

Impact Analysis: Legislative and policy
achievements of EMILY's List women in power in
South Australia 2002 - 2016

Inside front cover

EMILY's List - a brief history

EMILY's List is a not-for-profit organisation, which supports progressive Labor women in their campaigns to enter Australian state, territory and federal parliaments.

Joan Kirner and Carmen Lawrence established the organisation in 1996 in response to a lack of women being preselected within the ALP, and affirmative action targets not being met.

The organisation is membership based and is run by committed paid and voluntary staff. EMILY's List supports candidates with training, mentors and financial support in exchange for their commitment to progressive issues facing women, particularly in the areas of choice, childcare, diversity, equity and equal pay.

EMILY is an acronym, which stands for *Early Money Is Like Yeast*- it raises the dough, which is fundamental to the funding structure of new candidates, where early money is given to help strengthen the campaign in the early stages.

Across Australia, EMILY's List has successfully supported more than 430 candidates to campaign, with more than 210 elected.

Background Note:

This impact analysis was commissioned by the EMILY's List National Committee and prepared by Emma Jane Humphries as part of a School of Social and Political Studies (University of Melbourne) placement with EMILY's List Australia. We gratefully acknowledge the contribution of current and past South Australian EMILY's List MPs in the preparation of this report.

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Too important to leave out!

Anne Levy and Carolyn Pickles, both foundation members of EMILY's List, were not in Parliament during the period of this research. However, their achievements and legacy are too important to leave out of any record of the impact of progressive EMILY's List SA women MPs.

In 1975, Anne became the first Labor woman elected to the South Australian Legislative Council, where she served until 1997. In 1986, she became the first Australian woman to hold the position of a presiding officer of a house of parliament. She was also Australia's first Minister for the Status of Women between 1992 and 1993.¹

Anne worked to achieve reform in many important areas to women, including maternity leave, equal pay and affirmative action. She was critical to the introduction of the SA Equal Opportunity Act in 1983.²

Carolyn Pickles was part of the group of women who were integral to the introduction of the ALP's first affirmative action rule in 1994 and the subsequent founding of EMILY's List to ensure that the cultural change required to support this rule was achieved.

A member of the Legislative Council from 1985 to 2002, she became the first woman to lead a party in the South Australian Parliament when she was elected Leader of the Opposition in the Legislative Council.

Carolyn also served as Shadow Minister for Education and Children's Services; Environment and Natural Resources; the Arts; the Status of Women; Transport and Youth Affairs.

Foreword

This report is the result of analysis of the impact of EMILY's List-endorsed women members of the South Australian Labor Government in power since 2002. The research looks particularly at the role of these MPs in enacting legislation which upholds EMILY's List key values of reproductive choice, equal pay, equity, diversity and child care.

The research highlights the very significant achievements of these members of the South Australian Parliament.

Prominent among these include changing some 100 Acts of Parliament to give same-sex couples the same rights as heterosexual domestic partners; addressing the issue of work and life imbalance through the creation of flexible working conditions and the funding of scholarship opportunities to encourage young women to take up careers in traditionally male dominated areas such as science, technology and engineering.

The research also emphasises the importance of having progressive women in parliament. This was highlighted when Emily's List endorsed MPs were influential in blocking Family First member Robert Brokenshire's Bill, which threatened to wind back South Australia's progressive and hard-won reproductive choice rights.

The report highlights how having progressive women in parliament leads to legislation which promotes not only gender equality, but also a better quality of life for everyone, regardless of their sexual orientation or culture.

Further investigation of EMILY's List SA MPs demonstrates that their contributions cannot only be measured in terms of their legislative achievements in parliament. They have also made significant contributions to their communities through their support for issues, groups and campaigns affecting SA women and children.

Importantly, they have also changed the dynamic of parliament from a male dominated space to one which benefits from the strong presence of progressive female voices. This has changed the way women MPs are treated and made the South Australian parliament a place where women feel they belong, can be heard and be effective.

We/I commend this report to you.



Tanja Kovac Senator Anne McEwen
EMILY's List Australia National Co-Convenors

Introduction

After being launched in November 1996, EMILY's List endorsed and supported its first women candidates in elections in South Australia and the Northern Territory in 1997.

All six candidates in the South Australian election - Jennifer Rankine, Stephanie Key, Gay Thompson, Frances Bedford, Lyn Breuer and Vini Ciccarello - were elected.

“...it was our great good luck that the first time that EMILY's List put its toe into the water to support candidates was in the 1997 South Australian election when the six candidates we supported all won. So we were able to claim that we had made the difference!

Of course, it was the swing that actually made the difference but the women were all very strong feminists so they had no hesitation in claiming it too.” The first 18 years, Q and A with Joan Kirner, *Housebound: a woman's place is in the House and the Senate*, EMILY's List, 2015

In the years since 1997, EMILY's List has supported the election of 17 progressive female members into the South Australian parliament and the campaigns of a further 16 unsuccessful candidates (A full list of EMILY's List supported MPs is included at Appendix 1).

Jennifer Rankine, Stephanie Key, Lyn Breuer, Gay Thompson, Robyn Geraghty, Gail Gago, Lea Stevens and Jane Lomax-Smith are all EL foundation members, along with Carolyn Pickles and Anne Levy, who had already paved the way for SA women MPs when Labor was elected in 2002.

This document highlights the achievements of EMILY's List-endorsed members of parliament in the period since Labor took office in 2002.

South Australia – always a trailblazing state for women

South Australia has historically been a core state for progressive change, particularly in areas affecting women. In 1895, it became the first state to give women the right to vote, and one of the first places where women achieved the right to stand for parliament.³ Despite this impressive record, South Australia is now the only Australian state or territory state yet to have a female Premier.⁴

In 1975, South Australia was the first state in Australia to introduce a Sex Discrimination Act, which protected people against discrimination based on sex or marital status.⁵

Within months of being elected in 2002, the Labor Government established a Premier's Council for Women to “provide leadership and advice to ensure that the interests and needs of women are at the forefront of the South Australian Government's policies and strategies”.⁶

In 2004, the Government became the first state government to introduce gender-balance targets into its strategic planning and has since developed ways to monitor progress against strategic objectives to ensure it is able to accurately see how women are faring across most sectors.⁷

The strong presence of EMILY's List members throughout the Labor Government's four terms has ensured that South Australia continues to be a place where progressive change is

achieved. In 2006, more than 75% of government women MPs were supported by EMILY's List. EMILY's List MPs have also made significant contributions as Ministers.

At the federal level, EL foundation members Rosemary Crowley, Anne McEwen and Penny Wong have brought about important legislative reform for women's rights and equality.

Legislative Reform

EMILY's List supported MPs have been key instigators of critical legislative reform in South Australia. These women have brought about change in a range of different ways: on the parliamentary floor, through parliamentary committees and through lobbying inside the Labor Party itself.

MPs have also been successful in creating change through policy initiatives which aim to give women a fairer chance by giving them access to training programs, scholarships and other government support. Specific legislative achievements relating to EMILY's List values of equity, diversity, child care, equal pay and choice are explored in this report.

Equity

We strongly believe in the right of every woman to enjoy equal rights and privileges before the law, regardless of sexual orientation and gender identity. This is because equality is a fundamental human right that should be enjoyed by all.

During the Labor Party's time in power in South Australia, important reforms have been implemented to create equality for same sex and de facto couples. The Statutes Amendment (Domestic Partners) Act 2006 did this by changing 97 Acts from using the term 'de facto', to instead categorising all partners as domestic partners (including same sex couples).⁸ Steph Key and Jane Lomax-Smith both played key roles in achieving such legislative change.

Another change that occurred was the Equal Opportunity Act 1984 (2009) which made it unlawful to discriminate against someone for their sexual orientation or their chosen gender.⁹

The 2010 amendment to the Family Relationship Act 1978 was another step towards equality, as it gave lesbian couples the same rights as heterosexual couples using assisted reproductive technology. The amendment allowed both mothers to register as co-parents on their child's birth certificate.¹⁰ This major change resulted from the Social Development Committee's Inquiry into Same-Sex Parenting, of which EMILY's List's Frances Bedford was a member.¹¹

The committee's inquiry highlighted discriminatory adoption laws, which were investigated further by EMILY's List member and then Minister for Education and Child Development Jennifer Rankine. In December 2014, Ms Rankine began a review specifically looking at South Australia's 'outdated' adoption laws.¹²

In 2013, EMILY's List MP Susan Close continued the fight for equality for same sex couples when she introduced the Same Sex Marriage Bill, which was also supported by Lyn Breuer.¹³ Unfortunately, the Bill was not passed because of the Opposition's stance that the legislation would be challenged in the High Court.

The Labor Government and EMILY's List supported members have also been crucial in legislation to give women protection and the ability to choose to leave domestic violence situations.

In 2004, Steph Key, as Minister for the Status of Women, oversaw the development of *Valuing South Australia's Women: Towards A Women's Safety Strategy for South Australia* which looked at ways to reduce domestic violence against women.¹⁴

While a later Minister for the Status of Women, Gail Gago oversaw the introduction of a range of reforms contained in the Government's *Taking a Stand – Responding to Domestic Violence* package launched in late 2014. In June 2015, she announced the creation of a Women's Domestic Violence Court Assistance Service, which had been outlined in the policy package.

Susan Close, as acting Minister for Business Services and Consumers, announced in November 2015 that amendments to the Residential Tenancies Act would provide some of Australia's strongest protections for victims of domestic violence.

The reforms will allow victims to terminate leases on rental properties they share with abusive partners without facing financial penalties and to remove their names from joint leases without the consent of the perpetrator.¹⁵

On 31 July 2015, Gago launched the Government's *Achieving Women's Equality – South Australia's Women's Policy* which is aimed at achieving gender equality across all government areas and in the wider community, in partnership with non-government organisations, business, local government and community groups.¹⁶

Child care

We believe work-life balance is crucial to women, men and families. For women and men to achieve fulfillment professionally and personally, they need affordable, quality, flexible childcare for their children.

In November 2014, when Jennifer Rankine, as Education and Child Development Minister, opened the 42nd South Australian Children's Centre for Early Childhood Development and Parenting, she was very proud to say that none of the centres had existed when Labor came to Government in 2002.

"We have invested more than \$60 million in the creation of these centres, and the work they are doing in the lives of children and their families is exceptional," she said.¹⁷

The Select Committee on Balancing Work and Life Responsibilities,¹⁸ which included EMILY's List foundation member Gay Thompson, highlighted many key issues, including employer sponsored or subsidized child care; paid maternity leave, carers' leave and parental leave and flexible working arrangements such as compressed working weeks and gradual return to work after maternity leave.

Many of the policies suggested by the committee were implemented in South Australia's Strategic Plan.¹⁹ Child care services and standards were captured in the Government's *Every Chance for Every Child* program²⁰, one of the Plan's seven priority areas.

Under the program, SA children have access to “high quality, affordable child care and preschool offered by trained staff using a rigorous curriculum; early childhood development professionals are recognised and all families have access to a Children’s Centre in their local area.”²¹

In 2013, Jennifer Rankine as Minister for Education and Child Development, trialed an online program that connects new mothers with professional advice after the birth of their baby.²²

Equal Pay

We believe society needs to increase the value it places on the work of women – both in the paid workforce and in the home. We believe in challenging long held perceptions of the inferiority of “women’s work”, particularly in the provision of care to vulnerable people in our society like children, young people, the disabled and the elderly. We believe the difference in the nature and way women work including time out for caring, should not lead to significantly lower wages or superannuation for women.

In 1969, and again in 1973, South Australian women were granted equal pay for equal work.²³ Acknowledging Equal Pay Day in September 2015, Minister for the Status of Women, Gail Gago, said that while the 10.8% pay gap for SA women is lower than the 17.9% national average, it is “still too high”.²⁴

Gago said as part of the *Achieving Women’s Equality: South Australia’s Women’s Policy* 2015, the Government would research the specific causes of the SA gender pay gap.

“We will use the outcomes of this research to inform and focus work in particular industries and with relevant stakeholders, including through the development of a women’s economic independence strategy, with a focus on economic empowerment and non-traditional employment,” she said.

The Government will also encourage SA businesses to conduct their own gender pay audits and implement strategies to reduce the gender pay gap.

In 2009, the Government embedded flexible working conditions in legislation for the first time with the passage of the Public Sector Act 2009.

During her time as Minister for Education and Child Development, Jennifer Rankine improved working conditions for teachers, Aboriginal Education Workers, School Services Officers, Preschool Teachers and Early Education employees, including increased entitlement to paid maternity and adoption leave.²⁵ As women tend to occupy a majority of positions in this sector, this initiative has had a significant effect on the working conditions of many South Australian women.²⁶

Diversity

We believe democracy is enhanced through the diversity of people participating in it. More women in parliament, on corporate boards and in our courts lead to greater diversity of views and therefore better public policy outcomes.

South Australia has a strong history of supporting women’s political representation and was the first state to give women the right to vote and the right to be elected.

Although the percentage of women elected to the South Australian parliament has fluctuated over the four terms of the Labor Government, the lowest proportion recorded in the House of Assembly was 34.62% in 2010 after a high of 41.94% in 2006. Of this peak figure, 76.92% were EMILY's List members. The high percentage of EMILY's List members is important as these MPs maintain a form of 'feminist collectivity' within the Labor Government.²⁷

A notable and important milestone for women in the South Australian Parliament was the appointment of EMILY's List foundation member Lyn Breuer as the first female Speaker for the House of Assembly in 2010. "I think this is a real plus for women. I am proud to be the first woman to be appointed to the role," she said.²⁸

During its time in power, the Labor Government has introduced many initiatives to promote women in the workforce, especially in executive positions and male dominated areas.

Many of the Government's strategic targets aim to increase the involvement of women. Target 30, for example, is designed to ensure that women make up 50% of government boards and committees.²⁹ Target 31 aims to increase the number of women chairing state government boards and committees to 50%. These targets have not been met to date, but, as a result of the Government's efforts, women now make up 40% of government boards and their chairs.³⁰

Target 52 aimed to have women make up half of all SA public sector executive employees (including chief executives) by 2014. This initiative recognized the importance of women being equally represented not only in parliament, but also within government organisations and workplaces.

Government initiatives to meet this target led to a positive increase from 18.9% in 2003 to 43.8% in 2013. Initiatives included non-discriminatory job advertisements and flexible working conditions.³¹

Frances Bedford established the Muriel Matters Society in 2009 to promote the ideals and vision around Muriel's philosophy of equality and access, especially in the areas of women's participation, education for all, industrial fairness and world peace. Frances and Steph Key remain on the Society's executive.

Choice

We believe women must have control over their own bodies and choice in their lives. Reproductive Freedom empowers women and men to choose if, when and how to begin the important journey into parenthood, without fear of discrimination, coercion or violence.

In 1969, South Australia became the first state to decriminalise abortion where it was necessary to protect the life or the mental wellbeing of the woman and in cases where it was likely the child would be born with a serious disability. Terminations had to be approved by two physicians and performed in a hospital.³²

EMILY's List members were crucial in protecting this right to choose, when lobbying and fighting for a block rather than a conscience vote within the Labor Party against Family First member Robert Brokenshire's Private Member's Bill.

Brokenshire's bill would have resulted in recognition of the fetus as a person, similar to the now-lapsed Zoe's Law Bill in New South Wales. This would technically have made abortion illegal and would have been a major step backwards for women's reproductive rights in South Australia.³³

Non-Legislative Achievements

The difference EMILY's List women make does not just end with their legislative achievements. In response to a survey sent to EL MPs as part of this research project, Gay Thompson said it "is important that the achievements of EMILY's members are not reported only in relation to parliamentary achievements.

These are but one third of the work for most of us. Our work in the community and on behalf of constituents is just as important and often more meaningful".

Thompson said domestic violence organisations were always grateful for her frequent attendance at meetings and women in the community were given a new opportunity to be acknowledged when she established an annual International Women's Day dinner.

Thompson also highlighted the importance of also having female MPs in parliamentary committees, citing an occasion when her input required the redesign of plans for new police facilities because they had not included female toilets.

"Mundane, but their absence signaled that the organisation did not really mean that it intended to meet its goal of increased female participation," she said.³⁴

Appendix 1: EMILY's List-endorsed SA women MPs*

Member	Electorate	Time in office	EMILY's List Foundation Member	Current EMILY's List Member
Frances Bedford	Florey	1997-present		Yes
Zoe Bettison	Ramsay	2012-present		
Lyn Breuer	Giles	1997-2014	Yes	
Vini Ciccarello	Norwood	1997-2010		
Nat Cook	Fisher	2014-present		Yes
Susan Close	Port Adelaide	2012-present		Yes
Rosemary Crowley	Senator	1983 - 2002	Yes	
Chloe Fox	Bright	2006-2014		
Gail Gago	MLC	2002-present	Yes	Yes
Robyn Geraghty	Torrens	1994-2014	Yes	
Katrine Hildyard	Reynell	2014-present		Yes
Steph Key	Ashford	1997-present	Yes	Yes
Jane Lomax-Smith	Adelaide	2002-2010	Yes	
Anne McEwen	Senator	2004-present	Yes	Yes
Grace Portolesi	Hartley	2006-2014		
Jennifer Rankine	Wright	1997-present	Yes	Yes
Lea Stevens	Little Para	1994-2010	Yes	
Gay Thompson	Reynell	1997-2014	Yes	Yes
Leesa Vlahos	Taylor	2010-present		
Penny Wong	Senator	2001-present	Yes	Yes

*All MPs were EMILY's List members and endorsed EMILY's List candidates when first elected.

Appendix 2: Legislation and policy initiatives brought about by EL South Australian MPs

Legislation	Policy Initiatives
<ul style="list-style-type: none"> • Acts Interpretation (Gender Balance) Amendment Act 2005 • Advance Care Directives Act 2013 • Children's Protection (Miscellaneous) Amendment Act 2005 • Children's Protection (Notification) Amendment Act 2013 • Child Sex Offenders Registration Act 2006 • Climate Change and Greenhouse Emissions Reduction Act 2007 • Constitution (Casual Vacancies and Gender Neutral Language) Amendment Act 2003 • Criminal Law Consolidation (Rape and Sexual Offences) Amendment Act 2008 • Disability Services (Rights, Protection and Inclusion) Amendment Act 2013 • Education and Early Childhood Services (Registration and Standards) Act 2011 • Equal Opportunity (Miscellaneous) Amendment Act 2009 • Family Relationships (Parentage) Amendment Act 2011 • Family Relationships (Surrogacy) Amendment Act 2012 • Guardianship and Administration (Miscellaneous) Amendment Act 2005 • Health Care Act 2008 • Industrial Law Reform (Fair Work) Act 2005 • Intervention Orders (Prevention of Abuse) Act 2009 • Mental Health Act 2009 • Public Sector Act 2009 • Reproductive Technology (Clinical Practices) (Miscellaneous) Amendment Act 2009 • Residential Tenancies Act 1995 – Domestic violence amendments 2105 • Return to Work Act 2014 • Statutes Amendment (Domestic 	<ul style="list-style-type: none"> • Achieving Women's Equality – South Australia's Women's Policy • Every Chance for Every Child • Gender balance targets incorporated in State Government strategic planning • Equal pay for social and community sector workers • Flexible working conditions in the SA public service • Funding of the Gladys Elphick awards • Metropolitan Aboriginal Family Birthing Program • Premier's Council of Women • State Aboriginal Women's Gatherings • South Australian Strategy for the Inclusion of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer People (2014-16) • Taking a Stand – Responding to Domestic Violence • Valuing South Australia's Women: Towards A Women's Safety Strategy for South Australia

<p>Partners) Act 2006</p> <ul style="list-style-type: none">• Statutes Amendment (De Facto Relationships) Act 2011• Statutes Amendment (Equal Superannuation Entitlements for Same Sex Couples) Act 2003• Statutes Amendment (Surrogacy) Act 2009• Statutes Amendment (Victims of Crime) Act 2009• TAFE SA Act 2012• Training and Skills Development Act 2008• Victims of Crime (Commissioner for Victims' Rights) Amendment Act 2007• Work Health and Safety Act 2012	
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