parliamentarians in the Senate								
Males	49	64.50%	1.815	44	67.10%	1.419	-9%	
Females	27	35.50%	0.551	31	32.90%	0.705	16.30%	2030
Federal Government Ministers								
Males	25	83.30%	5	23	76.70%	3.286	-8.00%	
Females	5	16.70%	0.2	7	23.30%	0.304	40.00%	2040
Federal Government Cabinet Ministers								
Males	14	82.40%	4.667	17	73.90%	2.833	-10.20%	
Females	3	17.60%	0.214	6	26.10%	0.353	47.80%	2034

The first three columns are for 2007, while the next three are for 2017. The “ratio” columns are the attainment ratios of each gender compared to each other. 1 equals parity, and zero equals no parity. The “Expected Year to Reach Parity” was calculated using the following formula:

$$(i.e. \text{Expected Year for the House}) = \left(\frac{LN\left(\frac{0.5 * 100}{0.287 * 100}\right)}{LN(1 + 0.06)} \right) * 10 + 2017 = 2054$$

Source: ABS Report: 41250DS0013 - Gender Indicators, Australia, September 2017 (Australian Bureau of Statistics, 2017a).

Faint Voices Also at the Subnational Level

Even at the subnational level, women’s share of power is far from equitable.

Across Australia’s states and territories, women representation within their parliaments and ministerial posts were far from equitable, 32.8% and 34.5%, respectively, see Table 5.2. There were 205% more male parliamentarians than female, and 190% more men than

women represented within their combined cabinets. Although women were slightly more represented at the subnational level within ministerial posts than at the federal level, subnational governments, as a collective, have consistently chosen men over women at a much higher rate for their key leadership positions over the past 10 years. Convergence was greatest among the state and territory's ministerial posts, and least among their parliamentarians, specifically, gaps between men and women were 47.4% and 51.1%, respectively. Particularly alarming at the subnational level is that there was an unremarkable 8.15% rate of change for women parliamentarians since 2007. This incremental upward trend over the past 10 years bodes ill for gender mainstreaming objectives as parliaments across Australia's state and territories will not reach parity for more than 70 years to come, *ceteris paribus*, see Table 5.2.

Table 5.2. Subnational Seats Disaggregated by Gender for 2007-2017

State Parliamentarians and Ministers 2007 to 2017								
	2007			2017			Rate of Change 2007-2017	Expected Year to Reach Parity
	no.	%	ratio	no.	%	ratio	%	
State/Territory Parliamentarians								
Males	410	69.00%	2.228	407	67.20%	2.045	-2.70%	
Females	184	31.00%	0.449	199	32.80%	0.489	6.00%	2089
State/Territory Ministers								
Males	83	72.20%	2.594	76	65.50%	1.9	-9.20%	
Females	32	27.80%	0.386	40	34.50%	0.526	23.90%	2034

The “ratio” columns are the attainment ratios of each gender compared to the other. 1 equals parity, and zero equals no parity. “Rate of Change 2007-2017” is the percentage change from 2007 to 2017. The “Expected Year” was calculated using the following formula:

$$eg: \text{Expected Year for Parliamentarians} = \left(\frac{LN\left(\frac{0.5 * 100}{0.328 * 100}\right)}{LN(1 + 0.06)} \right) * 10 + 2017 = 2089$$

Data Source: ABS Report: 41250DS0013 - Gender Indicators, Australia, September 2017 (Australian Bureau of Statistics, 2017a).

Canberra Failing at Gender Mainstreaming Its Own Boards & Bodies

The Commonwealth has marginally advanced women’s share of seats on its federal boards and bodies, specifically adding an almost trivial 5.5% increase since 2012, see Table 6. And while there was a 17.6% increase in the number of female appointments to Chair and Deputy Chair positions there were still 213% more males than females within leadership. These figures reveal a blatant disregard by the Commonwealth to its own gender policies; they are a serious indictment against the Government’s commitment to gender mainstreaming. Despite its legislative framework and governmental machineries to protect and advance women empowerment, and despite the plethora of international treaties and conventions, the data empirically shows that the Commonwealth maintains a

de facto gender policy that recalcitrantly favors men over women. In 2016, the Commonwealth appointed men to leadership positions within its boards and bodies at a rate that was more than double to women, creating a 53% gap between genders. Within the 2017 gender report, WGEA Director, Libby Lyons, lamented that private sector leadership was still predominantly male, while making no mention of the severe imbalances at the federal level, despite the Government’s 50:50 targets. If the Government expects to lead the nation towards parity, then it must lead by example, rather than from a position of hypocrisy. At these current rates of change, women will not reach parity until 2033 on federal boards and bodies, and 2035 as chair and deputy chair, ceteris paribus, see Table 6.

Table 6. Federal Boards and Bodies Disaggregated by Gender

Appointments to Federal Boards and Bodies, 2012 to 2016								
	2012			2016			RoC Since 2012	Expected Year
	no.	%	ratio	no.	%	ratio	%	
Federal Boards and Bodies Totals								
Males	2542	61.60%	1.604	1395	59.50%	1.464	-3.40%	
Females	1587	38.40%	0.623	953	40.50%	0.683	5.50%	2033
Chair/Deputy Chair Positions								
Males	393	72.80%	2.676	289	68.00%	2.125	-6.60%	
Females	147	27.20%	0.374	136	32.00%	0.471	17.60%	2035

The “ratio” columns are the attainment ratios of each gender compared to the other. 1 equals parity, and zero equals no parity. “Rate of Change Since 2012” is the percentage change from 2007 to 2017. The “Expected Year” was calculated using the following formula:

$$eg: \text{Expected Year for Federal Boards and Bodies} = \left(\frac{LN\left(\frac{0.5 * 100}{0.405 * 100}\right)}{LN(1 + 0.055)} \right) * 4 + 2017 = 2033$$

Data Source: ABS Report: 41250DS0013 - Gender Indicators, Australia, September 2017 (Australian Bureau of Statistics, 2017a).

Women within Australia's Legal Profession

This section will explore the current landscape of the legal profession, including data on barristers and solicitors, justices and judges and appointments to the attorney-general offices across all jurisdictions. The data reveals alarming gender imbalances across all three spheres of the legal system (advocacy, judiciary and leadership), across all nine jurisdictions (federal and the eight subnational jurisdictions), making the legal profession one of the most gender imbalanced sector within Australian society.

Barrister and Solicitor: A Summary

The legal profession in Australia is undergoing a fundamental shift. Lawyering was once a highly bifurcated profession--divided between barristers and solicitors. Today, however, states and territories have fused these roles, apart from New South Wales (NSW) and Queensland (QLD), where barristers and solicitors still maintain their traditional separate, yet complementary, roles within their jurisdictions. The "ultimate professional responsibility" of the barrister is to advocate for and direct the client's case before the bench (Wilson, 2014). Law graduates must first be admitted to legal practice to become a solicitor. However, to become a barrister, a legal practitioner must then additionally be admitted to one of the eight Bar Associations, corresponding to the eight subnational jurisdictions of the Commonwealth. While solicitors and barristers have equal status, they have expertise in different aspects of the law and legal practice. The solicitor's primary role is to interact with the client to gather as much information as possible to best prepare the case for the barrister. This is called preparation of brief or briefing counsel.¹¹ The

¹¹ A brief is the "engagement of legal services provided by barristers and includes barristers' work in judicial (before Courts and tribunals), non-judicial (through commissions of

solicitor presents the brief to the barrister (or counsel) who specializes in advocacy, litigation and legal writing and appear before the bench on behalf of the client (Australian Bar Association, 2018c). Barristers primarily work independently within Barrister Chambers, while solicitors primarily work in the private sector (69%), the remaining (now the fastest growing group) are hired by corporations and the government (URBIS - prepared for the Law Society of New South Wales, 2017). Solicitors are the client's first and main point of contact and can only practice in their registered jurisdiction (ibid., p. i). Barristers, however, who have been admitted into one of the eight Bar associations, "are now entitled to appear before the courts in any jurisdiction in Australia" (Australian Bar Association, 2018c).

Female Lawyers Underrepresented Before the Bench

In 2016, for the first time in Australian history, women reached parity to men as solicitors, 50.1% n=35,799 and 49.9% n=35,710, respectively, which was an increase of 34.2% for women since 2011(URBIS, 2017). And women represent 60% of those admitted to practice five years or less prior to 2016--females (n=11,707); males (n=7,676) (ibid.). However, women lag far behind men as barristers. Despite a twofold increase of women being admitted to the Bar since 1999, there was only 24.9% (n=1540) women barristers across all of Australia's eight jurisdictions in 2018, see Table 7.1 (Australian Bar Association, 2015; Reynolds & Williams, 2017). This is significant given that judiciary appointments are primarily drawn from members of the Bar. There is a problem, explains Hon. Jane Mathews AO, as "the Bar still constitutes the pool from which judges are

inquiry, investigations, negotiation, mediation or arbitration) and advisory work" (Law Council of Australia, 2016, p. 7).

appointed... we simply don't have enough [women] in the pool" (Women Barristers Forum (WBF) - NSW Bar Association, 2015).

Of the eight Bar Associations, women were most represented in Victoria (29.3%), followed by Northern Territory (24.4%). These two were the only jurisdictions that were either at or above the national average (24.9%); while the remaining six jurisdictions were below: Queensland (23.8%); Tasmania (23.1%); NSW (22.6%); South Australia (22.5%); Western Australia (20.4%); and ACT (16.9%). The gap between men and women across all eight jurisdictions was 66.8%, ranging from 58.5% in Victoria to 79.6% in ACT, for 2018, see Table 7.1. These figures have serious implications for women's inclusion to preside as judges and justices in court as the career of barrister is one of the principle pathways to the judiciary (Perry, 2014).

Women Under Represented in the Senior Ranks

There are two ranks among barristers: senior counsel (SC)¹² and junior counselor (JC). Senior counsels are barristers of "seniority and eminence," known within the profession as '*silks*' as their court robes include silk gowns (Australian Bar Association, 2018a). They are acknowledged for their "standing and achievement", possessing a "high degree of skill and learning, integrity and honesty, independence, diligence and

¹² The selection process to Senior Counsel (SC) varies from jurisdiction to jurisdiction. Furthermore, the term itself also changes from jurisdictions to jurisdiction--Senior Counsel (SC) or Queen's Counsel (QC), (which can also be referred to as King's Counsel (KC), depending on the reigning monarch). All titles are of the same rank. Queensland has reverted to using its former name--Queen's Counsel (QC); while Northern Territory never adopted Senior Counsel and only uses Queen's Counsel; in Victoria, barristers who are appointed to rank start off with the Senior Counsel title and then have the option to change letters to QC, if they wish; New South Wales, meanwhile, has, so far, not reverted to the old name, using only the newer SC moniker (Australian Bar Association, 2018b). For simplicity sake, this project will refer to all these terms (Senior Counsel and Queen's Counsel or King's Counsel) as senior counsel (SC).

experience” (ibid.). Due to their expertise, senior counsels are briefed to more difficult cases and they select which junior counsel(s) appears with them in court. There is another major difference between SCs and JCs, income.

Although senior counsels only accounted for 17% of all barristers, they earned 36.1% of the total barrister income for the 2008 fiscal year. Figures released in 2009 by ABS revealed that the “operating profit per barrister” for senior counsels was 300% higher than junior counselors (Australian Bureau of Statistics, 2009). Specifically, the average operating profit for SCs was \$580,900, while junior counsel barristers earned on average \$195,800 per annum (ibid.). The significance of these figures is that after fifty-six years since Dame Roma Mitchell QC became the first women to receive silk, females still only represent a staggering 11.3% of senior counsels across Australia, see Table 7.1. Within each of the eight jurisdictions, women lag significantly far behind men, mirroring the leadership demographics within government and the private sectors where the gap between men and women is wider at higher levels of leadership than at the lower and middle.

Specifically, female representation among senior counsel ranges from 6.1% in Western Australia and 18.2% in Northern Territory, with a total of two women each, see Table 7.1. In April 2018, Tasmania (14.3%), which also has a total of two female SCs, made history appointing Ms. Sandra Taglieri and Ms. Linda Anne Mason as the second and third women ever to the rank of senior counsel (Chambers of the Chief Justice, 2018). While ACT (16.7%) has one, and South Australia (13.6%) has six women among their senior counsels. For the remaining three jurisdictions, female representation was: Queensland 10.9% (n=12); New South Wales 11% (n=41); and Victoria 11.7% (n=33). Across all jurisdictions, the national gap between women and men among senior counsels is 87.2%, ranging from 77.8% to 93.5% as of 2018. Meaning, across Australia there are 783% more

male senior counsels than females, ranging from 450% to 1550% across all eight jurisdictions, see Table 7.1.

Although still wide, the gap between men and women is less at the lower rank of junior counsel, which is consistent with gender indices across Australia where convergence is greater at the lower and middle levels of leadership than at the top. Specifically, for 2018, the gap across Australia among junior counsels was 62.7%, ranging from 52.7% in Victoria to 79.5% in ACT. The remaining jurisdictions had the following gaps: Northern Territory (63.6%); Tasmania (64.3%); Queensland (66.3%); NSW (67%); South Australia (67.6%); and Western Australia (70.8%). These figures are significant given that the legal profession has one of the worst income gaps between men and women in Australian society. Former president of the Victorian Bar Association, Fiona McLeod SC, explains that despite female barristers possessing extensive legal experience, “the same pool of [male] barristers” are being briefed, perhaps “out of “habit”, while unconscious bias” plays a role, subsequently making the Bar “among the worst professions for unequal pay” in Australia (Lee, 2016). The Hon Justice Melissa Perry concurs, stating that the 2006 Gender Appearance Survey and the 2009 Law Council of Australia survey show “systemic discrimination against women at the Bar” subsequently creating one of the worse income disparities in Australia (Perry, 2014, sec. Introduction). Specifically, for the 2014-2015 fiscal year, there was a 72% income gap between men and women barristers, “among the widest of all reported occupations” (Law Council of Australia, 2018b, p. 5)

Table 7.1 Barristers by Jurisdiction, Seniority and Gender 2018

Barristers by Jurisdiction, Seniority and Gender 2018									
Jurisdiction	Senior Counsel			Junior Counsel			Totals		
	n	%	ratio	n	%	ratio	n	%	ratio
ACT									
Male	5	83.30%	5	44	83.00%	4.889	49	83.10%	4.9
Female	1	16.70%	0.2	9	17.00%	0.205	10	16.90%	0.204
NSW									
Male	332	89.00%	8.098	1498	75.20%	3.032	1830	77.40%	3.421
Female	41	11.00%	0.123	494	24.80%	0.33	535	22.60%	0.292
NT									
Male	9	81.80%	4.5	22	73.30%	2.75	31	75.60%	3.1
Female	2	18.20%	0.222	8	26.70%	0.364	10	24.40%	0.323
QLD									
Male	98	89.10%	8.167	736	74.80%	2.968	834	76.20%	3.208
Female	12	10.90%	0.122	248	25.20%	0.337	260	23.80%	0.312
SA									
Male	38	86.40%	6.333	148	75.50%	3.083	186	77.50%	3.444
Female	6	13.60%	0.158	48	24.50%	0.324	54	22.50%	0.29
TAS									
Male	12	85.70%	6	28	73.70%	2.8	40	76.90%	3.333
Female	2	14.30%	0.167	10	26.30%	0.357	12	23.10%	0.3
VIC									
Male	250	88.30%	7.576	1215	67.90%	2.113	1465	70.70%	2.41
Female	33	11.70%	0.132	575	32.10%	0.473	608	29.30%	0.415
WA									
Male	31	93.90%	15.5	168	77.40%	3.429	199	79.60%	3.902
Female	2	6.10%	0.065	49	22.60%	0.292	51	20.40%	0.256
Australia									
Male	775	88.70%	7.828	3859	72.80%	2.678	4634	75.10%	3.009
Female	99	11.30%	0.128	1441	27.20%	0.373	1540	24.90%	0.332

Source: Berkovic (2018).

Women Are Seldom Heard Before the High Court

Another consequence of this imbalance is that women do not appear before the bench as equally as men, not even close. Leading constitutional lawyer and Dean of the

University of New South Wales Law School (UNSW Law School), George Williams AO, explains that the profession still has a long way to go. The “gap should have closed over the past 20 years. More than 60 per cent of law graduates today are female, as are 63 per cent of those admitted to legal practice,” yet women seldomly appear before the High Court of Australia (G. Williams, 2017). In 2017, Williams, along with co-author, Daniel Reynolds, released a study entitled, *Gender Equality Among Barristers Before the High Court*. The report revealed that women barristers do not appear before the Australian High Court as frequently as their male counterparts, despite significant gains women have made over the past twenty years (Reynolds & Williams, 2017). Specifically, for the 2016 fiscal year (FY16), there were no women barristers to appear for either side in over half of all matters heard by the High Court of Australia. Meaning women were completely left out in over half of all High Court matters; and, when they did appear, few were given speaking parts (ibid., p. 484).

Table 7.2 was constructed using data from the Reynolds and Williams (2017) report. It reveals a great many imbalances against women. Specifically, men were selected to legal teams 352% more times than women, which constituted a 72% gap between genders; men were given speaking role 893% more times than women, constituting almost 90% gap; and, there were 817% more male lead counsels than females representing a matter before the High Court, constituting an 89% gap between men and women. But most disturbing was the number of times a woman was permitted to speak before the High Court. Despite women representing over 23% of all barristers across Australia, female barristers spoke a mere 8.8% of the times an advocate spoke before the High Court in 2016. This meant that men spoke before the High Court 1043% more than women. This constituted a 90.4% gap between men and women in the number of times a barrister spoke on a matter in Australia’s highest court. This massive disproportionality of male

barristers being given speaking roles significantly higher than women, effectively mutes the voices of women before the High Court, rendering their opportunities to both participate and contribute to the highest matters of the land to a state of nonexistence.

Gender Segregation and Gender Roles within the Courts

The data also shows that there are acute gender imbalances in client selection and there is a cultural practice within the profession to push male and female barristers to advocate within certain parts of the law. On matters that appeared before the High Court of Australia in 2016, male barristers were briefed 421% more times than females, constituting a 76% gap. Men were selected 264% more time than women by government, 482% more by private citizens, 1100% more by unions, and 1427% more by corporations. As Reynolds and Williams (2017) pointed out, these imbalances subsequently defined within which part of the law each gender practiced. Specifically, 56.6% of the briefs given to female barristers came from solicitors representing the government, the remaining briefs were from solicitors representing the following clients: private citizens (36.1%); corporations (6.6%) and unions (0.6%). While the brief composition for female barristers was: unions (1.6%); corporations (22.5%); government (34.5%); and private citizens (41.4%) (Reynolds & Williams, 2017, sec. D. Table 3. Briefs by Client Type). The type of law also varied between male and female barristers. Twenty-two percent of male appearances dealt with matters concerning criminal law, while it represented 33% of female appearances (*ibid.*, p. 490). Female barristers were almost 200% more likely than men to advocate on matters dealing with statutory interpretation; and, almost 300% more likely than men on matters in family law (*ibid.*). In matters dealing with contract law men were 300% more likely than women to appear before the High Court, and 220% more likely on matters in employment law (*ibid.*, p. 491). Men were 200% more likely to appear

on matters in equity law, and 160% more likely to appear on matters dealing in tort.¹³

There was parity on matters dealing with migrations law, representing 16% of barristers' workload across gender (ibid. 2017).

Table 7.2 Barrister Before the High Court of Australia, 2016

Appearances Before the High by Gender and Clients: FY16				
	n	% of all barristers	ratio	% of each gender
Total Appearances				
Males	412	77.90%	3.521	100%
Female	117	22.10%	0.284	100%
Number of Barristers Given Speaking Role*				
Males	259	89.90%	8.931	62.90%
Females	29	10.10%	0.112	25.00%
Number of Times a Barrister Spoke				
Males	438	91.30%	10.429	100%
Females	42	8.80%	0.096	100%
Lead Counsel*				
Males	239	89.10%	8.17	58.00%
Females	29	10.90%	0.122	25.00%
Type of Client Briefed to a Barrister				
Government				
Males	241	71.90%	2.564	34.50%
Female	94	28.10%	0.39	56.60%
Private Citizens				
Males	289	82.80%	4.817	41.40%
Females	60	17.20%	0.208	36.10%
Corporation				
Males	157	93.50%	14.273	22.50%
Female	11	6.50%	0.07	6.60%
Union				
Males	11	91.70%	11	1.60%
Female	1	8.30%	0.091	0.60%
Total Briefs				
Males	698	80.80%	4.205	100%
Females	166	19.20%	0.238	100%

The values of "n" for "Number of Barristers Given Speaking Role" and "Lead Counsel" are estimates; they were calculated using the value of "% of each gender" as the source report only provided the later. All other "n" values were provided by the report. Source: Gender Equality Among Barristers Before the High Court report (Reynolds & Williams, 2017, sec. C. Speaking Roles: FY16; and Table 3. Briefs by Client Type).

¹³ Tort law covers civil wrong doing, i.e. assault, battery, intentional infliction of emotional distress and other actions that cause a claimant to suffer loss or harm.

Barriers to Women Within the Bar

The number of working hours demanded from barristers is the main reason why female attrition rates are so high within the profession. According to Hon. Justice Margaret Beazley AO, work-hours is one of the most significant barriers to women being admitted to the bar (Women Barristers Forum (WBF) - NSW Bar Association, 2015). This is significant given that women elect at a much higher rate than men to serve as society's primary care-takers, subsequently creating a higher level of work-family conflict for women than for men. This does not mean that women barristers work less hours than men; statistically male and female barristers work a similar number of hours. Within the NSW context, a 2014 survey revealed that half of male barristers and 47.5% females worked more than 55 hours a week, and 22% males and 25% females worked less than 45 hours (Taylor, 2016, p. 49). The Hon. Elizabeth Evatt AC concurs: "It will never be easy [for women] because the barrister's life is demanding. You got [sic] to be available, and if you're not available that will go against you, career-wise" (Women Barristers Forum (WBF) - NSW Bar Association, 2015). Justice Beazley drilled down on the bitter reality, explaining, "The bar is too hard as a profession for anybody, if you don't really love it" as the hours required to excel within the profession consumes the life of a barrister (ibid.).

A Move in the Right Direction: *Equitable Briefing Policy*

In 2016, the Law Council of Australia, which is the nation's leading representative body of the legal profession, released the *National Model Gender Equitable Briefing Policy* (a revision of its 2004 *Model Briefing Policy*). It aims to "achieve a nationally consistent approach towards bringing about cultural and attitudinal change within the legal profession with respect to gender briefing practices" (Law Council of Australia, 2016, p. 2). Specifically, the Law Council introduced non-mandatory "targets and reporting

mechanisms” to increase female representation among barristers who are selected or recommended by briefing entities¹⁴ to at least 20% for senior barristers and 30% for junior barristers; “and/or” receive 20% and 30% of the “value of all brief fees paid to” senior and junior barristers, respectively, by July 1, 2018 (ibid.).¹⁵ And, by 2020, women are to be briefed a minimum 30% of all briefs and awarded a minimum 30% of the value of all brief fees, “in accordance with international benchmarks concerning the retention and promotion of women” (ibid.). Additionally, it encourages all participants to remit annual reports to the Law Council regarding their “briefing practices and measures taken to implement the Policy” in order to “ensure a level playing field for all members of the Australian legal profession” (ibid., pp. 2–3). In July 2018, Law Council President, Morry Bailes, announced the release of the Council’s inaugural annual report, stating that there was an “overwhelming majority of large Australian law firms and many of the nation’s biggest corporations” who have signed onto the Policy, in all, over 350 briefing entities (Law Council of Australia, 2018a).

However, the report revealed mixed results. Specifically, 60% of the targets set for female senior barristers were reached, while 93% of the targets was reached for female junior, see Table 7.3. The participating briefing entities reported a total of 9,616 briefed barristers: 80.2% were males; and 19.8% were females, constituting a 75.3% gap between men and women across senior and junior barristers. This equated to men being briefed

¹⁴ A briefing entity is an individual or an entity, such as a corporation, firm, organization or government entity, who recommends or briefs a barrister to advise or to appear in court (Law Council of Australia, 2016, p. 7).

¹⁵ Breaking away from the more traditional means of categorizing barristers according to their rank (Senior Counsel or Junior Counsel), the Law Council disaggregates barristers into two categories, senior barrister and junior barrister, defined by the number of years a barrister has at the bar, specifically: “senior barrister is a barrister of 10 or more years standing at the independent bar or who is Queen’s Counsel or Senior Counsel, and junior barrister means all other barristers” (Law Council of Australia, 2018b, p. 7).

405% more times than women. Disparity against women was worse within senior cohort and the junior cohort. Specifically, male senior barristers were briefed 737% more times than females, constituting an 86.4% gap between men and women. Among juniors, men were briefed 260% more times than women, which constituted a 61.5% gap between the two. These imbalances have a detrimental impact on the amount of revenue women received in fees. Across all barristers, men made 563% more in revenue fees than women, constituting an 82.3% gap between males and female. Among the higher category of seniors, the imbalance was worse: men earned 733% more than women, creating an 86.4% gap between male and female senior barristers. While male junior barristers made 257% more than females, yielding a 61.1% gap between the two, despite that females within this cohort reached 93.3% of their revenue target, see Table 7.3.

It is important to note, however, that despite the commendable efforts of the Law Council to redress gender imbalances within the profession, specifically in the creation of their *Gender Equitable Briefing Policy*, the data within their 2018 report does not capture an accurate picture of the briefing practices within the profession for two main reasons. First, there were only 82 briefing entities that participated in the report, which is a significantly low representation of the industry. As a result, the data used within the report may not accurately reflect the briefing culture of entities across Australia given that less than 100 entities participated. And secondly, the data may be skewed given that most of the reporting entities were 'pro-Policy', specifically, 55% of those who reported were individual barristers who were "already supporters of the Policy," see Table 7.3, section "Total # of Reports Remitted to the Law Council. (Law Council of Australia, 2018b, p. 17).

Table 7.3 Law Council Inaugural Policy Report (FY2016-2017)

Law Council of Australia Inaugural Report (FY2016-2017)					
	n	%	ratio	gap	% Target Reached
Barristers Briefed					
Males	7711	80.20%	4.048		
Females	1905	19.80%	0.247	75.30%	
Senior Barristers Briefed					
Males	4266	88.00%	7.368		
Females	579	12.00%	0.136	86.40%	59.80%
Seniors Barristers Briefed by Seniors					
Males	35	44.30%	0.795	20.50%	
Females	44	55.70%	1.257		
Senior Barristers Briefed by Juniors					
Males	98	84.50%	5.444		
Females	18	15.50%	0.184	81.60%	
Junior Barristers Briefed					
Males	3445	72.20%	2.598		
Females	1326	27.80%	0.385	61.50%	92.60%
Juniors Barristers Briefed by Seniors					
Males	94	39.50%	0.653	34.70%	
Females	144	60.50%	1.532		
Juniors Barristers Briefed by Juniors					
Males	38	46.30%	0.864	13.60%	
Females	44	53.70%	1.158		
Fees Received by Barristers					
Males	\$230,648,104.00	84.90%	5.634		
Females	\$40,935,643.00	15.10%	0.177	82.30%	
Fees Received by Senior Barristers*					
Males	DNP	88.00%	7.333		
Females	DNP	12.00%	0.136	86.40%	60.00%
Fees Received by Junior Barristers*					
Males	DNP	72.00%	2.571		
Females	DNP	28.00%	0.389	61.10%	93.30%
Total # of Reports Remitted to the Law Council					
Remitted by Organizations	37	45.10%	0.822		
Remitted by Barristers	45	54.90%	1.216		

*For “Fees Received by Senior Barristers” and “Fees Received by Junior Barristers” the “DNR” value signifies “data not released” by the Law Council report. Meaning no aggregate dollar amount for either senior or junior barristers was provided by the report. Instead, the percentage senior and junior barristers received (disaggregate by gender) was revealed in a press release on the 27th of July. Therefore, the “ratio” and “gap” values for these categories (the fees senior and junior barristers received) were calculated using the percentages of each gender as there were only four targets set by the Law Council. Data Source: Law Council 28 July 2018 press release; and National Model Gender Equitable Briefing Policy: Annual Report (2016-2017 Financial Year).

These observations are not critiques on the Law Council's endeavors to rectify gender imbalances within the profession. Instead, they highlight that because the Council does not have statutory powers to mandate all briefing agencies within Australia to adhere to its Policy, the statistical integrity of their findings may always be questioned as there are currently weaknesses within the Law Council's methodological approach to data collection. However, this could be rectified, if the Government were to build upon the foundational framework the Council has laid out. For example, in the same way the Workplace Gender Equality Agency currently requires employers of 100 or more employees to remit gender data on their organizations, so too should all briefing entities within Australia be mandated to report on their briefing practices. However, because policy advisement goes beyond the germane of this project, no more indulgences will be taken.

Trends in the Representation of Women within the Bar

Table 7.4 was constructed using gender data across all jurisdictions from 2015 and 2018. Although it only covers a 3-year period, this table shows some positive trends for women within the profession, despite the overall mixed results. From 2015 to 2018, there was a 10.9% increase in female representation within the bar across Australia, which ranged a negative 9.1% in Northern Territory to a positive 42.9% in ACT. However, these two jurisdictions only had a total of 10 women within their bars in 2018, see Table 7.1. Tasmania, which had a total of 12 women, witness a 23.1% increase for women during the same period. For the remaining five jurisdictions with 50 or more women in their bars, the overall average rate of change was a positive 15%, specifically: Queensland (7.9%); South Australia (9.1%); New South Wales (9.2%); Victoria (12.2%); and Western Australia (37.8%). Gains for women among senior and junior counsels across Australia were 8.8% and 11%, respectively. Among senior counsels, the rate of change for female

representation by jurisdiction was: Western Australia (-33.3%); South Australia (-25%); ACT and Northern Territory each had no change; Victoria (10%); New South Wales (10.8%); and Queensland witnessed an impressive 20% increase. Holding all rates constant, women will not reach parity among senior barristers until the year 2071.

The rate of change for women's representation among junior counsels by jurisdiction was: Northern Territory (-11.1%); Tasmania (-9.1%); Queensland (7.4%); New South Wales (9.1%); Victoria (12.3%); South Australia (14.3%); Western Australia (44.1%); and ACT (50%). Holding all rates constant, women will not reach parity among junior counsels in Australia until 2035. And across all ranks and all jurisdictions, women are not expected to reach parity with in Australia's bar until another twenty more years-2038, *ceteris paribus*.

Table 7.4 Barrister Rate of Change and Expected Year of Parity by Jurisdiction

Barrister Rate of Change Since 2015 and Expected Year of Parity by Jurisdiction									
Jurisdiction	Senior Counsel			Junior Counsel			Totals		
	2018 %	RoC Since 2015	Year	2018 %	RoC Since 2015	Year	2018 %	RoC Since 2015	Year
ACT									
Male	83.30%	-28.60%		83.00%	-12.00%		83.10%	-14.00%	
Female	16.70%	0.00%	unknown	17.00%	50.00%	2026	16.90%	42.90%	2027
NSW									
Male	89.00%	-0.60%		75.20%	1.10%		77.40%	0.80%	
Female	11.00%	10.80%	2062	24.80%	9.10%	2042	22.60%	9.20%	2045
NT									
Male	81.80%	125%		73.30%	-18.50%		75.60%	0.00%	
Female	18.20%	0.00%	unknown	26.70%	-11.10%	unknown	24.40%	-9.10%	unknown
QLD									
Male	89.10%	1.00%		74.80%	-3.20%		76.20%	-2.70%	
Female	10.90%	20.00%	2043	25.20%	7.40%	2047	23.80%	7.90%	2047
SA									
Male	86.40%	31.00%		75.50%	7.20%		77.50%	11.40%	
Female	13.60%	-25.00%	unknown	24.50%	14.30%	2034	22.50%	8.00%	2049
TAS									
Male	85.70%	0.00%		73.70%	-17.60%		76.90%	-13.00%	
Female	14.30%	200%	2021	26.30%	-9.10%	unknown	23.10%	9.10%	2045
VIC									
Male	88.30%	6.80%		67.90%	-0.90%		70.70%	0.30%	
Female	11.70%	10.00%	2064	32.10%	12.30%	2029	29.30%	12.20%	2032
WA									
Male	93.90%	-11.40%		77.40%	13.50%		79.60%	8.70%	
Female	6.10%	-33.30%	unknown	22.60%	44.10%	2025	20.40%	37.80%	2026
Australia									
Male	88.70%	3.10%		72.80%	-0.10%		75.10%	0.40%	
Female	11.30%	8.80%	2071	27.20%	11.00%	2035	24.90%	10.90%	2038

“RoC Since 2015” columns are the rate of change from 2015 to 2018. The “Year” columns are the expected year parity between gender will be reached at 50%. The “not known” value in the “Year” column was given to jurisdictions with a rate of change of $\leq 0.0\%$ as it was not possible to calculate a predicted year. The formula used to calculate the expected year was:

$$Expected\ Year = \left(\frac{LN\left(\frac{0.5 * 100}{(2018\ \%) * 100}\right)}{LN(1 + (RoC\ Since\ 2015))} \right) * 3 + 2018$$

Data Source: Australian Bar Association (2015) and Berkovic (2018).

The Judiciary, Not so Just After All

Exactly 30 years from appointing Australia's first female High Court Justice-- Mary Genevieve Gaudron QC, the Commonwealth made history again in 2017 in appointing Susan Mary Kiefel AC, as Australia's first female Chief Justice of the High Court in 113 years (Murphy, 2016). Justice Kiefel sits on the High Court with two other women--Justice Virginia Bell AC and Justice Michelle Marjorie Gordon, bringing the total to 3 out of 7 women justices on the High Court (Australian Government Department of Justice, 2018). From 2007 to 2017, the number of female judges rose from 24% to 36%. Australian National University law professor Kim Rubenstein acknowledges that despite the landmark achievement for women with the appointment of Chief Justice Kiefel, women in Australia still have a long way to go before they take their rightful "place as active citizens in all areas of civic life" (Rubenstein, 2016). Gender data on the judiciary justifies Rubenstein's lament. Overall representation of women across Australia's federal courts remain low, 35.8%, despite an increase of 51.7% over the past ten years, see Table 8.

Table 8. Federal and State Justices and Judges 2007 to 2017

	2007		2017		Total from 2007 to 2017		Rate of Change 2007 to 2017
	no.	(%)	no.	(%)	no	%	%
Federal Justices/Judges							
Males	107	76.40%	9	64.20%	11	69.10%	-
Females	33	23.60%	5	35.80%	52	30.90%	16.00%
			3		4		51.70%
Details by Courts							
High Court Justices							
Males	6	85.70%	4	57.10%	48	62.30%	-
Females	1	14.30%	3	42.90%	29	37.70%	33.40%
							200.00%
Federal Court Justices/Judges							
Males		87.50%	3	76.10%	41	81.40%	-
Females		12.50%	1	23.90%	7	18.60%	13.00%
			1		95		91.20%
							0%
Family Court Justices/Judges							
Males		61.00%	1	60.00%	25	59.70%	-
Females		39.00%	8	40.00%	0	40.30%	1.60%
			1		16		2.60%
			2		9		
Federal Circuit Court Judges							
Males		77.30%	3	58.50%	43	63.50%	-
Females		22.70%	8	41.50%	7	36.50%	24.30%
			2		22		82.80%
			7		1		
State Supreme Court/Court of Appeal Justices/Judges							
Males		85.80%	1	75.70%	14	77.60%	-
Females		14.20%	31	24.30%	24	22.40%	11.80%
			4		41		71.10%
			2		2		

The first section, Federal Justices/Judge, are the combined figures for the following four federal courts: Federal High Court, Federal Court, Federal Family Court, and Federal Circuit Court. State Supreme Court/Court of Appeal figures are counted separately from the federal courts. Data Source: 2017 ABS Report 41250DS0013(Australian Bureau of Statistics, 2017a).

The First Officer of Law Are First for Men

The First Officer of Law is the Attorney-General, who is vested with far reaching powers within Australia's legal and judiciary system. The First Officer is the principal legal advisor to government, tasked with the responsibility of administering justice by protecting, preserving and promoting the rule of law. The position of Attorney-General

carries with it an extensive portfolio, comprising of the Department of the Attorney General and several other statutory and non-statutory bodies. The Department is the central legal policy-maker of each jurisdiction that aims to improve the law and strengthen the judicial framework, which includes the role of nominating candidates to judiciary posts. It is therefore important for the integrity of Australia's judiciary and legal framework that the Attorney-General maintains an "independent aloofness" by not engaging too intimately in the agenda of governments, political debates or advocate for party interests. (Appleby, 2016, p. 40). An example of what happens when an Attorney-General is not neutral to governmental politics was seen in 2014 with the abuse of power by former Queensland Attorney-General Jarrod Bleijie who elected not to follow precedent in appointing the former president of the Queensland Court of Appeal, Margaret Anne McMurdo AC, to Chief Justice as punishment for her stance against certain legislation proposed by the then Premier of Queensland, Campbell Newman (Lynch, 2014). Attorney-General Bleijie instead nominated Tim Carmody QC, over the Hon McMurdo, despite her seniority, as he was considered more pro-government than she was (ibid.).¹⁶

In addition to remaining politically indifferent, the position of Attorney-General Office must remain diverse. As the Hon Paul Lynch, Shadow Attorney General of NSW, explained, the need for diversity is important especially given that under the current process of judicial appointments, there is a tendency to "get just the one type of judge; and there is not a lot of diversity among the judiciary" (ibid., sec. 13:50). Commonwealth Secretary of the Attorney-General's Department, Chris Moraitis PSM also agreed that the

¹⁶ In 1998, Margaret Anne McMurdo AC became the first female president of an appellate court in Australia.

First Office of Law needs diversity, as he expressed within the 2016 *Attorney-General's Department Diversity Strategy* action plan:

To be a high performing department, and to reflect the diversity of the Australians we serve, we need to have our people reflect different backgrounds, races, genders and points of view, all working to their full potential (Moraitis, 2016, sec. Message from the Secretary).

Additionally, the First Office of Law has a Gender Equality Action Plan that aligns with the target set by the Australian Public Service, specifically the Attorney-General's Department stated that:

Our Gender Equality Action Plan sets gender equality targets for our department, including a target of 50:50 by 2021 at the SES Band 2 level¹⁷ (Australian Government: Attorney-General's Department, 2018b, sec. Gender Equality Action Plan).

This theme of inclusion is additionally the core principle to the UN Sustainable Development Goal 16--“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” (Sustainable Development Goals Australia, 2018), which the Government has endorsed, specifically placing the domestic responsibility of Goal 16 under the care of the Attorney-General's Department (Australia Government: Department of Foreign Affairs and Trade, 2018, sec. Commonwealth Department Domestic Responsibilities). However, despite the Government's acknowledgement that there is a need for diversity and inclusion, having set goals and action plans for equality, as informed

¹⁷ SES or Senior Executive Service are senior level leadership positions within the public-sector. There are three levels, starting from the lowest to highest: Band 1, Band 2, Band 3. The Commonwealth Government categorizes its agencies into six divisions: A through F; therefore, the remuneration of each Band level depending on the agency it is in. For example, the base-salary for SES Band 2 in Agency A ranges from \$217,356 to \$242,392 p.a.; while SES Band 2 in Agency D ranges from \$248,829 to \$306,332 p.a. For a more comprehensive review, see: *Report on SES Remuneration in the Australian Public Service Government for the Head of Service Act Government Directorates* (Australian Capital Territory Government, 2017).

by its national and international obligations, the data reveals that, both historically and presently, power and leadership is significantly balanced against women.

In 2011, Nicola Louise Roxon became the first and only Commonwealth Attorney-General (December 2011 to February 2013), appointed by Australia's first and only female Prime Minister, Julia Gillard (2010-2013; 3 years, 3 days). Of the 406 Attorney-Generals across federal and subnational jurisdictions from 1832 to 2018, only fifteen women have held the First Office of Law (O'Neill, 2018). At the subnational level, jurisdictions varied from having zero women as their Attorney-Generals to having a maximum of three women over the past 186 years, see Table 9. South Australia still holds the record of never having a female Attorney-General, while Queensland and Northern Territory tie at first place with a total of three women each. Both of Australia's top most populous states--New South Wales and Victoria, have had one woman each as their Attorney-General since 1832. As a percentage of female representation to hold the First Office of Law, Northern Territory (17.65%) and ACT (12.5%) are at on top, while Victoria (1.89%), New South Wales (1.75%) and South Australia (0.0%) are at the bottom. No matter which way the data is analyzed, the balance of power within this important office stacks heavily against women. The consequence to this gross imbalance is multi-dimensional as it not only signals the presence of entrenched gender bias, it furthermore communicates publicly that within the legal profession women *just can't do the job, or women are just not worthy of it*. This grave imbalance within the First Office of Law exposes that women are neither valued nor treated as equally as men, which is a blatant violation of not only Australia's national laws but also to the multitude of international treaties and conventions to which Australia is legally bound.

Table 9. Attorney-Generals by Jurisdiction & Gender from 1832 to 2018

Attorney-Generals, 1832 to 2018					
Jurisdiction	Total	Women	Men	Women to Men Ratio	% of Women
Commonwealth	47	1	46	0.022	2.13%
ACT	8	1	7	0.143	12.50%
NSW	57	1	56	0.018	1.75%
NT	17	3	14	0.214	17.65%
QLD	48	3	45	0.067	6.25%
SA	78	0	78	0	0.00%
TAS	62	4	57	0.07	6.45%
VIC	53	1	52	0.019	1.89%
WA	36	1	35	0.029	2.78%
Australia Total	406	15	390	0.038	3.69%

Of the 406 Attorney-Generals across the federal and subnational levels, spanning 186 years, there has only been 15 women to hold the First Office of Law throughout Australia's history. Data Source: Parliament of Australia 2018 (O'Neill, 2018).

The Vice-Regal Representatives of the Crown, Men

As both a federation and a constitutional monarchy, Australia, along with 16 other Commonwealth Realms, shares the one person--the ruling British monarch, as its Head of State, currently, Elizabeth II, styled *Queen of Australia* (Attorney-General's Department & Australian Government Solicitor, 2012, sec. 1). Within the Australian constitution, upon the advice of the Australian Prime Minister, the Monarch officially appoints the Governor-General of Australia to serve as the Crown's vice-regal representative within Government. The powers vested in the Governor-General, on behalf of the Crown, include: the executive power of the Commonwealth, the power of command in chief of the Australian Defence Force (ADF), and the power to assent, withhold assent or reserve assent for the Queen's pleasure legislation already passed by both chambers of Parliament before it can become law.¹⁸ Absolutely no legislation that the Australian Parliament passes can be enacted

¹⁸ Constitutionally, there are three parts to Australia's Parliament: The Crown, the Senate and the House of Representatives. Therefore, all legislation that has already passed both chambers of Parliament must also meet the approval of the British monarch before it becomes law. As the

without the vice-regal representative official approval. Also, the Governor-General has the power to both appoint and sack the Prime Minister of Australia, which occurred once in 1975 when Prime Minister Edward Gough Whitlam was dismissed by Governor-General Sir John Kerr for failing to pass the Supply Bill that would have provided the Whitlam government with the necessary funds to govern (ibid. p. vii). Additionally, the Governor-General is the overseer of the Commonwealth's honour systems, including its most prominent, the Order of Australia. Given the immense prestige, high-profile, importance and powerful role the Governor-General plays within government, it is vital to analyze the gender data of this important office within Government as appointments to the position broadcasts to Australians and the world alike, which gender is deemed worthy of such honor.

In 2008, under the Tony Abbott government, the Honourable Dame Quentin Bryce AD CVO (2008-2014: 5 years, 204 days) became the first and only women to be appointed as Governor-General, since 1901. Which means women constitute only 3.8% of all appointments to government throughout the 117-year history of the Commonwealth, see Table 10 (Governor-General of the Commonwealth of Australia, 2017). Even when the data is contextualized within the history of Australian politics, when male British citizens dominated royal appointments, there is still a massive imbalance against women. Accounting for only Australian citizens, women's attainment in the number of

Queen's proxy within the Australian Government, the Governor-General must either assent (approve), withhold assent or reserve assent for the Queen's pleasure (directing a Bill to the Monarch to decide) all legislation before it can officially become law within Australia. (Attorney-General's Department & Australian Government Solicitor, 2012, pt. V sec. 58). Within the U.S., this power is vested in the President who can either sign or veto a bill after it passes Congress. However, unlike the President, the Governor-General is a "neutral" party within Parliament as it is a representative of the Crown and not the Government of Australia, freeing the Governor-General from the interests of political parties and their constituency.

appointments was 9.1% of men's, as opposed to 4% across both Australian and British citizens. British men represent (n=14) 53.8% of all Governor-Generals, throughout the history of the Commonwealth, 27.3% more than Australian men (n=11), and 1,300% more than Australian women (n=1). When comparing Australian women to Australian men, men have been appointed as Governor-Generals 1000% more times than women. These findings echo women's attainment levels in other high-ranking appointments and positions of leadership across the Commonwealth, including court and law, governing boards and bodies, ministerial seats and parliamentary seats across both national and subnational levels; and, as the following section will show, also in Australia's premier national honor awards.

Table 10. Governor-General by Gender & Citizenship From 1901 to 2018

Governor-General by Gender & Citizenship From 1901 to 2018						
	Appointments		Ratio of Women's to Men's Appointments	Years in Office		Ratio of Women's to Men's Years in Office
Total						
British Citizens	14	53.80%		60	51.30%	
Males	14	53.80%		60	100%	
Females	0	0.00%	0	0	0.00%	0
Total Australian Citizens	12	46.20%		57	48.70%	
Males	11	42.30%		51	89.50%	
Females	1	3.80%	0.091	6	10.50%	0.118
Total Males	25	96.20%		111	94.90%	
Total Females	1	3.80%	0.04	6	5.10%	0.054
Total	26			117		

Source: The Office of the Governor-General of the Commonwealth of Australia

Women Are Simply Not Honored in Australia

In 1975, the Queen of Australia, Elizabeth II, established the Order of Australia, replacing the former Imperial Order. The Order consist of two divisions--General and Military. For the propose of this project, only the General Division will be discussed, particularly given that women were barred from serving in combat positions within the Australian Defense Force until January 2013. There are four awards in all. The two highest and most exclusive are the Companion of the Order (AC), and the Officer of the Order (AO), the former possessing the highest prestige and honor. The remaining two, Member of the Order (AM) and Medal of the Order (OAM) are awarded in higher numbers. As stated by the vice-regal office of the General-Governor of the Commonwealth of Australia, the Order of Australia "is the principal and most prestigious means of recognising outstanding members of the community at a national level" (Governor-General of the Commonwealth of Australia, 2018). The Department of Prime Minister and Cabinet also acknowledges the importance and prestige of the Order, stating that "in the Australian honours system[,] appointments to the Order of Australia confer the highest recognition for outstanding achievement and service" (2018, sec. Significance).

Nominations come "directly from the community" (*ibid.*, sec. How It Is Awarded), who are fettered by the Council for the Order of Australia. The Council then shortlists the nomination pool for the Governor-General, who then makes the final decision in who is and who is not to be awarded. It is important to note here that in this whole process (from nomination, to selection, to awarding) is a combined civil society-government endeavor. It is therefore important to analyze the gender data on the Order, as it provides longitudinal insight into the ethos of both society and government, specifically, who is and is not deemed worthy of national accolade.

Table 11 below was compiled using data from the Australian Bureau of Statistics for the years 2007 to 2017. It shows a 12-year trend of nominating and awarding *Australia's best* that is significantly balanced toward men--men were both nominated (245%) and awarded (220%) more than women. Mirroring the pattern within the labor market and the governing boards and bodies across the Commonwealth, the gender gap grew wider against women at each increasing level of prestige per award (the following percentages represent women's attainment level as it compares to men's as each award increased in prestige): Medal of the Order (OAM): 51%; Member of the Order (AM): 35%; Officer of the Order (AO): 33%; Companion of the Order (AC): 29%. Over the past twelve years, only 31 women were awarded the Order's highest award, compared to 107 men. The rate of change for women across the Order from 2007 to 2017 varied, ranging from -15.5% (AC) to 21.9% (AM). The current trend in the data show that women will never be recognized as outstanding members of society as equitably as men are within Australia's 'principal and most prestigious' award system, *ceteris paribus* (see Table 11).

Table 11. The Order of Australia: General Division 2007 to 2017

Order of Australia (General Division: 2007 to 2017)							
	2007		2017		Total 2007 to 2017		Rate of Change Since 2007
	no.	%	no.	%	no	%	%
Companion of the Order (AC)							
Males	8	72.70 %	20	76.90 %	107	77.50 %	5.80%
Females	3	27.30 %	6	23.10 %	31	22.50 %	- 15.40%
Officer of the Order (AO)							
Males	47	78.30 %	96	75.60 %	593	75.00 %	-3.40%
Females	13	21.70 %	31	24.40 %	198	25.00 %	12.40 %
Member of the Order (AM)							
Males	206	74.90 %	231	69.40 %	2226	73.80 %	-7.30%
Females	69	25.10 %	102	30.60 %	790	26.20 %	21.90 %
Medal of the Order (OAM)							
Males	533	70.60 %	592	65.10 %	5285	66.00 %	-7.80%
Females	222	29.40 %	318	34.90 %	2720	34.00 %	18.70 %
Total Nominations							
Males	147	72.80 %	133	68.90 %	1343	71.00 %	-5.40%
Females	3	27.20 %	4	31.10 %	3	29.00 %	14.30 %
Total Awarded							
Males	794	72.10 %	939	67.30 %	8211	68.70 %	-6.70%
Females	307	27.90 %	457	32.70 %	3739	31.30 %	17.20 %

Awards are ordered by descending order of prestige. The double columns 2007 and 2017 show both the count and the percentage by gender in each category on the left. The last are the aggregate counts, percentages by gender and the rate of change for the years 2007 to 2017. Given that the aggregate numbers for each gender changed from year to year independently from the other, the rate of change for each gender will also change independent of each sex. Source: ABS Gender Indicators Report No. 41250DS0013 (2017)(Australian Bureau of Statistics, 2017a)

Comparing Australia to the Rest of the World

As one of the world's core nations, it is vital to explore a cross-national comparison of Australia to the rest of the world as it will help provide a more accurate picture of the health of gender equality within the Commonwealth in relation to global levels and trends. As the data from this chapter will illustrate, progress for women in Australia, when compared cross-nationally, has either stalled, diminished, or increased incrementally in relation to the rest of the world, as many countries, including dozens that are less wealthy and less democratic, have overtaken Australia in multiple key international gender indices. In short, this chapter reveals that women in Australia are simply being left behind in terms of relative global progress over the past twelve years, empirically proven by data sourced from the following international organizations: the Organisation for Economic Co-operation and Development (OECD), the Inter-Parliamentary Union (IPU), the World Economic Forum (Forum) and United Nations Development Programme (UNDP).

Scoring Australia's Gender Gap

In the preface of the World Economic Forum's *The Global Gender Gap Report: 2017*, founder and executive chairman Klaus Schwab explains the importance of the full integration of women within the world economy as both beneficiaries and shapers (p. v). Specifically, it is the contribution of women's talents that is most critical to the world community as:

Talent is one of the most essential factors for growth and competitiveness. To build future economies that are both dynamic and inclusive, we must ensure that everyone has equal opportunity. When women and girls are not integrated—as both beneficiary and shaper—the global community

loses out on skills, ideas and perspectives that are critical for addressing global challenges and harnessing new opportunities (ibid.).

With that understanding, the Forum developed the Global Gender Gap Index, which seeks to measure the “relative gaps between women and men” across four key sectors: health, education, economy and politics, “regardless of a nation’s overall level of available resources” (ibid.). The Index was designed to provide a “consistent and comprehensive” means to track and measure the longitudinal progress of gender equality within nations, allowing their leaders to set priorities and policies to ensure the equitable distribution of available resources between women and men (ibid.).

Each country is ranked according to their respective overall Global Gender Gap score, which is calculated by the ratio of women’s attainment levels to men’s in the following four subindices, or “thematic dimensions:” (1) Economic Participation and Opportunity, (2) Educational Attainment, (3) Health and Survival, and (4) Political Empowerment (*The Global Gender Gap Report, 2017*, p. vii). A score of 1.000 means parity between women and men, and a score of 0 means inequality. Table 12 below shows the structure of the Index, including the variables and sources that constitute each sub-index.

Table 12. Structure of Global Gender Gap Index

Subindex	Variable	Source
Economic Participation and Opportunity	Ratio: female labour force participation over male value	International Labour Organization, <i>ILOSTAT</i> database, 2016 or latest available data
	Wage equality between women and men for similar work (survey data, normalized on a 0-to-1 scale)	World Economic Forum, <i>Executive Opinion Survey (EOS)</i> , 2016-17
	Ratio: female estimated earned income over male value	World Economic Forum calculations based on the United Nations Development Programme methodology (refer to <i>Human Development Report 2007/2008</i>)
	Ratio: female legislators, senior officials and managers over male value	International Labour Organization, <i>ILOSTAT</i> database, 2016 or latest available data
	Ratio: female professional and technical workers over male value	International Labour Organization, <i>ILOSTAT</i> database, 2016 or latest available data
Educational Attainment	Ratio: female literacy rate over male value	United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics, <i>Education indicators</i> , database, 2016 or latest available data
	Ratio: female net primary enrolment rate over male value	UNESCO Institute for Statistics, <i>Education indicators</i> database, 2016 or latest available data
	Ratio: female net secondary enrolment rate over male value	UNESCO Institute for Statistics, <i>Education indicators</i> database, 2016 or latest available data
	Ratio: female gross tertiary enrolment ratio over male value	UNESCO Institute for Statistics, <i>Education indicators</i> database, 2016 or latest available data
Health and Survival	Sex ratio at birth (converted to female-over-male ratio)	United Nations Population Division, <i>World Population Prospects</i> , 2016 or latest available data
	Ratio: female healthy life expectancy over male value	World Health Organization, <i>Global Health Observatory</i> database, 2015 or latest available data
Political Empowerment	Ratio: females with seats in parliament over male value	Inter-Parliamentary Union, <i>Women in Politics: 2017</i> , reflecting elections/appointments up to 1 June 2017
	Ratio: females at ministerial level over male value	Inter-Parliamentary Union, <i>Women in Politics: 2017</i> , reflecting appointments up to 1 January 2017
	Ratio: number of years with a female head of state (last 50 years) over male value	World Economic Forum calculations, reflecting situation as of 30 June 2017

This table shows the four subindices along with their respective variables and sources. The ratio value of each variable is used to calculate the score of each subindex. These scores are then used to calculate the overall Global Gender Gap Index score for 144 countries which are then ranked accordingly within the Report. Source: The Global Gender Gap Report 2017 (p. 4).

World Economic Forum Global Gender Gap Results (2006 to 2017)

Australia's 2017 results show that the Commonwealth has not been able to buck its 12-year trend of mixed results--reversed gains, stalled progress or incremental improvement despite being a highly developed economy nation with the world's 2nd highest HDI score. Having once been a world-leader within the women's movement, since 2006, Australia has witnessed a significant drop in its overall global gender gap ranking from 15th to 35th in 2017. Many nations have made robust gains for their female citizens during the past twelve year since the World Economic Forum has been generating their reports. It is important, when analyzing the data on Australia, to not solely fixate on the results of a given year in isolation from the longitudinal observations of global levels and trends for each of the four subindices over the past 12 years. The following tables will show the year-on-year change and the overall rate of change for Australia from 2006 to 2017, highlighting that gender imbalances remain alarmingly high between women and men within the Commonwealth, specifically in two subindices: *Economic Participation and Opportunity*, and *Political Empowerment*.

Overall Global Gender Gap Score

Table 13.1 shows that although Australia's overall global index score has increased 2.05% (from 0.7163 to 0.7310) since 2006, it was not enough to prevent it from dropping out of the world's top 15, as twenty nations have leap-frogged the Commonwealth. Currently, Australia is sandwiched between Argentina (34th) and performed Australia, including: Rwanda (4th), Nicaragua (6th), Philippines (10th), Namibia (13th), Burundi (22nd) and Mozambique (29th). Tables 13.2-13.5 explore Australia's scores in of the four sub-indices that make up its overall global ranking.

Table 13.1 Australia's Overall Global Gender Gap Rank & Score (2006 to 2017)

Global Gender Gap Score: Year-on-Year & Rate of Change (2006 to 2017)				
Year	Rank	Score	% Year-on Year Change	% Rate of Change Since 2006
2017	35	0.731	1.39%	2.05%
2016	46	0.721	-1.64%	0.66%
2015	36	0.733	-1.07%	2.33%
2014	24	0.7409	0.26%	3.43%
2013	24	0.739	1.32%	3.17%
2012	25	0.7294	0.04%	1.83%
2011	23	0.7291	0.28%	1.79%
2010	23	0.7271	-0.15%	1.51%
2009	20	0.7282	0.57%	1.66%
2008	21	0.7241	0.51%	1.09%
2007	17	0.7204	0.57%	0.57%
2006	15	0.7163		

The highest score of 1 means parity, and the lowest score of 0 mean imparity as it relates to how women's attainment levels compares to men's. Data sourced from World Economic Forum's, The Global Gender Gap Reports from 2006 to 2017.

Economic Participation & Opportunity

Table 13.2. Economic Participation & Opportunity Global Rank & Score (2006 to 2017)

Economic Participation & Opportunity: Year-on-Year & Rate of Change (2006 to 2017)				
Year	Rank	Score	% Year-on Year Change	% Rate of Change Since 2006
2017	42	0.724	0.70%	-0.26%
2016	42	0.719	-6.14%	-0.95%
2015	32	0.766	-4.37%	5.52%
2014	14	0.801	1.66%	10.35%
2013	13	0.7879	3.77%	8.54%
2012	22	0.7593	0.37%	4.60%
2011	18	0.7565	1.84%	4.22%
2010	24	0.7428	-0.66%	2.33%
2009	19	0.7477	2.33%	3.00%
2008	22	0.7307	-1.79%	0.66%
2007	12	0.744	2.49%	2.49%
2006	12	0.7259		

The highest score of 1 means parity, and the lowest score of 0 mean imparity as it relates to how women’s attainment compares to men’s. Data sourced from World Economic Forum’s, The Global Gender Gap Reports 2006 to 2017.

Table 13.2 show that women’s economic participation and opportunities in Australia has diminished from 2006 to 2017, both in relative term to itself and in relationship to global trends. In relative terms, women’s attainment to men’s, Australia suffered a -0.26% loss (score: 0.726 down to 0.724). Although this may appear marginal, this decrease is significant in relationship to global trends, as no less than 30 nations have surpassed the Commonwealth with higher parity scores in this category. Australia’s 2017 ranking in women’s Economic Participation and Opportunity dropped from 12th in 2006 to 42nd in 2017, merely edging out Kenya (44th) and Azerbaijan (45th). Australia is outperformed by scores of Caribbean and African nations, including: Burundi (1st), Barbados (2nd), Bahamas (3rd), Botswana (6th), Jamaica (39th), Nigeria (37th), Kazakhstan (30th), and

Cameroon (40th). And, Australia is out-performed by many of its OECD peers, including: Norway (8th), United States (19th), New Zealand (23rd), and Canada (29th) (World Economic Forum, 2018). In fact, the current ranking at 42nd is the lowest the Commonwealth has recorded in this subindex since the World Economic Forum began reporting twelve years ago.

Educational Attainment, and Health & Survival

Table 13.3. Educational Attainment Global Rank & Score (2006 to 2017)

Educational Attainment: Year-on-Year & Rate of Change (2006 to 2017)				
Year	Rank	Score	% Year-on Year Change	% Rate of Change Since 2006
2017	1	1	0.00%	0.00%
2016	1	1	0.00%	0.00%
2015	1	1	0.00%	0.00%
2014	1	1	0.00%	0.00%
2013	1	1	0.00%	0.00%
2012	1	1	0.00%	0.00%
2011	1	1	0.00%	0.00%
2010	1	1	0.00%	0.00%
2009	1	1	0.00%	0.00%
2008	1	1	0.00%	0.00%
2007	1	1	0.00%	0.00%
2006	1	1		

The highest score of 1 means parity, and the lowest score of 0 mean imparity as it relates to how women’s attainment compares to men’s. Data sourced from World Economic Forum’s, The Global Gender Gap Reports 2006 to 2017.

Table 13.4. Health & Survival Global Rank & Score (2006 to 2017)

Health & Survival: Year-on-Year & Rate of Change (2006 to 2017)				
Year	Rank	Score	% Year-on Year Change	% Rate of Change Since 2006
2017	104	0.97	-0.41%	-0.62%
2016	72	0.974	0.00%	-0.22%
2015	74	0.974	0.03%	-0.22%
2014	70	0.9737	0.02%	-0.25%
2013	69	0.9735	0.00%	-0.27%
2012	73	0.9735	-0.04%	-0.27%
2011	74	0.9739	0.00%	-0.23%
2010	73	0.9739	0.02%	-0.23%
2009	78	0.9737	-0.04%	-0.25%
2008	73	0.9741	0.00%	-0.20%
2007	71	0.9741	-0.20%	-0.20%
2006	57	0.9761		

The highest score of 1 means parity, and the lowest score of 0 mean imparity as it relates to how women’s attainment compares to men’s. Data sourced from World Economic Forum’s, The Global Gender Gap Reports 2006 to 2017.

The significance of the findings from Tables 13.3 and 13.4--Educational Attainment, and Health & Survival, respectively--are similar. Australia has consistently scored 1.0000 in Educational Attainment since 2006, see Table 13.3. However, this is no longer remarkable as there are 26 other nations that are tied at 1st place with Australia; and, 34 nations that have also scored 1.0000. Global trends show that it is now no longer exceptional to have an Educational Attainment score at parity or near parity; it is, instead, expected. All but 7 of the 144 nations within the 2017 report scored 0.8000 or better in Educational Attainment. This global trend of high parity scores also exists in the subindex Health & Survival. There is nothing remarkable in Australia’s score or rank within this

category either, as all 144 nations in the 2017 report scored 0.918 or higher see Table 13.4. What is remarkable, however, is that no nation scored lower. It would, therefore, be a mistake to solely fixate on Australia's scores and rankings within these categories in isolation to world trends, believing that the task of expanding gender equality within the Commonwealth is complete. It is not, see Table 13.5.

Political Empowerment

Table 13.5. Political Empowerment Global Ranking & Score (2006 to 2017)

Political Empowerment: Year-on-Year & Rate of Change (2006 to 2017)				
Year	Rank	Score	% Year-on Year Change	% Rate of Change Since 2006
2017	48	0.232	20.21%	41.98%
2016	61	0.193	0.00%	-16.81%
2015	61	0.193	2.28%	-16.81%
2014	53	0.1887	-2.98%	-18.66%
2013	43	0.1945	5.31%	-16.16%
2012	42	0.1847	-0.75%	-20.39%
2011	38	0.1861	-2.92%	-19.78%
2010	39	0.1917	0.10%	-17.37%
2009	39	0.1915	0.00%	-17.46%
2008	37	0.1915	17.20%	-17.46%
2007	35	0.1634	0.00%	-29.57%
2006	32	0.1634		

The highest score of 1 means parity, and the lowest score of 0 mean imparity as it relates to how women's attainment compares to men's. Data sourced from World Economic Forum's, The Global Gender Gap Reports 2006 to 2017.

Although the Commonwealth experienced a 41.98% increase from 2006 to 2017 in Political Empowerment, these gains were not enough to keep up with the rest of the world

as Australia dropped from 32nd to 48th globally, see Table 13.5. This is hugely significant as it shows that the rate of progress for women's political power within Australia is falling far behind world trends, despite the mountain of gender legislation and governmental agencies, many of which have been informed by multitudes of international treaties and conventions. Australian's global rank and parity score for 2017 (rank = 48th; score = 0.232) unequivocally show that women in Australia are simply being left behind. Australian women's political power is an alarming 23.2% of men's. Women across the world, from both peer nations and non-core nations alike, have reached political empowerment attainment levels that far exceed their sisters' in Australia; these include: Iceland (rank = 1st; score = 0.750); Nicaragua (rank = 2nd; score = 0.576); Rwanda (rank = 3rd; score = 0.539); Norway (rank = 4st; score = 0.530); Ireland (rank = 6th; score = 0.493); Bangladesh (rank = 7th; score = 0.493); New Zealand (12th), United Kingdom (17th) and Canada (20th). Perhaps the Government can find solace that Australia fared much better than the U.S. (rank = 12th; score = 0.124). However, due to the greater rate of change occurring in the United States, women are expected to reach parity in Washington D.C. around the same time women are expected to in Canberra, holding all rates constant.

OECD Data: World Ranking by Female Ministers

Table 14.1 OECD Ranking of Women in Politics 2017

Rank	OECD Nation	2005	2012	2015	2017	% Change
						Since 2005
1	France	7.6	20.8	50	52.9	596.10%
2	Sweden	52.4	52.2	52.2	52.2	-0.40%
3	Canada	23.1	26.9	30.8	51.7	123.80%
4	Slovenia	6.3	7.7	43.8	50	693.70%
5	Denmark	33.3	39.1	26.3	42.9	28.80%
6	Norway	44.4	52.6	47.1	38.9	-12.40%
7	Finland	47.1	50	62.5	38.5	-18.30%
8	Spain	50	30.8	30.8	38.5	-23.00%
9	Netherlands	36	33.3	46.7	37.5	4.20%
10	New Zealand	23.1	28.6	33.3	37	60.20%
11	Iceland	27.3	50	44.4	36	31.90%
12	Chile	16.7	18.2	34.8	34.8	108.40%
13	Germany	42.9	33.3	33.3	33.3	-22.40%
14	United Kingdom	28.6	17.2	22.7	30.8	7.70%
15	Estonia	15.4	8.3	46.2	28.6	85.70%
16	Switzerland	14.3	42.9	42.9	28.6	100.00%
17	OECD		25.1	29.2	27.9	2.30%
18	Italy	8.3	16.7	43.8	27.8	234.90%
19	Ireland	21.4	14.3	28.6	26.7	24.80%
20	Australia	20	20.7	17.2	24.1	20.50%

Nations ranked according to their 2017 results. Scores are measured as a percentage of women throughout government: (1) women parliamentarians--women in the national lower or single houses of parliament; and, (2) women ministers--including deputy prime ministers and ministers, Prime ministers/heads of government. Sourced: OECD database ("Women in Politics," 2018).

As Table 14.1 shows, although the percentage of female ministers in the Commonwealth increased by 20.5% from 2005 to 2017, this was not enough to prevent nine nations from leap-frogging over Australia, subsequently dropping Australia's standing among its peers to the bottom. Women in Australia were only able to attain 24% share in government, as parliamentarians and ministers, below the overall OECD average. The

situation of women looks worse when looking at data in Australia's House of Representatives, see Table 14.2.

World Ranking by Women Parliamentarians in the Lower House

Table 14.2 Ranking of Women Parliamentarians.

Rank	OECD	2002	2012	2014	2015	2017	% Change Since 2002
1	Turkey	4.2	14.2	14	14.4	14.9	254.8%
2	Italy	9.8	21.6	31	31	31	216.3%
3	Slovenia	12.2	32.2	32	36.7	36.7	200.8%
4	Korea	5.9	15.7	16	16.3	17	188.1%
5	Mexico	16	36.8	37	38	42.6	166.3%
6	France	12.1	26.9	27	26.2	25.8	113.2%
7	Greece	8.7	21	21	23	18.3	110.3%
8	Israel	14.2	20	23	22.5	27.5	93.7%
9	Portugal	19.1	28.7	29	31.3	34.8	82.2%
10	Luxembourg	16.7	25	23	28.3	28.3	69.5%
11	United Kingdom	17.9	22.3	23	29.4	30	67.6%
12	Ireland	13.3	15.1	16	16.3	22.2	66.9%
13	Belgium	23.3	38	38	39.3	38	63.1%
14	Estonia	17.8	19.8	21	19.8	26.7	50.0%
15	Switzerland	23	28.5	29	30.5	32.5	41.3%
16	OECD	20.6	26.4	27.1	27.8	28.8	40.1%
17	Poland	20.2	23.7	24	24.1	28	38.6%
18	Spain	28.3	36	36	41.1	39.1	38.2%
19	United States	14	17	18	19.4	19.1	36.4%
20	Iceland	34.9	39.7	40	41.3	47.6	36.4%
21	Canada	20.6	24.7	25	25.2	26.3	27.7%
22	Japan	7.3	10.6	8	9.5	9.3	27.4%
23	Chile	12.5	14.2	14	15.8	15.8	26.4%
24	Czech Republic	17	22	20	19	20	17.6%
25	New Zealand	29.2	32.2	32	31.4	34.2	17.1%
26	Slovak Republic		17.3	19	18.7	20	15.6%
27	Finland	36.5	42.5	43	42.5	42	15.1%
28	Germany	32.2	32.9	37	36.5	37	14.9%
29	Austria	26.8	27.9	33	30.6	30.6	14.2%
30	Australia	25.3	24.7	26	26.7	28.7	13.4%
31	Netherlands	34	38.7	39	37.3	38	11.8%
32	Hungary	9.1	8.8	9	10.1	10.1	11.0%
33	Norway	36.4	39.6	40	39.6	39.6	8.8%

34	Denmark	38	39.1	39	38	37.4	-1.6%
35	Sweden	45	44.7	45	43.6	43.6	-3.1%
36	Latvia	18	23	23	18	16	-11.1%

This table ranks OECD nations by the rate of change of number of women in the lower or single houses of government since 2002. Sourced: OECD database, “Women parliamentarians” (“Women in Politics,” 2018).

Although Australia ranks 2nd in the world by HDI score, it only ranks 30th among a 35-nation cohort of OECD peers when ordered by the rate of change for female parliamentarians in the lower house from 2002 to 2017. Australia is out-performed by many poorer, non-core nations, including: Turkey (1st), South Korea (4th), and Mexico (5th); and is out-performed by every English-speaking OECD nation: United Kingdom (11th), Ireland (12th), United States (19th), Canada (21st), New Zealand (25th); see Table 14.2. According to the 2016 Human Development Report from the United Nations Development Programme (UNDP) Australian women held 30.5% of parliamentary seats, ranking 39th globally, outperformed by dozens of African and Latin American nations, neatly sandwiched between Sudan (31%) and Guyana (30.4%) (Jāhāna et al., 2016).

IPU Data: Canberra Is Being Left Behind

Founded in 1889, the Inter-Parliamentary Union (IPU) currently has 178 Member Parliaments, including Australia. As part of their mission “to promote, protect and strengthen democracy around the world” (Inter-Parliamentary Union, 2017), IPU has launched several gender initiatives, including: Women in Politics, Gender-Sensitive Parliaments, and Women’s Rights, generating multiple reports and publications on women in world governments. Specifically, in their *Women in Parliament* series, IPU tracks the statistical data of female representation in governments, be that single or dual chamber. In their 2016 edition, IPU reported a reversal for women within Australia’s parliament,

despite the fact that the greatest gains women made globally during the 2016 election year were in the Pacific region (p. 2).

IPU data additionally reveals that Australia's once high international standings, has diminished significantly over the past decade. When compared to global trends, the rate of change for women's share of seats in government, the data unequivocally shows that women in Australia are being left behind. Although Australia ranked 36th in the world among a cohort of 193 countries when ordered by the total percentage of women in government, nestled between Belarus (35th) and East Timor (37th), Australia plummets to 107th in the world, when nations are instead ordered according the rate of change for women's representation in government, see Table 21 in Appendix 7. From December 2008 to June 2018, women gained a mere 10.4% of seats within Australia's Parliament, an average rate of 1% per annum, awarding the Commonwealth a position at the bottom of the world, alongside Bangladesh (9.4%), South Sudan (9.1%) and Bahrain (9.1%). Australia is out-performed by over a 100 nations, many that are poorer and often less democratic, including scores of nations across Latin America, Africa and Asia, where women have successfully increased their participation within their governments at remarkable rates. To highlight a few: Bolivia (253.6%), Myanmar (153%), Kenya (148.1%), Tonga (114.8%), Mexico (87.1%), and Colombia (53.8%). Due to Canberra's low rate of change (10.4%), it is estimated that Australia will be the 90th nation in the world to reach parity, in 2061, *ceteris paribus*. By comparison, the U.S., which historically has had lower levels of women within government than Australia, is expected to reach parity in the same decade, *ceteris paribus* (see Table 15 below and Table 16 in appendix 8).

Table 15. Female Representation in US Congress and Australian Parliament

	Year	Women in House %	Women in Senate %	Total % of Women in Government	Rate of Change	Expected Year Government to Reach Parity
Australia	2008	26.70%	35.50%	29.60%	10.40%	2061
	2018	28.70%	40.80%	32.70%		
USA	2008	16.80%	16.00%	16.60%	20.90%	2066
	2018	19.40%	23.00%	20.10%		

Expected Year of Parity is the expected year when women's share within government will reach 50%. The formula use for Australia was:

$$Expected\ Year = \left(\frac{LN\left(\frac{0.5 * 100}{0.327 * 100}\right)}{LN(1 + 0.104)} \right) * 10 + 2018 = 2061$$

Source: <http://archive.ipu.org/wmn-e/classif-arc.htm> (Inter-Parliamentary Union, 2018) and (Inter-Parliamentary Union (IPU), 2008)

Conclusion

This chapter concludes this thesis by highlighting the salient points of discussion raised.

Failing Where it Matters Most

The data examined in this project reveals a massive disconnect between the government's official stance on gender equality and its cultural practices toward women. On paper, the Commonwealth has made considerable progress: it has a robust legislative framework; it has multiple political machineries to both safeguard and promote women's rights and empowerment; and, it engages the international community vigorously, most notably with the CEDAW Committee, the Commission of the Status of Women, and the United Nations Sustainable Development Goals, all of which are the global standard-bearers in women's rights. However, despite having generated, in an almost fetish-like fashion, a mountain of legislation, scholarship and copious gender goals and initiatives, the Commonwealth has failed in altering its own cultural practices. More specifically, it does not honour, value nor recognizes women as equally as it does men. Instead it has failed to significantly impact entrenched power structures disturbingly rife across all levels of government and the private sector.

The Commonwealth must not believe that it can hide behind its cornucopia of gender legislation, misguidedly believing that its obligation to women has been fulfilled. Instead, it must uncompromisingly confront the realities that the data exposes, namely, that women in Australia do not have the same quality of citizenry as men. Women are underrepresented across all levels of government--local, state/territory and federal.

Women's representation in court, either before the bench as litigators or presiding as judges and justices, is severely dwarfed by men's. The government neither honors nor recognizes women as equally as men in governmental appointments or within its premier honor systems. Women hold far fewer seats in leadership than men on boards and bodies in both the public and private sectors, particularly in higher levels of management. And perhaps most disconcerting of all, for a modern and prosperous democracy, is that despite an historical drop in the overall murder rate within the country, the rate of women being killed by their male intimate partners has increased, an incomprehensible societal disease that lays the corpse of a woman at the altar of misogyny at a rate of two lives per week, often by the hands of perpetrators who were often known to authorities as having a history of violence.

A Strong Case for Quotas

It may seem counter-intuitive to introduce gender quotas within the context of liberal democracy given its egalitarian principal of maintaining neutrality to the political pathway of its citizens. Many critics have opposed quotas on "the basis that they discriminate against men and undermine the selection of candidates or parliamentarians on the basis of merit" (McCann, 2013, p. 1). However, under the current regime of androcentrism, the playing field is not even for women. It cannot be denied that gender bias (whether direct or implicit) has profoundly impacted the way society treats, values and respects women, relegating them to the periphery of key political and societal decision-making spheres. As a result, women in Australia do not participate nor are able to contribute as equally as men within the power cores of leadership across the Commonwealth. Gender quotas are therefore reasonable within the Australian context. Furthermore, literature shows that gender quotas are effective and are no longer a global

phenomenon as over 100 nations have adapted quotas for the selection of female candidates to run for office (Krook, 2009, p. 3).

Voluntary party quotas are popular among left and center-left parties across Europe (Dahlerup 2006; Norris and Krook 2011). In Sweden, voluntary party quotas were adapted in the late 1970s, and by the 1988 election, women captured 39% parliamentary seats. For the past 20 years since, female representation within Sweden has not dropped under 40%, hitting a high at 47% in 2006, currently at 43.6%, as of the 2014 election (Dahlerup, 2013; Inter-Parliamentary Union, 2018; Inter-Parliamentary Union (IPU), 2008).

Women in Australia have also benefited from quotas, specifically from quotas adopted by the Australian Labor Party (see appendix 7, ALP 2009 National Constitution: Part B Rules (10)(a)(b)). In fact, if it were not for the gains women made via Labor seats during the 2016 elections, women would have suffered a complete reversal in Parliament as female representation dropped within Liberal's share. Labor also has the boasting rights of electing the first female Deputy Prime Minister of Australia in 2007, and electing the first ever female Prime Minister in Australian history in 2010, namely, Julia Eileen Gillard AC, which subsequently increased women's vote for Labor by 7% (Norman, 2017). By contrast the Liberal Party¹⁹ is currently at its lowest level of female parliamentarians (18 of 84) since 1993 (ibid.). Political parties have been "entrusted with perhaps the most strategic responsibility in a democracy—to prepare and select candidates for election and

¹⁹ Like the U.S., Australian politics is dominated by a two-party system--Liberal Party of Australia (LPA), and the Australian Labor Party (ALP). Liberals (who are internationally affiliated with the International Democrat Union, as are the Republican Party in the U.S) form the largest and dominant party of the Coalition (or the Liberal-National Coalition), which is the collective center-right alliance in Australia. While Labor is the major center-left party, internationally affiliated with the Progressive Alliance, as are the Democratic Party in the U.S.

to support them in positions of leadership and governance” (Ballington & Karam, 2005, p. 28). Given their strategic role as “gatekeepers” to the political process, parties must strive in being “bureaucratically-based systems that have incorporated rules to guarantee women’s representation—that is, quotas” in order to significantly increase the number of women within government (Matland, 2005, p. 95). Given that the literature strongly shows that gender quotas are an effective means to fast-track equality across governments (Dahlerup & Freidenvall, 2005; McCann, 2013), it would behoove the Commonwealth to adopt these measures in order to align its official stance on women empowerment with action.

Impact of Neoliberal on Motherhood

Platforming off the theoretical framework of prominent sociologist and contemporary theorist Richard Sennett (1998, & 2006), and the subsequent works of Anne Manne (2005a, 2005b, & 2008), Julie Stephens (2012) argues that the cultural ethics of neoliberalism impact how society understands their relationship to the ideologies of motherhood, childhood and family life (p. 6). Specifically, capitalism propagates a “fantasy of self-sufficiency,” the promised but never provided notion of individual sovereignty, the “idea of the unencumbered, self-sufficient, rational, and freely choosing agent” within the market of individualism, all of which are the “antithesis of maternal notions of subjectivity”, resulting in the degendering of feminism, the “*unmothering* of society as a whole” (p. 7). Neoliberalism’s focus on performance, materialism and emancipated individualism has generated a “profound cultural anxiety” regarding motherhood and, more generally, “notions of care, nurture, and dependency” (p. 131). Within the current policy regime of neoliberalism, the unsustainable dual-income model comes at the price of care for children as there is a “cultural devaluation of the principles of nurture and care”

(p. 132). The implications of this impact on society begs for further research on the association between the *unmothering* of society and multiple societal issues, including: bullying, the ever-increasing rate of violence among adolescence, and why violence against women is trending upwards despite downward overall trends in violence and crime in Australia.

Modernization Does Not Guarantee Equality

This project has empirically shown that serious imbalance between women and exists across Australia, both within government and society, despite being a high-income nation. These findings only partially support modernization theory, as although women in Australia may enjoy a level of citizenry greater than several emerging economies, say, the People's Republic of Laos or Burkina Faso, they still have a long way to go before it reaches men's. These findings over turn claims made by modernization theory, particularly at the microcosmic evaluation of modernization, which primarily focuses on the elemental components contributing to societal modernization--urbanization, gender equality, income equality, education, media, the role of political communication (Goorha, 2010). Australia's strong educational system and its high level of economic development have positively impacted women's well-being and quality of life. A strong economy "does not equate with a commitment to gender equality" (Curtin & Devere, 2006, p. 193).

Instead, data generated from a strong economy can serve to mask societal realities, namely that massive gender imbalances exist across government and society alike.

Drilling down on gender data exposes that the quality of women's citizenry is not equal to men's, and its trajectory towards parity will not be obtained for generations to come. Societal benefits derived from high levels of development may even impede gender mainstreaming, as there is no societal imperative given that women too benefit from

Australia's strong infrastructures, its modern medical system, its world-class educational system, and its intact national security. Gender mainstreaming critics could ask, "*What's the imperative? Why are we focusing on the negative?*"

Gender Mainstreaming, the Window Dressing Within World Polity

This project has shown that while the Commonwealth's legislative framework and its political machinery to address gender issues is far from anemic, there is a massive discrepancy between what the Government advocates and the action it takes. Specifically, the Commonwealth's practice of persistently appointing and recognizing men at a significantly much higher rate than women to its leadership across all levels, subsequently relegating women to the lower echelons of decision-making forums. These actions not only undermine the Commonwealth's own gender goals and initiatives, but they furthermore discredit the Government as a committed proponent of equality. A feasible explanation for this variance is found within the claims of World Polity theory.

Under the current regime of globalization, there is an ever-increasing importance for countries to appear as champions of human right and equality before the international community (Dahlerup, 2013). Nations therefore adopt global norms in legislation, conventions and protocols to lift their international profile, effectively rendering gender policies as mere window dressing for the world to see:

Through international conventions and the regular reportings of the CEDWA committee, most countries are up for examination... Propagating a progressive image through gender balanced policy and legislation has become a mean to increase a country's image, particularly in emerging democracies (Dahlerup, 2013, p. 295).

Legislation, policies and governmental machinery to protect and advance women's rights gain advocacy domestically as exogenous influence from the international community apply pressure to governments within international forums, subsequently,

facilitating a steady flow of dissemination of global gender norms into domestic discourse via global culture and international association (Meyer, Boli, Thomas, & Ramirez, 1997; Meyer, Krücken, & Drori, 2009). This, however, does not equate to a genuine commitment to rectifying serious gender imbalances across government and society, as seen within the Australian context (Harris Rimmer & Sawyer, 2016). Consequently, the very meaning of gender equality itself becomes a protean concept for governments. Depending on the sphere in which they are communicating their gender balancing progress, policies and objectives, the meaning of gender mainstreaming changes between the public international sphere and the domestic. As nations engage and associate global culture, global norms inform and legitimize the imperative of domestic agendas, including gender and income equality, economic development, human progress, medicine, science and politics, virtually all domains of societal life (Meyer et al., 1997, pp. 144–145). The consequence is that the nation's gender mainstreaming efforts serve as window dressing to elevate their profile within the international community that comes at the price of effectively changing the realities of serious gender imbalances across governments and their societies.

World-Systems Analysis and Dependency Theory to Explain Gender Segregation in the Labor Market

World-system analysis and Dependency theory argue that capitalism does not level the playing field, but instead “reinforces hierarchies by undermining the capacities of states to shift out of low value production into higher value sectors” (Kiely, 2010, p. 18). Capitalism, instead, erodes living standards as the labor market become highly stratified, locking segments of the population within these hierarchies without much opportunity to advance out (Kiely, 2007, 2010; Milanovic, 2003; Wade, 2004). Within liberalism, the role

of women is subjugated to the needs of capitalist classes as there is a commodification of labor and women are co-opted into the world economy, specifically women's labor become a resource for capitalist elites (Acker, 2004; Deere, 1976; Ong, 2010; Smith, Wallerstein, & Evers, 1984; Ward, 1993). This is seen within the Australian context where the labor market is highly segregated, reinforcing labor division between men and women which diminishes women's opportunities to engage the work force as equitably as men, subsequently contributing to income disparity and gendered stereotypes.

Women Effecting Change in the Workplace

As one of the keynote speakers at the *2018 Great Places to Work FOR ALL* conference in San Francisco, Arianna Huffington discusses the challenges women have at the workplace, specifically with regards to women's self-selecting role as the primary caretakers of families. She argued that women "need to recognize" that they have a "competitive disadvantage" to men (Great Place to Work, 2018). Women in work environments that are reluctant to speak up about their challenges, especially with regards to the care of their families, "because they fear it's going to be seen as a sign that they are not being sufficiently dedicated, that they're on the *mummy track*" (Great Place to Work, 2018). She advises, that it is detrimental to try to suppress any area of a women's life that is important to them, "the truth is that the whole human drives performance, if something bad is happening at home, it's going to affect your performance" at work (Great Place to Work, 2018). Nonetheless, Huffington remains optimistic about the impact women will have in the workplace, explaining that it is women who are transforming it. It is women who are leading the way in "redesigning the way we work, the way we live. And you know who is going to be the most grateful people in the world? Men!" (ibid.).

Only One Path to Pursue

This project has empirically shown that there is a massive dissonance between de jure and de facto gender equality across the Commonwealth. Specifically within its legal system, within the judiciary, the labor market, within both governmental and private sector appointments and leadership, across all jurisdictions of governments, within societal proclivity to gender-based violence, and within Australia's preeminent means of recognizing and honoring its very best, despite possessing a robust gender legislative framework, richly anchored in well-defined international norms, and despite being one of the world's most prosperous and stable democracies; and, despite possessing a legacy of awe-inspiring accomplishments and contributions, both past and present, from women who have and will continue to pioneer into greatness. It would be imprudent of the Government to both women and men alike to ignore the gravity of these findings. The Australian Government must not think that it has adequately satisfied its responsibility to women solely via legislative window dressing; nor must it fool-heartedly believe that these imbalances against women can be masked behind the data generated from its strong economy and its high levels of human development. For in so doing, it broadcasts a narrative that is disingenuous, a false message that conveys a fantasy to both its citizens and to the rest of the world that women in Australia are treated and valued as equally as men; this is categorically not true. There is instead one path for Australia, one that is captured in the words of its former Sex Discrimination Commissioner, Elizabeth Broderick AO. When asked, *"What will be considered your greatest achievement as Commissioner?"* she replied, *"To raise a son who fundamentally believes that equality is the only path"* (TEDx Melbourne, 2014). May all Australians, men as well as women, understand that to aspire towards its fullest potential, it must pursue a path that fully includes both women and girls as both the beneficiaries and shapers of Australia's future.

Appendix 1.

United Nations Sustainable Development Goal 5

Achieve Gender Equality and Empower all Women and Girls

Target 5.1 - End all forms of discrimination against all women and girls everywhere.

Target 5.2 - Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

Target 5.3 - Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.

Target 5.4 - Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.

Target 5.5 - Ensure women's full and effective participation and equal opportunities for leadership at all levels of decisionmaking in political, economic and public life.

Target 5.6 - Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.

Target 5.a - Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

Target 5.b - Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.

Target 5.c - Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

Appendix 2.

United Nations Sustainable Development 16

Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels

Target 16.1 - Significantly reduce all forms of violence and related death rates everywhere.

Target 16.2 - End abuse, exploitations, trafficking and all forms of violence against and torture of children.

Target 16.3 - Promote the rule of law at the national and international levels and ensure equal access to justice for all.

Target 16.4 - By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.

Target 16.5 - Substantially reduce corruption and bribery in all their forms.

Target 16.6 - Develop effective, accountable and transparent institutions at all levels.

Target 16.7 - Ensure responsive, inclusive, participatory and representative decision-making at all levels.

Target 16.8 - Broaden and strengthen the participation of developing countries in the institutions of global governance.

Target 16.9 - By 2030, provide legal identity for all, including birth registration.

Target 16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

Target 16.a - Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.

Target 16.b - Promote and enforce non-discriminatory laws and policies for sustainable development

Appendix 3.

Article 11 of CEDAW

- 1) States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
 - a) The right to work as an inalienable right of all human beings;
 - b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
 - c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
 - d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
 - e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
 - f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
- 2) In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
 - d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.
- 3) Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Appendix 4.

Australia's Statement and Reservations to CEDAW

- The Government of Australia states that maternity leave with pay is provided in respect of most women employed by the Commonwealth Government and the Governments of New South Wales and Victoria. Unpaid maternity leave is provided in respect of all other women employed in the State of New South Wales and elsewhere to women employed under Federal and some State industrial awards. Social Security benefits subject to income tests are available to women who are sole parents.
- The Government of Australia advises that it is not at present in a position to take the measures required by Article 11(2)(b) to introduce maternity leave with pay or with comparable social benefits throughout Australia.
- The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat and combat-related duties. The Government of Australia is reviewing this policy so as to more closely define "combat" and "combat-related duties".
- Statement: Australia has a federal constitutional system in which legislative, executive and judicial powers are shared or distributed between the Commonwealth and the constituent States. The implementation of the treaty throughout Australia will be effected [sic] by the Commonwealth, State and Territory authorities having regard to their respective constitutional powers and arrangements concerning their exercise.
- On 30 August 2000, with effect from that date, Australia withdrew that part of the reservations which reads:

- "The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat and combat-related duties. The Government of Australia is reviewing this policy so as to more closely define "combat" and "combat-related duties"."
- and deposited the following reservation:
- "The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat duties."

Appendix 5.

Article 2 of Optional Protocol to CEDAW

- Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the rights set forth in the Convention by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

Appendix 6.

Article 1 of The International Bill of Human Rights

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

UNIVERSAL DECLARATION OF HUMAN RIGHTS (art. 1),

adopted by General Assembly resolution 217 A (III) of 10 December 1948.

Annex

The International Bill of Human Rights

Universal Declaration of Human Rights

International Covenant on Economic, Social and Cultural Rights

International Covenant on Civil and Political Rights

Optional Protocol to the International Covenant on Civil and Political Rights

Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

Appendix 7.

ALP 2009 National Constitution: Part B Rules (10)(a)(b)

10. Affirmative Action

The ALP is committed to men and women in the Party working in equal partnership. It is our objective to have equal numbers of men and women at all levels in the Party organisation, and in public office positions the Party holds. To achieve this the Party adopts a comprehensive affirmative action model of 40:40:20, as set out below, whereby a minimum of 40% of relevant positions shall be held by either gender.

Party Positions

(a) All elections, other than public office preselections conducted by national and State level Party units for three or more positions, shall comply with the affirmative action model. Not less than 40% of such positions shall be held by women, and not less than 40% by men, provided that sufficient candidates of the relevant gender nominate ("the basic entitlement"). If the calculation to determine the basic entitlement results in a fraction of one half or more then the basic entitlement shall be the next higher whole number, and where it results in a fraction of less than one half it shall be the next lower number.

Union Delegations

(b) Union delegations to Party conferences and forums shall comply with the affirmative action model. Not less than 40% of a union's delegation shall be women, and not less than 40% shall be men ("the minimum representation"). Provided that if

the level of male or female membership of a union is less than 40%, the minimum representation shall be set at that level.

Appendix 8.

IPU Data

Table 16. Global Ranking by Total % of Women in Government as of June 2018.

Women's Share of Seats in World Parliaments										
Rank	Country	U	F	%	LH	F	%	Total as of 2018	RoC Since 2008	Year
1	Rwanda	80	49	61.30%	26	10	38.50%	55.70%	22.90%	Already
2	Cuba	605	322	53.20%	---	---	---	53.20%	23.30%	Already
3	Bolivia	130	69	53.10%	36	17	47.20%	51.80%	253.60%	Already
4	Nicaragua	92	42	45.70%	---	---	---	45.70%	7.70%	Already
5	Costa Rica	57	26	45.60%	---	---	---	45.60%	23.80%	Already
6	Sweden*	349	152	43.60%	---	---	---	43.60%	-7.30%	Already
7	Finland	200	84	42.00%	---	---	---	42.00%	1.20%	2164
8	Senegal	165	69	41.80%	---	---	---	41.80%	43.20%	2023
9	Mexico	500	213	42.60%	128	47	36.70%	41.40%	87.10%	2021
10	Norway	169	70	41.40%	---	---	---	41.40%	14.80%	2032
11	Belgium	150	57	38.00%	60	30	50.00%	41.40%	14.40%	2032
12	South Africa	392	164	41.80%	54	19	35.20%	41.00%	21.00%	2028
13	Namibia	104	48	46.20%	41	10	24.40%	40.00%	48.60%	2024
14	Mozambique	250	99	39.60%	---	---	---	39.60%	13.80%	2036
15	Argentina	257	100	38.90%	72	30	41.70%	39.50%	-0.60%	Unknown
16	Grenada	15	7	46.70%	13	4	30.80%	39.30%	37.50%	2026
17	Spain	350	137	39.10%	266	101	38.00%	38.60%	17.30%	2034
18	New Zealand	120	46	38.30%	---	---	---	38.30%	16.00%	2036

19	Iceland	63	24	38.10%	---	---	---	38.10%	14.30%	2038
20	Ecuador	137	52	38.00%	---	---	---	38.00%	51.80%	2025
21	Burundi	121	44	36.40%	43	18	41.90%	37.80%	19.10%	2034
22	Macedonia	120	45	37.50%	---	---	---	37.50%	28.60%	2029
23	Denmark	179	67	37.40%	---	---	---	37.40%	-1.50%	Unknown
24	Ethiopia	547	212	38.80%	153	49	32.00%	37.30%	74.50%	2023
25	Tanzania	390	145	37.20%	---	---	---	37.20%	22.30%	2033
26	Zimbabwe	250	83	33.20%	79	38	48.10%	36.80%	76.50%	2023
27	Italy	630	225	35.70%	320	113	35.30%	35.60%	77.10%	2024
28	Netherlands	150	54	36.00%	75	26	34.70%	35.60%	-5.90%	Unknown
29	France	577	225	39.00%	348	102	29.30%	35.40%	94.30%	2023
30	Portugal	230	80	34.80%	---	---	---	34.80%	23.10%	2035
31	Serbia	250	86	34.40%	---	---	---	34.40%	59.30%	2026
32	Uganda	449	154	34.30%	---	---	---	34.30%	11.60%	2052
33	Austria	183	63	34.40%	61	19	31.10%	33.60%	9.30%	2063
34	Nepal	275	90	32.70%	59	22	37.30%	33.50%	-0.30%	Unknown
35	Monaco	24	8	33.30%	---	---	---	33.30%	33.30%	2032
36	Belarus	110	38	34.50%	56	17	30.40%	33.10%	11.30%	2056
37	Australia	150	43	28.70%	76	31	40.80%	32.70%	10.40%	2061
38	Timor-Leste	65	21	32.30%	---	---	---	32.30%	10.50%	2062
39	Andorra	28	9	32.10%	---	---	---	32.10%	28.60%	2036
40	Guyana	69	22	31.90%	---	---	---	31.90%	10.00%	2065
41	Germany	709	218	30.70%	69	27	39.10%	31.50%	2.80%	2188
42	Antigua and Barbuda	18	2	11.10%	17	9	52.90%	31.40%	88.60%	2025
43	Tunisia	217	68	31.30%	---	---	---	31.30%	56.70%	2028
44	Canada	337	91	27.00%	94	43	45.70%	31.10%	72.20%	2027
45	El Salvador	84	26	31.00%	---	---	---	31.00%	85.70%	2026
46	Sudan	426	130	30.50%	54	19	35.20%	31.00%	84.40%	2026
47	Angola	220	67	30.50%	---	---	---	30.50%	-17.30%	Unknown
48	Trinidad and Tobago	42	13	31.00%	31	9	29.00%	30.10%	-9.60%	Unknown
49	Cameroon	180	56	31.10%	100	26	26.00%	29.30%	20.20%	2047
50	Switzerland	200	65	32.50%	46	7	15.20%	29.30%	7.50%	2092

51	Philippines	292	86	29.50%	24	6	25.00%	29.10%	43.90%	2033
52	Slovenia	90	33	36.70%	40	4	10.00%	28.50%	47.20%	2033
53	United Kingdom	650	208	32.00%	805	207	25.70%	28.50%	45.30%	2033
54	Luxembourg	60	17	28.30%	---	---	---	28.30%	21.40%	2047
55	Albania	140	39	27.90%	---	---	---	27.90%	56.00%	2031
56	Peru	130	36	27.70%	---	---	---	27.70%	-5.10%	Unknown
57	Israel	120	33	27.50%	---	---	---	27.50%	94.10%	2027
58	Laos	149	41	27.50%	---	---	---	27.50%	9.10%	2086
59	Afghanistan	249	69	27.70%	68	18	26.50%	27.40%	6.10%	2120
60	San Marino	60	16	26.70%	---	---	---	26.70%	128.60%	2026
61	Estonia	101	27	26.70%	---	---	---	26.70%	28.60%	2043
62	Viet Nam	494	132	26.70%	---	---	---	26.70%	3.70%	2189
63	South Sudan	383	109	28.50%	50	6	12.00%	26.60%	9.10%	2091
64	Djibouti	65	17	26.20%	---	---	---	26.20%	88.90%	2028
65	Poland	460	129	28.00%	100	14	14.00%	25.50%	41.60%	2037
66	Suriname	51	13	25.50%	---	---	---	25.50%	0.00%	Unknown
67	Iraq	328	83	25.30%	---	---	---	25.30%	-0.60%	Unknown
68	Mauritania	147	37	25.20%	---	---	---	25.20%	26.70%	2047
69	Dominica	32	8	25.00%	---	---	---	25.00%	55.00%	2034
70	China	2980	742	24.90%	---	---	---	24.90%	16.80%	2063
71	Turkmenistan	125	31	24.80%	---	---	---	24.80%	55.00%	2034
72	Somalia	275	67	24.40%	54	13	24.10%	24.30%	76.00%	2031
73	Ireland	158	35	22.20%	60	18	30.00%	24.30%	57.00%	2034
74	Dominican Republic	190	51	26.80%	32	3	9.40%	24.30%	41.90%	2039
75	Bulgaria	240	57	23.80%	---	---	---	23.80%	9.60%	2099
76	Cabo Verde	72	17	23.60%	---	---	---	23.60%	31.60%	2045
77	Montenegro	81	19	23.50%	---	---	---	23.50%	90.00%	2030
78	Kenya	349	76	21.80%	68	21	30.90%	23.30%	148.10%	2026
79	Singapore	100	23	23.00%	---	---	---	23.00%	-6.00%	Unknown
80	Moldova	101	23	22.80%	---	---	---	22.80%	4.50%	2195
81	Chile	155	35	22.60%	43	10	23.30%	22.70%	79.50%	2031
82	Lesotho	122	27	22.10%	32	8	25.00%	22.70%	-12.00%	Unknown

83	UAE	40	9	22.50%	---	---	---	22.50%	0.00%	Unknown
84	Uruguay	99	20	20.20%	31	9	29.00%	22.30%	81.30%	2032
85	Venezuela	167	37	22.20%	---	---	---	22.20%	19.40%	2064
86	Kazakhstan	107	29	27.10%	47	5	10.60%	22.10%	78.90%	2032
87	Eritrea	150	33	22.00%	---	---	---	22.00%	0.00%	Unknown
88	Guinea	114	25	21.90%	---	---	---	21.90%	13.60%	2082
89	Bahamas	39	5	12.80%	16	7	43.80%	21.80%	-12.70%	Unknown
90	Lithuania	141	30	21.30%	---	---	---	21.30%	-6.30%	Unknown
91	Algeria	462	119	25.80%	143	10	7.00%	21.30%	-17.20%	Unknown
92	Seychelles	33	7	21.20%	---	---	---	21.20%	-9.80%	Unknown
93	Czech Republic	200	44	22.00%	80	15	18.80%	21.10%	41.00%	2043
94	Honduras	128	27	21.10%	---	---	---	21.10%	-10.00%	Unknown
95	Colombia	166	25	15.10%	102	31	30.40%	20.90%	53.80%	2038
96	Saint Lucia	18	3	16.70%	11	3	27.30%	20.70%	20.00%	2066
97	Bangladesh	350	71	20.30%	---	---	---	20.30%	9.40%	2119
98	Pakistan	340	70	20.60%	104	20	19.20%	20.30%	-4.50%	Unknown
99	USA	427	83	19.40%	100	23	23.00%	20.10%	20.90%	2066
100	Slovakia	150	30	20.00%	---	---	---	20.00%	31.00%	2052
101	Tajikistan	63	12	19.00%	32	7	21.90%	20.00%	2.10%	2458
102	Saudi Arabia	151	30	19.90%	---	---	---	19.90%	NED	Unknown
103	Indonesia	560	111	19.80%	---	---	---	19.80%	70.30%	2035
104	Barbados	30	5	16.70%	21	5	23.80%	19.60%	42.90%	2044
105	Madagascar	151	29	19.20%	63	13	20.60%	19.60%	3.20%	2317
106	Cambodia	123	25	20.30%	62	11	17.70%	19.50%	40.10%	2046
107	Bosnia and Herzegovina	42	9	21.40%	15	2	13.30%	19.30%	57.10%	2039
108	Kyrgyzstan	120	23	19.20%	---	---	---	19.20%	-25.00%	Unknown
109	Jamaica	63	11	17.50%	21	5	23.80%	19.00%	40.30%	2047
110	Romania	329	68	20.70%	136	19	14.00%	18.70%	94.20%	2033
111	Croatia	151	28	18.50%	---	---	---	18.50%	-11.30%	Unknown
112	Morocco	395	81	20.50%	120	14	11.70%	18.40%	68.00%	2037
113	Greece	300	55	18.30%	---	---	---	18.30%	25.00%	2063
114	Panama	71	13	18.30%	---	---	---	18.30%	9.90%	2125

115	Sao Tome and Principe	55	10	18.20%	---	---	---	18.20%	0.00%	Unknown
116	Armenia	105	19	18.10%	---	---	---	18.10%	97.50%	2033
117	Zambia	167	30	18.00%	---	---	---	18.00%	18.30%	2079
118	Equatorial Guinea	100	20	20.00%	72	11	15.30%	18.00%	0.10%	Unknown
119	Cyprus	56	10	17.90%	---	---	---	17.90%	25.00%	2064
120	Togo	91	16	17.60%	---	---	---	17.60%	58.20%	2041
121	Gabon	117	20	17.10%	102	18	17.60%	17.40%	7.70%	2161
122	Mongolia	76	13	17.10%	---	---	---	17.10%	15.10%	2094
123	Niger	171	29	17.00%	---	---	---	17.00%	36.90%	2052
124	South Korea	300	51	17.00%	---	---	---	17.00%	24.00%	2068
125	Azerbaijan	125	21	16.80%	---	---	---	16.80%	47.60%	2046
126	Malawi	192	32	16.70%	---	---	---	16.70%	28.70%	2062
127	Uzbekistan	150	24	16.00%	100	17	17.00%	16.40%	0.20%	Unknown
128	North Korea	687	112	16.30%	---	---	---	16.30%	-18.80%	Unknown
129	Russian	450	71	15.80%	170	29	17.10%	16.10%	40.60%	2051
130	Libya	188	30	16.00%	---	---	---	16.00%	107.40%	2034
131	Fiji	50	8	16.00%	---	---	---	16.00%	64.80%	2041
132	Georgia	150	24	16.00%	---	---	---	16.00%	33.30%	2058
133	Latvia	100	16	16.00%	---	---	---	16.00%	-20.00%	Unknown
134	Paraguay	80	11	13.80%	45	9	20.00%	16.00%	17.60%	2088
135	Jordan	130	20	15.40%	65	10	15.40%	15.40%	81.30%	2038
136	Bahrain	40	3	7.50%	40	9	22.50%	15.00%	9.10%	2156
137	Egypt	596	89	14.90%	---	---	---	14.90%	305.50%	2027
138	Swaziland	65	4	6.20%	30	10	33.30%	14.70%	-22.20%	Unknown
139	Turkey	549	80	14.60%	---	---	---	14.60%	60.00%	2044
140	Congo	151	17	11.30%	71	14	19.70%	14.00%	52.80%	2048
141	Palau	16	2	12.50%	13	2	15.40%	13.80%	NED	Unknown
142	Japan	465	47	10.10%	242	50	20.70%	13.70%	11.30%	2139
143	Guinea-Bissau	102	14	13.70%	---	---	---	13.70%	-2.00%	Unknown
144	Saint Kitts and Nevis	15	2	13.30%	---	---	---	13.30%	100.00%	2037
145	Syria	250	33	13.20%	---	---	---	13.20%	6.50%	2231
146	Malaysia	222	23	10.40%	68	15	22.10%	13.10%	-10.20%	Unknown

147	Saint Vincent and the Grenadines	23	3	13.00%	---	---	---	13.00%	-28.30%	Unknown
148	Chad	188	24	12.80%	---	---	---	12.80%	-14.30%	Unknown
149	Ghana	275	35	12.70%	---	---	---	12.70%	17.10%	2105
150	Guatemala	158	20	12.70%	---	---	---	12.70%	5.30%	2286
151	Ukraine	423	52	12.30%	---	---	---	12.30%	49.50%	2053
152	Sierra Leone	146	18	12.30%	---	---	---	12.30%	-6.80%	Unknown
153	Liechtenstein	25	3	12.00%	---	---	---	12.00%	-50.00%	Unknown
154	Malta	67	8	11.90%	---	---	---	11.90%	37.30%	2063
155	India	542	64	11.80%	244	29	11.90%	11.80%	27.10%	2078
156	Hungary	199	23	11.60%	---	---	---	11.60%	3.80%	2416
157	Mauritius	69	8	11.60%	---	---	---	11.60%	-32.40%	Unknown
158	Brazil	513	55	10.70%	81	12	14.80%	11.30%	19.60%	2101
159	Belize	32	3	9.40%	13	2	15.40%	11.10%	22.20%	2093
160	Bhutan	47	4	8.50%	25	4	16.00%	11.10%	-20.00%	Unknown
161	Burkina Faso	127	14	11.00%	---	---	---	11.00%	-28.00%	Unknown
162	Cote d'Ivoire	255	27	10.60%	66	8	12.10%	10.90%	23.00%	2092
163	Nauru	19	2	10.50%	---	---	---	10.50%	NED	Unknown
164	Gambia	58	6	10.30%	---	---	---	10.30%	9.70%	2189
165	Myanmar	433	44	10.20%	221	23	10.40%	10.20%	153.00%	2035
166	Samoa	50	5	10.00%	---	---	---	10.00%	22.50%	2097
167	Liberia	71	7	9.90%	30	3	10.00%	9.90%	-28.40%	Unknown
168	Qatar	41	4	9.80%	---	---	---	9.80%	NED	Unknown
169	Botswana	63	6	9.50%	---	---	---	9.50%	-14.30%	Unknown
170	Marshall Islands	33	3	9.10%	---	---	---	9.10%	200.00%	2034
171	Oman	85	1	1.20%	85	14	16.50%	8.80%	-2.90%	Unknown
172	Mali	147	13	8.80%	---	---	---	8.80%	-13.30%	Unknown
173	Central African Republic	140	12	8.60%	---	---	---	8.60%	-18.20%	Unknown
174	Democratic Republic of the Congo	492	44	8.90%	108	5	4.60%	8.20%	5.60%	2348
175	Tonga	27	2	7.40%	---	---	---	7.40%	114.80%	2043
176	Benin	83	6	7.20%	---	---	---	7.20%	-33.30%	Unknown

177	Tuvalu	15	1	6.70%	---	---	---	6.70%	NED	Unknown
178	Kiribati	46	3	6.50%	---	---	---	6.50%	50.00%	2068
179	Comoros	33	2	6.10%	---	---	---	6.10%	100.00%	2048
180	Iran	289	17	5.90%	---	---	---	5.90%	110.30%	2047
181	Maldives	85	5	5.90%	---	---	---	5.90%	-51.00%	Unknown
182	Sri Lanka	225	13	5.80%	---	---	---	5.80%	0.00%	Unknown
183	Nigeria	360	20	5.60%	108	7	6.50%	5.80%	-20.80%	Unknown
184	Thailand	250	12	4.80%	---	---	---	4.80%	-62.20%	Unknown
185	Kuwait	65	2	3.10%	---	---	---	3.10%	0.00%	Unknown
186	Lebanon	128	4	3.10%	---	---	---	3.10%	-33.30%	Unknown
187	Haiti	118	3	2.50%	28	1	3.60%	2.70%	-56.20%	Unknown
188	Solomon Islands	50	1	2.00%	---	---	---	2.00%	NED	Unknown
189	Yemen	275	0	0.00%	111	2	1.80%	0.50%	-28.80%	Unknown
190	Micronesia	14	0	0.00%	---	---	---	0.00%	NED	Unknown
191	Papua New Guinea	106	0	0.00%	---	---	---	0.00%	-100.00%	Unknown
192	Vanuatu	52	0	0.00%	---	---	---	0.00%	-100.00%	Unknown

Nations are ranked by the Total as of 2018 column, which is the total percentage of women's share of seats in parliament as of June 2018. Blanks cells are for nations with only a lower/single branch of government. The U column is the upper chamber, while LH is for the lower house; the F column is the number of females; % column is the percentage of females in the chamber precedent; RoC Since 2008 column is the rate of change since 2008, hence the multiplier of 10 in the formula below. Expected Year of Parity is the expected year when women's share within a parliament will reach 50%. Formula used:

$$Expected\ Year = \left(\frac{LN\left(\frac{0.5 * 100}{(Total\ as\ of\ 2018) * 100}\right)}{LN(1 + RoC\ Since\ 2008)} \right) * 10 + 2018$$

The value Already under the Year column indicates that a nation has already reached at least 45% female seats. *Sweden reached 47% in 2008. Unknown in the Year column are for nations that either had a negative rate of change or did not have enough data (NED) to conclude a year. Source: (Inter-Parliamentary Union, 2018; Inter-Parliamentary Union (IPU), 2008).

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