



UTS



Gender & the Law

Gender-Responsive Law-Making as a Democratic Safeguard: Comparative Lessons for Parliaments Under Pressure

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Chair in Gender and the Law

2 October 2026



Acknowledgment of Country

The UTS Faculty of Law is situated on the unceded lands of the Gadigal people. We pay respect to Elders both past and present, acknowledging them as the Traditional Custodians for this land. We acknowledge that these lands have always been places of law, and today exist within plural legal worlds.

Artwork: 'dhiirra-y', meaning to know, by Kirsten Gray

UTS CRICOS 00099F

Rethinking Gender-Responsive Law-Making

2024

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Government Services and Regulatory Reform)

Liquor (Night-Time Economy) Amendment Bill 2024

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2 Commencement	2
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4 Application of Act—sale of liquor Section 7 (2)	2
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6 Section 8A (2), definition of <i>exempt business</i> , new paragraph (f)	2
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Four sites of study

Auditing the auditors in Australia, Canada and Spain



Australia - ACT -
Standing Committee on
Economy and Gender
and Economic Equality



Spain - Comisión de
Igualdad (Congreso) /
Equality Committee
(Congress)



Canada - Standing
Committee on the
Status of Women



Australia - Tasmania -
Joint Sessional Gender
and Equality Audit
Committee

The voice of conscience

“The people who are on that Committee tend to have more of a gender perspective, and a gender impact perspective on legislation...It is necessary to act a bit like Jiminy Cricket, as a conscience for the rest of the committees.”

--Informant 16, Committee member,
Comisión de Igualdad del Congreso de los Diputados (Equality Committee of the Congress of Deputies)



Outline of presentation

Structure and key themes

1

History behind the Gender
Legislative Index: A note on method

2

Findings: What it means to
effectively bring a gender lens to
law-making

3

The way forward



What constitutes a women's
issue?



Women's voices: Democratic
participation



Making legislative scrutiny
effective in advancing
equality



Gendered composition

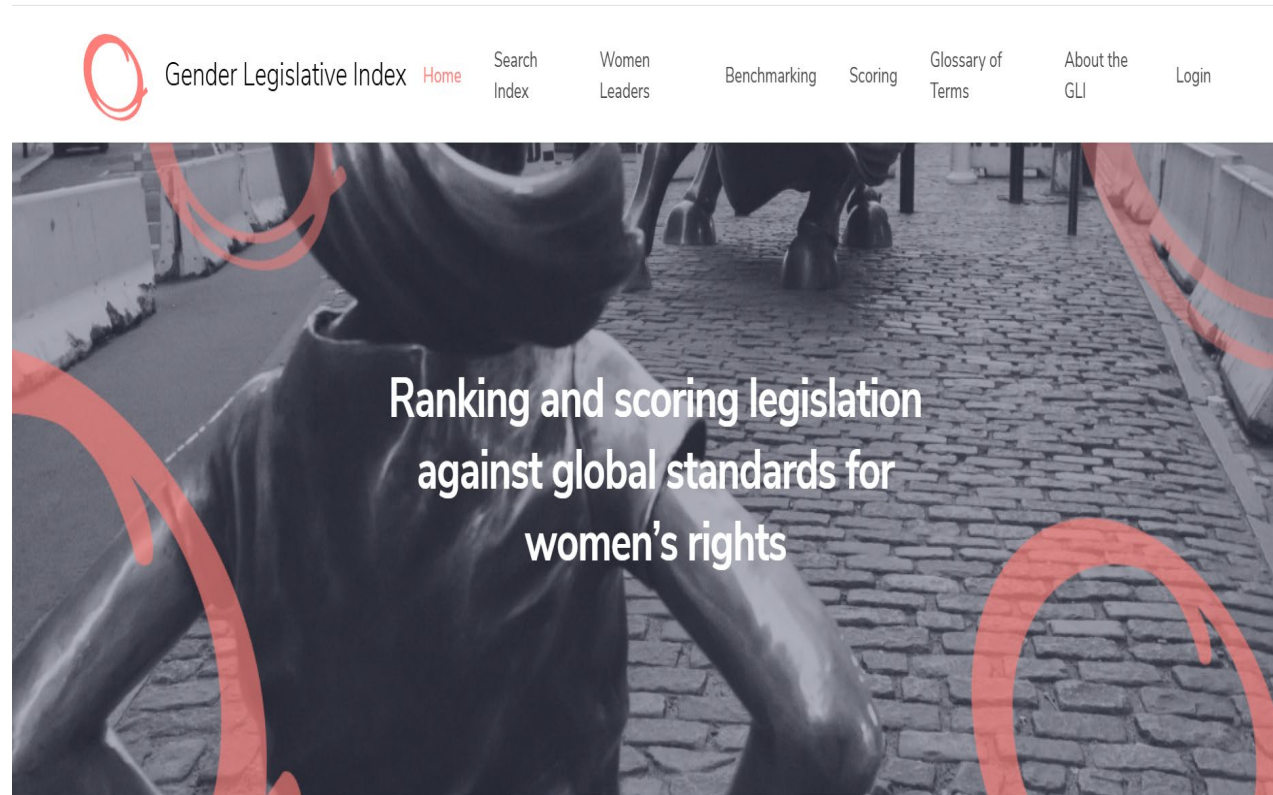


History & Context

The Gender Legislative Index – From method to parliamentary practice

The Gender Legislative Index

A human-driven, machine-learning enabled tool to measure the gender-responsiveness of legislation



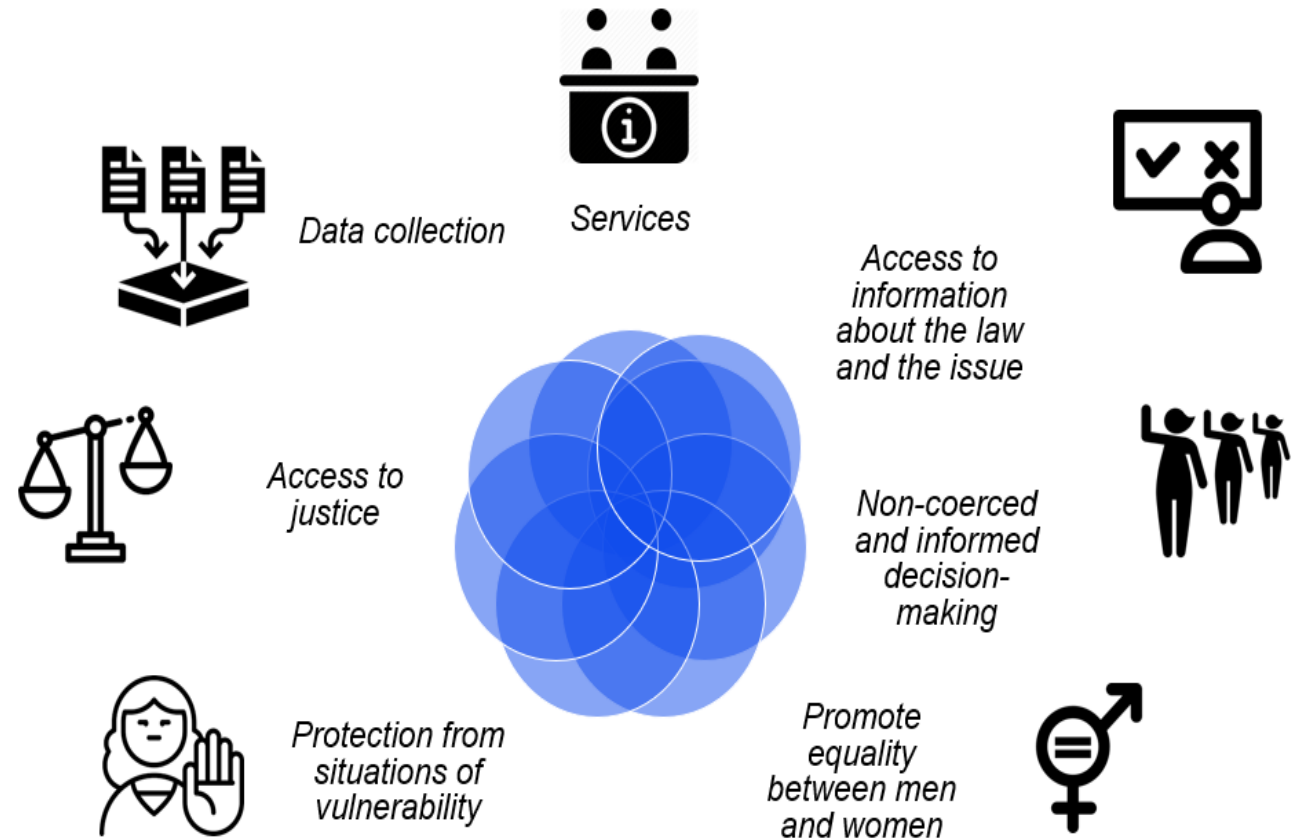
The Gender Legislative Index



Gender Legislative Index

A human-driven, machine-learning enabled tool to measure the gender-responsiveness of legislation

	Likely Effect				
	Inconclusive or NA	Gender Regressive	Gender Blind	Gender Neutral	Gender Responsive
1. Does the law guarantee access to non-discriminatory and accessible, affordable, acceptable services?	0/3	0/3	2/3	1/3	0/3
2. Does the law guarantee access to information and education or require the provision of information and education on the issue?	1/3	0/3	1/3	1/3	0/3
3. Does the law guarantee non-coerced and informed decision-making and where relevant, protect women's confidentiality?	1/3	0/3	2/3	0/3	0/3
4. Does the law promote equal relations between men and women?	0/3	0/3	3/3	0/3	0/3
5. Does the law protect women from situations of vulnerability linked to their gender?	0/3	1/3	1/3	1/3	0/3
6. Does the law guarantee accessible and effective remedies (i.e. access to justice)?	0/3	0/3	1/3	2/3	0/3
7. Does the law promote the comprehensive monitoring of the situation of women? This includes promoting gender-disaggregated data collection on the nature of the problem.	0/3	0/3	3/3	0/3	0/3



Tasmanian Legislative Council's Gender, Gender-based Violence & Equality Committee

Motion - Establishment of a Joint Sessional Gender and Equality Committee

Published: 03 June 2022

You can listen to my speech explaining the establishment of a Joint Sessional Gender and Equality Committee here:

A transcript of the speech is also available by clicking on the link below.

<https://ruthforrest.com.au/parliament/speeches/motion>

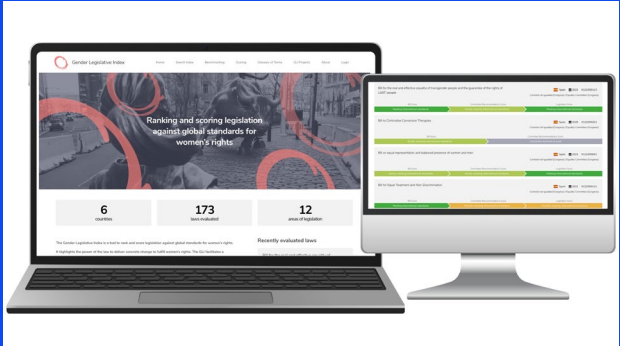
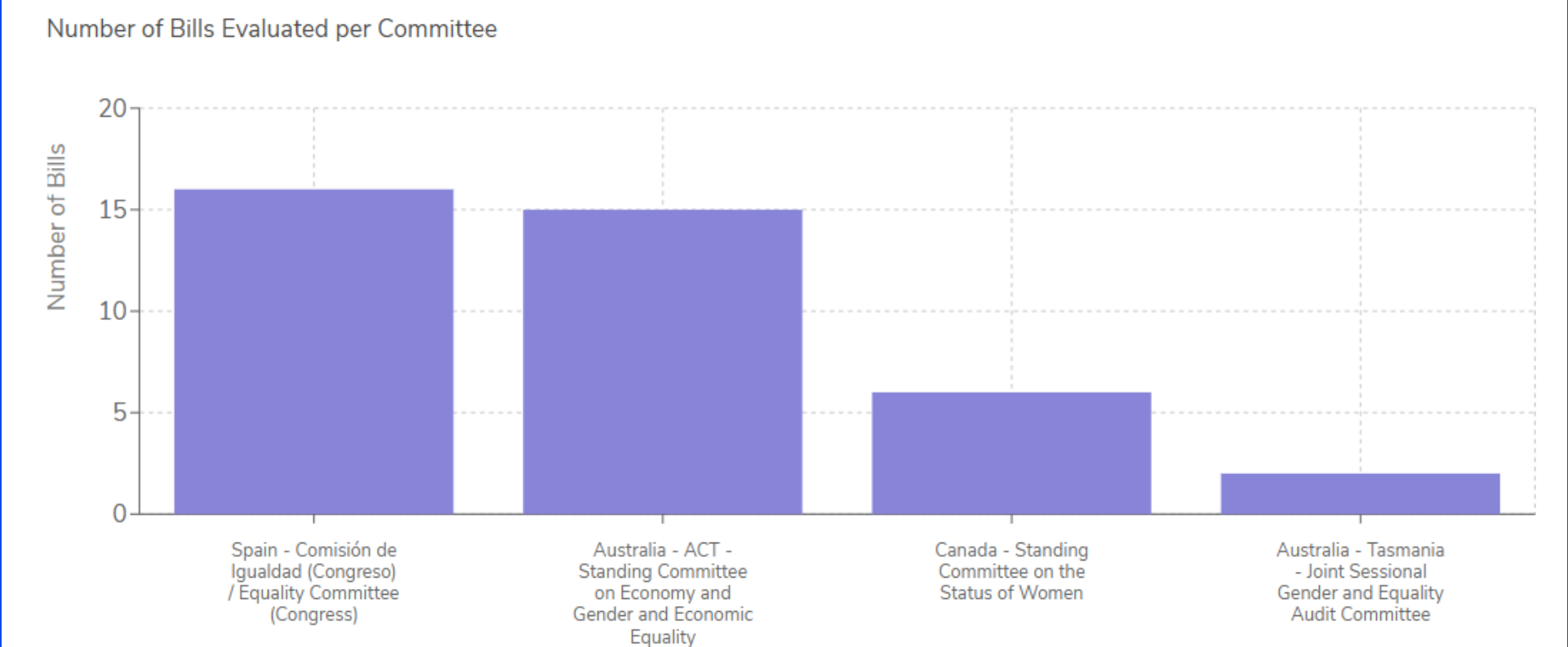


Independent Member of Parliament Ruth Forrest (Tasmanian Legislative Council)



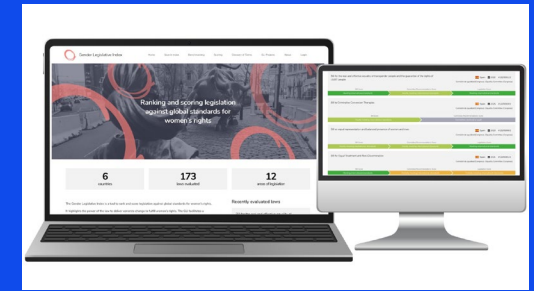
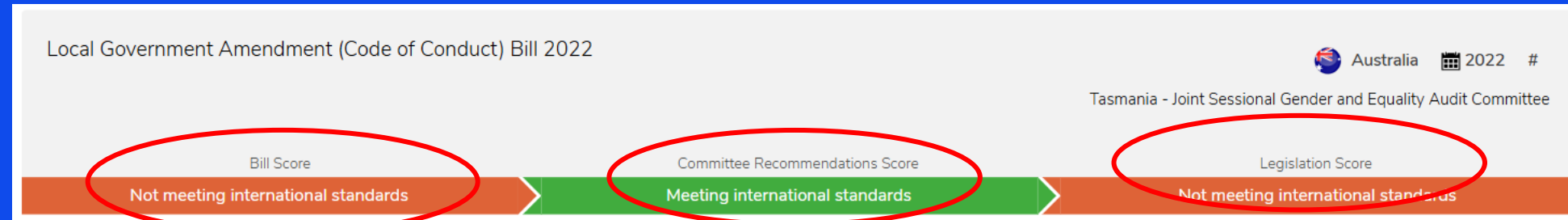
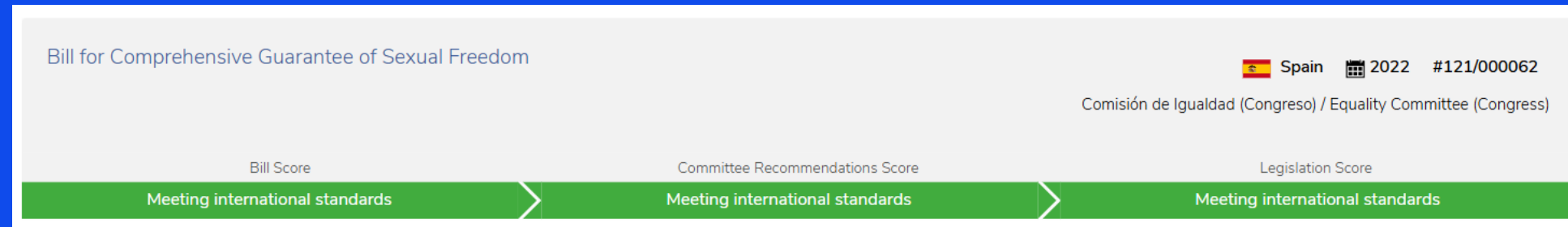
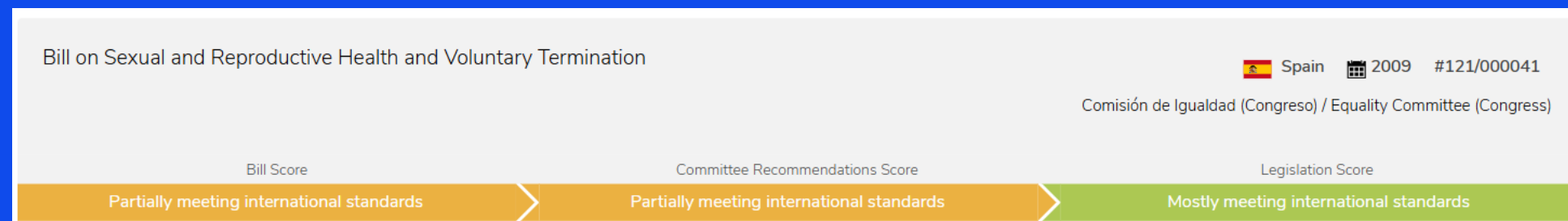
Commonwealth Women Parliamentarians Annual Event (Brisbane July 2022)

Auditing the Auditors



Source: <https://genderlawindex.org/projects/auditing-the-auditors>

Auditing the Auditors





Findings

Gender-Responsive Law-Making and
Democracy

Finding: Gender-lensing the Law

What constitutes a women's issues

“...Examining, assessing and also expressing what should be improved or modified in all legislation relating to equality, at the end of the day, is an area that **seeks to improve democracy**, because equality means that all of us have the same opportunities and the same justice.”

– Informant 14, Spanish Equality Committee in Congress

Finding: Gender-lensing the Law

Joint Sessional Committee on Gender, Gender-based Violence and Equality

Members

Legislative Council

Hon Luke Edmunds MLC

Hon Clare Glade-Wright MLC

Hon Ruth Forrest MLC (Chair)

Hon Bec Thomas MLC

House of Assembly

Ms Tabatha Badger MP

Ms Meg Brown MP

Mr Peter George MP

Ms Jane Howlett MP

Inquiries of the 50th Parliament

- [Public meeting on the Gender Legislative Index](#)
- [Public meeting on the work of the Commissioner for Gender Equality in the Public Sector \(Victoria\)](#)
- [Short Inquiry Process into Gendered High Rates of Suicide ideation and Suicide in Tasmania](#)
- [Local Government Amendment \(Code of Conduct\) Bill 2022 Trial Bill Assessment](#)

Inquiries of the 51st Parliament

- [Inquiry into Tasmanian experiences of gendered bias in healthcare](#)
- [Expungement of Historical Offences Amendment Bill 2024 Inquiry](#)

Finding: Gender-lensing the Law

Referred Bill	Date presented and referred	Committee Outcome
Public Sector Management Amendment Bill 2024	6-Jun-24	Committee resolved not to undertake an inquiry 12 June 2024
Liquor (Night-Time Economy) Amendment Bill 2024	21-Mar-24	Committee resolved not to undertake an inquiry 27 March 2024
Remuneration Tribunal Amendment Bill 2024	20-Mar-24	Committee resolved not to undertake an inquiry 27 March 2024
Residential Tenancies Amendment Bill 2024	8-Feb-24	Committee resolved not to undertake an inquiry 21 February 2024
Workplace Legislation Amendment Bill 2024	8-Feb-24	Committee resolved not to undertake an inquiry 21 February 2024
Government Procurement Amendment Bill 2023	2-Nov-23	Committee resolved not to undertake an inquiry 9 November 2023
Motor Accident injuries Amendment Bill 2023	9-Feb-23	Committee resolved not to undertake an inquiry 16 February 2023
Long Service Leave (Portable Schemes) Amendment Bill 2022	22-Nov-22	Committee resolved to undertake an inquiry 8 December 2022. Committee report released 23 January 2023
Workplace Legislation Amendment Bill 2022	8-Jun-22	Committee resolved not to undertake an inquiry 23 June 2022
Remuneration Tribunal Amendment Bill 2021	11-Nov-21	Committee resolved not to undertake an inquiry 16 November 2021
Government Procurement Amendment Bill 2021	10-Nov-21	Committee resolved not to undertake an inquiry 16 November 2021
COAG Legislation Amendment Bill 2021	4-Aug-21	Committee resolved not to undertake an inquiry 10 August 2021
Work Health and Safety Amendment Bill 2021	24-Jun-21	Committee resolved not to undertake an inquiry 7 July 2021
Revenue Legislation Amendment Bill 2021	31-Mar-21	Committee resolved not to undertake an inquiry 7 April 2021
COVID-19 Emergency Response Legislation Amendment Bill 2020 (No. 3)	2-Dec-20	Committee resolved to undertake an inquiry 8 December 2020, committee report

Finding: Women's Voices

Participation as a democratic issue

“We're talking about democracy at the end of the day. And you want to make sure that in a community like Canada, that everybody's voice is heard and validated. And a big way to do that is to make sure that those voices do come and appear, not just to give testimony at a committee, but they also have the ability to provide written submissions as well, to share their experience and what happens.”

– Informant 4, Committee member, Canadian House of Commons Standing Committee on the Status of Women

Finding: Women's Voices

Participation as a democratic issue

“They need to understand better what a survivor is an expert at and what a survivor is not an expert at. Just because I had a lousy experience having my appendix out does not mean I should go in front of a hospital board and talk about what kind of knife should be used to make the incision. I can talk about the fact that I wasn't treated with respect, that nobody listened to me when I said the anesthetic hadn't taken effect yet. But in the gender-based violence world, it's like survivor voices trump all. And I think that's confusing for committee members who are not experts on this topic.”

– Informant 5, Witness, Canadian House of Commons Standing Committee on the Status of Women

Finding: Making pre-legislative gendered scrutiny effective

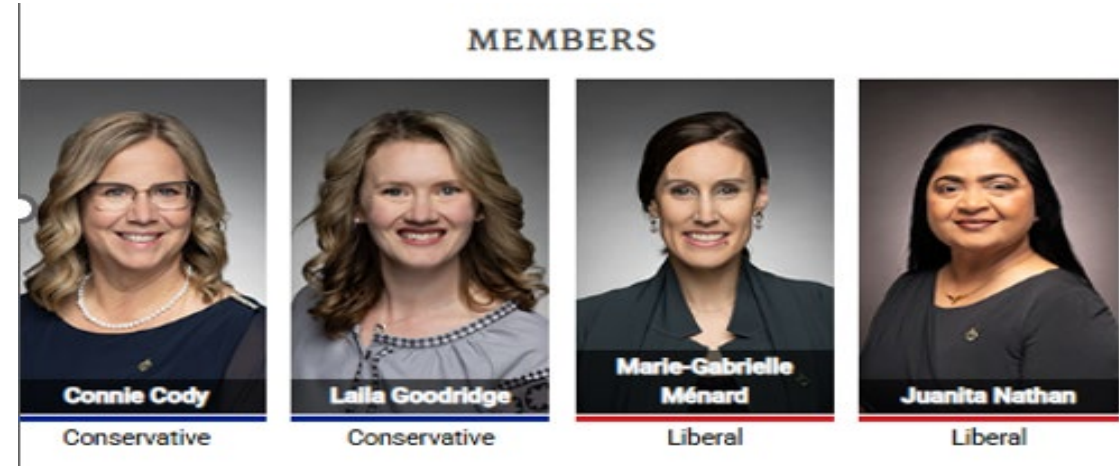
“Parliament determines in its democratic capacity, how many resources it will give us, and then we work within that...understanding that there are many other priorities for resources that are entirely legitimate and often even the issues that we're talking about could be competing for resources. If you give a lot more resources, then maybe there's fewer resources for shelters, for women victims of violence, right? We work within the resource constraints that were provided by Parliament. And we do the best that we can within those constraints.”

– Informant 8, Parliamentary Staffer, Canadian House of Commons Standing Committee on the Status of Women

Gendered composition

“I think there should be, at least a minimum, for example of one man in every party to sit in this committee. Because I have the same concern that I had before joining. If you park the gender equality question into this specific committee, it will not necessarily have a huge influence on all the ministries.”

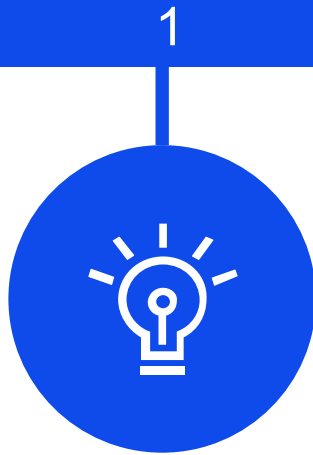
– Informant 4, Committee member,
Canadian House of Commons Standing
Committee on the Status of Women



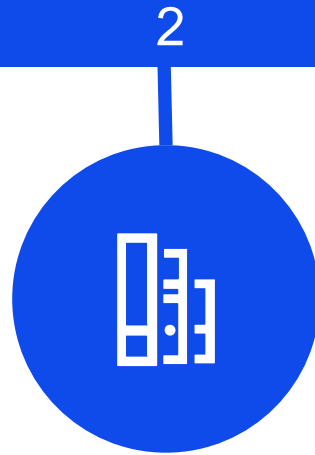
Selection of members from Canadian House of
Commons Standing Committee



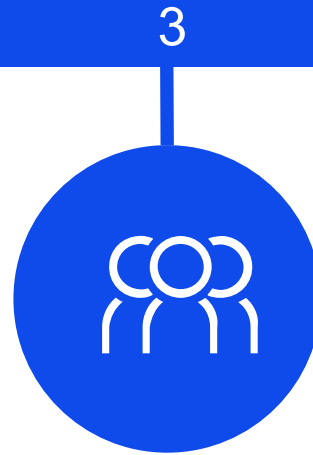
5 Recommendations for Reform



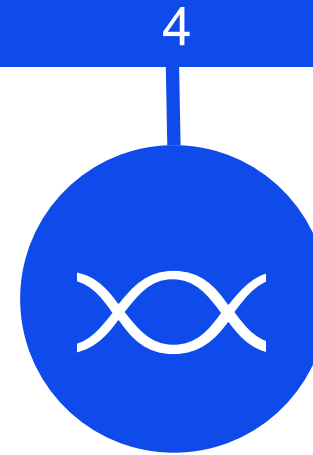
Establish a **dedicated standing committee** with a broad, mandatory mandate to scrutinise all government and private members' bills.



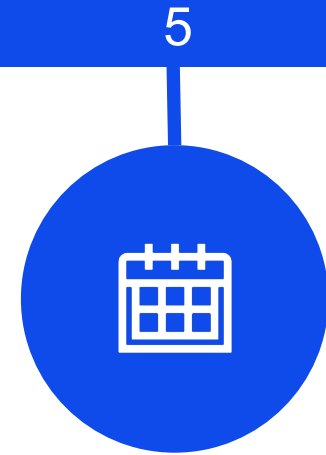
Require a gender **impact statement for every bill**, using a standardised framework grounded in CEDAW and other international benchmarks.



Ensure diverse, **gender-balanced committee membership**, incorporating relevant expertise and lived experience of intersectional disadvantage.



Centre **lived experience** through **meaningful participation**, including accessible submissions, oral testimony and confidential hearings where appropriate.



Adopt a **90-day "comply or explain"** requirement, compelling governments to respond publicly to every committee recommendation.

Questions & Discussion

This research was made possible thanks to funding from the Australian Research Council for Discovery Project DP250100382, “Auditing the Auditors: Gender-Responsive Law-Making in Australia and Globally”.

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Access the Gender Legislative Index @ genderlawindex.org

Download Rewriting the Rules: Gender-Responsive Law-Making for the Twenty-First Century for free using the QR code

