



EQUAL OPPORTUNITY (MISCELLANEOUS) AMENDMENT BILL
14th July 2009

Mrs PENFOLD (Flinders) (12:58): It is appropriate that this equal opportunity bill is on the agenda today in that this afternoon we welcome Isobel Redmond to the floor of the house as our new Liberal leader in South Australia. It is heartening for women to see a woman leading a major political party for the first time in South Australia. The Liberals in South Australia are continuing a grand tradition of leading the way in equal opportunity in many areas of our lives.

In recent days, we have also watched Barack Obama, President of the United States of America, on the world stage as a black man. Both occurrences were something I would not have dreamt of when, in about 1968, I attended my first political meeting in Tumbly Bay where David Tonkin (former Liberal premier) was speaking. At the time, Tumbly Bay had a women's Liberal branch and a men's branch, which combined to hear his speech. It was an inspiring speech that led to my lifelong interest and involvement in politics. It was David Tonkin who, in 1974, successfully introduced a private member's bill to outlaw sex discrimination, which was later amended by Liberal attorney-general Trevor Griffin in 2001. We have come a long way. It is amazing to look back on the history of women in South Australia.

It is amazing to look back on the history of women in South Australia. In 1847 in a hotel on the Port Road a man is said to have auctioned his 25 year old wife for a pound. In 1881 it is recorded that in Naracoorte a man leaving the district sold all of his possessions, including his tent and his wife, for a few pounds. From settlement in South Australia until 1876, the age of consent for girls was 10. From then until 1885, when it was raised to 16, it was 12. In 1884, the Married Women's Property Act was passed. Until then, all married women's possessions, including any money (unless it was a marriage settlement) belonged to her husband.

Soon after this followed the Taxation Act, allowing women to pay tax. It occurred to me that this was a great pity, as women would have been far more highly valued and looked after if they had remained tax exempt. However, it was another 10 years before women's status as non-citizens, along with children, the insane and criminals, was rectified.

The battle for women's equal opportunity to vote really began in 1883, when the Ladies Committee of the Social Purity Society, led by Mrs Mary Colton, Mrs Rose Birks and Mrs Mary Lee, resolved to 'urge by every legitimate means the course of women's suffrage in this colony'. They were followed by the Women's Christian Temperance Union in 1887. This was the year of the state's 50th Jubilee; the 50th anniversary of Queen Victoria's reign. Then in 1888 the Women's Suffrage League was formed. The first president was Dr Stirling, with Mrs Mary Lee and Mrs McLellan as honorary secretaries. It is interesting to note that their third objective states, 'that while women's suffrage is desired no claim is put forward for the right to sit as representatives'.

Finally, in 1890, the Working Women's Trade Union was formed and, again, Mrs Mary Lee is prominent as the secretary. This powerful woman had come to Adelaide from Ireland at the age of 58 to nurse a sick son, one of her seven children. He died within a year, and for the rest of her life she worked for social and political reform in the colony.

Then, only 115 years ago, in 1894, our constitution was amended to clarify the meaning of the word 'person' to include women as well as men. What a simple change, which meant so much for women, who until then were considered chattels. There is a great deal of significance in this amendment, made on 18 December 1894. It was the last step required to give women over the age of 21 the same rights as men to vote in the House of Assembly and the

Legislative Council elections in this state, the first Australian state to allow women to vote. It had taken nine years of political struggle and six unsuccessful amendments before, finally, the seventh was successful. Only the week before this successful vote, one of our Australian members of parliament stated:

It is a grave mistake and crime against the next generation for women, who hope some day be mothers, to spend their physical and nervous vitality in study or labour—vitality that should be stored up as a kind of natural bank account for the credit of their children. Every woman who uses up her natural vitality in a profession, business or in study will bear feeble, rickety children and is indeed spending her infant's inheritance on herself.

His statements would be hard to believe by young men and women of today. There would be no doubt about how he voted when the bill finally passed with the absolute majority required for a constitutional bill of 28 of the 54 members. Another quote that conjures a wonderful visual picture is the man who claimed that women would be unsexed by being given the vote. He said:

The woman who goes shrieking on the stump and roaring, hustling and pushing at the polling booth cannot help getting rougher and coarser than if she had been home darning stockings or superintending her household.

At the same time South Australian women were given the right to vote, they were also given the right to stand for parliament, which was a world first. However, we in South Australia did not follow this good start through, and we were the last state in Australia to elect women to parliament. This only happened 65 years later when Liberal Mrs Joyce Steele was elected to the House of Assembly and another Liberal, Mrs Jessie Cooper, to the Legislative Council.

There had been no country women until 1993, when Caroline Schaefer was elected to the Legislative Council after a casual vacancy occurred during the year and I came in at the election at the end of the year. So it took 99 years for country women to be represented in our parliament.

Women's suffrage meant that we could vote but, until we had women in parliament, it was still very difficult to change many things. In addition, both Caroline and I believe that having country women is very important, because we bring quite a different perspective to the parliament than our city-based counterparts. Being country women is very much an added bonus, because we are able to speak when decisions are being made that will become the law of the land and on policy and expenditure decisions that often affect country people quite differently from city people.

It was not easy being a woman in parliament when I came in, but it would have been much worse for Joyce Steele and Jessie Cooper. The whole system was designed for men. Originally, they used to sleep in the building when parliament was sitting and had housekeepers to look after them. It was fascinating to have two former female staff members in the house today. One former housekeeper, Miss Jean Bottomley, is about to turn 100 years old.

A large pool room and a bar are still available, although their usage is now much changed. There were also practical difficulties for women in parliament. Senator Karin Sowada could not open the heavy doors of the federal house and, on the local scene, it was a long time before there was a ladies loo on the ground floor, which I well remember.

I believe women work differently from men. This is changing as men are becoming so much more involved with raising their children and activities such as nursing as a profession, once considered only female occupations. Women tend to see things from not only the point of view of women—our interests, aspirations and differences—but of families. I think because we are women, we are hearing about many more problems relating to women and families because other women feel that they can talk to us and we will understand. This applies particularly to older, immigrant and Aboriginal women. I believe that more women in politics as both members and in the party can only be a good thing.

The fact that we are discussing equal opportunity matters is an indication of our progress in this area and also as a democracy. It is unfortunate that many of the equal opportunity issues have to be put into law. However, that is the nature of our society, which has become quite litigious.

It is a sober fact that parliaments pass laws but it is our courts that interpret laws. We must therefore err on the side of caution so that, in attempting to do good, we do not inadvertently do evil. It has been interesting to read the speeches of our leader, the member for Heysen, in this respect. Her instances of the possible application of specific wording brings home the above point. For example, it seems a complete nonsense only to accept men who are six feet or

more in height as a requirement in an advertisement until one reads that it could be a legitimate requirement for a men's basketball team.

We are still struggling with sex. There is no doubt that discrimination against women simply because they are women still exists, and the issues of chosen gender and sexuality are still being dealt with. There are many other issues covered in this bill, among them those relating to disability, sexual harassment, independent contractors, agents, contract workers, partnerships, associations, charities, religious bodies, race, education, pregnancy, provision of goods and services, and advertising. Many of the issues are complex and some are conscience issues for each one of us. However, broadly speaking, I am supportive of the bill and have sympathy with some of the amendments proposed.