

Four-year review of the Charter of Human Rights and Responsibilities Act 2006

**Submission by YWCA Victoria
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YWCA Victoria

YWCA Victoria works to improve the lives of women by ending inequality.

Our community services work to create opportunities for women facing disadvantage and are delivered through three program priority areas – housing, mentoring and community strengthening. Exceptional programs are developed around a commitment to addressing shelter, safety, security and empowerment for women and are delivered to advance equity, opportunity and choice, full and active participation, access, no discrimination and empowerment for Victorian women.

Through our subsidiary company Social Housing Victoria, we are one of the largest medium to long term housing providers for women in Victoria. We provide over 100,000 nights of shelter to disadvantaged Victorians through our owned and operated properties in Richmond and Geelong, and through a number of properties in partnership with the Department of Human Services - Office of Housing.

YWCA Victoria delivers community strengthening and mentoring programs within school and community settings with a focus on empowerment, pre-employment training, creative expression and positive peer relationships. We operate across Victoria, in Melbourne, Geelong and Bendigo.

Membership and volunteering is central to YWCA Victoria, as demonstrated by our all female volunteer Board of Directors. We are a community that encourages leadership and self reliance, while building self-esteem, mutual respect, compassion and understanding - 'women helping women' build stronger communities. YWCA Victoria listens to its members, develops social policy and speaks out publicly on issues that affect women. We are proud to be a powerful voice for women's equality.

YWCA Victoria is part of the World YWCA, which is a global network of women leading change in 125 countries worldwide, reaching more than 25 million women and girls each year. We are affiliated with the World YWCA through YWCA Australia, joining 14 other affiliated local associations and a number of local groups around the country.

Women in Victoria

Females comprise slightly more than half of the Victorian population with 98 males to 100 females.¹

In 2006, 16% of all Victorian families were one-parent families. Female one-parent families accounted for 13% and male one-parent families accounting for 3% of all families. 19.2% of families with children under 15 are one-parent families. Of these, 88% have a female as a head of the family.²

The industry employing the highest number of women was Health Care and Social Assistance, employing 72.2% of all full-time female workers, and 89% of all part-time female workers³.

The trend estimate of the total number of unemployed persons in Victoria for September 2010 was 162,900 persons, with the female unemployment rate (5.6%) slightly higher than the male unemployment rate (5.3%).³

In May 2010, the trend estimate of average weekly full-time adult ordinary time earnings in Victoria was \$1,223.68, an increase of 5.3% from May 2009. Over the same period, trend full-time adult ordinary time earnings increased by 6% for males and by 3.1% for females.⁴

During 2009, there were 18,800 victims of sexual assault recorded by police, with 25% of victims aged 10 to 14 years. The majority of all sexual assault victims of all ages were female accounting to 84%.

In 2009-10, lone person households comprised 23% of Australian households, with lone women households exceeding the numbers of lone men households.⁵

¹ Australian Bureau of Statistics, *3201.0 - Population by Age and Sex, Australian States and Territories, Jun 2010*. Viewed 05 June 11 <http://www.abs.gov.au/ausstats/abs@.nsf/mf/3201.0>

² Australian Bureau of Statistics, 2010, *Household and Family Projections, Australia, 2006 to 2031*. Viewed 03 June 11 <http://www.abs.gov.au/ausstats/abs@.nsf/Products/552331E5B5111A91CA25773B0017BA3E?opendocument>

³ Australian Bureau of Statistics *1367.2 - State and Regional Indicators, Victoria, Sep 2010*, Viewed 03 June 11 <http://www.abs.gov.au/ausstats/abs@.nsf/Products/1F04DB051A80F13BCA2577DF00153DC3?opendocument>

⁴ Australia Bureau of Statistics. *1367.2 - State and Regional Indicators, Victoria, Sep 2010* . Viewed 03 June 11 <http://www.abs.gov.au/ausstats/abs@.nsf/Products/15E771DA9194BD55CA2577DF00153E4C?opendocument>

⁵ Australia Bureau of Statistics *4442.0 - Family Characteristics, Australia, 2009-10*. Viewed 03 June 11 <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4442.0Main%20Features22009-10?opendocument&tabname=Summary&prodno=4442.0&issue=2009-10&num=&view>

Submission

YWCA Victoria believes that additional rights should be included in the Charter of Human Rights and Responsibilities, to specifically protect Victorian women. While the Charter contains a number of civil, political and cultural rights, economic and social rights have not been included. YWCA Victoria understands that when women are unable to exercise their economic and social rights, they struggle to exercise their civil, political and cultural rights.

This submission will focus on YWCA Victoria priorities of housing, economic security and the prevention of violence against women and whilst this submission will emphasise gender equality for women as a whole, YWCA Victoria would like to note the importance of taking account of other groups whose rights are not guaranteed, such as CALD or indigenous women, women with disabilities or women from a rural or remote background.

YWCA Victoria considers the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as vital in ensuring women's rights are protected in Victoria. The United Nations Human Rights Committee has confirmed that 'gender equality is an overarching principle that applies to the enjoyment of all rights- civil, cultural, economic, political and social- and that the right to gender equality is not merely a right to non-discrimination'⁶. YWCA Victoria believes that the rights in CEDAW should be incorporated formally into the Charter.

YWCA Victoria believes that rights from the International Covenant on Economic, Social and Cultural Rights (ICESCR) should also be included in the Charter. Specifically, YWCA Victoria believes that the right to equality between men and women in the enjoyment of economic, social and cultural rights (Article 3), the obligation to protect the family and an obligation to provide special protection for mothers and children (Article 10), the right to an adequate standard of living including food, clothing and housing (Article 11) and the right to the highest attainable standard of health (Article 12) should be included in the Charter.

YWCA Victoria believes that all of the rights mentioned above, as well as the civil and political rights on which the current Charter is based are interdependent and indivisible.

Housing

YWCA Victoria knows that without the right to housing, many other basic rights are compromised, including the right to family life and privacy, the right to freedom of movement, the right to assembly and association, the right to health and the right to development. Not only would enshrining the right to housing in the Charter address the provision of accommodation to an individual, it would also have the potential to support entire disadvantaged groups, including women and older persons.

Economic Security

YWCA Victoria considers economic security as essential to providing women with the ability to make choices about how they want to live their lives. Economic security is

⁶ The United Nations High Commissioner for Human Rights, 'Working for women's human rights and gender equality', www.unhchr.ch/women/focus/html

the source of significant inequality for women in Victoria today, as seen by the statistics provided above. Economic security for women depends upon access to jobs, training and education, childcare, equal pay, fair division of family responsibilities and adequate superannuation and income security. CEDAW enshrines these economic security rights in Article 11 regarding employment and Article 5 regarding sex role stereotyping.

Safety from Violence

All people have the right to personal safety and to live in a community without fear. Violence against women and girls is a fundamental violation of human rights, as is the threat of violence. Violence is a form of discrimination that prevents women from achieving full social and economic equality. Sexual and violent crimes have traumatic personal consequences for women, girls and their families, the social cost of these crimes is felt throughout society. Acts or threats of violence create a culture which can instil fear and insecurity in the public and private lives of all women and girls, regardless of whether they personally experience violence. Safety is inextricably linked to housing, the right to safe, secure and appropriate housing is a major obstacle to eliminating violence against women.

YWCA Victoria believes that a gender analysis should be used when reviewing the Charter. A gender analysis examines the differences in men's and women's lives, including those that lead to social and economic inequity, and applies this understanding to policy development and service delivery.⁷

Conclusion

As seen in the statistics above, women in Victoria make up the large proportion of one-parent families and lone person households, they see lower wage increases compared to Victorian men, and suffered much higher rates of sexual assault. YWCA Victoria believes that the introduction of the human rights contained in CEDAW and ICESCR into the current Victorian Charter of Human Rights and Responsibilities would see a significant improvement to the lives of Victoria women.

⁷ Ministry of Women's Affairs, New Zealand, *Gender Analysis*. Viewed 03 June11
<http://www.mwa.govt.nz/gender-analysis>