



AUSTRALIAN CAPITAL TERRITORY

COMMONWEALTH PARLIAMENTARY ASSOCIATION GENDER SENSITIVE PARLIAMENT SELF-ASSESSMENT

FINAL REPORT



ABOUT THE CPA

The Commonwealth Parliamentary Association (CPA) connects, develops, promotes and supports parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. The CPA collaborates with parliaments and other organisations, including the intergovernmental community, to achieve its statement of purpose. It brings parliamentarians and parliamentary staff together to exchange ideas among themselves and with experts in various fields, to identify benchmarks of good practices and new policy options they can adopt or adapt in the governance of their societies

ABOUT THE CWP

The Commonwealth Women Parliamentarians (CWP) is the network of women Members of the Commonwealth Parliamentary Association's Parliaments and Legislatures. The CWP network provides a means of capacity-building for women elected to Parliament to be more effective in their roles, improving the awareness and ability of all Parliamentarians, male and female, and encouraging them to include a gender perspective in all aspects of their role - legislation, oversight and representation and helping Parliaments to become gender-sensitive institutions.

ABOUT THE AUTHORS

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FOREWORD FROM SPEAKER AND CLERK OF THE AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

We are pleased to be the first CPA Branch to undertake a Gender Sensitive Parliament Self-Assessment and acknowledge its recommendations across the four CPA dimensions.

Being a legislature with fifty-three percent women MLAs, five women out of eight being committee chairs, having an openly gay head of government and sixteen percent of LGBT members (which we think is the highest of any of the world's parliaments) we thought the legislature would be well placed in any assessment undertaken on gender sensitivity. However, as the following report shows, there is still work to be done to ensure that our legislature can strive to become a fully gender sensitive legislature.

We thank the CPA staff, and in particular Dr Sarah Childs, for visiting the Assembly and undertaking the assessment in December 2022.

We will carefully consider all the recommendations to determine how best to implement those that are able to be implemented, or have not been implemented to date, so that the Legislative Assembly for the Australian Capital Territory can continue to be, and improve upon, our gender sensitive legislature.



Joy Burch, MLA
Speaker of the Legislative Assembly



Tom Duncan
Clerk of the Legislative Assembly

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EXECUTIVE SUMMARY

Building on the 2001 Commonwealth Parliamentary Association (CPA) Study Group Report on Gender Sensitising Commonwealth Parliaments, in 2020 the CPA developed Gender Sensitising Parliaments (GSP) Guidelines which provides parliaments across the Commonwealth with a set of standards they can strive to achieve to transition into gender sensitive institutions. The new Guidelines start with the principal assumption that all Commonwealth parliaments should undertake a GSP review which the CPA refers to as a “GSP self-assessment” as soon as possible to establish an initial benchmark against which future efforts and developments can be evaluated.

GSP self-assessments have the potential to help parliaments effectively respond to the needs of its Members and parliamentary staff - not only those who identify as women but also those from, and who represent, a wide range of historically underrepresented groups in society. Guided by the CPA’s standards and the four GSP dimensions identified in the 2020 CPA Gender Sensitising Parliaments Guidelines, self-assessments seek to review the governing structures, rules, practices, culture, facilities and institutional resources of parliaments with the main objective of making parliaments more representative and inclusive.

It is important to state that parliaments and legislatures who undertake a CPA GSP self-assessment do not instantly become gender sensitive institutions. The work involved in assessing a parliament’s gender sensitivity is continuous and goes beyond simply implementing recommendations. It requires ongoing monitoring and reporting including following up on the implementation status of gender sensitive reforms.

From 29 November to 2 December 2022, the Australian Capital Territory (ACT) Legislative Assembly undertook the very first CPA GSP self-assessment. The GSP self-assessment was approved by the Speaker and facilitated by the Clerk and his team. This report recognises and highlights gender sensitive best practices that were identified in the ACT Legislative Assembly at the time of the in-person component of the self-assessment in 2022. The report also proposes a mixture of short, medium and long-term recommendations for the Assembly to consider. These recommendations address gender and diversity insensitivities that were revealed in the self-assessment.

This report and its recommendations are based on the outcomes of the checklist, surveys and in-person interviews that were delivered in 2022 and presents recommendations that were presented to the Legislative Assembly in a draft report presented on 23 June 2023. The report does not account for gender sensitive reform that has taken place after December 2022. However, it should be highlighted that in the time between the in-person interviews that were held with Members and parliamentary staff, and the official publication of this report, the ACT Legislative Assembly has been successful in implementing a series of positive gender and diversity sensitive reforms that are worth sharing.

- Following the introduction of a draft Bill in 2021, on 4 June 2023, the Assembly passed the Period Products and Facilities (Access) Bill which provides free period products in designated public places in the community, schools and government workplaces.^{1 2 3}This has made the ACT the first Jurisdiction in Australia to pass such a reform. ⁴ The Assembly has complied with the new law and free period products are available in designated public places.
- The Office of the Legislative Assembly purchased a wheelchair ramp in 2022 to make the Assembly more accessible. In July 2022, a witness who is a wheelchair user was able to access the Assembly Chamber and the Assembly can deploy the ramp if and when required.
- The Standing Committee on Administration and Procedure's inquiry into the review of Standing Orders agreed that the standing orders be updated to be gender neutral and to remove all use of gendered language. Following the Committee's report that was tabled on 31 August 2023, the Assembly approved these changes which are now updated and implemented in the standing orders as of 9 October 2023. ⁵ ⁶ The updated standing orders also include the entitlement of secondary care giver or adoption leave for Members in addition to leave of absence that is granted to Members considered as primary care givers and a rule that requires committees to consider gender balance in committee membership. ⁷
- Beginning in April 2023, in response to the CPA's GSP self-assessment, committees have begun collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. ^{8 9}

To ensure that the findings and recommendations of this report are considered and implemented, it makes **one overarching recommendation** critical to institutionalising gender and diversity sensitivity within the ACT Legislative Assembly:

Recommendation 16:

The Legislative Assembly to establish a Speakers Reference Group that would be led by the Speaker that will oversee the delivery of the report's recommendations in this report and the Assembly's progress towards gender sensitivity, including through commissioning further research where appropriate.

The report's other recommendations are categorised in accordance with the CPA's 4 dimensions of GSP: (1) Equality of Participation within Parliament; (2) Parliamentary Infrastructure; (3) Parliamentary Culture; and (4) Gender Equality Policy/Women's substantive representation. Whilst it is ultimately for the ACT Legislative Assembly to prioritise the many recommendations falling under each of these dimensions, to ensure that gender sensitive practices are embedded throughout the practices and work of the institution it is advised that the following critical recommendations are implemented immediately.

¹ <https://www.theguardian.com/australia-news/2021/dec/15/act-could-be-first-government-in-australia-to-provide-free-period-products>

² [https://www.parliament.act.gov.au/parliamentary-business/in-committees/media-releases/2022/media-release-new-inquiry-into-period-products-and-facilities-access-bill-2022#:~:text=The%20Period%20Products%20and%20Facilities%20\(Access\)%20Bill%202022%20was%20presented,period%20poverty%20in%20the%20Territory.](https://www.parliament.act.gov.au/parliamentary-business/in-committees/media-releases/2022/media-release-new-inquiry-into-period-products-and-facilities-access-bill-2022#:~:text=The%20Period%20Products%20and%20Facilities%20(Access)%20Bill%202022%20was%20presented,period%20poverty%20in%20the%20Territory.)

³ <https://www.suzanneorr.com.au/campaigns/period-poverty/>

⁴ <https://womensagenda.com.au/life/womens-health-news/free-period-products-to-be-available-across-the-act-as-new-legislation-passes/>

⁵ https://www.parliament.act.gov.au/_data/assets/pdf_file/0012/2296992/Standing-Orders-as-at-9-October-2023.pdf

⁶ https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/2276314/Report-10-Review-of-Standing-Orders-10-Assembly-Volume-1.pdf

⁷ Standing Order Number 22 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 9 October 2023)

⁸ https://www.parliament.act.gov.au/_data/assets/pdf_file/0006/2309190/Final-report-Penalties-for-minor-offences-and-vulnerable-people.pdf

⁹ https://www.parliament.act.gov.au/_data/assets/pdf_file/0005/2334659/FINAL-with-Dissenting-report-Inquiry-into-Gaming-Machine-Amendment-Bill-2023-Redacted.pdf



DIMENSION 1: EQUALITY OF PARTICIPATION WITHIN PARLIAMENT

Recommendation 5:

The Administration and Procedure Committee to propose a rule that requires the number of Chairs of Committee to reflect the numbers of women and men Members.

DIMENSION 2: PARLIAMENTARY INFRASTRUCTURE

Recommendation 17:

The Standing Committee on Administration and Procedure to adopt both a diversity and gender lens towards the Standing Orders and Continuing Resolutions of the Assembly at its triennial review that has begun in 2022 and all future review of its Standing Orders.

DIMENSION 3: PARLIAMENTARY CULTURE

Recommendation 23:

The Assembly to also develop a gender equality plan to detail efforts and ambitions for each of the four CPA dimensions, indicating which recommendations included in this Report will be prioritised, and in what time frames, and with what reviewing actions in place.

Serious thought to be given to the gathering, publication, and review of comprehensive and systematic gender disaggregated data across each of the four CPA dimensions. These might include, but are not limited to those covered in the self-assessment questionnaire, reproduced in Appendix 2.

A survey of Members and parliamentary staff and/or Focus Groups to be held once every parliament to ensure the ongoing identification of needs and experiences of both Members and parliamentary staff; uptake of any associated follow up and revisions to the Gender Equality Plan and priorities of any new Speaker's Reference Group thereafter. Some of the areas to address in such a survey include concerns raised in the self-assessment questionnaire reproduced in Appendix 2.

With respect to parliamentary staff, this Gender Equality plan might include also reference to gender pay gaps; appointment, retention and promotion gaps.

DIMENSION 4: GENDER EQUALITY POLICY/ WOMEN'S SUBSTANTIVE REPRESENTATION

Recommendation 26:

The Office of the Legislative Assembly to consider the development of a four-year strategic plan that will guide work on how the Assembly will be a gender sensitive institution and plan to effectively introduce gender mainstreaming across all its activities.

The plan to also include a diversity and inclusion strategy which will identify ways in which the Assembly can improve representation and attract talent from a wide range of backgrounds. It is advised that the plan be drafted with a gender expert or an organisation that promotes gender equality.

INTRODUCTION

Gender Sensitive Parliaments: A Commonwealth Parliamentary Association Standard

The Commonwealth Parliamentary Association (CPA) published its report on Gender Sensitizing Commonwealth Parliaments just over twenty years ago, in 2001. The report drew much-needed attention to the political under-representation of women relative to their population across the Commonwealth, caused by ongoing patriarchal attitudes reinforced by customs and social-political structures. In addition to this, the report paid attention to the importance of political commitment to gender equality at both national and international levels. The report also included a series of formal recommendations as well as informal suggestions that Commonwealth parliaments might consider adopting. The CPA Headquarters Secretariat was entrusted with the important role to support parliaments across the CPA's membership in their efforts to become gender sensitive institutions.

In the years since the 2001 report, the CPA through the Commonwealth Women Parliamentarians (CWP) network has maintained its commitment to gender sensitivity and has truly become part of a global endeavour to redress women's under-representation and political participation in electoral politics by working with parliaments across the CPA's membership of over 180 sub-national and national parliaments across the Commonwealth.

If for many years the responsibility of protecting and securing both women's rights and gender equality in parliaments rested primarily on women Members of Parliaments, more recently the responsibility for securing gender sensitivity has shifted to parliaments as institutions who, in representing the interests of all citizens, should enact gender equality thereby offering a positive example to society at large.

The CPA Gender Sensitive Parliaments Guidelines: Standards and a Checklist for Parliamentary Change

In 2020, the CPA devised its GSP Guidelines which understands a gender sensitive parliament to be *"a place that responds to the needs and interests of women in its structures, operations, methods, and work and is a workplace that removes barriers to women's full participation"*.^{10 11 12} The Guidelines start from the central proposition that all Commonwealth parliaments should undertake a GSP self-assessment (previously referred to as a gender sensitive review or audit) as soon as possible to establish an initial benchmark against which future efforts and developments can be evaluated. The Guidelines are designed to help parliaments self-reflect, identify, review and measure gender (in)sensitivity within their formal and informal rules, norms, practices and procedures, parliamentary culture, behaviour and collective interaction. The CPA's 2020 Guidelines work with four GSP dimensions: (1) Equality of Participation within Parliament; (2) Parliamentary Infrastructure; (3) Parliamentary Culture; and (4) Gender Equality Policy/Women's substantive representation. The successful commitment to the process of a GSP self-assessment will help parliaments create the necessary conditions to deliver on their responsibility to meet the CPA's GSP standards.

10 https://iknowpolitics.org/sites/default/files/cpa_gender20sensitizing20commonwealth20parliaments_2001_1.pdf

11 https://www.cpahq.org/media/pxmfpgw5/gender-sensitising-parliaments_a-seven-step-field-guide.pdf

12 <https://www.cpahq.org/media/s20j1lws/cwp-gender-sensitizing-guidelines.pdf>



The CPA GSP Guidelines acknowledges that a GSP is one with the following apparent features:

A Gender Sensitive Parliament:

Promotes and achieves equality of women and men across all its bodies and internal structures, and mainstreams gender equality throughout all its work, including the work of the parliamentary administration;

Is founded on gender equality, where women and men have an equal right to participate without discrimination or recrimination;

Fosters an internal culture that respects women's rights, promotes gender equality, and respects the needs and realities of MPs – men and women – to balance work and family responsibilities;

Responds to the needs and interests of both men and women in its structures, operations, methods, and work, and has no barriers – substantive, structural, or cultural to women's full participation;

Encourages political parties to take a proactive role in the promotion and achievement of gender equality;

Extends beyond elected members and equips parliamentary staff with the capacity and resources to promote gender equality, and actively encourages the recruitment and retention of women to senior positions, and

Offers a positive example or model to society at large.

(Source: 2022 CPA GSP Field Guide)

A crucial complementing component to the GSP Guidelines is the accompanying Checklist which was developed to help parliaments identify how they as institutions can successfully pursue and ingrain gender sensitive reform. By focusing on key areas such as leadership capacity, political and administrative capacity, as well as institutional capacity in terms of wider gender expertise, the Checklist helps to pinpoint whom (individual or group) has the authority, powers and resources to lead on gender sensitive reform, what existing roles and processes or in the absence of these what new roles and processes need to be established to take forward the gender sensitive agenda. In sum, the Checklist ensures that the CPA standards of a GSP run throughout everything a parliament does and is reflected in how the parliament works thereafter.

Acknowledging that parliaments are both places for democracy and places of work, the CPA GSP Guidelines and Standards uses four dimensions – the aforementioned Equality of Participation within Parliament, Parliamentary Infrastructure, Parliamentary Culture and Gender Equality Policy/Women's substantive representation - to help parliaments organise and undertake self-assessments and develop appropriate recommendations and reforms.

FOUR DIMENSIONS OF A GENDER SENSITIVE PARLIAMENT

DIMENSION 1: EQUALITY OF PARTICIPATION WITHIN PARLIAMENT

Dimension 1 asks the question of how a diverse group of parliamentarians might be selected for, and elected to, parliament and how, once present, they are enabled to become effective participants across parliament's core activities: representation and interest articulation, legislative scrutiny, and executive accountability.

DIMENSION 2: PARLIAMENTARY INFRASTRUCTURE

Dimension 2 takes a critical look at the way in which parliament facilitates the work of Members and whether this benefits a particular type of parliamentarian – explicitly or implicitly. It covers everything from the buildings and furniture of parliament to the official rules and working practices that underpin the array of Members' parliamentary activities.

DIMENSION 3: PARLIAMENTARY CULTURE

Dimension 3 acknowledges that the official, written-down rules never tell the whole story about how institutions function on the ground – this is what might be thought of as the 'normal way of doing things'. It is, admittedly, frequently hard to pin down informal institutional norms, practices and culture. That said ...parliamentary culture... is not fixed but an evolving phenomenon, subject to change.

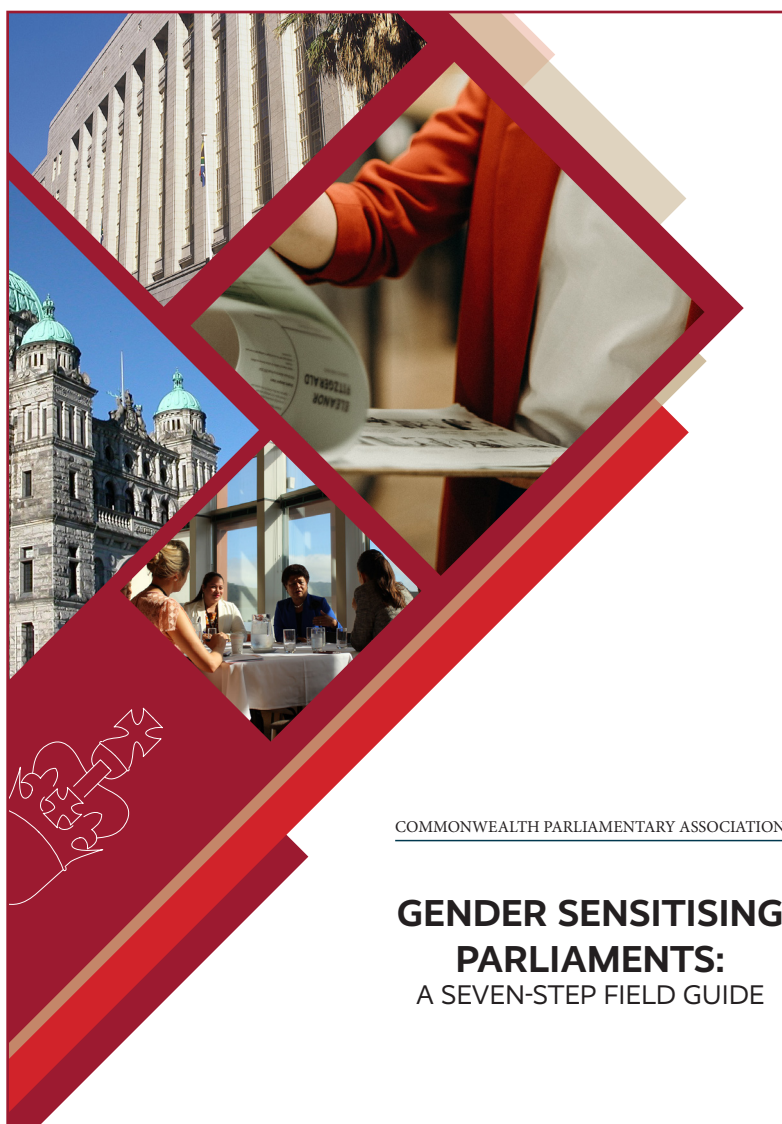
DIMENSION 4: GENDER EQUALITY POLICY/ WOMEN'S SUBSTANTIVE REPRESENTATION

Dimension 4 subjects the political work of parliament to gendered analysis. These would include legislation, policy, scrutiny and interest representation. It asks whether parliaments acknowledge the perspectives and address the needs and interests of women. Have women's experiences been taken into account? Are the gendered differentiated outcomes to women's disadvantage? Do they aim for gender equality between women and men? In so doing, such analysis will frequently be analysing a parliament's work in holding a government to account for its gender sensitivity.



UNDERTAKING A GENDER SENSITIVE PARLIAMENT SELF-ASSESSMENT: CPA 7 STEP APPROACH AND METHODOLOGY

In 2022, and building on the 2020 Guidelines, the CPA produced the GSP Field Guide to serve as a blueprint for Commonwealth parliaments interested in undertaking gender sensitive self-assessments. With its 7 steps, the Field Guide provides parliaments with flexibility in approaching a self-assessment, allowing assessors to decide the scope, method, team, and timeline to deliver GSP activities.



Step 1: Understanding Gender Sensitivity

Parliaments explore the definition(s) of GSP, why GSP are important, and the various ways in which they can be and have been assessed, using the CPA's GSP Standards and Checklists

Step 2: Embracing Gender Sensitive Parliament Principles

The organisation institutionally and politically commits to embed the principles of a GSP into the parliament's structures, operations, methods, and work.

Step 3: Preparing a Team and Strategy:

Assessors set timelines, objectives, and resource levels for a GSP implementation team which can consist of, for example, an internal team of parliamentary members and researchers and or an external team of academic researchers and organisations.

Step 4: Performing Initial Diagnostics

Assessors explore what gender data are available and what data need to be generated using a customised GSP Checklist to provide a preliminary 'snapshot' by which to assess the parliament's readiness for a full gender sensitive review.

Step 5: Preparing the Review – Collecting Data

Surveys and interviews are developed and tested, then used to collect data. Focus groups and workplace observations of house proceedings, committee work, and use of facility space can also be employed. Data are analysed using statistical, comparative, and multi-year analyses as well as a red-amber-green light (RAG) rating system.

Step 6: Reporting of Findings and Making Recommendations

Gender sensitising reform options are generated using data analyses, presented to stakeholders for comment, then finalised. Details of required resources as well as policy and legislative changes are included in the GSP review, as are key performance indicators and dates for future assessments and reports.

Step 7: Monitoring Progress

Data are collected on a regular basis toward key performance indicators and are reported at regular intervals to track progress over time.



The ACT Legislative Assembly GSP self-assessment approached the 7 steps in the following ways:

1. Step 1: Understanding Gender Sensitivity

Following the publication of the 2020 CPA Gender Sensitive Guidelines, on 27 May 2021 the CWP network hosted a virtual roundtable discussion on 'Gender Sensitive Parliaments in the 21st Century' for Parliaments across the CPA Australia Region. This was attended by the Speaker and other Members of the ACT Legislative Assembly. The main objectives of the roundtable were to provide Commonwealth parliaments within the Australia Region with relevant knowledge and appropriate materials regarding gender sensitisation and an intimate platform to ask questions and exchange information and experiences with due consideration to their national and regional environments. The roundtable also served to help parliaments recognise and recommend appropriate actions to successfully become gender sensitive institutions.

2. Step 2: Embracing Gender Sensitive Parliament Principles

The ACT Legislative Assembly accepted the CPA's invitation announced during a roundtable discussion hosted for the CPA Australia Region on 27 May 2021 to support interested parliaments and legislatures in undertaking gender sensitive self-assessments according to the Guidelines and Field Guide. The Speaker of the ACT Legislative Assembly held discussions about the aims and stages of the gender sensitive self-assessment with members of the ACT Legislative Assembly's women's caucus, the ACT Labor Party and the Standing Committee on Administration and Procedure.

3. Step 3: Preparing a Team and Strategy

The ACT Legislative Assembly, specifically the Speaker and Clerk met with CPA Headquarters Secretariat staff, Bénite Dibateza, Programmes Manager and CWP Network Coordinator and James Pinnell, Deputy Head of Programmes on 2 September 2021 to discuss the method, scope and timeline of the self-assessment. At this meeting, it was agreed that CPA Headquarters Secretariat staff would lead the self-assessment with the cooperation of the Legislative Assembly. It was agreed that the self-assessment would comprise of surveys and in-person interviews with both parliamentary staff and Members. A service agreement was also signed by the ACT Legislative Assembly committing to undertake the self-assessment on 12 October 2021. Following the completion of the Field Guide in August 2022, the dates for the in-person interviews of the self-assessment were confirmed in September 2022.

Given the nature of the activity and the limited time available to assessors on the ground, it was very important to have ongoing consultation with the Assembly's leadership about both the approach and strategy that would be taken. Following conversations that took account of the Assembly's political culture and gender sensitive and gender responsive journey, it was agreed by the Assembly leadership to apply an intersectional lens during the delivery of the gender sensitive self-assessment. Intersectionality recognises that women are not homogenous groups but have interconnecting identities, different backgrounds and experiences. As expressed by Professor Sarah Childs, *"women are not the only group underrepresented in politics and Parliament, and that these and other exclusions should also be acknowledged and rectified"*. With this understanding, matters related to diversity and inclusion were also considered in the delivery of the GSP self-assessments as for a parliament to be truly inclusive, attention to the exclusion of various social identities is necessary. Accordingly, this report highlights diversity and inclusion successes and insensitivities - meaning gaps and potential areas of improvement in the ACT Legislative Assembly.

4. Step 4: Performing initial diagnostics

In-house background research on equality in parliament with a particular focus on women in parliament was conducted by CPA Headquarters Secretariat staff. CPA Headquarters Secretariat staff also developed a checklist that was completed by the Clerk of the Legislative Assembly and a survey that was completed by both Members and parliamentary staff before proceeding to step 5 of the self-assessment. The checklist and survey were shared with the ACT Legislative Assembly on 29 October 2022. The checklist (Appendix 2) is based on the above-mentioned CPA four dimensions of a GSP and focuses on leadership capacity - political and administrative – as well as institutional capacity in terms of wider gender expertise. When completed, it provides new information regarding data collection, analysis and monitoring; the instances of GSP self-assessments – of parliamentary processes, norms, and behaviour; and the wider personnel, cultural, and organisational capacity for realising gender sensitivity across the full ‘work’ of a parliament.

The questions in the survey (Appendix 3) intended to help gather data on the experiences of both Members of the Legislative Assembly and parliamentary staff Office of the Legislative Assembly. All responses to this survey were treated as strictly confidential and respondents were welcome to complete it anonymously. Despite being shared to all Members and parliamentary at the Legislative Assembly, a total of five survey responses (3 Members and 2 parliamentary staff) were received by the CPA Headquarters Secretariat.

5. Step 5: Preparing the review – Collecting data

Attending the ACT Legislative Assembly in-person between 29 November to 2 December 2022, CPA Headquarters Secretariat staff, Bénite Dibateza and gender expert Sarah Childs, Professor of Politics and Gender at the University of Edinburgh conducted a series of interviews. These were with six female Members of the Legislative Assembly (from the three main political parties), and five with parliamentary staff (two women and three men). The qualitative data informed the construction of a Red-Amber-Green (RAG) assessment of the Legislature, Box 1 below. As mentioned above, the analysis of data in this report is based on the outcomes of the checklist, surveys and in-person interviews that were delivered in 2022 and does not account for gender sensitive reform that has taken place after December 2022.

6. Step 6: Reporting of Findings and Making Recommendations

This report constitutes step 6 of the CPA’s 7-step approach to conducting GSP self-assessments. It contains an analysis of the data collected from all previous stages of the self-assessment including SMART (Specific, Measurable, Achievable, Realistic and Time-Bound) recommendations and goals that are achievable and if implemented, would lead to substantive institutional change. It is important to reiterate that the process of engaging in a CPA GSP self-assessment does not instantaneously guarantee to make Commonwealth parliaments and legislatures gender sensitive institutions. Reviewing a parliament’s gender sensitivity is continuous and goes beyond simply publishing recommendations. It requires ongoing monitoring, reporting, and reviewing, including following up on the implementation status and outcomes of all gender sensitive reforms.



BOX 1:
Australian Capital Territory
CPA Gender Sensitive Parliament Self-Assessment
RAG Analysis

Dimension Name	Criteria	Green	Amber	Red
1. Equality of Participation within Parliament	Number of Women Members of the Legislative Assembly			
	Diversity of Members of the Legislative Assembly			
	Women Members in Leadership Positions			
	Women's Membership in Committees			
2. Parliamentary Infrastructure	Child Care & Child Friendly Provisions			
	Maternity & Parental Leave			
	Calendar & Sitting Hours			
	Parliamentary Buildings & Spaces			
	Virtual Participation			
	Equalities & Diversity Body (Policy)			
	Equalities & Diversity Body (Institutional)			
3. Parliamentary Culture	Standing Order Review			
	Codes of Conduct/Behavioural Policies			
4. Gender Equality Policy/ Women's Substantive Representation	House Commitment & Action Plan			
	Gender Mainstreaming			
	Committee Witnesses			
	Gender Expertise (in-house and/or external)			
	Relationship with Civil Society Organisations			

Dimension 1: Equality of Participation within Parliament

Number of Women Members of the Legislative Assembly

Whilst it is not the case that all three political parties represented in the ACT Legislative Assembly have put in place mechanisms such as quotas to increase the recruitment of women into political positions, collectively they have been successful in having women candidates elected to the Legislative Assembly. At the time of the GSP self-assessment, women made up six of the ten Members (60 per cent) who represent the Australian Labor Party, four of the nine Members (44.4 per cent) who represent the Liberal Party and three of the six Members (50 per cent) who represent the ACT Greens.

Data gathered on the number of women Members of the Legislative Assembly in the past four general elections highlighted in Box 2 reveals that the Assembly has truly exceeded the Commonwealth target of having no less than 30 per cent of women in political and decision-making positions.¹³ Notwithstanding some party asymmetry, political parties have increased the representation of women in the Assembly over time, and in the past two general elections, all have achieved more than 50 per cent women representation in the Assembly. It is worth noting that the Hare-Clark electoral system is used for ACT Legislative Assembly elections. In this method of proportional representation used in both the ACT and Tasmania elections, voter behaviour is an important consideration in the makeup of a parliament or legislature as voters/electors vote by showing preferences for individual candidates. In order to be elected, a candidate needs to receive a quota of votes. In this system of voting, "Each elector has a single vote, which can be transferred from candidate to candidate according to the preferences shown until all the vacancies are filled".¹⁴ Whilst it may be the case that women's representation was particularly low in 2008 where one of the six Members representing the Liberal Party was a woman, twenty-four women put themselves forward as candidates (27 per cent of candidates) when the ACT Legislative Assembly was a seventeen Member Assembly.¹⁵ Similarly in 2012 where the one Member elected to the Assembly to represent the ACT Greens was a man, again twenty-four women put themselves forward as candidates (33 per cent of candidates) in the hopes of being part of the seventeen elected Members of the Legislative Assembly.¹⁶

With regard to the number of women employed as parliamentary staff by the Office of the Legislative Assembly, at the time of the gender sensitive self-assessment, women made up 37 of the 61 parliamentary staff (60 percent).¹⁷ This data is regularly collected by the Office of the Legislative and published in its annual report. Since 2018, women's representation among parliamentary staff has consistently been over 50 percent with 62 percent being the highest in 2018.^{18 19 20 21 22}

¹³ https://www.justice.gov.au/docs/other-docs/2005_GenderPoA20052015.pdf

¹⁴ https://www.elections.act.gov.au/education/act_electoral_commission_fact_sheets/fact_sheets_-_general_html/elections_act_factsheet_hare-clark_electoral_system

¹⁵ https://www.elections.act.gov.au/_data/assets/pdf_file/0005/831596/2008ElectionReport.pdf

¹⁶ https://www.elections.act.gov.au/elections_and_voting/past_act_legislative_assembly_elections/2012_act_legislative_assembly_election/2012_candidates

¹⁷ https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/2091670/Office-of-the-Legislative-Assembly-Annual-Report-2021-22-Final-for-website.pdf

¹⁸ https://www.parliament.act.gov.au/_data/assets/pdf_file/0003/1262856/Annual-Report-17_18-PDF.pdf

¹⁹ https://www.parliament.act.gov.au/_data/assets/pdf_file/0014/1430510/Legislative-Assembly-Annual-Report-2018-19_web.pdf

²⁰ https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/1638855/200863-Assembly-Annual-Report_Web_Fa.pdf

²¹ https://www.parliament.act.gov.au/_data/assets/pdf_file/0018/1910421/Annual-report-2020-2021-final-for-print.pdf

²² https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/2091670/Office-of-the-Legislative-Assembly-Annual-Report-2021-22-Final-for-website.pdf



BOX 2: Women Members of the Legislative Assembly in the last four elections

Year of General Election	Australian Labor Party		Liberal Party		ACT Greens		Total number of women in the Assembly	Total Percentage of women in the Assembly
	No.s of women	Percentage of women	No.s of women	Percentage of women	No.s of women	Percentage of women		
2020	6	60 %	5	44.4 %	3	50 %	14	56%
2016	6	50 %	6	54.5 %	1	50 %	13	52%
2012	3	37.5%	3	37.5 %	0	0 %	6	35.2%
2008	3	42.8%	1	16. 6%	3	75 %	7	41.1%



Group photograph of ACT 'first ever female majority' Parliamentarians after 2016 elections

As stated in a speech delivered by Joy Burch, MLA, Speaker of the ACT Legislative Assembly at the opening of the CWP Workshop on Champions for Gender Equality on 5 December 2022, *'it is no longer regarded as novel or ground-breaking to see women elected to parliaments or to take up the most senior positions in government'*. This is because the Assembly has a longstanding track record of strong representation of women in politics throughout its political history. The ACT was the first Australian state or territory to elect a woman as its Head of Government.²³ In 2016, the ACT Legislative Assembly became the first sub-national parliament to have a female majority in parliament with 13 of the 25 Members being female and it continues to hold this female majority.²⁴ Data collected by the CPA Headquarters Secretariat between 2020 to 2022 (as shown in Box 3 below, in orange) documents that the ACT Legislative Assembly ranks first, either alone or jointly with CPA Tasmania, with the highest percentage of women in parliament across the CPA Australia Region. For its exemplary record on women's representation, the ACT Legislative Assembly should be praised for demonstrating this to parliaments across the Commonwealth. It can moreover act to remind citizens that 'You can't be what you can't see',²⁵ or in this case, that 'you can be what you can see'.



Women Parliamentarians from the Federal and State Parliaments of the CPA Australia Region at the CWP Australia Regional Conference in Queensland, Brisbane, July 2022.

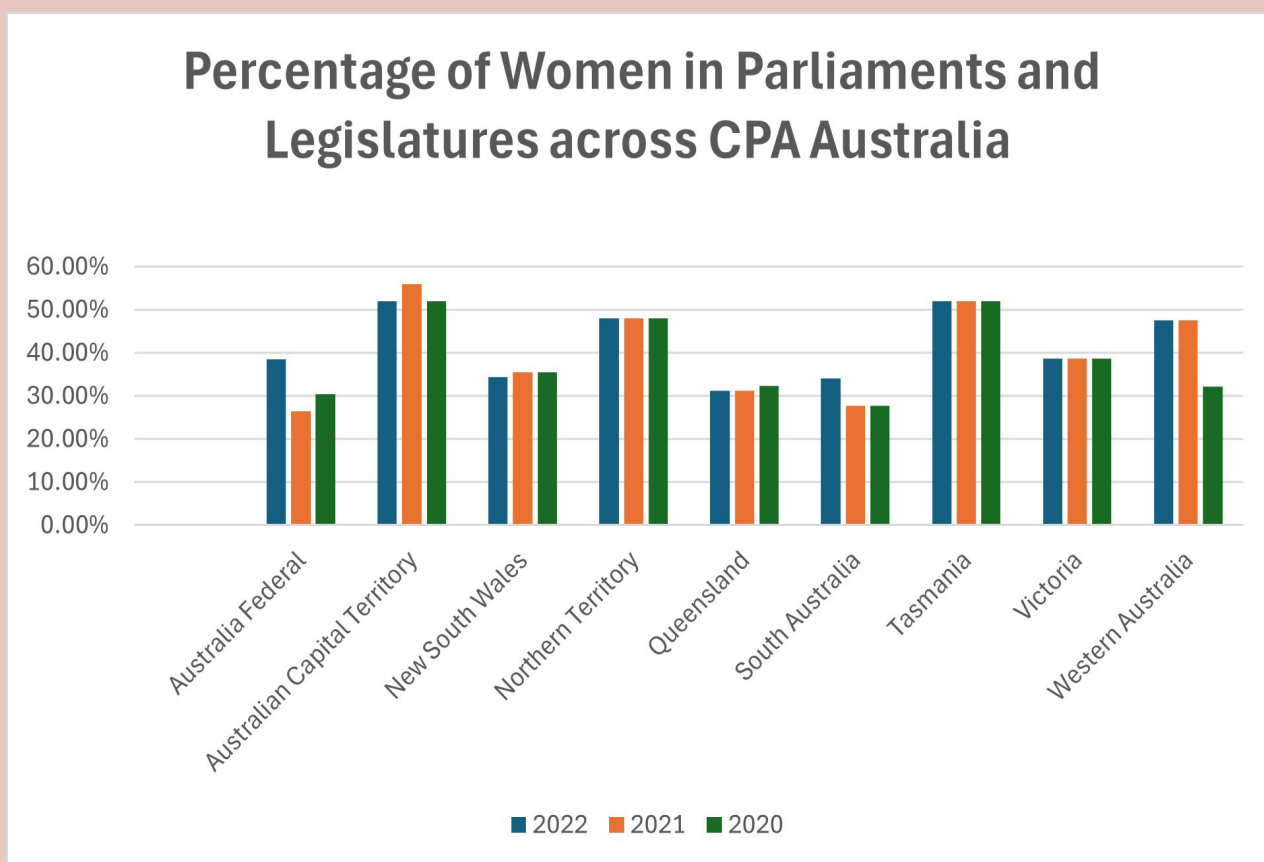
²³ https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/QG/FemalePolLeaders

²⁴ https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2022/May/Gender_composition_of_state_and_territory_parliaments

²⁵ Paper presented by Joy Burch, MLA, Speaker of the Australian Capital Territory Legislative Assembly at the 49th Presiding Officers and Clerks Conference, 2018 titled "You can't be what you can't see—Women in the Legislative Assembly for the Australian Capital Territory" <https://www.parliament.act.gov.au/files/publications/articles-and-papers/you-cant-be-what-you-cant-see-women-in-the-legislative-assembly-for-the-australian-capital-territory>



BOX 3:
Percentage of women in parliaments and legislatures across CPA Australia



Diversity of Members of the Legislative Assembly

As mentioned earlier in the report, matters relating to inclusion and diversity in addition to gender were considered in the ACT GSP self-assessment. The self-assessment identified that Members of the Assembly and parliamentary staff represent a wide range of groups: age, parents and those who identify as LGBTQI+ were the commonly spoken about groups in interviews. However, there is notably low representation across both Members and parliamentary staff of other underrepresented groups, specifically persons with disabilities and those from different ethnic or cultural backgrounds.

Chris Bourke was the first Member of non-Anglo-Celtic or non-European background elected to the Legislative Assembly in 2011.²⁶ Since then, and including him, the Legislative Assembly has only had five persons from non-Anglo-Celtic and/or non-European backgrounds hold positions as Members of the Legislative Assembly.^{27 28 29 30} At the 2020 elections, seventeen of the one-hundred and thirty-seven candidates (12 per cent) were persons from non-Anglo-Celtic and/or non-European backgrounds.^{31 32} At the time of the self-assessment, two of the twenty-five Members (8 per cent) were persons from non-Anglo-Celtic and/or non-European backgrounds.^{33 34} It should also be stated that the percentage of the ACT population that have both parents that were born overseas increased from 32.2 per cent to 36.9 per cent (2011 to 2021), and the percentage of the population that live in households where a non-English language is spoken, rose from 21 per cent to 27.1 per cent in this same period.³⁵ There are currently no Members of the Assembly who identify as having disabilities. Again, the percentage of the population with disabilities has seen an increase from 16.2 per cent in 2016 to 19.4 per cent in 2018.³⁶ Indeed, ACT has experienced a great increase in the number of citizens who identify themselves as persons living with disabilities in comparison to all other states or territories in Australia.

With regard to diversity within the parliamentary staff, data shared by the Clerk upon request during the self-assessment revealed that in the current Assembly, 12 per cent of parliamentary staff are from non-Anglo-Celtic or non-European backgrounds and 4 per cent unknown, which is a significant decrease from 18.5 per cent that was recorded in the 9th Assembly.

It was also disclosed that there were no parliamentary staff at the time of the self-assessment with any registered disabilities. Whilst it is acknowledged that the Legislative Assembly is committed to ensuring persons from diverse backgrounds and experiences can effectively contribute to the workplace and does not require parliamentary staff nor Members to disclose information about any disabilities they may have, the Office of the Legislative Assembly should begin to collect data in the form of surveys on Assembly staff and Members who have disabilities.³⁷ The data gathered can be used to track the number of persons with disabilities the Office of the ACT Legislative Assembly employs over time or that are elected to the Assembly. This data will be beneficial in the long term in understanding the increased representation of people with disabilities in the Assembly.

²⁶ <https://www.aec.gov.au/indigenous/milestones.htm>

²⁷ <https://www.canberratimes.com.au/story/6021803/canberra-mla-elizabeth-lee-given-more-than-10000-in-hospitality-by-korean-foundation/>

²⁸ <https://www.canberratimes.com.au/story/7591811/we-can-be-decision-makers-how-deepak-raj-gupta-blazed-a-new-political-trail/>

²⁹ <https://www.facebook.com/ACTAssembly/videos/acknowledging-the-hunga-tonga-eruption-and-tsunami/1036047427124579/>

³⁰ <https://www.brisbanetimes.com.au/national/act/meegan-fitzharris-the-first-mla-from-gungahlin-previews-first-speech-20150209-139kok.html>

³¹ <https://canberradaily.com.au/act-votes-meet-your-candidates/>

³² https://www.elections.act.gov.au/elections_and_voting/2020_legislative_assembly_election/list-of-candidates

³³ <https://www.canberratimes.com.au/story/6021803/canberra-mla-elizabeth-lee-given-more-than-10000-in-hospitality-by-korean-foundation/>

³⁴ <https://www.facebook.com/ACTAssembly/videos/acknowledging-the-hunga-tonga-eruption-and-tsunami/1036047427124579/>

³⁵ <https://www.abs.gov.au/census/find-census-data/quickstats/2021/8>

³⁶ <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release#:~:text=19.4%25%20of%20those%20in%20the,up%20from%2014.6%25%20in%202015.>

³⁷ https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/2118994/OLA-Enterprise-Agreement-2023-2026.pdf



The ongoing under-representation of such groups amongst elected Members and Assembly staff is not uniquely limited to ACT but rather occurs across Australia. As stated in an Australian Human Rights Commission 2018 report: *“there remains significant underrepresentation of cultural diversity in the senior leadership of Australian organisations. Our society does not yet appear to be making the most of its diverse talents. Doing so is important, not only as a natural progression of our multiculturalism, but also because it is necessary. Australia needs a diversity of ideas, capabilities and cultural intelligence to navigate technological, social, economic and geopolitical changes.”*³⁸

Discussions with both Members and parliamentary staff revealed that there is an awareness of the lack of diversity and an interest in ensuring that the Assembly is a reflection of the Territory’s diverse population.³⁹ Whilst it is understood that political parties are responsible for coordinating candidates to run in elections and are widely considered as key ‘gatekeepers’ to elected positions of political influence and decision-making, parliaments have a crucial role in advancing diversity. Across the Commonwealth and irrespective of the size of the jurisdiction, parliaments must aspire to have Members and parliamentary staff that are a reflection of the diversity of its citizens.

It is therefore advised that the ACT Legislative Assembly devote more effort to ensure that it is a diverse workplace and that greater consideration is given to meet the CPA GSP Standard that parliamentarians and parliamentary staff are to *“reflect the wider make-up of society, in terms of other socio-economic, cultural or ethnic differences”*.

⁴⁰ The Office of the Legislative Assembly is to consider working with organisations such as Advocacy for Inclusion who advocate for the rights of persons with disabilities and employment service providers such as Toozly and atWork Australia who have experience assisting employers including subnational governments to employ persons with disabilities.^{41 42 43} It was shared by the Speaker that after every election, the Standing Committee on Justice and Community Safety conducts an inquiry into the operations of the election, the Electoral Act and other relevant legislation and policies concerning election-related matters.⁴⁴ The inquiry into the 2020 ACT Election and the Electoral Act included an examination of the report of the ACT Electoral Commissioner where information is provided on the gender of candidates nominated for the elections from as early as the 2008 elections.⁴⁵ Expectant that the Standing Committee on Justice and Community Safety will conduct another inquiry of the 2024 elections, the Legislative Assembly will have an opportunity to establish a baseline of what diversity looks like among candidates and recommend that this data is captured in a similar manner to what has previously been done in the ‘United Kingdom in the Democracy and Diversity’ report published by the United Kingdom Electoral Commission.

⁴⁶ The Assembly could also look to update its parliamentary statistic papers titled ‘The long and the short of it: Some statistics on the Legislative Assembly for the ACT’⁴⁷ and/ or ‘Almost 30 Years: The story so far for the ACT Assembly’⁴⁸ to gather and publish data on the diversity of its Members.

³⁸ https://humanrights.gov.au/sites/default/files/document/publication/Leading%20for%20Change_B Blueprint2018_FINAL_Web.pdf

³⁹ https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/65/EGM/IDEA_Observer%20Paper_Political%20Parties_EGMCSW65.pdf

⁴⁰ <https://www.cpahq.org/media/s20j1lws/cwp-gender-sensitizing-guidelines.pdf>

⁴¹ <https://www.advocacyforinclusion.org/about-us/>

⁴² <https://www.toozly.com.au/about-us>

⁴³ <https://www.atworkaustralia.com.au/>

⁴⁴ https://www.parliament.act.gov.au/_data/assets/pdf_file/0004/1811776/JCS-Report-2-Inquiry-Into-the-2020-ACT-Election-and-the-Electoral-Act.pdf

⁴⁵ https://www.parliament.act.gov.au/_data/assets/pdf_file/0004/1811776/JCS-Report-2-Inquiry-Into-the-2020-ACT-Election-and-the-Electoral-Act.pdf

⁴⁶ <https://www.electoralcommission.org.uk/sites/default/files/2021-11/Equality%2C%20Diversity%2C%20and%20Inclusion%20Strategy%20-%20English.pdf>

⁴⁷ https://www.parliament.act.gov.au/_data/assets/pdf_file/0010/1621288/The-long-and-the-short-of-it-31-December-2023-as-amended.pdf

⁴⁸ https://www.parliament.act.gov.au/_data/assets/pdf_file/0011/1189496/Almost-30-years-The-story-so-far-Facts-about-the-Legislative-Assembly-As-at-December-2018.pdf

Recommendation 1:

The Standing Committee on Justice and Community Safety in its inquiry of the 2024 elections to review matters related to the diversity of candidates and recommend that the ACT Electoral Commission introduce a breakdown of the diversity of candidates similar to the breakdown it already provides of gender in its reports of the ACT general elections.

Recommendation 2:

The Standing Committee on Education and Community Inclusion to hold an inquiry following the elections scheduled to be held in October 2024 on diversity within political parties to identify what mechanisms are in place to increase the diversity of candidates in future elections..

Recommendation 3:

The Office of the Legislative Assembly to work with community groups and organisations that support, advocate and promote the rights of persons with disabilities and/or have experience assisting employers employ persons with disabilities to advertise the diverse jobs within the Assembly or other opportunities when they become available.

Recommendation 4:

In addition to gathering data on the gender balance among parliamentary staff, the Office of the Legislative Assembly is to produce diversity disaggregated data that tracks disability, ethnicity and other protected characteristics of parliamentary staff who work in the Assembly over a four-year period. Data to be gathered in the form of survey as the Office of the Legislative Assembly does not compel staff to provide personal information, data should be obtained through a voluntary survey. Data produced must adhere to relevant data protection requirements.

Trends or patterns gathered from the data to be shared with the Administration and Procedure Committee at its next appropriate meeting in the next Parliament where a report produced by the Office of the Legislative Assembly on the operations and practices of the Assembly (specifically services and staffing) is discussed.



Women Members in Leadership Positions

The position of Deputy Chief Minister of ACT is currently held by a woman Member of the Legislative Assembly – Yvette Berry – who has held the position for over six years. The position of the leader of the official opposition is also held by a female Member – Elizabeth Lee. The current Speaker of the Legislative Assembly is a female Member – Joy Burch. It should be highlighted that three of the seven Members that have held the position of Speaker have been women – Joy Burch, Vicki Dunne and Roberta McRae. On the administrative side, the current position of the Clerk of the Legislative Assembly is held by a male parliamentary staff, with the position of Deputy Clerk held by a woman.

The ACT Legislative Assembly provides good evidence that when elected to the Legislature, women can be appointed to positions of leadership, and for this, the Assembly should be applauded. Women's and men's success reflects the Assembly's historical legacy of championing women in politics. That said, the self-assessment revealed the absence of formal rules to guarantee such outcomes; a state of affairs that could be redressed. For example, there are no formal rules requiring a set level of women to be Chairs of Committees. Once again, and despite the fact that across the Assembly's eight active standing committees, at the time of the self-assessment, female Members chaired a total of five committees and a total of five held the positions of Deputy Chair of committees, there can be no guarantees. To entrench current outcomes – and excellent practice – the following recommendation is made:

Recommendation 5:

The Administration and Procedure Committee to propose a rule that requires the number of Chairs of Committee to reflect the numbers of women and men Members.

Recommendation 6:

The Administration and Procedure Committee to propose a rule that requires each Committee to have both a Chair and Deputy Chair, and that these must be gender balanced – compromising a woman and man.

Together, Recommendations 5 and 6 guarantee and legitimise current excellent practice in the Legislative Assembly.

Women's Membership in Committees

Whilst it is recognised that there has historically been a high number of women serving as Members of the ACT Legislative Assembly, one concerning issue identified in the self-assessment is that women are not represented on all committees. In discussions held with various Members about the membership of the Health and Community Wellbeing Committee, it was revealed that the issue of a single-sex committee was raised to relevant party Whips in advance of the committee's activities, but it was not believed that women's absence from the committee would prove problematic. Yet, multiple Members expressed concerns to the CPA team that the recent inquiries the Health and Community Wellbeing Committee held into abortion and reproductive choice in the ACT and Period Products and Facilities, proved the opposite. Indeed, a woman Member of the Assembly was invited to serve as an alternate Member of the committee and was shortly formally appointed as a Member of the Committee for that specific inquiry. Evidently, the Assembly recognised the necessity of women's presence on this committee in this instance; the CPA standards make clear that women's absence from any committee is unfortunate at best and highly consequential at worst.

The size of the Legislative Assembly – 25 elected Members – may cause committee allocation to be sometimes challenging, however greater understanding of the importance of having gender balanced committee membership is imperative. As in the case of the abortion and reproductive health inquiries, Members of the committee were at first willing to proceed into issues that have an adverse impact on women without having women's voices present. In such circumstances, there are symbolic as well as substantive risks for the representation of women from across ACT. It is advised that reactive redress whilst necessary in the particular case is to be replaced with proactive measures to stop single sex committees in the future.

At the time of the self-assessment, there were no formal rules in place requiring a set level of women's participation as Members of committees. Instead, each political party Whip decided who they will place on each committee. This meant that there was nothing in place to prevent single sex committees in future Assemblies. In discussions on what could be done to ensure that this would not happen again – and especially so given the gender parity in the Assembly overall – it was advised that the Administration and Procedure Committee agree to a new rule in the standing orders that would prevent the creation of single-sex committees. Due to the small size of the legislature and number of committees, political parties will have to appoint Members to multiple committees. Accordingly, political parties are encouraged to take a moment to pause, look to assess, and discuss collectively, their decisions about each and all committees' makeup.

Recommendation 7:

A meeting to be coordinated with all party Whips after political parties develop their list of Members for each and all parliamentary committees to prevent the possibility of any single-sex committees. This might involve determining what measures will be put in place within and across parties to ensure committee gender balance.



Dimension 2: Parliamentary Infrastructure

Child Care & Child-Friendly Provisions

The self-assessment highlighted that the Legislative Assembly has taken reasonable steps to become a family-friendly legislature. Subject to the discretion of the Speaker, Standing Orders make provision to allow Members with caring responsibilities to bring their infants into the Chamber for a short period should they need to feed them.⁴⁹ In 2015, former Member of the Legislature Giulia Jones was the first woman in the Legislature to benefit from this provision and breastfeed her baby during Question Time.⁵⁰

The Assembly has also recently created a breastfeeding room available to both parliamentary staff and Members. However, the self-assessment identified concerns with the suitability of this room which serves three distinct purposes, that may at times conflict. In addition to being a feeding room, it also functions as a first aid and prayer room. The Assembly currently lacks a coherent plan to handle a situation in which the room would be required by more than one person at a particular time nor instructions on who would have priority to use the room in a given situation. Members - unlike parliamentary staff - have private offices that can be locked and used for feeding or other needs. Whilst it is recognised that the Assembly may not be able to provide a room for each specific need due to the limited capacity with most Members living within a thirty-minute commute of the Assembly, it is encouraged to arrange alternative solutions in the event the room is occupied.

Recommendation 8:

The Office of the Legislative Assembly's Business Support Branch to look into the practicality of the function of the breastfeeding/first aid/prayer room and to develop guidelines on the usage of the room including advice on what persons are to do in the event the room is occupied. Over time when there is less of a constraint on space in the Assembly, it is suggested that individual rooms are found for these activities, and that such reviews also look into the need for a family room.

49 Standing Order Number 210 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)

50 <https://www.canberratimes.com.au/story/6063426/giulia-jones-makes-history-breastfeeding-in-act-chamber/>

Maternity & Parental Leave

Prior to 2019, there was no provision in the Standing Orders for maternity, paternity leave or any other type of leave. It was shared that Members were granted leave for such purposes however the entitlement would be on a case-by-case basis. The self-assessment has revealed that since 2019, the Legislative Assembly has been intentional in ensuring that the Standing Orders set out the procedure of any leave of absence. The Assembly should be applauded for its efforts in this. According to the 2020 Standing Orders, a Member who is pregnant is entitled to 18 weeks of maternity leave.⁵¹ In discussions, Members indicated some flexibility in terms of when a Member is expected to return, and that pairing would be granted in such instances. At the time of the GSP self-assessment, Standing Orders failed however to make mention of the provision of paternity leave. Interviews revealed that men Members can take paternity leave as instructed by federal law, which is two weeks.⁵² The Standing Orders also excluded the provision of parental leave which would both rebalance care of a newborn between women and men and would also be beneficial for current or future Members who are same-sex parents. Whilst discussions on this latter matter did not arise during the interviews, the Assembly was advised to proactively consider such a provision. It is moreover noted that Federal law on maternity and parental leave stipulates that persons who are the primary carer of a newborn or newly adopted child are entitled to up to 18 weeks of paid leave and persons considered to be working fathers or partners (including same-sex partners) receive 2 weeks paid leave.⁵³

The omission of paternity and paternal leave in the 2020 Standing Orders was unfortunate, symbolically, as it suggests that men Members are not fathers with caring responsibilities, and neither are Members who identify as LGBTQI+ viewed as parents with the same caring responsibilities. The omission was also substantive in that it reproduces traditional gender roles and heterosexuality, and thus gender and diversity inequalities by limiting what care can be undertaken and by whom. In sum, without an equal provision for women and men Members, old-fashioned stereotypes about families, and the traditional division of labour between women and men will continue.

Recommendation 9:

The Standing Committee on Administration and Procedure to amend Standing Order number 22 to include the entitlement of paternity and/or parental leave to a Member who is the biological and adoptive father of the child or the expectant parent's spouse or partner.

Recommendation 10:

The Assembly to amend its protocol on the operations of pairing to include the entitlement of paternity and/or parental leave to a Member who is the biological and adoptive father of the child or the expectant parent's spouse or partner. The Assembly is to also review and determine whether the system of pairing should be replaced with a proxy voting system, in line with best practice elsewhere.⁵⁴

51 Standing Order Number 22 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)

52 <https://www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave#:~:text=Eligible%20working%20dads%20and%20partners,employee%20by%20the%20Australian%20Government.&text=for%20information%20about%20eligibility%20and,for%20Dad%20and%20Partner%20Pay.>

53 <https://www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave#:~:text=Australian%20Government%20Parental%20Leave%20Pay,at%20the%20National%20Minimum%20Wage.>

54 See The Good Parliament Report (2016), for examples of pairing in other parliaments and legislatures.



Whilst there is a need to strengthen Standing Order number 22 to include the entitlement of paternity and/or parental leave, the self-assessment has revealed that the Assembly has begun applying a diversity lens to leave looking beyond granting it on the grounds of child related reasons. It was shared that the whole Assembly has granted leave to a Member to support their health and wellbeing when the Member indicated that they were having mental health issues. As stated in the CPA Mental Health Toolkit, **“Mental unwellness is becoming a more recognised and acknowledged health issue than ever before”**.⁵⁵ The ACT Legislative Assembly like many other Parliaments in the Commonwealth has been deliberate in **“recognising the need to take steps to strengthen and promote mental health”**.⁵⁶

Regarding parliamentary staff, the Assembly makes provision for maternity and parental leave that is in line with Australian National law. Employees who are the primary carer of a newborn or newly adopted child are entitled to up to 18 weeks paid leave and employees considered to be working fathers or partners (including same-sex partners) receive 2 weeks paid leave.⁵⁷

Calendar & Sitting Hours

Standing Orders dictate that Chamber meetings are set to start at 10:00 am and adjourn at 6:30 pm on each sitting day unless otherwise ordered.⁵⁸ Members and parliamentary staff attested to the fact that the Assembly is reasonably good at ending meetings during the ordinary sitting hours. The Office of the Legislative Assembly's last annual report shows that there have been no sittings after 10:00 pm since 2017 and the average time of rising each sitting day was 5:34 pm in the year 2019-2020, 5:23 pm in the year 2020-2021, 5:29 pm in the year 2021-2022 and 5:23 pm in the year 2020-2023.⁵⁹ Should Members have to sit late into the evening, this is usually planned for, so parliamentary business is not considered to be unpredictable. Whilst it is evident that the Legislative Assembly has a track record of successfully having family friendly sitting hours, it should formally set a rule in its Standing Orders to embed this excellent practice into its official working practices. There can be no guarantee that this practice will be held in the future of the Assembly without a formal rule.

The parliamentary calendar is also scheduled around the school calendar, and sittings and committee activities are encouraged not to be held during school holidays to enable the effective participation of Members, parliamentary staff and witnesses that may have caring responsibilities. However, it is to be noted that this practice is not an official rule but rather relies on the goodwill of Members and parliamentary staff. Interviews showed that Members and parliamentary staff held supportive attitudes towards the application of this practice, but absent a formal rule it remains susceptible to pushback. Thus, and whilst it has been effective in most cases, it is recommended that the Legislative Assembly formalises this practice to ensure that there is clarity and agreement regarding planning parliamentary activities.

⁵⁵ https://www.cpahq.org/media/cczlingr/mentalhealth_toolkit_final_web.pdf

⁵⁶ https://www.cpahq.org/media/cczlingr/mentalhealth_toolkit_final_web.pdf

⁵⁷ <https://www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave#:~:text=Australian%20Government%20Parental%20Leave%20Pay,at%20the%20National%20Minimum%20Wage.>

⁵⁸ Standing Order Number 27 and 34 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)

⁵⁹ https://www.parliament.act.gov.au/_data/assets/pdf_file/0005/2300783/Office-of-the-Legislative-Assembly-Annual-Report-2022-23-Final-for-website.PDF

Recommendation 11:

The Standing Committee on Administration and Procedure to consider the inclusion of a Standing Order or Continuing Resolution that requires the scheduling of Assembly sittings, and all other parliamentary activities to reflect 'core business hours' and to not coincide with school holidays unless in exceptional circumstances.

Recommendation 12:

The Office of the Legislative Assembly's Parliamentary Support Branch to include a note in the committee guidelines that advises committees where possible to ensure that the scheduling of committee meetings, hearings and all other parliamentary activities reflect 'core business hours', and to not coincide with school holidays unless in exceptional circumstances.

Parliamentary Buildings & Spaces

There appears to be a clear effort from the Assembly to ensure that the parliamentary building is compliant with all legal requirements. However, it was revealed at the time of the self-assessment that such efforts did not necessarily include looking at parliamentary buildings or facilities through a gender and/or diversity lens. The Legislative Assembly provides, for example, gender-neutral toilet facilities, but at the time of the self-assessment did not have menstrual product vending machines. However, it should be noted that since the in-person component of the self-assessment, the Legislative Assembly now has menstrual product vending machines in the parliamentary building. This is as a result of the Assembly passing the Period Products and Facilities (Access) Bill in June 2023 which provides free period products in designated public places in the community, schools and government workplaces.

Discussions regarding accessibility are ongoing. Acknowledging that the parliamentary chamber is not wheelchair accessible, discussion has begun considering provision – in advance – of any request to accommodate the needs of persons with a physical disability. As stated in the Commonwealth Parliamentarians with Disabilities (CPwD) Inclusion Guidelines, *'Discussions of accessibility to parliament often looks at physical adaptations, such as ramps and lifts though, whilst these things are important, it can overlook other important measures and adaptations that ensure Persons With Disabilities (PWDs) can visit and understand how to navigate the building(s). Forms of physical communication in parliaments, such as staff training in sign language, clear signage and the use of braille are ways of communicating like any other, that PWDs experience with parliament.'*⁶⁰ Additionally, the Assembly is advised to also consider adjustments that may be required to support parliamentary staff.

Recommendation 13:

The Office of the Legislative Assembly's Parliamentary Support Branch to review the Commonwealth Parliamentarians with Disabilities (CPwD) Inclusion Guidelines for Parliaments – Facilities Inclusion to support already existing efforts to create an accessible and participatory environment within the Assembly.

⁶⁰ https://www.cpahq.org/media/u2rgjzem/disability_communication_guidelines_facilities-1.pdf



There has also been consideration for the safety of both Members and parliamentary staff: a zoning system in place, security patrols, and recently installed 'speed gates' to ensure the safety of Members, parliamentary staff, Members staff, and the public. The public entrance to the Assembly has been considered a security risk for a long time and the Assembly undertook an audit on the mitigation of this risk. Limited by funding at the time of the self-assessment, the Assembly intends to bid to the Department of the Treasury of the Australian Government. Should the bid not be accepted, the Assembly would not be able to action the recommendations that it received following the self-assessment.

Overall, the Assembly seems to be making progress in ensuring that the parliamentary building serves those who may work or visit it. It has processes in place where Members can make known their requirements which indicates that the Assembly is willing and where possible, although within resourcing and capacity constraints, can accommodate requests for reasonable adjustments.

Virtual participation

Standing Orders require Members to be physically present in the parliamentary chamber; this rule was upheld even during the coronavirus pandemic of 2020, unlike many other parliaments worldwide that moved to a virtual and/or hybrid model. During the pandemic, the Assembly had to adhere to national laws relating to social distancing. It was decided – by the party whips – that the majority quorum of 13 (according to Standing Orders) Members be physically present in the Assembly. Given the size of the chamber, seating could be rearranged to respect social distancing rules in place to allow for all Members to physically come into the chamber if required.⁶¹ Once the new changes were announced, all Members physically came to the Assembly to attend and participate in parliamentary sittings. Lacking rules for virtual participation, a pair would be granted to a Member unable to attend sittings or participate in other parliamentary activities due to commitments such as parental leave, caring, illness or other commitments.

The Assembly does make provision for witnesses to participate in committee inquiries virtually which makes it easier for those with caring responsibilities to participate but also provides another avenue for persons who may feel uncomfortable coming into the Assembly to contribute to the work of the committee in the comfort of their surroundings. With regards to the parliamentary staff, the Office of the Legislative Assembly has a hybrid working policy in place, where remote working can be accommodated on a non-sitting day or required due to other commitments.

The results of the survey administered by the CPA self-assessment team ahead of the interviews established that the majority of Members prefer to have the Legislature operate in a hybrid manner whereby Members and/or parliamentary staff can attend meetings in person or virtually. On an administrative level, parliamentary staff who completed the survey favoured fully in-person participation. However, it should be highlighted that the CPA only received 5 survey responses (3 Members and 2 parliamentary staff) which is a small number of parliamentary staff and Members who work in the Assembly meaning that the views expressed are not an accurate reflection of all Assembly Members and parliamentary staff. Nevertheless, parliaments in many other countries have benefitted from improved remote and hybrid working processes during and post-covid. With such pandemics and other crises potential risks to the effective running of political institutions, it is suggested to the ACT Assembly that it undertake a review of what might be planned and provided for where such or similar circumstances occur in the future. It should be noted that informal arrangements such as pairing can and have been subjected to gender and diversity criticisms in other places.⁶²

⁶¹ Standing Order Number 28 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)

⁶² The Good Parliament Report, 2016.

Equalities & Diversity Body (policy)

The ACT Legislative Assembly has a Standing Committee on Education and Community Inclusion that examines matters relating to gender and diversity issues such as early childhood development, education across all levels, women (including the Office of Women), and the Territory's multicultural, indigenous, disability, seniors, veterans, and LGBTQI+ communities. In line with Standing Order 220, the membership of the committee comprises of representatives from all the political parties in the Assembly. Whilst it is the case that there are no formal rules in place requiring a set level of women's participation as Members of committees, the current Shadow Minister for Women, Nicole Lawder, is a member of the committee. Though the standing committee's area of responsibility is to examine matters relating to women including the work of the Office of Women, the committee has not held an inquiry on a gender related matter in this current Assembly.⁶³ Accordingly, the self-assessment was not able to determine the Committee's effectiveness in terms of scrutinising gender related issues. In contrast, there is evidence of work done by the committee on issues related to diversity such as racial vilification. Overall, there is considerable scope to prioritise and develop a more clear-cut approach to how the committee will apply a gender lens.⁶⁴

Recommendation 14:

The Standing Committee on Education and Community Inclusion to review how it applies a gender lens beyond committee membership by reviewing its activities, remit, resources, and impact since its establishment in December 2020.

The report of such a review might be fed back to the new Speaker's Reference Group.

The ACT Legislative Assembly also has a functioning, informal women's caucus. The caucus focuses on the experiences of women in parliament as a workplace, and their success and ability to access parliament. The caucus also seeks to support the rights of women in Australia and beyond. Some Members suggested that the effectiveness of the caucus is hindered by partisan politics. Where parties disagree on gender-related issues, it can be harder for Members to engage in activities that lead to tangible reform. Members also expressed concern that the caucus's operation as an informal group limits the type of activities it can engage in. Given that the caucus was recently created, it would be beneficial if caucus Members completed the CPA Parliamentary Academy course on *'Effective Women's Parliamentary Caucuses'*. This course offers an introduction to the main methods used to establish and run effective women's parliamentary caucuses, based on the experiences of Parliaments across the Commonwealth and beyond.⁶⁵

Recommendation 15:

Members of the Australian Capital Territory women's caucus to complete the CPA Parliamentary Academy course on 'Effective Women's Parliamentary Caucuses' before the end of the Assembly term and have a discussion on best practices it could potentially adopt to strengthen its impact and effectiveness.

63 <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/eci#tab1751442-2id>

64 <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/eci#tab1751442-2id>

65 <https://www.cpahq.org/knowledge-centre/blogs/how-to-start-a-women-s-parliamentary-caucus/>



Equalities & Diversity Body (Institutional)

The Assembly does not have a body with both the resources and power to effectively coordinate and ensure that working practices underpinning Members' diverse parliamentary activities are gender sensitive. It was suggested that the Standing Committee on Administration and Procedure might be the best suited place to take on the recommendations from this CPA GSP self-assessment and the Assembly's progress to become a gender sensitive parliament. At the same time, it was noted that if placed in this committee, issues related to gender and diversity will be among a multitude of other issues the committee is tasked with addressing. It was suggested by Professor Sarah Childs and Bénite Dibateza that the Assembly considers creating an independent body similar to the Swedish Parliament's Speakers Reference Group on Gender Equality that could lead the Assembly's gender sensitive agenda.^{66 67 68 69 70} It should be stressed that this is considered to be the key recommendation from this GSP self-assessment.

Recommendation 16:

The Assembly to consider the establishment of a Speakers Reference Group that would be led by the Speaker that will oversee the delivery of the report's recommendations in this report and the Assembly's progress towards gender sensitivity, including through commissioning further research where appropriate.

66 <https://www.riksdagen.se/en/how-the-riksdag-works/the-work-of-the-riksdag/gender-equality-work-in-the-riksdag/>

67 <https://committees.parliament.uk/writtenevidence/25329/html/>

68 <https://www.parliament.scot/about/news/news-listing/a-parliament-for-all-reforms>

69 <https://www.tandfonline.com/doi/full/10.1080/21565503.2020.1752442#>

Standing Order Review

It is positive to note that the Legislative Assembly recognises the importance of having Standing Orders that reflect current and desired practices it wishes Members to adhere to when engaging in parliamentary activities. The Legislative Assembly has institutionalised the review of its Standing Orders which is led by the Standing Committee on Administration and Procedure where *“in the third year of an Assembly term the committee shall inquire into and report on the operation of the standing orders and continuing resolutions of the Assembly with a view to ensuring that the practices and procedures of the Assembly remain relevant and reflect best practice;”*⁷⁰ The Legislature has conducted two major reviews of the Standing Orders in 2007 and 2018. At the time of the self-assessment, it was reported that the Standing Committee on Administration and Procedure has begun preparing for its triennial review of the Standing Orders. This committee comprises the Speaker, the government whip, the opposition whip and a representative of a crossbench (or if a single party, the whip of that party), specifically three women and one man. This is a progressive procedure that is not a common practice in parliaments across the Commonwealth.

In terms of the choice of terminology, titles and expressions, the 2020 Standing Orders which were in function at the time of the self-assessment appeared to use gender inclusive language and avoids using words that may be interpreted as discriminatory or prejudiced to any social group. It was mentioned by Members that in the Assembly’s triennial review of its Standing Orders, there would be consideration to look into the possibility of adopting gender-neutral language when Members address each other, specifically the removal of personal pronouns such as ‘Ms’, ‘Mr’ or ‘Madam’ Speaker when the gender of the individual is not relevant to the point being made in parliamentary activities. If adopted by the Legislative Assembly, it would be valuable if the Assembly could monitor how this additional effort of using inclusive language has contributed to the parliament’s effort to achieve diversity and gender equality.

Whilst the above efforts should be highly praised, it was acknowledged by Members and parliamentary staff that both the decision to regularly conduct a review of the Standing Orders and the above-mentioned amends to the choice of language used in the Standing Orders were done from the perspective of ‘just being civilised’ and not necessarily done from a gender perspective. The Legislative Assembly in its review of the 2020 Standing Orders had the opportunity to adopt a more intentional gender and diversity lens to ensure that the language used as well as the rules and procedures, reduces gender stereotyping, eliminates unfair practices and promotes social change. Applying such lenses will help the Legislative Assembly to understand Members better by ultimately considering their different needs and experiences, which is essential to ensure that the rules produced do not have deliberate implications on the Assembly’s work in terms of gender and diversity. This in turn can help create a workplace where Members feel more accepted and respected when working in the Assembly.

Recommendation 17:

The Standing Committee on Administration and Procedure to adopt both a diversity and gender lens towards the Standing Orders and Continuing Resolutions of the Assembly at its triennial review that has begun in 2022 and all future reviews of its Standing Orders.

⁷⁰ Standing Order Number 16a of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)



Dimension 3: Parliamentary Culture

Code of Conduct/ Behaviour Policies

Interviews held with Members and parliamentary staff revealed that there is a strong sense of belonging amongst all who work in the Assembly. A great amount of effort has been placed into ensuring that there is a culture of respect where Members and parliamentary staff recognise that despite the differences they may have, it is understood that there is a fundamental, underlying requirement to serve the citizens of the Territory.

The Assembly does recognise the significant impact workplace bullying and forms of harassment can have in the Assembly as a place of work, especially after the Report on the Independent Review into Commonwealth (Australia) Parliamentary Workplaces that was published by the Australian Human Rights Commission in 2021.⁷¹ The six Members interviewed during the self-assessment considered bullying to be the Assembly's 'biggest problem'. It was said that incidents of bullying are complex and affect women and men and are driven by a power imbalance between Members of different hierarchies, and parliamentary staff of different hierarchies, but also between senior Members staff, Members and stakeholders to parliamentary staff. In some interviews, and although said to be rare, cases of discrimination were noted.

The Assembly has in place a 'Respect in the Workplace policy' that addresses bullying, discrimination and sexual harassment that everyone including Members, Members staff and parliamentary staff are required to obey.⁷² The policy was signed by all parties and party leaders and specifies processes through which Members and parliamentary staff can raise a formal grievance. The ACT Legislative Assembly Commissioner of Standards operates as an independent body that grievance scheme which would be responsible for investigating any formal complaint of harassment if a Member is a potential offender.

Principles 8 and 10 of the Code of Conduct for All Members of the Legislative Assembly for the Australian Capital Territory, states that Members are to **"respect the dignity and privacy of individuals, and not disclose confidential information to which they have official access other than with consent or as required by law"** and **"Treat all people with courtesy, and respect the diversity of their backgrounds, experiences and views."**⁷³ Similarly, section 7 of the Office of the Legislative Assembly Code of Conduct refers to bullying, harassment and discrimination and specifically makes mention of sexual harassment by providing both a definition and stating that "Such behaviour makes the workplace unpleasant, humiliating and intimidating for the people or group targeted by the behaviour and is unlawful".⁷⁴

Whilst the Code does not include an explicit statement condemning gender based bullying or sexual harassment, it was indicated to the CPA team that this matter would be addressed in the review of the Assembly's 2020 Standing Orders and Continuing Resolutions that was underway during the time of the self-assessment. It should also be acknowledged that as of 2022, the Legislature has made available an online course on sexual harassment and bullying to both Members and parliamentary staff. Although practical, a programme that could further strengthen its efforts to prevent gendered bullying and sexual harassment would be beneficial.

71 https://humanrights.gov.au/sites/default/files/document/publication/ahrc_set_the_standard_2021.pdf

72 https://www.parliament.act.gov.au/_data/assets/pdf_file/0019/1145161/Respect-in-the-Workplace-Policy.pdf

73 Continuing resolution 5 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 1 January 2023)

74 https://www.parliament.act.gov.au/_data/assets/pdf_file/0018/1145160/OLA-Code-of-Conduct-2017.pdf

Recommendation 18:

The Standing Committee on Administration and Procedure in their next review of the Standing Orders and Continuing Resolutions is to ensure that there is an explicit statement or principle in the Code of Conduct that condemns sexual harassment and gender-based violence.

Recommendation 19:

The Legislative Assembly to engage a gender and inclusion expert to deliver an annual bullying and sexual harassment workshop(s) that is to be attended by both Members and mandatory for parliamentary staff. Whilst it is acknowledged that the Assembly cannot oblige Members to attend in-person workshops, it is to strongly encourage Members to attend.

Recommendation 20:

The Business Support Branch of the Office of the Legislative Assembly to include an explicit statement condemning all acts of violence in the Office of the Legislative Assembly staff code of conduct.

As of 2022, the ACT Legislative Assembly offers, as part of its training to Members, Member's staff and parliamentary staff an online course that will form part of the induction programme.⁷⁵ The course features two modules that pay specific attention to the issue of workplace bullying and sexual harassment. It should also be noted that the Assembly hosted a Workshop on Gender Champions for Gender Equality for the wider Membership of the CWP network in December 2022. Despite limited spaces, women Members of the Assembly also took part in the training along with other Members representing 12 Parliaments and Legislatures from across the Commonwealth that dealt with combatting bias and stereotypes. The Assembly's investment in training demonstrates that it is committed to ensuring that its Members and parliamentary staff have an increased awareness of the impact of gender-based violence, discrimination and harassment. This increases the ability of both Members' and parliamentary staff to perform their job well which, in turn, helps create a safe environment.

Whilst it is impressive that training on issues such as bullying and sexual harassment in the Assembly is compulsory for Members and parliamentary staff, it is important for the Assembly to take stock and review the number of bullying and harassment reports it receives over a period of time to assess the impact of the training and capture an accurate picture of bullying and harassment in the workplace. This will be extremely beneficial in helping the Assembly not only monitor incidents but can also provide it with rich data that could help inform and strengthen the work it is doing to combat such issues. To ensure that both privacy and confidentiality is maintained especially given the small nature of the Assembly, it is important that all reporting is anonymised where all personal identifiers both direct and indirect, such as names, job titles and other unique personal characteristic or conditions that may lead to an individual being identified is removed. The report should focus on highlighting key research findings. An example of such reporting could be the Report of the Scottish Parliament Sexual Harassment and Sexist Behaviour Survey which aimed to provide the Scottish Parliamentary Corporate Body, a body responsible for the administration of parliament, like the Office of the Legislative Assembly, with an understating of the extent to which parliamentary staff have experienced or witnessed sexual harassment and sexist behaviour.⁷⁶

⁷⁵ https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/2091670/Office-of-the-Legislative-Assembly-Annual-Report-2021-22-Final-for-website.pdf

⁷⁶ https://archive2021.parliament.scot/StaffAndManagementResources/10130_Sexual_Harassment_Sexist_Behaviour_Survey_-_Final_Report_260218.pdf



Recommendation 21:

The Business Support Branch of the Office of the Legislative Assembly to regularly conduct a survey specifically on bullying and all forms of harassment in the Assembly and produce a report of its finding.

House Commitment & Action Plan

The Assembly is advised to consider developing and publishing a commitment to gender equality, inclusion and diversity, similar to the commitment it has made to child safety and published on its website. Showcasing commitment to these important values in the form of a statement or video message is an effective way that the Assembly can share information about the action it is taking to promote gender equality, diversity and inclusion in the workplace. This would be a powerful symbolic tool that can help the Assembly strengthen its relationship with citizens, build trust with stakeholders and can easily provide evidence of its deliberate effort to comply with both national and territory anti-discrimination laws.

Recommendation 22:

The Office of the Legislative Assembly to develop and make publicly visible the Assembly's commitment to gender equality and diversity.

Recommendation 23:

The Assembly to also develop a gender equality plan to detail efforts and ambitions for each of the four CPA dimensions, indicating which recommendations included in this Report will be prioritised, and in what time frames, and with what reviewing actions in place.

Serious thought to be given to the gathering, publication, and review of comprehensive and systematic gender disaggregated data across each of the four CPA dimensions. These might include, but are not limited to those covered in the self-assessment questionnaire, reproduced in Appendix 2.

A survey of Members and parliamentary staff and/or Focus Groups to be held once every parliament to ensure the ongoing identification of needs and experiences of both Members and parliamentary staff; uptake of any associated follow up and revisions to the Gender Equality Plan and priorities of any new Speaker's Reference Group thereafter. Some of the areas to address in such a survey include concerns raised in the self-assessment questionnaire reproduced in Appendix 2.

With respect to parliamentary staff, this Gender Equality plan might include also reference to gender pay gaps; appointment, retention and promotion gaps.

Dimension 4: Gender Equality Policy/Women's Substantive Representation

Gender Mainstreaming

The self-assessment revealed that gender analysis, gender mainstreaming and gender budgeting have not been effectively embedded in the work of the Assembly. As highlighted in the CPA GSP Field Guide, it is crucial for a GSP to look beyond the number of women in parliament. They must create the necessary conditions to deliver on their responsibilities to attain the CPA standards of a GSP. Where insensitivities have been identified, policies should be put in place to guarantee that the perspectives, experiences and needs of women and other underrepresented groups are heard and taken into account at all stages and levels of decision making; in other words, there must be a concern with the quality of parliamentary outputs and the extent to which these meet the needs of women.

In the ACT Legislative Assembly, there is an acknowledgement of the importance of gender equality and diversity, and there have been attempts to uphold gender and diversity sensitive principles however, these have been pursued by individual Members in a largely improvised manner rather than as a formal directive from the Assembly institutionalised in its everyday work. One live example highlighted by both Members and parliamentary staff in the self-assessment is the remit of the Economy and Gender and Economic Equality Committee. More specifically, the basis upon which the committee's focus and remit were agreed. Despite the committee having the responsibility to examine the 'Social impacts and outcomes of economic policies including gender considerations', it was expressed by both Members of the committee and parliamentary staff that in actualité, the committee does not apply a gender lens to all the work it does.⁷⁷ There was little evidence provided to demonstrate that the committee delivers gendered analysis throughout its work, especially in its capacity to scrutinise and to hold the government to account. Excluding the Education and Community Inclusion Committee which is responsible for examining matters relating to gender and diversity which includes scrutinising the activities of the Office of Women, the same could be said about the majority of committees.

As mentioned earlier, both Members and parliamentary staff are not trained in gender mainstreaming, so it is extremely difficult to embed a practice that is not widely understood by individuals. This is worrying as research indicates that when policies do not take into account the needs and perspectives of all persons, inequality persists as policies, programmes and services cater to the needs of the 'dominant' group in society, and are indifferent, inappropriate and/or harmful to other groups of society at large. One solution would be for the Assembly to develop a gender action plan that establishes priorities and goals which is supported by necessary structural changes and resources. Another solution is to ensure that committee Guidelines include information and best practices on gender mainstreaming. An example to draw from would be the Scottish Parliament putting strategies in place to mainstream equality in all of its committees in 2001.⁷⁸ Complementing the Scottish Parliament's Equality Strategy, the Guidelines aim *"to enable all committees to consider equal opportunities" [gender and diversity for the ACT Legislative Assembly] in a structured way and if necessary to take appropriate actions. They describe a series of questions, which can be asked at different stages of legislative formulation by the different actors involved*".⁷⁹

⁷⁷ https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/1980873/Resolution-of-establishment-for-the-committee.pdf

⁷⁸ https://archive2021.parliament.scot/S1_EqualOpportunitiesCommittee/Reports/eo03-mer.pdf

⁷⁹ https://archive2021.parliament.scot/S1_EqualOpportunitiesCommittee/Reports/eo03-mer.pdf



A more streamlined approach to gender mainstreaming will also ensure that change can easily be tracked and regularly monitored. It is also recommended that the focus of the Economy and Gender and Economic Equality Committee be reconsidered to evaluate its responsibilities and priorities.

Recommendation 24:

Members of the Economy and Gender and Economic Equality Committee to determine (i) if gender-related matters are well suited to its remit, and (ii) to identify if it applies a gendered approach in the delivery of its responsibilities. Where the former is found to be negative, Members of the of the Economy and Gender and Economic Equality Committee to advise that the Assembly establishes an additional committee on Gender and Equalities.

Recommendation 25:

The Parliamentary Support Branch of the Office of the Legislative Assembly to work with external gender expert(s) to develop a guideline on gender mainstreaming in ACT Legislative Assembly Committee drawing on international best practice, and to make this available to all Members and parliamentary staff and, update the committee guidelines to incorporate best practices on gender mainstreaming. Once completed this could be complemented with mandatory training on gender mainstreaming.

Viewing the Assembly as a workplace, the lack of an action plan, strategic plan and/or commitment to promoting gender equality or diversity was noted. Such strategic plans are used to reinforce and guide political institutions' work on gender equality and diversity. For example, the New Zealand House of Representatives Diversity and Inclusion Strategy sets out the House of Representatives focus areas on matters relating to inclusion and diversity, its image of what a truly inclusive and diverse parliament will look like and actions it will take to implement the strategic plan.⁸⁰ Likewise, the United Kingdom House of Commons 2019-2022 Diversity and Inclusion Strategy highlights the House of Commons intentional efforts to 'support a thriving parliamentary democracy'.⁸¹

Current staffing levels are considered to be an issue in the Assembly, alongside limited resources. Job sharing roles, greater flexibility, and remote working – when more widely advertised, alongside remote working – are all ways to maximise opportunities to work in the Assembly for those with health concerns, caring or childcare commitments, or at some geographic distance. The Assembly is encouraged to consider ways in which it could further promote such opportunities for its workforce in the future.

⁸⁰ <https://www.parliament.nz/media/9141/diversity-and-inclusion-strategy-he-waka-eke-noa.pdf>

⁸¹ <https://www.parliament.uk/globalassets/documents/Diversity-Inclusion/HOC-DI-Strategy-2019-22.pdf?shiftFileName=HOC-DI-Strategy-2019-22.pdf&shiftSavePath=/documents/Diversity-Inclusion>

Recommendation 26:

The Office of the Legislative Assembly to consider the development of a four-year strategic plan that will guide work on how the Assembly will be a gender sensitive institution and plan to effectively introduce gender mainstreaming across all its activities.

The plan to also include a diversity and inclusion strategy which will identify ways in which the Assembly can improve representation and attract talent from a wide range of backgrounds. It is advised that the plan is to be drafted with a gender expert or an organisation that promotes gender equality.

Committee Witnesses

The Legislative Assembly, specifically committees widely advertise all their committee inquiries and invite submissions from all levels of the Territory to ensure that any group or individual is able to participate and feed into the legislative process. However, it was shared at the time of the self-assessment that there is little diversity in the witnesses that committees invite to inquiries and that some committees use their ‘usual suspect list of witnesses’. This is particularly alarming as evidence is vital to a parliament’s ability to effectively scrutinise therefore a lack of diverse committee witnesses limit the number and range of perspectives committees hear from. Homogeneity increases the likelihood of the Assembly’s work being based on the needs and interests of dominant groups and rendering the outputs of a parliament’s work unresponsive to and unrepresentative of the needs and interests of all those people it acts for.

The self-assessment further revealed that the Assembly does not currently review nor collect gender and diversity disaggregated data on committee witnesses. The Assembly is encouraged to pay particular attention to tracking and monitoring the witnesses it calls over a period of time to be able to trace the homogeneity/heterogeneity of witnesses. The Legislative Assembly is to also encourage and support Members and parliamentary staff working in committees to maximise hearing from a wide range of views. The more reflective witnesses are of society, the more engagement the Assembly will have from members of the public.

Recommendation 27:

The Parliamentary Support Branch of the Office of the Legislative Assembly to regularly gather, monitor, and produce sex and diversity disaggregated data on the diversity and gender balance of witnesses that appear before committees during inquiries.



Gender Expertise (in-house and/or external)

Members and parliamentary staff are not provided with training on gender mainstreaming and gender budgeting; this risks a lack of relevant gender expertise and/or the reliance on the extra labour of a few qualified Members and parliamentary staff. This makes it extremely difficult for the Assembly to effectively mainstream gender equality throughout its work. Similarly, the majority of Members and parliamentary staff have not had the opportunity to fully grasp the reasons and benefits of adopting gender mainstreaming to representation, legislative, scrutiny and oversight work.

The interviews identified some appetite amongst Members for gendered data and analysis. Their availability would provide a better evidence base and enhance the conclusions that Members make when fulfilling their responsibilities in committees and other parliamentary work.

On the matter of external gender expertise, the Standing Orders makes provision for “the Speaker to appoint specialist advisers” to either “supply information which is not readily available or to explain matters of complexity within the committee’s inquiry”.⁸² The Self-Assessment identified that the Standing Committee on Justice and Community Safety and the Select Committee on Estimates are the only two Committees that have appointed specialist advisers in recent years. Similar to the situation on committee witnesses, the Assembly does not gather gender or diversity disaggregated data on the experts that it has appointed to committees and, therefore, it is difficult to identify or track the persons being invited as special experts to the committees. That said, Members hold that there is a gender imbalance in men’s favour. The Assembly is to encourage all committees where possible to use Standing Order 238 which allows for committees to appoint specialists to support their work. Whilst it is recognised that outside of the Standing Committee on Justice and Community Safety and the Select Committee on Estimates that specialist advisers have not frequently been appointed, the Legislative Assembly must keep record of the specialist advisers it appoints to ensure that they are from diverse backgrounds and have diverse experiences. Given that there is no recorded evidence that committees have appointed gender specialists, the Legislature is strongly encouraged to learn best practices from parliaments within and beyond Australia on how they have been able to use external gender experts to support the work of committees.

Recommendation 28:

The Assembly to encourage all committees – and not just those with a gender remit or conducting an inquiring on a gender-related topic – to make use of Standing Order 238 which allows for the appointment of gender specialist advisers to support their work.

Recommendation 29:

The Parliamentary Support Branch of the Office of the Legislative Assembly to start to gather, monitor and produce sex and diversity disaggregated data on the diversity and gender balance of all specialist experts called to support the work of committee and regularly to monitor data regarding which committees they support.

⁸² Standing Order Number 238 of the Legislative Assembly for the Australian Capital Territory Standing Orders and Continuing Resolutions of the Assembly (as of 21 May 2020)

Relationship with Civil Society Organisations (CSOs)

Based in Australia's capital city, the Legislative Assembly is very privileged to be surrounded by several CSOs that are engaged in promoting gender equality and combatting gender discrimination. Its relationships with gender experts from CSOs, pressure groups and academia are currently informal rather than formalised, relying usually on the individual efforts of Members. Cooperation from civil society is accordingly ad hoc and specific to a certain event or cause linked to a Member's interest. Although the CPA team did not have the opportunity to speak to CSOs during the self-assessment, multiple representatives from academia and CSOs based in Canberra participated in a parliamentary networking session that was held in the margins of the CWP Workshop on Gender Champions for Gender Equality hosted by the Assembly. Discussions included the critical role CSOs play in working towards achieving gender equality and advancing the rights of women through representing, supporting, and defending vulnerable groups of women, keeping gender equality, women's rights and other related issues on policymakers' agendas, gathering and disseminating research, and holding governments, parliaments and other stakeholders to account over their implementation of gender-related commitments. They serve as a dynamic source of ideas and policy perspectives, partnerships, and support. Therefore, the Assembly must make an effort to establish and nurture such relationships. A potential starting point would be to approach the National Council of Women ACT which is a non-profit organisation that represents a cross section of women's organisations from all over Canberra.⁸³ Additionally the Legislative Assembly could consider collaborating with gender experts from the Australian National University Gender Institute who promote innovative research on gender and sexuality in areas of society. The Assembly could engage gender specialists at the Global Institute for Women's Leadership who bring together research, practice and advocacy to better comprehend and address the causes of gender inequalities and the lack of gender diversity in leadership positions.^{84 85}

Recommendation 30:

The Office of the Legislative Assembly to establish links in the form of partnerships, knowledge exchange, collaboration with civil society organisations committed to promoting gender equality and focus on combatting gender discrimination.

⁸³ <https://www.nationalcouncilofwomenact.org/>

⁸⁴ <https://giwl.anu.edu.au/>

⁸⁵ <https://genderinstitute.anu.edu.au/articles-and-editorials>





Commonwealth Parliamentarians from 12 different jurisdictions came together in Canberra, Australia for the CWP Workshop on Champions for Gender Equality hosted by the ACT Legislative Assembly from 5 to 7 December 2022.

Speaker of the Legislative Assembly of the Australian Capital Territory, Joy Burch, MLA in her opening remarks, emphasised that:

“You can’t be what you can’t see. The prominence of women in political leadership is an important catalyst in motivating other women to become involved. Increased participation of woman has a snowball effect because the visibility of women in these positions encourages other women to become politically active and seek out these positions.”



Parliamentarians at the CWP Workshop looked at how Champions of all genders can better address discriminatory practices, unequal access to resources and other issues that prevent the equal participation of women in Parliament. They also discussed the importance of developing gender parliamentary caucuses and how they can be utilised to promote gender-sensitive Parliaments and gender equality.

Parliamentarians at the CWP Workshop had the opportunity to engage with organisations based in Canberra, Australia to gain insight into the work organisations are doing to promote gender equality. Parliamentarians also had the opportunity to engage in one-to-one discussions and network with representatives from these organisations to ask questions and share information and insight from their parliament or CPA Region that is related to the work of the organisation.



Conclusion

The fundamental objective of the CPA GSP Guidelines, Field Guide and GSP self-assessments is to support Commonwealth Parliaments and Legislatures identify how as institutions can successfully identify and embed gender sensitive reform. As understood by the CPA, a successful and effective GSP is one that *‘responds to the needs and interests of women in its structures, operations, methods, and work and is a workplace that removes barriers to women’s full participation’*.⁸⁶ This report demonstrates that the journey the ACT Legislative Assembly has embarked on to establish itself as an institution that is founded on gender equality, where women and men have an equal right to participate without discrimination, is a continuous exercise.

The GSP self-assessment of the ACT Legislative Assembly was based upon the CPA “7 step approach” to undertaking a self-assessment: (1) Understanding Gender Sensitivity; (2) Embracing Gender Sensitive Parliament Principles; (3) Preparing a Team and Strategy; (4) Performing initial diagnostics; (5) Preparing the review – Collecting data; (6) Reporting of Findings and Making Recommendations; and (7) Monitoring Progress. The self-assessment and report required the Assembly to gather gender-sensitive data for the first-time. The data is analysed in accordance with the CPA’s four dimensions of a gender sensitive parliament.

With regards to Dimension 1 – Equality of Participation within Parliament – the gender sensitive data reveals that there is a strong level of women’s representation in this current Assembly and in previous Assemblies. The data also shows overtime gains in the number of women holding positions of leadership. However, looking at the data from a diversity lens, there is slow progress to ensure that women Members reflect the Territory’s diverse population. Whilst it is recognised that political parties are key actors and carry much of the responsibility to improve diversity in political representation, more can be done by the Legislature to ensure that diversity is a priority, especially ahead of the upcoming election. For example, and not least, by holding discussions with leaders of respective political parties and underrepresented groups regarding their political recruitment practices and likely outcomes.

Data gathered in relation to Dimension 2 – Parliamentary Infrastructure – revealed that while the Assembly’s Calendar and Sitting Hours are family friendly, the omission of paternity and paternal leave reinforces gender bias and stereotypes about the caring responsibilities of men and those who identify as LGBTQI+. In respect to the Assembly’s decision to address diversity insensitivities, a review of the Standing Orders from both a gender and diversity lens will help ensure that the Legislature is an inclusive environment and therefore needs to be an area of priority. Since the publication of this report, the Legislative Assembly has been both proactive and successful in applying a gender lens in the review of its Standing Orders in 2023. Changes now provide secondary care giver or adoption leave for Members in addition to leave of absence that is granted to those considered as primary care givers which will now benefit all Members regardless of gender.

The analysis of data on Dimension 3 – Parliamentary Culture – alongside interview data, found that whilst the Assembly has been intentional in creating a culture of respect for both Members and parliamentary staff, bullying presents itself as an issue of concern among Members and parliamentary staff who participated in the self-assessment. While this may not be the sentiment held by the 20 Members and hundred plus parliamentary staff who did not participate in this self-assessment, the Assembly is to be proactive in considering alternative approaches in addition to offering online courses. For the Assembly to successfully embed gender sensitive reform, it needs to develop an action plan that details the steps the Legislature will take to eliminate all forms of bullying and harassment and other priorities identified in this report.

⁸⁶ https://www.cpahq.org/media/pxmfpqgw5/gender-sensitising-parliaments_a-seven-step-field-guide.pdf



Data gathered from both Members and parliamentary staff highlighted that special attention needs to be given to Dimension 4 – Gender Equality Policy/Women’s substantive representation. With high numbers of women Members and parliamentary staff in the Legislature, the Assembly is well placed to focus on creating strategies to ensure that there is greater gender and diversity impact and gender and diversity equal outcomes throughout its legislative and scrutiny work. A crucial step involves embedding gender mainstreaming, gendered analysis, and gender budgeting in all aspects of the Legislature’s work. In turn, this requires both Members and parliamentary staff to have relevant gender expertise and resources, including access to external gender experts where needed. Fostering relationships with crucial CSOs that work to advance gender equality is also critical to meeting the legislative and policy needs of women in society.

This report constitutes Step 6 of CPA 7 Step approach. While the CPA Team has supported the Legislature in completing steps 1 to 6 of the CPA 7 Step Field Guide, great attention needs to be given to the final step - Monitoring Progress of the Legislature. This is core to ensuring that gender sensitive practices are implemented. The work involved at this stage is ongoing and crucially requires following up on the status of gender sensitive reforms, and ensuring that they are upheld, and where necessary extended and revised yet further. With this being said, the Legislative Assembly should again be applauded for the work it has begun doing since the in-person component of the GSP self-assessment to bring about gender and diversity sensitive transformation within its makeup, culture, and embedding it into its working practices.

The key recommendation of this report is Recommendation 15 which states that ***‘The Assembly to consider the establishment of a Speakers Reference Group that would be led by the Speaker that will oversee the delivery of the report’s recommendations in this report and the Assembly’s progress towards gender sensitivity, including through commissioning further research where appropriate’***. In addition to the establishment of a Speakers Reference Group to lead on the implementation of the recommendations, the CPA recommends that Commonwealth parliaments conduct a GSP self-assessment every 3 to 5 years as a means to track new gender sensitive data that may come with a change in government and/or parliamentary leadership. This would involve restarting the CPA 7 Step approach to deliver a self-assessment as detailed in the CPA Field Guide to gather data that will highlight gender sensitive progress, stagnation or regress which is all crucial to supporting the monitoring process.

Lastly, it should be restated that the CPA remains available and committed to supporting the ACT Legislative Assembly on its gender sensitive parliaments journey. While there is more work that needs to be done, the Assembly should be proud of the steps it has taken so far.

APPENDIX 1

Consolidated List of Recommendations

Recommendation 1:

The Standing Committee on Justice and Community Safety in its inquiry of the 2024 elections to review matters related to the diversity of candidates and recommend that the ACT Electoral Commission introduce a breakdown of the diversity of candidates similar to the breakdown it already provides of gender in its reports of the ACT general elections.

Recommendation 2:

The Standing Committee on Education and Community Inclusion to hold an inquiry following the elections scheduled to be held in October 2024 on diversity within political parties to identify what mechanisms are in place to increase the diversity of candidates in future elections.

Recommendation 3:

The Office of the Legislative Assembly to work with community groups and organisations that support, advocate and promote the rights of persons with disabilities and/or have experience assisting employers employ persons with disabilities to advertise the diverse jobs within the Assembly or other opportunities when they become available.

Recommendation 4:

In addition to gathering data on the gender balance among parliamentary staff, the Office of the Legislative Assembly is to produce diversity disaggregated data that tracks disability, ethnicity and other protected characteristics of parliamentary staff who work in the Assembly over a four-year period. Data to be gathered in the form of survey as the Office of the Legislative Assembly does not compel staff to provide personal information, data should be obtained through a voluntary survey. Data produced must adhere to relevant data protection requirements.

Recommendation 5:

The Administration and Procedure Committee to propose a rule that requires the number of Chairs of Committee to reflect the numbers of women and men Members.

Recommendation 6:

The Administration and Procedure Committee to propose a rule that requires each Committee to have both a Chair and Deputy Chair, and that these must be gender balanced – comprising a woman and man.

Recommendation 7:

A meeting to be coordinated with all party Whips after political parties develop their list of Members for each and all parliamentary committees to prevent the possibility of any single-sex committees. This might involve determining what measures will be put in place within and across parties to ensure committee gender balance.

Recommendation 8:

The Office of the Legislative Assembly's Business Support Branch to look into the practicality of the function of the breastfeeding/first aid/prayer room and to develop guidelines on the usage of the room including advice on what persons are to do in the event the room is occupied. Over time when there is less of a constraint on space in the Assembly, it is suggested that individual rooms are found for these activities, and that such reviews also look into the need for a family room.



Recommendation 9:

The Standing Committee on Administration and Procedure to amend Standing Order number 22 to include the entitlement of paternity and/or parental leave to a Member who is the biological and adoptive father of the child or the expectant parent's spouse or partner.

Recommendation 10:

The Assembly to amend its protocol on the operations of pairing to include the entitlement of paternity and/or parental leave to a Member who is the biological and adoptive father of the child or the expectant parent's spouse or partner. The Assembly is to also review and determine whether the system of pairing should be replaced with a proxy voting system, in line with best practice elsewhere.

Recommendation 11:

The Standing Committee on Administration and Procedure to consider the inclusion of a Standing Order or Continuing Resolution that requires the scheduling of Assembly sittings, and all other parliamentary activities to reflect 'core business hours' and to not coincide with school holidays unless in exceptional circumstances.

Recommendation 12:

The Office of the Legislative Assembly's Parliamentary Support Branch to include a note in the committee guidelines that advises committees where possible to ensure that the scheduling of committee meetings, hearings and all other parliamentary activities reflect 'core business hours', and to not coincide with school holidays unless in exceptional circumstances.

Recommendation 13:

The Office of the Legislative Assembly's Parliamentary Support Branch to review the Commonwealth Parliamentarians with Disabilities (CPwD) Inclusion Guidelines for Parliaments – Facilities Inclusion to support already existing efforts to create an accessible and participatory environment within the Assembly.

Recommendation 14:

The Standing Committee on Education and Community Inclusion to review how it applies a gender lens in beyond committee membership by reviewing its activities, remit, resources, and impact since its establishment in December 2020.

Recommendation 15:

Members of the Australian Capital Territory women's caucus to complete the CPA Parliamentary Academy course on 'Effective Women's Parliamentary Caucuses' before the end of the Assembly term and have a discussion on best practices it could potentially adopt to strengthen its impact and effectiveness.

Recommendation 16:

The Assembly to consider the establishment of a Speakers Reference Group that would be led by the Speaker that will oversee the delivery of the report's recommendations in this report and the Assembly's progress towards gender sensitivity, including through commissioning further research where appropriate.

Recommendation 17:

The Standing Committee on Administration and Procedure to adopt both a diversity and gender lens towards the Standing Orders and Continuing Resolutions of the Assembly at its triennial review that has begun in 2022 and all future review of its Standing Orders.

Recommendation 18:

The Standing Committee on Administration and Procedure in their next review of the Standing Orders and Continuing Resolutions is to ensure that there is an explicit statement or principle in the Code of Conduct that condemns sexual harassment and gender-based violence.

Recommendation 19:

The Legislative Assembly to engage a gender and inclusion expert to deliver an annual bullying and sexual harassment workshop(s) that is to be attended by both Members and mandatory for parliamentary staff. Whilst it is acknowledged that the Assembly cannot oblige Members to attend in-person workshops, it is to strongly encourage Members to attend.

Recommendation 20:

The Business Support Branch of the Office of the Legislative Assembly to include an explicit statement condemning all acts of violence in the Office of the Legislative Assembly staff code of conduct.

Recommendation 21:

The Business Support Branch of the Office of the Legislative Assembly to regularly conduct a survey specifically on bullying and all forms of harassment in the Assembly and produce a report of its finding.

Recommendation 22:

The Office of the Legislative Assembly to develop and make publicly visible the Assembly's commitment to gender equality and diversity.

Recommendation 23:

The Assembly to also develop a gender equality plan to detail efforts and ambitions for each of the four CPA dimensions, indicating which recommendations included in this Report will be prioritised, and in what time frames, and with what reviewing actions in place.

Serious thought to be given to the gathering, publication, and review of comprehensive and systematic gender disaggregated data across each of the four CPA dimensions. These might include, but are not limited to those covered in the self-assessment questionnaire, reproduced in Appendix 2.

Recommendation 24:

Members of the Economy and Gender and Economic Equality Committee to determine (i) if gender-related matters are well suited to its remit, and (ii) to identify if it applies a gendered approach in the delivery of its responsibilities. Where the former is found to be negative, Members of the of the Economy and Gender and Economic Equality Committee to advise that the Assembly establishes an additional committee on Gender and Equalities.

Recommendation 25:

The Parliamentary Support Branch of the Office of the Legislative Assembly to work with external gender expert(s) to develop a guideline on gender mainstreaming in ACT Legislative Assembly Committee drawing on international best practice, and to make this available to all Members and parliamentary staff and, update the committee guidelines to incorporate best practices on gender mainstreaming. Once completed this could be complimented with mandatory training on gender mainstreaming.

Recommendation 26:

The Office of the Legislative Assembly to consider the development of a four-year strategic plan that will guide work on how the Assembly will be a gender sensitive institution and plan to effectively introduce gender mainstreaming across all its activities.

The plan to also include a diversity and inclusion strategy which will identify ways in which the Assembly can improve representation and attract talent from a wide range of backgrounds. It is advised that the plan is to be drafted with a gender expert or an organisation that promotes gender equality.



Recommendation 27:

The Parliamentary Support Branch of the Office of the Legislative Assembly to regularly gather, monitor, and produce sex and diversity disaggregated data on the diversity and gender balance of witnesses that appear before committees during inquiries.

Recommendation 28:

The Assembly to encourage all committees – and not just those with a gender remit or conducting an inquiring on a gender-related topic – to make use of Standing Order 238 which allows for the appointment of gender specialist advisers to support their work.

Recommendation 29:

The Parliamentary Support Branch of the Office of the Legislative Assembly to start to gather, monitor and produce sex and diversity disaggregated data on the diversity and gender balance of all specialist experts called to support the work of committee and regularly to monitor data regarding which committees they support.

Recommendation 30:

The Office of the Legislative Assembly to establish links in the form of partnerships, knowledge exchange, collaboration with civil society organisations committed to promoting gender equality and focus on combatting gender discrimination.

APPENDIX 2

Gender Sensitive Parliament Self-Assessment Checklist Australia Capital Territory Legislative Assembly

About the Checklist

This checklist is to be completed by the Legislative Assembly, in collaboration with the Commonwealth Parliamentary Association Headquarters Secretariat, and is intended to allow for the gathering of quantitative data in advance of the in-person component of the Audit, which shall in turn look to gather more qualitative information.

The Legislative Assembly is invited to advise the Headquarters Secretariat where it feels a more substantive conversation would be preferable to conforming to the confines of the question as formatted below.

1. What is the gender composition of the parliament and its leadership? Please provide responses as either a number or as a percentage.

	Men	Women	Other
Members of Parliament			
Presiding Officer			
Deputy Presiding Officer			
Committee Chairs			
Party Leaders/Leaders of Party Caucuses			
Clerk			
Other leadership positions (please specify)			

2. How are Committee Chairs chosen? (Please Tick)

Nominated and elected by the Committee	
Nominated by the majority/ruling party and endorsed by the Committee	
Other (please specify)	



3. Please indicate if there are any formal rules requiring a set level of women's participation as Committee Chairs or Committee Members and, if so, what percentage this rule is set at.			
	Yes	No	Percentage
Rules setting level of women's participation as Committee Members			
Rule setting level of women's participation as Committee Chairs			
Please elaborate on the rule if/where one exists			

4. What is the gender composition of parliamentary committees?			
Name of Committee	Women	Men	Other
Rule setting level of women's participation as Committee Chairs			
Please elaborate on the rule if/where one exists			

5. Do parliamentary sitting times accommodate the needs of parliamentarians with parental, family, or caring responsibilities? (Please tick all that apply)			
	Yes	No	Debated but not adopted
Night sittings discontinued			
Sittings aligned with school calendar			
Other (please specify):			

6. Please indicate if any of the facilities below are provided on the Parliamentary site.		
	Yes	No
Full time childcare facilities providing permanent care (sometimes referred to as a nursery). If 'yes', how many spaces? Write in:		
Ad hoc childcare facilities providing care (sometimes referred to as a crèche). If 'yes', how many spaces? Write in:		
A Pharmacy		
Gender neutral washroom(s)		
Menstrual product dispensary machines		
Breast-feeding/Infant feeding rooms		
Family room		
Any others - please write in, for example, parking spots for pregnant women, infants in the House/legislature floor allowed (strangers on the floor), a bus system:		
Comments:		

7. Is breastfeeding formally permitted in the following areas?		
	Yes	No
The Chamber		
Committees		
Special women's, family and/or infant-feeding rooms		
Comments:		

8. Does your Parliament have an institutional 'gender equality plan'?		
<i>Note: this might be phrased in terms of 'gender sensitivity', 'gender equality', 'gender mainstreaming', amongst other terms.</i>		
	Yes	No
Comments:		

9. Does your Parliament's 'gender equality plan' address any of the following?		
<i>If you answered 'yes' to question 8 (your Parliament has an institutional gender equality plan) please answer. If you answered 'no' to question 8, please skip this question and proceed to question 10.</i>		
	Yes	No
The procedures of the House		
The culture of the House		
Parliamentary facilities (infrastructure)		
The 'political work' (or 'outputs') of Parliament, such as legislation, scrutiny of Government, representation of interests etc.		
Comments:		

10. Does your Parliament have any of the following 'gendered parliamentary bodies'?		
	Yes	No
A formal parliamentary Women's Caucus, in receipt of parliamentary resources		
A formal Women's Committee, in receipt of parliamentary resources		
An informal Parliamentary Women's Caucus, or Network, without parliamentary resources		
Formal, party-specific Women's Networks or organizations		
Informal, party specific Women's Networks or organizations		
Other – please write in		
Comments:		



11. If your Parliament has a formal Women's Committee, what are the roles within its official remit?	
Please select all that apply from the listed roles below:	
	Tick Box
Scrutinize the work ('outputs') of Parliament, e.g., laws, scrutiny, representation	
Monitor and evaluate Parliament as a gender sensitive institution	
Hold to account the responsible Government Minister/Department dealing with women's issues/gender equality	
Other - please write in	
Comments:	

12. Has your Parliament undertaken a 'gender-based review' of any of the following?			
If 'yes', please indicate the year in which the last (most recent) review was conducted.			
	Yes	No	Not Applicable
Electoral law			
Standing Orders			
Parliamentary Behavioural Codes of Conduct			
Informal norms & conventions, e.g., the use of masculine language			
The Parliamentary dress code			
Facilities (e.g., washrooms, artwork, social spaces, and other amenities).			
Sexual harassment and bullying (whether from MPs and/or fellow parliamentary workers)			
Violence against women in politics' (whomever it is from, i.e., including the public and online)			
Whether rules and/or laws regarding Parliamentary privilege/immunity can be used by parliamentarians to protect a parliamentary accused of harassment or violence			
Human Resources Complaints			
Non-disclosure Agreements			
Existing Gender Equality Legislation			
Members' pay and expenses schemes			
Provision for Members childcare costs			
The Parliamentary gender pay gap for Members			
The Parliamentary gender pay gap for parliamentary staff			
The Parliamentary gender pay gap for Members' staff			
Parliamentary sitting hours (in relation to availability of childcare)			
Other – please write in			
Comments:			

13. Does the Constitutional Law or an equivalent legal framework directly refer to gender equality in political representation? If 'yes', please specify:		
	Yes	No
Comments:		

14. For each of the activities listed below please indicate whether your Parliament (1) collects and (2) publishes (makes publicly available) sex/gender & diversity (ethnicity) disaggregated data, & LGBTQ+ people.		
Select all that apply:		
	Parliament collects sex/gender data	Parliament publishes sex/gender data
Members' participation in Plenary Debates		
Members' participation in formal 'question time'		
Members' participation in Committee proceedings		
Members' participation in delegation travel		
Members in leadership positions in the Parliament		
Parliamentary staff (Clerks, officials, other workers), in leadership positions		
Parliamentary staff participation in Members' delegation travel		
Witnesses coming before Committees		
External 'specialist advisers' attached to Committees		
The gender pay gap amongst Members		
The gender pay gap amongst parliamentary staff		
The gender pay gap amongst Members' staff		
Rates of promotion of women members (e.g., women members assigned additional roles such as House Leaders, Whips, Committee Chairs etc.,)		
Rates of promotion for women clerks/officials, & other non-partisan staff		
The percentage of women journalists amongst media personnel given privileged access to the Parliament (sometimes called 'press gallery members'/lobby journalists)		
Other (please specify):		



15. Please indicate below if your Parliament has consulted with any of the below about gender equality/gender sensitising parliamentary issues in the last three years?		
	Yes	No
Members, former Members, other elected officials		
Members' Staff		
Parliamentary Staff		
No consultation has taken place		
Comments:		

16. Please indicate if your Parliament has consulted with any of the below to identify the specific needs of parents in the last three years?		
	Yes	No
Members, former Members, other elected officials		
Members' Staff		
Parliamentary Staff		
No consultation has taken place		
Comments:		

17. Please indicate if your Parliament has consulted with any of the below regarding violence against women in politics in the last three years?		
	Yes	No
Members, former Members, other elected officials		
Members' Staff		
Parliamentary Staff		
No consultation has taken place		
Comments:		

18. For whom in Parliament is 'job sharing' [where two staff share the job] permitted?	
Please select all that apply.	
	Tick Box
Members	
Members' Staff	
Parliamentary Staff	
Other	
No job sharing is permitted	
Comments:	

19. Please indicate whether there is gender expertise (gender equality experts present, and gender equality policies in place) in the following parliamentary departments and services.

If 'no', leave unchecked.

	Gender Equality Experts present	Gender Equality Policies in place
The Clerks' Dept (i.e., the administrative department supporting Committees)		
Parliamentary outreach teams		
Parliamentary education teams		
The Digital Service		
Social media teams		
Security teams		
The Human Resources team		
Other (please specify):		

20. How often does your parliament provide sex/gender disaggregated data relating to policy?

	Tick Box
Always	
Often	
Rarely	
Never	
Comments:	

21. Please indicate below the nature of the relationships your Parliament has with the following groups.

Please select all links that apply for each group. If there are 'no relationships', leave unchecked

	Formal	Informal	Permanent	Ad hoc	In Person/ Oral	Written Communication
Academic gender experts						
Women's movement/ civil society representatives/groups						
Women in the media/ social media						
Other- please write in						
Comments:						



22. Is Government policy and legislation reviewed with regard to:				
	Yes	No	Don't Know	If 'yes' specify
Gender equality impacts				
Gender budgeting				
Compatibility with obligations under relevant international conventions, e.g., CEDAW, UNDHR, International Covenant on Civil and Political Rights, and International Covenant on Economic and Social Rights.				
Comments:				

23. Please indicate below the training your Parliament provides			
Please select all that apply			
	MPs	Parliamentary Staff	Does not provide this training
Gender equality			
Gender mainstreaming			
Gender budgeting			
Sexual harassment and bullying			
Leadership			
None of the above			
Comments:			

24. Please indicate if any of the following provisions exist to support the participation of women standing as candidates for your Parliament.		
If 'yes', please specify in the comments section.		
	Yes	No
Electoral Law requirement		
Party Regulation requirement		
Legislative quota		
Party quota		
Extra funding (monetary)		
Extra support (non-monetary, e.g., additional election broadcasts)		
Employment leave (either paid or unpaid) for candidates during election campaigns		
Comments:		

25. What kind of provisions are made for Members and Staff who have just had children? Please indicate for each whether there is no provision, the same provision as national law, or Parliament-specific provision.			
	No provision	Same as national or provincial/state/territorial law – please write in details	Parliament specific – please write in details
Maternity Leave for Members			
Paternity Leave for Members			
Parental Leave for Members			
Maternity Leave for Staff			
Paternity Leave for Staff			
Parental Leave for Staff			
Other – please write in			
Comments:			

26. Please indicate the kind of provisions which are made for Members on maternity, paternity, or parental leave for each of the following types of work.				
	Proxy vote	Surrogate Member	Other arrangement	No arrangement
How is Members' voting 'covered' during maternity/paternity/parental leave absences?				
How is Members' committee work 'covered' during maternity/paternity/parental leave absences?				
Comments:				

27. Are provisions made for the cost of childcare for Members? If yes, please add details about these provisions.		
	Yes	No
Details:		
Comments:		



28. In your Parliament, please indicate if the listed behavioural codes exist to govern the relations between Members, between Members and parliamentary staff, and between Members and their staff.			
If they do, please provide details in the space below			
	Between Members	Between Members & Parliamentary staff	Between Members & their staff
A behavioural code of conduct that refers to sexist language and sexist behaviour			
A Parliamentary sexual harassment code of conduct or policy			
Details:			
Comments:			

29. Prior to the global pandemic, COVID-19, did your Parliament allow for any of the following?		
	Yes	No
Members' video/teleconferencing		
Members' electronic voting		
Other – please write in:		
If 'yes' to any of the above, please write in the details:		
If 'yes' to any of the above, did your Parliament collect data on gender/sex participation rates?		
Please use this space to include any other information you think might be relevant for understanding gender sensitivity in your parliament (there is no word limit):		

APPENDIX 3

Gender Sensitive Parliament Self-Assessment Survey Australia Capital Territory Legislative Assembly

About this survey

This survey is intended to help gather data on the experiences of both Members of the Legislative Assembly and Office of the Legislative Assembly (OLA) staff and should complement both the Gender Audit Checklist and the in-person component of the Gender Audit.

All responses to this survey shall be treated as strictly confidential and respondents are welcome to complete this anonymously and the CPA Headquarters Secretariat can provide the necessary mechanisms for anonymous submission. The survey design takes a participant-led approach and provides space for participants to share their experiences only should they so wish.

Please indicate if you are an elected Member or an appointed Member, or if you are Parliamentary Staff or Party Staff (select one) (logic applied):

Appointed Member	
Elected Member	
Parliamentary Staff	
Party Staff	

Background Information

1. Is this your (select one): (For Staff, 'How many years have you been employed – write in bottom row')

First term	
Second term	
Third term or more	

2. How likely or unlikely are you to recommend this job to someone else? (select one):

For Staff, the question is the same)

Very unlikely	
Somewhat unlikely	
Neither likely nor Unlikely	
Somewhat likely	
Very likely	



3. How likely are you to stand in the next election? (select one):	
(For Staff: 'How likely are you to be with your current employer in three years from now?')	
Very unlikely	
Somewhat unlikely	
Neither likely nor Unlikely	
Somewhat likely	
Very likely	

4. How important are the following reasons in your decision to stand or to not stand in the next election? (please answer all categories):					
(For Staff: 'How important are the following reasons in your decision to remain with your current employer over the next three years?')					
	Not at all Important	Somewhat Unimportant	Neither Important nor Unimportant	Somewhat Important	Very Important
Childcare availability					
Eldercare availability					
Parental leave availability					
Level of Remuneration					
Number of legislative sitting days					
Number of legislative sitting hours per day					
Competing employment opportunities					
Promotion					
Required travel					
Ability to have your voice 'heard'					
Plans to retire					
Ability to influence policy					
Worried about losing the next election					
Behaviour of members and staff					
Personal safety considerations					
Harassment					
Other (please specify):					

Your Experiences

5. Has another member or parliamentary staff ever done the following? (select all that apply):

(For Staff, the question is the same)

	Elected Member	Legislative Staff
Heckled you (Members only)		
Intimidated you		
Bullied you		
Harassed you		
Other – please write in:		

6. As a ‘Member’ have you experienced any of the following by members of the public? (select all that apply):

(For Staff, ‘As parliamentary staff, have you experienced any of the following by members of the public?’)

	Yes	No
Physical threats or abuse		
Unwanted approaches		
Followed by someone		
Had office or property damaged		
Received harassing, abusive, or intimidating letters, calls, or emails		
Targeted by harassing, abusive, or intimidating social media posts		
Other, please write in:		

7. Have you ever had a reason to bring forth a complaint to the house leader or party whip about a colleague’s behaviour (e.g., intimidation, bullying, harassment) directed at you or at someone else? (select one):

(For Staff, the question is the same, but in relation to your respective manager or in-house human resources professional)

Yes	
No	
If yes, please provide details if you wish:	



Policies

8. Please indicate the extent to which you agree or disagree with the following statements					
	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
Governments should <i>ensure</i> the proportion of <u>cabinet positions</u> secured by women matches the women's proportion of the general population (for Members)					
Governments should bring in <u>legislation</u> to ensure the proportion of <u>seats</u> secured by women matches women's proportion of the general population (for Members)					
Political parties should bring in <u>rules</u> to ensure the proportion of <u>candidacies</u> secured by women matches women's proportion of the general population (for Members)					
Parliaments should have in place hiring practices that ensure greater diversity of women parliamentary staff (for staff)					
Parliaments should have in place hiring practices that ensure greater diversity of women party staff (for staff)					

9. Please indicate with which one approach to legislative sittings you most strongly agree, going forward when COVID-19 is no longer a threat (select only one):	
(For Staff, the question is the same)	
Our legislature should move <u>fully online</u> whereby members and/or staff attend all meetings virtually	
Our legislature should use the <u>hybrid model</u> whereby members and/or staff can attend meetings in person or virtually	
Our legislature should be <u>fully in-person</u> whereby all meetings are face-to-face	
Other – please write in:	

10. Please indicate the extent to which you agree or disagree with the following statements.					
For Staff, the question is the same					
	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
No heckling					
No banging on chamber desks					
Predictable, set sitting schedule					
No night sittings					
Updated and inclusive dress code allowing for contemporary and professional attire					
No formal dress code					
Allowing infants on the floor of the legislature					
Other – please write in:					

11. During the Coronavirus period which, if any, of the below 'virtual parliament' measures did you make use of?				
	Used Frequently	Used Occasionally	Did not use	Not Applicable
Remote (virtual) participation in <u>chamber debates</u>				
Remote (virtual) participation in <u>oral questions</u>				
Remote (virtual) participation in <u>committee meetings</u>				
Remote (electronic) <u>voting</u>				
Other – please write in:				

12. To what extent do you support or oppose the following measures:					
	Strongly Oppose	Somewhat Oppose	Neither Oppose or Support	Somewhat Support	Strongly Support
Remote (virtual) participation in <u>Chamber debates</u>					
Remote (virtual) participation in <u>oral questions</u>					
Remote (virtual) participation in select <u>committee meetings</u>					
Remote (electronic) <u>voting</u>					
Online <u>submission of questions</u>					
Advanced notice of questions and statements					
Paired voting - an informal arrangement between the government & opposition parties whereby one member is designated by the party whip to abstain from voting when a member from another party needs to be absent from the chamber because of, for example, childbirth, childcare, eldercare, or illness					
Proxy voting (a formal agreement whereby members absent from parliament because of, for example, reason of baby leave, or illness can get another member to cast a vote on their behalf)					
Other (please specify)					



Demographics (all questions in this section the same for members and staff)

13. Please indicate the gender with which you identify (select one):	
Female	
Male	
Non-binary	
Prefer not to say	
Or please specify your gender:	

14. Do you identify as being a part of the LGBTQ2S+ community? (select one):	
Yes	
No	
Prefer not to say	

15. Please indicate your marital status (select one):	
Never legally married	
Legally married (and not separated)	
Common-law (living together but not legally married)	
Separated, but still legally married	
Divorced	
Widowed	
Prefer not to say	

16. Please write-in the year in which you were born:

17. Do you identify as a person living with a disability? (select one):	
Yes	
No	
Prefer not to say	

18. What are the ethnic or cultural origins of your ancestors? (Ancestors may have Indigenous origins, or origins that refer to different countries, or other origins that may not refer to different countries)
Please write in:

19. With which ethnicity or race to you identify? Write in:

20. Please indicate the highest level of education you've completed (select one):	
Did not complete high school	
High school or equivalent	
Apprenticeship or trades certificate/diploma	
University or college certificate/ diploma below a bachelor level	
Bachelor's Degree	
Degree in medicine, dentistry, veterinary medicine, optometry	
Master's Degree	
Earned Doctorate (e.g., PhD)	
Prefer not to say	
Other, please specify (write in):	

21. Do you have <u>eldercare</u> or <u>childcare</u> responsibilities? (select all that apply):	
Yes	
No	
Prefer not to say	

Additional survey comments: please use this space to write any other experiences or observations during your time as an elected member that you think may be valuable to understanding the institution as a workplace.





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