



HARMONY ALLIANCE

MIGRANT & REFUGEE WOMEN FOR CHANGE

Joint Select Committee on Parliamentary Standards
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Submission to the Joint Select Committee on Parliamentary Standards – Terms of reference

Harmony Alliance welcomes the opportunity to make a submission to the Joint Select Committee on Parliamentary Standards. Considering that the current federal parliament is the most diverse in Australia's history – both in terms of gender and diverse heritage – it is necessary to develop a code of conduct that ensures safety and inclusion for all.

About Harmony Alliance

Harmony Alliance: Migrant and Refugee Women for Change is one of the six National Women's Alliances supported by the Australian Government to promote the views of all Australian women and to ensure their voices are heard in decision-making processes.

Harmony Alliance's purpose is to provide a national inclusive, and informed voice on the multiplicity of issues impacting on experiences and outcomes of migrant and refugee women, and to enable opportunities for women from migrant and refugee backgrounds to directly engage in driving positive change.

The Harmony Alliance membership comprises over 160 organisations and individuals representing and/or working for the advancement and inclusion of migrant and refugee women. We acknowledge the diversity of experiences of women from migrant and refugee backgrounds and recognise the inherent value of each person, of all backgrounds, genders, ages, abilities, social standings, sexual orientations, or religions. We promote the principles of dignity, equality, autonomy, non-discrimination, and mutual respect.

An Australian Code of Conduct

In 2021, Set The Standard report exposed that one third of people in Commonwealth parliamentary workplaces experience sexual harassment but only a 11% of people who experienced sexual harassment reported it. Women also experience bullying and sexual harassment at a higher rate than men.¹

The development of an Australian Code of Conduct in Commonwealth parliamentary workplaces (the Code) presents an opportunity to provide safe and inclusive work environment for all.

¹ Australian Human Rights Commission. *Set the Standard Report on the Independent Review into Commonwealth Parliamentary Workplaces*. (2021)
https://humanrights.gov.au/sites/default/files/document/publication/ahrc_set_the_standard_2021.pdf



The Code must set the rules and principles that define standards of ethical behaviour for parliamentary workplaces and provide mechanisms for implementation to ensure that the Code is not only a set of aspirations. It should be expected that the House of Representatives and the Senate hold responsibilities both as institutions and as an employer to investigate misconduct allegations and apply adequate corrective measures.

International codes of conduct

Similar parliamentary systems to Australia's, such as the United Kingdom,² Canada,⁴ New Zealand⁵ and the United States,⁶ have developed codes of conduct and policy procedures that set standards of behaviour for parliamentarians. While the codes of conduct found in these countries are potential precedents for developing a code of conduct in Australia, these codes of conduct, with the exception of the UK, are flawed by a lack of compliance mechanisms and are mainly comprised of principles and rules of conduct.

The House of Lords (UK) and the Canadian House of Commons and Senate have specific bodies that ensure accountability for parliamentarians. In the UK, the Conduct Committee in the House of Lords⁷ has the capacity to review the Codes of Conduct, oversee the work of the House of Lords Commissioner for Standards, investigate breaches of the Code, report any violation of the Code and apply sanctions.

In Canada, the House of Commons Standing Committee on Procedures and House Affairs is a standing committee formed by three political parties, is responsible for reviewing and reporting over the Conflict of Interest Code for Members of the House of Commons, the Office of the Conflict of Interest and Ethics Commissioner, the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members and other procedural and administrative matters⁸. Similarly in the Senate, the Senate Ethics Officer⁹ administers, interprets, advises and applies the Ethics and Conflict Interest Code for Senators and reports once a year in the Senate.

Inclusive cultural diversity in parliamentary workplaces

Parliamentary policies and procedures should be responsive to the diversity of the Australian population. The current Australian Parliament is the most diverse in Australia's history. The

² 'Code of Conduct for Members of the House of Lords, Guide to the Code of Conduct, Code of Conduct for House of Lords Members' Staff' Twelfth Edition (June 2022).

<https://www.parliament.uk/globalassets/documents/lords-commissioner-for-standards/hl-code-of-conduct.pdf>

³ "Bullying and Harassment Policy for UK Parliament," *Independent Complaints and Grievance Scheme*, 2022 (2022 <https://www.parliament.uk/globalassets/documents/conduct-in-parliament/bullying-and-harassment-policy.pdf>)

⁴ "Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members," *Standing orders of the House of Commons* (December 2021) <https://www.ourcommons.ca/procedure/standing-orders/Appa2-e.html>

⁵ "Parliamentary Service Code of Conduct." (May 2022). <https://www.parliament.nz/media/9135/code-of-conduct-2019.pdf>

⁶ 'Code of Official Conduct. Rules of the House of Representatives-117 Congress'(February 2021)

<https://ethics.house.gov/publications/code-official-conduct>

⁷ <https://committees.parliament.uk/committee/402/conduct-committee/>

⁸ <https://www.ourcommons.ca/Committees/en/PROC/About>

⁹ <https://seo-cse.sencanada.ca/en>



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representation of women from overseas non-European backgrounds increased from 5.7% in the previous Parliament to a 9.9% in the 47th Parliament.¹⁰

While addressing issues of gender equity in Parliament, it is important to apply an intersectional lens to the development of the Code to also reflect cultural diversity in parliamentary workplaces. In 2020, the Harmony Alliance released its Position Statement on Intersectionality.¹¹ Intersectionality theory recognises that an intersection of multiple forms of systemic discrimination and barriers produces greater disadvantage for groups of people who are not dominant and do not have equal access to power and privilege as the dominant groups. People from migrant and refugee backgrounds and especially women from migrant and refugee backgrounds are impacted by multiple forms of systemic disadvantage and inequality.

In the context of parliamentary workplaces, developing the Code through an intersectional lens can be a solution to facilitate equity of access, experience and outcomes for women in all their diversity.

Diversity brings an opportunity to develop and implement the Code bringing meaningful and lasting change to parliamentary workplaces by:

- Embracing and acknowledging cultural diversity.
- Respecting an individual's identity, culture, religion, values, and heritage.
- Delivering culturally responsive training that is revised and updated regularly and includes cultural self-awareness.
- Promoting and implementing diversity policies to achieve equitable outcomes.
- Creating leadership opportunities for people from diverse backgrounds.

Recommendations

- The Code should embed the principles of intersectionality and gender equality.
- The Code should establish both ethical standards and grievance redress mechanisms.
- An independent body should be created to oversee the implementation of the Code and ensure compliance.
- The code of conduct should ensure a safe and respectful environment in parliamentary workplaces through adequate policies.
- People working in Commonwealth parliamentary workplaces should be provided training on cultural diversity and intersectionality to address systemic issues of racism and discrimination.

Contact Information:

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¹⁰Amy Remeikis. 'The 47th parliament is the most diverse ever – but still doesn't reflect Australia' (25 July 2022) *The Guardian* <https://www.theguardian.com/australia-news/2022/jul/25/the-47th-parliament-is-the-most-diverse-ever-but-still-doesnt-reflect-australia>

¹¹ Harmony Alliance. *Position Statement on Intersectionality*. (2020) <https://harmonyalliance.org.au/wp-content/uploads/2020/08/Intersectionality-Position-Statement-Final.pdf>