



22 January 2024

Beatriz Balbin
Chief
Special Procedures Branch
Office of the High Commissioner for Human Rights
Palais des Nations
1121 Geneva 10
SWITZERLAND

Dear Chief Balbin

Thank you for your correspondence of 23 November 2023 in relation to the mandate of the Special Rapporteur on violence against women and girls, its causes and consequences, Reference: **AL AUS 4/2023**.

The Australian Government provides the following observations on the raised matters:

- 1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.*

The expulsion of Ms Moira Deeming from the Parliamentary Liberal Party is a political party matter. Each Australian state and territory has defamation laws. Under those laws, a person has a cause of action in relation to the publication of defamatory matter about the person and can commence proceedings. The Government cannot comment on individual legal proceedings.

- 2. Please indicate what measures have been taken to prevent violence against women in politics, including online violence, and to protect women victims of violence in politics, including in the form of defamation levelled against them.*

In the 2022-23 and 2023-24 Budgets, the Australian Government invested \$2.3 billion in women's safety. This includes to support the implementation of the *National Plan to End Violence Against Women and Children 2022-2032* (The National Plan). The National Plan, released by the Australian Government along with state and territory governments in 2022,

guides whole of government investments and actions to end violence against women. The funding supports a range of policies and programs to prevent violence, support early intervention, and to respond to the needs of people who experience violence and support their recovery and healing.

The *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022* implements several key recommendations of the Australian Human Rights Commission *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* report, including reforms to strengthen the legal and regulatory frameworks relating to sex discrimination and places a focus on preventative efforts to eliminate sexual harassment.

The Australian Human Rights Commission's *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* made 28 recommendations to make Commonwealth parliamentary workplaces safe and respectful. Implementation of the recommendations is a shared responsibility across the Parliament, and is overseen by the Parliamentary Leadership Taskforce which has cross-party parliamentarian membership. Progress towards implementing the Report's recommendations is published on the Taskforce's [website](#).

The Report's 'Framework for Action' comprises complementary recommendations addressing leadership; diversity, equality and inclusion; systems to support performance; standards, reporting and accountability; and safety and wellbeing. While collectively the recommendations are concerned with making the workplace safe and respectful for everyone, many of the reforms will have a positive impact in preventing violence against women who work in the Commonwealth Parliament. This includes advancing gender equality, diversity and inclusion among parliamentarians and their staff (recommendations 5-7), undertaking a review of Standing Orders to improve safety and respect in the parliamentary chambers (recommendation 10), and establishing codes of conduct (recommendation 21). In early February 2023, the Parliament endorsed the Behaviour Code for Australian Parliamentarians, Behaviour Code for staff employed under the *Members of Parliament (Staff) Act 1984*, and the Standards for Commonwealth Parliamentary Workplaces, on an interim basis pending establishment of the proposed Independent Parliamentary Standards Commission which will have a role to enforce the codes. The codes include rules requiring those subject to the codes to treat people with respect, and a prohibition on bullying, harassment, sexual harassment and assault, and discrimination in all its forms.

The Government led implementation of the statutory Parliamentary Workplace Support Service (the PWSS) which commenced operations on 1 October 2023 following passage of legislation. The PWSS provides human resources services to parliamentarians and their staff, as well as services to a wider cohort of people that work in a Commonwealth parliamentary workplace to support a safe and respectful workplace.

This includes support and complaint resolution services for certain misconduct including bullying, sexual harassment and sexual assault. The PWSS also has a function to report annually on a range of matters including progress in prevention of, and responses to, conduct of that kind (see section 22 of the *Parliamentary Workplace Support Service Act 2023*). Following the PWSS's establishment, the Government is focussing on establishing the proposed Independent Parliamentary Standards Commission.

The Government will soon also release its National Strategy to Achieve Gender Equality (the Strategy), outlining the vision for gender equality over the next 10 years. The Strategy will include a focus on women's leadership and representation and women's safety, as well as addressing the harmful attitudes and stereotypes that drive and reinforce gender inequality. The Strategy will complement the implementation of Set the Standard, as well as other efforts to improve workplace safety and respect, including implementation of *Respect@Work* and the *National Plan to End Violence against Women and Children 2022-2032*.

Online safety

The eSafety Commissioner (eSafety) is Australia's independent regulator for online safety. eSafety leads, coordinates, educates and advises on online safety issues and aims to empower all Australians to have safer, more positive online experiences. eSafety has a range of functions under the *Online Safety Act 2021 (Cth)* ('OSA'). These include administering complaints schemes to address:

- adult cyber abuse – harmful online communication to or about a person who is 18 or older that is menacing, harassing or offensive, and intended to cause serious harm; and
- image-based abuse – sharing, or threatening to share, intimate images or videos of a person without their consent.

It should be noted that eSafety's schemes do not cover defamation. eSafety can help with tech-based abuse where it reaches the legal threshold for investigation under one of the complaints schemes and provide harm minimisation by requesting removal of harmful content.

eSafety also provides education and awareness raising programs, including the Women In The Spotlight (WITS) program. WITS offers support to elevate and protect women's voices online through online resources and social media self-defence training, providing relevant online safety information and resilience strategies, as well as encouraging participants to spread the online safety message. Training participants have included industry leaders and managers, government officials and policy makers, women's business networks, athletes and female journalists.

eSafety also represents Australia in the Global Partnership for Action on Gender-based Online Harassment and Abuse. The Partnership is a 14-country coalition, supported by an advisory group that brings together international organisations, the private sector and civil society organisations, to understand, prevent and deal with the issue of tech-facilitated gender-based violence. The Partnership focuses on the impact of gender-based online harassment and abuse on victim survivors in their private lives, as well as the costs to society and democracy of online violence directed towards women in their public lives as journalists, politicians or activists.

3. *Please explain what measures the Government of Australia will take to allow women to express themselves without intimidation or fear on issues of sex, gender and gender identity as well as exercise their freedom of assembly and association.*

The Australian Government is committed to protecting the rights and freedoms that underpin Australia's liberal democracy, including freedom of assembly and freedom of association. These rights are protected in Australia by the common law, systems of governance, and a vibrant civil society. Australia also has comprehensive legislative and non-legislative measures to ensure that police only use force where it is necessary and reasonable in the circumstances, including during protests.

Thank you for contacting us on these matters. I trust this information is of assistance.

Yours sincerely



H.E. Ambassador Emily Roper
Chargée d'affaires
Australian Permanent Mission to the United Nations
Australian Delegation to the Conference on Disarmament