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Submission to the Justice and Electoral Select Committee on the Inquiry into the 2014 General Election

Introduction

The National Council of Women of New Zealand (NCWNZ) is an umbrella group representing 288 organisations affiliated at either the national level or to one of our 21 branches. In addition to our organisational membership, about 260 women are individual members of branches. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action. This submission has been prepared by the NCWNZ Public Issues Standing Committee and the Parliamentary Watch Committee after consultation with the membership of NCWNZ.

The submission is based on responses from branches of NCWNZ, affiliated organisations and individual members of NCWNZ, including a Life Member. Those preparing responses from affiliated organisations frequently consulted with their members. Since notice of this inquiry was only advertised in February 2015, there was limited time available for discussion in NCWNZ Branches and within affiliated organisations.

The terms of reference for this inquiry were deliberately broad. The NCWNZ Public Issues Standing Committee therefore decided to focus on issues relating to the participation and representation of women as candidates in General Elections, as Members of Parliament and as Cabinet Ministers. This is consistent with NCWNZ's Gender Equality Strategy for New Zealand that includes attention to the participation of women in governance at the national level. It is also consistent with ingredients of the Human Rights Commission's 'National Action Plan for All New Zealanders' on which it is currently seeking submissions.

1. Women's representation in the New Zealand Parliament – little improvement since MMP in 1996

Millennium Development Goal three, 'promote gender equality and empower women', states that the overarching gender equality goal, encompassing parity in education, political participation, and economic empowerment, includes the proportion of seats held by women in

national parliament as an indicator of progress.¹ We therefore submit that there is a need to look at the legislative and administrative processes that might contribute to increases in the proportion of seats held by women in the New Zealand Parliament.

While New Zealand was recently ranked 29 out of 138 countries with respect to women's representation in national parliaments,² the percentage of women parliamentarians following the 2014 General Election was only 31.4% – not the 40-60% that might be expected when women are slightly over 50% of the population. The proportion of women in parliament after the 2014 General Election was slightly less than the percentage of women in 2011 (32.2%) (Curtin, 2014).

Contributors to this submission did not think that minor fluctuations in the percentages of women elected were significant, but there was deep concern about the lack of progress in the percentage of women in parliament since the introduction of Mixed Member Proportional representation (MMP) in 1996 when women MPs increased from 21% to 29%. Women have been approximately 30% of all Members of Parliament since 1996. The high point in women's representation in parliament was in 2008 when they were 33.6%, but this did not signal an upward trend in women's participation in the House of Representatives (Arseneau, 2014:4). New initiatives are needed if women are to break the 39-40% barrier that has been achieved in Scandinavia.

NCWNZ is concerned that women's representation in the House of Representatives has not substantially improved in almost two decades. Their representation within parliament is significant in that equal participation with men in decision-making about the direction of their country is one of women's fundamental rights – their right to participate in political life. These political rights are recognised in Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).³

Responses from our members were very clear on this point, with one stating that: "Only with equal representation can the checks and balances on societal experiences, attention to women's experiences, and the use of political power be monitored effectively". Another response stated: "Our members of parliament do not represent the voters as we have over 50% women in this

¹ Millennium Project: Goals, targets and indicators. Available [23 Mar 2015] from: <http://www.unmillenniumproject.org/goals/gti.htm>

² Women in national parliaments: World classification. (1 January, 2015). Available [23 Mar 2015] from: <http://www.unmillenniumproject.org/goals/gti.htm>

³ CEDAW Article 7 states that States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Available [23 Mar 2015] from: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

country and only 31% women in parliament”. Yet another said that: “The proportion of women and men leading a country has a very significant effect on that country’s decision-making, succession planning for future leadership, and international reputation as a gender equal state”.

Consideration of the legislative and administrative processes associated with the 2014 General Election should consider how to achieve a more balanced representation of women and men in national governance.

2. Barriers to women’s representation within the House of Representatives

Those contributing to this NCWNZ submission identified a number of factors that inhibited women’s involvement in national parliamentary elections, and hence their representation within the New Zealand Parliament. The following were repeatedly mentioned as barriers to women’s participation as electorate and list candidates, as impediments to women’s preparedness to stand in national elections and also as factors inhibiting their access to senior Cabinet positions, leadership of political parties or the position of Prime Minister:

- Issues relating to the **selection of women** for electoral seats and their position on party lists
- A competitive, aggressive and male-dominated **political culture**
- **Costs of being a candidate** seeking political office
- Parliament as **family unfriendly** and problematic for women (and men) with significant family responsibilities
- The high costs of **media scrutiny of those in public life**

Selection of candidates

Women were 29.6% of all the 554 candidates (electoral and list) who stood in the 2014 General Election. They were 31.4% of those elected. This suggests that if more women were candidates, the proportions of women elected would be higher.

Parties in New Zealand vary significantly in the extent to which they seek to ensure that women are better represented among those seeking political office. Some parties argue that merit is the only factor and do not engage in any formal attempts to increase the number of women candidates. Other parties have male and female co-leaders and seek to have equal numbers of women and men candidates. Attempts to facilitate women’s selection for seats have generated criticism and internal division. Contributors to this submission thought that it was important for all parties to put in place procedures to ensure that women were better represented among electoral seat candidates and those on party lists. This is consistent with recent expert analysis of selection processes.

Analysis of selection processes suggests that some strategic intervention is necessary if women are to be selected as candidates for 'safe' electoral seats and ranked high enough on party lists to have a good chance of becoming a Member of Parliament. Political scientists have also indicated that, if quotas are considered, they need to be clear targets and specific timeframes. These systems also require the support of party leaders (Arseneau, 2014; Curtin, 2012, 2013, 2014).

Political culture

The majority of contributions to this submission commented on the ways in which a male-dominated political culture may inhibit women's participation. Curtin (2013) has argued that we do not know enough about New Zealand women's attitudes to politics to assert that women are less interested in national political governance and therefore do not seek election. Those contributing to this submission indicated that many women may find other forms of political life more satisfying and are often more active at a local or regional level or focused on particular issues that affect their households or communities. As members of one Branch stated: "Some women find it more fulfilling to work towards changes from outside the parliamentary system which can be so destructive personally".

Overall, contributors to this submission considered that national politics should focus less on individuals and more on political issues, especially issues relating to widening inequalities and provision of social services.⁴ They asserted the value of cultural diversity and the political representation of all sectors of the community.

NCWNZ Branch members and affiliated organisations contributing to this submission considered that democracy entailed better representation of women from all sectors of the community, not just in parliament, but also in Cabinet and senior positions such as Speaker, Minister of Finance and Prime Minister. Almost every submission commented critically on the allocation of the Minister for Women portfolio to a Minister outside Cabinet.

Costs of contesting an election

NCWNZ members and affiliated organisations frequently mentioned the financial costs of being a parliamentary candidate, especially if they are contesting an electoral seat. They cited many of the hidden costs, including putting a hard-won and sometimes disrupted career at risk. Candidates often have to withdraw from paid work to give time to election campaigns. Women's earnings are on average lower than those of men, and they may have less financial resources to sustain themselves during electoral campaigns. The short, three-year parliamentary term could also make some women wary of giving up work in their chosen career when their time in parliament might be temporary. This could be particularly relevant for those on party lists.

⁴ One contributor to this submission stated: "Too many debates in parliament and in the media put the focus on the person and not on the issues".

Gendered lives and parliamentary politics

A key barrier to many women's involvement in parliamentary politics is the tendency in families for women to have a disproportionate share of family responsibilities. Because of these responsibilities, women often have fewer opportunities, in comparison to men, to develop a high profile in their careers or through involvement in a political party, or local and regional politics. Such a national profile is necessary for both candidate selection and to attract voters. Capacity building activities, mentoring and training opportunities may need to precede increases in women seeking selection for electoral seats and/or viable positions on party lists. In this regard, nominating women to stand for advisory boards and other forms of public service is an important long term strategy for increasing women's representation in parliament.

Media scrutiny and criticism

Since women are a minority of those in political office, they may be more obvious as targets of public scrutiny and media attention. Women who are parents have been criticised for not being adequate mothers and derogatory comments have been made about women politicians who are not mothers.⁵ The children of Members of Parliament can be the focus of public attention. This may discourage women who are the major caregivers in their families from involvement in national politics.⁶ Contributions to this submission argued media commentary on women politicians and public figures was still much more likely to focus on their appearance compared to men in parliament and men in public life.

3. Action to address barriers to women's political representation

Legislated or voluntary quotas

One solution that has been pursued in other countries is legislated or voluntary quotas for women candidates. Among those contributing to this submission there were a range of positions on quota systems in New Zealand, but there was support for public debate in New Zealand about the benefits of a legislated gender quota system.⁷ Contributors to this submission reflected on the backlash to the Labour

⁵ A response stated that women politicians have made scathing comments about other women politicians who were not mothers. This does not encourage women's participation in parliamentary politics, regardless of their parental status.

⁶ According to a recent international survey of women parliamentarians, "While both men and women express concern about the many pitfalls of political campaigning, females are more worried overall, particularly about gender discrimination, the difficulty of fundraising, negative advertising, the loss of privacy, and not being taken seriously" (Rosenbluth, Kalla, & Teele, 2015:11).

⁷ For example, one respondent stated: "NCWNZ should pursue raising a debate on this issue." Another stated: "A voluntary [quota] system is not going to work as the competition between the two major parties is such that the status quo is unlikely to be changed." Their comment was echoed in this response: "It will have to be a legislated quota because we can see at present that a voluntary system does not work". One response argued for the introduction of a legislated gender quota system over two parliamentary elections and then an assessment of whether it would be necessary in the future.

Party's consideration of women only short-lists for vacated seats, and considered that this highlighted the problems of voluntary quota systems. At the same time, some contributors were concerned that voluntary or legislated quota systems could lead to tokenism and undermine the status of able women parliamentarians. Contributors made strong arguments for political parties developing targets such as 40% of their candidates being women and systematically working towards these goals by identifying, encouraging and mentoring women with interest and ability.

The country with the highest representation of women in parliament is Sweden where women are 45% of parliamentarians. Rates of women's representation are highest in Scandinavia generally where voluntary party quotas⁸ and proportional representation are key components of the electoral process. Other countries that have dramatically changed levels of women's representation include states with legislated quotas and 'zippered-list' systems on their party lists that alternate male and female candidates.

A recent assessment of quota systems in 30 European Union states indicated that some of the outcomes were mixed. Sometimes they led to dramatic increases in women's representation; sometimes the changes were minimal. Freidenvall and Dahlerup (2013: 20) have argued that any quota system must be compatible with the electoral system in a particular country and that attention should be given to women's ranking on party lists and effective legal sanctions. They state that parties are the key to gender balance in parliamentary politics since "they 'control the secret garden of nominations'" (Freidenvall & Dahlerup, 2013: 5). A New Zealand inquiry into the use of quota systems will need to consider these factors.

Women's representation on selection committees

Contributors to this submission also argued that women should be 50% of those on any committee or party political organisational body making decisions about who would be the political candidate. They also argued that if women they should not hesitate to lobby male members of parliament about issues that were important to women and the lives of families.

Gender and family friendly parliamentary processes and environments

Várnagy (2013) has recently identified factors that would contribute to better participation by women (and many men) in national parliaments. They include:

"... gender mainstreaming of parliamentary procedures, activities, and budgets; the establishment of structures for women MPs; and gender-sensitive working conditions, hours, and cultures in the Parliament. Gender-balanced appointments to parliamentary committees, flexible working hours, avoidance of late-night parliamentary sessions, and child care services for parliamentarians are some practical issues that facilitate the participation of women and men in the parliament, helping both women and men to better combine their work and family life."

⁸ Finland is an exception. It does not have voluntary party quotas for women.

Women are often those who have assumed more responsibility for the care of their children, so the family friendly conditions of work identified above may make life as a parliamentarian more viable for some women, especially if they are sole parents.

It is important that family-friendly practices in the parliamentary system should be normalised and not just seen as special concessions to women or to particular women who have babies or young children. 'A recent survey of women politicians contained quotes and feedback from women parliamentarians. Balancing family and career responsibilities while developing a political profile, or alternatively, responding to criticism when women did not have children, was identified as problematic (Rosenbuth, Kalla and Teele, 2015).

Cool (2010) suggests that to provide real opportunities for influencing agendas and decision making, special attention needs to be given to parliamentary values, norms, rules, procedures and practices to make the workplace more gender and family sensitive. Women parliamentarians have identified bullying by men in senior political positions as a feature of the work that undermines their determination to continue in political office.

Training, mentoring, support groups

Several contributions to this submission argued that there was a need for deliberate strategies to encourage women to put themselves forward for political office and seek senior positions once in parliament. They argued for workshops 12 -18 months before a national election that encouraged women to put themselves forward as candidates, assisted with the development of profiles and developed their expertise. They also argued for well-developed systems of mentoring between established female politicians (or former politicians) for women interested in seeking political office or advancing to senior position. Suggestions included the establishment of cross-party support groups among women parliamentarians.

Legal and substantive equality

On balance, contributors to this submission did not think that legal and administrative processes associated with the 2014 General Election actively and overtly discriminated against women. They saw the barriers to women's participation as primarily social and cultural. However, they did consider that gender equality depended on action to address social and cultural barriers. As one Branch stated: "Legal equality is established, but substantive equality is not the same as this".

This is consistent with international recognition that formal legal equality is not sufficient to achieve women's de facto equality with men, or substantive equality. The pursuit of substantive equality may involve actions that create an enabling environment that facilitates equality of results. The Committee on the Elimination of Discrimination Against Women has stated that: "Under certain circumstances, non-identical treatment of women and men will be required in order to address such differences. Pursuit of the goal of substantive equality also calls for an

effective strategy aimed at overcoming under-representation of women and a redistribution of resources and power between men and women”.⁹

This submission has outlined some of the barriers to substantive equality in women’s representation in the New Zealand Parliament and how they might be addressed. Action on these matters would be consistent with New Zealand’s commitments as a party to the Convention on the Elimination of All Forms of Discrimination Against Women.

We request the opportunity appear before the Select Committee to make an oral submission on the inquiry.



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⁹ See *General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures*, paragraph 8. This document distinguishes between equal treatment and de facto or substantive equality and argues that “temporary special measures” to facilitate substantive gender equality do not constitute discrimination against men. The Committee states that: “these temporary special measures must be discontinued when their desired results have been achieved and sustained for a period of time”. Available [24 Mar 2015] from: <http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20%28English%29.pdf>

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