

AUSTRALIAN BIOGRAPHY

A series that profiles some of the most extraordinary Australians of our time



Joan Kirner

1938-2015

Community Activist & Former Premier of Victoria

This program is an episode of **Australian Biography** Series 10 produced under the National Interest Program of Film Australia. This well-established series profiles some of the most extraordinary Australians of our time. Many have had a major impact on the nation's cultural, political and social life. All are remarkable and inspiring people who have reached a stage in their lives where they can look back and reflect. Through revealing in-depth interviews, they share their stories—of beginnings and challenges, landmarks and turning points. In so doing, they provide us with an invaluable archival record and a unique perspective on the roads we, as a country, have travelled.

Australian Biography: Joan Kirner

Director/Producer Rod Freedman

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SYNOPSIS

The first woman Premier of Victoria, Joan Kirner is a passionate believer in community action.

Born into a working class family who felt that a good education was the basis for building a future, she graduated from Melbourne University in 1958 and began working as a teacher.

She married in 1960 and had three children, and it was their education that started Joan on her political career. Through various parent organisations, she lobbied politicians, arguing for better conditions and greater parent participation in decision-making in government schools. She was appointed to the national Schools Commission and voted President of the Australian Council of State School Organisations.

Then in 1982 Joan herself entered Victorian Parliament. A member of the Labor Party, she served as Minister for Conservation, Forests and Lands before attaining the Education portfolio, where she was able to pursue her reform agenda.

She became Deputy Premier in 1988 and Premier in 1990—a role described by some as a 'poisoned chalice', which required her to make incredibly tough decisions as she led the state through troubled times.

Since retiring from parliament in 1994, Joan has remained active in social justice, the arts, land care and gender equity, with a consuming interest in enabling talented women to enter politics.

In this **Australian Biography** interview, the woman who would like 'in sisterhood' inscribed on her grave talks about politics, feminism and being a mum.

CURRICULUM LINKS

This program will have interest and relevance for teachers and students at secondary and tertiary levels. Curriculum links include SOSE/HSIE, Civics and Citizenship, Legal Studies, History and Career Studies.

VALUES

'I don't care too much now whether people like me or not... As long as they know what I stand for.' In the program, Joan Kirner discusses the importance of her values in her personal and political life. She strongly values social justice, gender equity and community participation.

Joan tells of some experiences where she stood by her values. One example is when she submitted an essay she wrote on the 1980s shearers' strike at university. Despite the work she put into it and her own belief that it was good, she received a B minus. The academic agreed that the paper was good, but said she would need to take the 'the Labor stars out of her eyes' before being a good historian. Her commitment to Labor ideals influenced her decision not to choose academia as a path and to choose community activism and politics.

Our values are important to our sense of self. They form part of who we are and guide us through difficult decisions. In **The Women's Power Handbook**, Joan and co-author Moira Rayner state: 'You need to have an ethical system for making tough decisions, or you risk becoming an entirely reactive individual'. There may be times when it is difficult to make a decision because different motivations (for example, emotional, financial or peer pressure) make the choice confusing. Our values can help us make a considered choice.

Of course, not all people share the same values. People come from different experiences, cultures and generations that have different beliefs and values. Each of us can have different goals or objectives. These can change over time and through experience. Perhaps a very basic value is self-respect—respect for who we are and what we stand for. If we respect our own values, then we are more able to recognise and respect those of others, even if they differ from our own.

There are times, however, when our values come into conflict with those of other people or groups, or are challenged by circumstances. Joan tells of the time as Premier when one of her most cherished values was challenged—namely, with the sale of the Victorian State Bank.

- How did Joan's values help her consider whether or not to enter parliament?
- What compromise did Joan reach in negotiating the State Bank deal?
- Give some other examples where what Joan valued was challenged. How did she approach the conflict?
- In what ways might values be particularly important for politicians? What challenges might they encounter in maintaining them?
- Aside from our values, what other factors come into play when making decisions?
- Is it possible for a nation to have values? What might be some Australian values?

Activities

- **Values chart.** Students draw up a table with five columns: personal experience, family, friends, community and nation. They then identify some of their values and consider where they come from.
- **Group discussion.** Students work in small groups and each share a challenging decision they have had to make. Students identify what values were involved, and any other factors that were involved in the process.

DISCRIMINATION AND EQUALITY

Throughout her career, Joan Kirner was committed to achieving gender equality. She explains that equality between the sexes was a norm in her upbringing. In her political life, Joan was involved in various programs for gender equity.

Discrimination

One means of achieving social equality is to address discrimination or different treatment based on a person's characteristics, such as gender, ethnicity, marital status, disability, religion or sexuality.

Joan tells of some experiences where she was treated differently as a woman. Perhaps the most striking example was when, soon after she married, she received notice requiring her resignation from teaching because 'as a married woman, there's no provision for you to stay in permanent employment'. Joan's observes that her husband, on the other hand, received no such notice.

There now exists in Australia a suite of legislation that makes it unlawful to discriminate or treat people differently in particular contexts. At the federal level, the legislation includes the Age Discrimination Act, Disability Discrimination Act, Race Discrimination Act and Sex Discrimination Act. In addition, each state and territory has its own anti-discrimination laws.

The general aim of anti-discrimination laws is to ensure equality of opportunity so that everyone has a fair chance in life. The laws seek to remove any unjustifiable obstacles, such as social prejudice, that might otherwise limit a person's opportunity. The idea is that decisions about things such as employment and education positions be based on merit and a person's ability rather than attributes of their sex, race and so on.

In the above example from the program, the decision to discontinue Joan's employment was based on an assumption that married women would not be able to, or want to, work in teaching in a full-time and permanent capacity.

Of course, not all differential treatment is unlawful. Appointing people to a job or university place, for example, requires some kind of choice or 'discrimination' to be made between candidates. Discrimination is unlawful only when it occurs on a ground (such as pregnancy) and in an area (such as education) covered by the legislation.

There are two forms of unlawful discrimination: direct discrimination and indirect discrimination. Direct discrimination occurs when someone is treated less favourably than another because they are, for example, female or a migrant. So, if an employer won't hire someone just because they are a woman this is likely to be direct sex discrimination.

Indirect discrimination occurs where a rule or requirement which is the same for everyone has an effect or result that is unequal or unreasonable. For example, an employer who says that they need a person over 180 cm tall to do a job is likely to end up discriminating against women and some ethnic groups. This is because women and people from some ethnic groups are less likely to be this height than men or people from other ethnic groups. If it is possible to show that the job does not need someone 180 cm tall, or that it could easily be adapted to suit people who aren't that tall, then they could claim indirect sex discrimination or indirect race discrimination.

- In what other ways can anti-discrimination laws address equality?
- What might be considered reasonable versus discriminatory grounds for making a decision in employing someone?
- Give some examples of direct and indirect discrimination.

Affirmative Action

One of Joan's achievements as Minister for Education was to achieve some degree of gender parity in school leadership positions. She did this by requiring at least one woman to be on selection panels for appointing principals and introducing a quota for female principals—a certain percentage had to be women. The policy is based on affirmative action.

While measures such as anti-discrimination laws are directed at providing equality of opportunity, affirmative action works towards equality of outcome or result.

Affirmative action refers to a range of measures that seek to address disproportionate representation of particular groups in areas such as employment and education. The theory is that a simple adoption of non-discriminatory principles along the lines of racial-blindness or gender-blindness would not suffice to change social imbalances. Take the example of an employer hiring someone for a job. The employer complies with anti-discrimination laws, is blind to racial difference in recruiting employees and selects candidates based on merit and position suitability. However, poor representation of

certain race groups in education might mean candidates from those groups fall short in terms of merit and suitability, resulting in a discriminatory outcome. Put simply, to treat people who are unequal equally tends to simply reproduce inequality—past and institutionalised discrimination remain.

What is required are practices and policies that provide equitable rather than identical treatment—this is the aim of affirmative action. The intention is to remove barriers and causes of discrimination so as to prevent the kinds of actions anti-discrimination laws target from occurring in the first place.

One example of such a practice is the use of quotas. Joan, as founder and former convenor of EMILY's List, was involved in the introduction of a rule at the 1994 Australian Labor Party National Conference which required that a minimum 35 per cent of ALP candidates for winnable seats be women. Other affirmative action practices include financial support to particular groups for education, developing reasonable access to workplaces for people with disabilities and paid maternity leave.

- How successful was the EMILY's List project? How does the quota work in this case to achieve equality of outcome? What result would come from identical treatment?
- Give other examples of affirmative action measures.
- What are some arguments against the use of quotas?

Activities

- **Research.** Students work in groups of nine. Each student is allocated a state/territory/commonwealth jurisdiction and identifies the relevant anti-discrimination law/s. Then they identify the grounds (e.g. gender) and areas (e.g. education) the law/s cover. The groups then present the information in table format.
- **Statistics.** Students select an Australian parliament and calculate the number of female members. Then they are to work out what this represents as a proportion of all members in that parliament. The same method can be applied to female ministers.

DEMOCRACY IN AUSTRALIA

Community Participation

'I see the participation of the community in decision making as a crucial part of democracy. Democracy only survives if you practise it.' Joan places great value on community participation and involvement in decision-making. Her involvement in and support for community participation is consistent across her public life.

As Minister for Conservation, Forests and Land, Joan played an important role in introducing a program for community involvement in land conservation and sustainability—Landcare. The program sought to respond to concerns such as the impact of salinity on the community and environment by actively supporting and funding community. The program was adopted by the Australian government.

In a 2001 speech for the ABC television forum, **Visions of a Nation**, Joan explained the need to recognise and strengthen local communities and communities of interest to ensure citizens participate in shaping their own futures. She set out the principles on which she based the creation of Landcare and which, she explains, are the principles and practice for attaining community participation in the major questions that shape our nation's future.

These are:

- empowerment
- inclusions
- access
- co-operation
- diversity
- equity
- productivity
- sustainability

Community participation can take a myriad of forms—from petition writing to organising groups, lobbying government to educating other members of the community. An example of the latter is a group of local community members forming an organisation to advocate for protection of a nearby forest. Community groups are an important part of our civic and political culture, and cover a variety of important social issues. When governments undertake reviews and reforms, or plan to introduce new legislation, relevant community groups make submissions to and participate in those processes. They are also often consulted by government.

- How did Joan come to be involved in community activism?
- What other examples of community work was she involved in?
- Why is community participation an integral part of practising democracy?
- Identify some community groups with which you are familiar.

PARLIAMENT

During the interview, Joan Kirner shares her achievements and experiences in parliament as a minister, premier and leader of the opposition in Victoria.

Her first ministerial appointment was as Minister for Conservation, Forest and Lands. She played an important role in developing the Landcare program. She was then appointed Minister for Education, an area close to her interest and expertise, before being made Premier.

Parliaments across Australia, whether federal or state/territory, each have a government leader (prime minister, premier or, in the case of the territories, chief minister) and a ministry. Members of parliament who are in the government party (or coalition) may be selected as ministers, which means they have additional responsibility.

Another feature of Australian parliaments is the cabinet. This is a committee usually comprising senior ministers and chaired by the prime minister, premier or chief minister. It is the main decision-making body of the executive government and is responsible for the day-to-day running of government. Cabinet spends a lot of time discussing new laws and policy.

Ministers have three main responsibilities. First, they are responsible for running the department (e.g. the Department of the Environment) and associated agencies (e.g. the Environment Protection Authority) linked to their portfolio.

Second, they propose new bills and policy directions to cabinet that relate to their portfolio responsibilities. Should the cabinet agree to any new bills, the relevant minister is responsible for introducing the bill to parliament and explaining its objectives and terms in the bill's second reading speech.

Third, ministers must attend the question time session in parliament. This is an opportunity for other members of parliament to ask

questions relating to the minister's portfolio. The question time session is important in ensuring ministerial and cabinet accountability to parliament, as well as open and responsible government. It is also perhaps the liveliest and more televised part of the parliamentary process.

Ministers sit on the front bench of their legislative chambers, with all other parliamentary members seated behind them as 'backbenchers'.

As Australia has a two-party system, there is also a leader of the opposition and shadow ministry. The leader of the opposition is a parliamentary member and leader of the minority party. Like ministers, shadow ministers are appointed members of parliament and are given responsibility for a particular portfolio. Shadow ministers, however, have no power. Their main role is to scrutinise the work of government and individual ministers. Senior shadow ministers are appointed to a shadow cabinet, which is chaired by the leader of the opposition.

- What response did then Victorian Premier John Cain give to Joan's concern over her appointment as Minister of Conservation, Forest and Lands? Do you agree?
- How does Joan describe her time as leader of the opposition? What challenges might be involved in such a role?
- What qualities do you think a minister should have?
- How do you think question time would ensure accountability?

Activities

■ **Research.** Identify a community group that works in each of the following areas: environment, health care, gender, young people, Indigenous Australians, families, consumer protection, people with disabilities, human rights. Choose one and find out what they do, who they represent, their organisation's aims and what campaigns they have been involved in.

■ **The Matrix.** Working in groups, students draw up a table with four columns: 'school', 'local/regional', 'national' and 'global'. They choose an issue relating to an area listed above and identify ideas for community action at each level.

■ **Your Ministers.** Find out who the ministers and shadow ministers are in your state/territory. Select one minister and write a brief report on the department/s and agencies they are responsible for and current projects/law reform they are involved in.

■ **Poster.** Students are divided into eight groups. Each group is allocated one of the Landcare principles mentioned above. They create a poster that includes pictures defining the principle and ideas for action in their school community that might advance that principle.

REFERENCES AND FURTHER RESOURCES

Joan Kirner

Australian Women—biographical entry
www.womenaustralia.info/biogs/AWE0359b.htm

EMILY's List
www.emilyslist.org.au

Joan Kirner and Moira Rayner, **The Women's Power Handbook**, Penguin, Sydney, 1999

Speech by Joan Kirner at the **Visions of a Nation** lecture
<http://w3.unisa.edu.au/hawkecentre/events/2001events/kirner.asp>

Discrimination and Equality

Human Rights and Equal Opportunity Commission (HREOC)

www.humanrights.gov.au

HREOC has a number of quality resources for the classroom, including:

- Youth Challenge:

<https://www.humanrights.gov.au/news/media-releases/launch-youth-challenge-website>

- Paid Maternity Leave:

<http://www.humanrights.gov.au/hot-topic-index-paid-parental-leave-maternity>

Equal Opportunity for Women in the Workplace Agency

<https://www.wgea.gov.au/>

The Affirmative Action and Diversity Project

<http://aad.english.ucsb.edu>

Race, Gender and Affirmative Action—Resource Page for Teaching

www-personal.umich.edu/~7Eeandersn/biblio.htm#Con

Democracy in Australia

Community Portal—Australian Government

<http://www.australia.gov.au/information-and-services/family-and-community>

Building Stronger Communities

www.ourcommunity.com.au

NSW Office of Children and Young People—Youth Participation

<http://youth.nsw.gov.au/>

Parliamentary Education Office—Australian Government

www.peo.gov.au

The state and territory parliaments each have an education section on their websites.

Parliament of Australia Live Broadcasting

http://www.aph.gov.au/News_and_Events/Watch_Parliament

Webcasts of Federal Parliament including Senate, House of

Representatives and various committees.

Yes, Minister TV series

www.yes-minister.com

This BBC series is a good satirical look inside the office of a minister.



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