

Top End Women's Legal Service Inc

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12 December 2016

Committee Secretary
Community Affairs
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

By email to:

community.affairs.sen@aph.gov.au

Dear Committee Secretary,

Fairer Paid Parental Leave Bill 2016

Thank you for inviting comments to the draft Fairer Paid Parental Leave Bill 2016 ('the Bill'). The Top End Women's Legal Service Inc. ('TEWLS') welcomes the opportunity to make a submission regarding the proposed amendments to the *Paid Parental Leave Act 2010* (Cth) ('PPLA').

About TEWLS

TEWLS is a community legal centre focused on the advancement of the rights of all women. We are funded by the Commonwealth Attorney General's Department and the Department of the Prime Minister and Cabinet to provide legal advice, casework, community legal education and advocacy to women living in the Top End of the NT. We provide advice, information and assistance to women in a number of areas of law including employment law, family law, domestic and family violence, housing and tenancy, debts, sexual assault, discrimination and compensation for victims of crime. We also provide outreach services for culturally and linguistically diverse women, Aboriginal women in the town communities surrounding Darwin and women incarcerated in the Darwin Correctional Precinct.

Background

The World Health Organisation recommends 6 months mandatory paid maternity leave, or 26 weeks.¹ In 2015, the OECD average paid maternity leave period was 52.57 weeks, with Australian provisions well below this standard and in the 9th percentile.²

Paid parental leave is an essential prerequisite to address the gendered wealth gap and improve women's workforce engagement. The productivity commission found that the availability of paid parental leave enhanced long-term labour force participation for women, and ensured their connection to the workforce.³

There is also compelling evidence of health and welfare benefits for mothers and babies from a period of postnatal absence from work for the primary caregiver of around six months. The time spent with a newborn child for parents is an extremely special time. Extending the paid parental leave scheme contributes to allowing more time for breast feeding, bonding, and child development, all of which have long term physical and psychological health benefits. Conversely, evidence suggests that non-parental care in the first six to twelve months can lead to behavioural problems and delayed cognitive development for some children.⁴

Our Submission

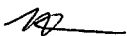
TEWLS supports the existing provisions of the PPLA, and future enhancements to reach the OECD average paid maternity leave period of 52 weeks. Of note, the PPLA sought to address identified deficiencies within Australia's paid parental leave entitlements, with the Productivity Commission also recommending future enhancement to reach the goal of exclusive parental care for children from six to nine months.⁵

TEWLS does not support the proposed Bill which would reduce existing entitlements, and limit the opportunities for families to remain with their child beyond 18 weeks. Of note, it is a community norm and expectation that people in the work force having a child will take time off work,⁶ and the proposed amendments will make it more difficult for mothers to receive the WHO recommended 26 weeks leave.

We thank you for your consideration of our submission. Should you require further information, please do not hesitate to contact the writer on (08) 8982 3000.

Yours faithfully,

TOP END WOMENS LEGAL SERVICE INC.



Vanessa Lethlean
Managing Solicitor

¹ World Health Organisation, *WHA Global Nutrition Targets 2025: Breastfeeding Policy Brief* (2012) <http://www.who.int/nutrition/topics/globaltargets_breastfeeding_policybrief.pdf?ua=1&ua=>.

² Ibid.

³ Ibid, 5.1.

⁴ Ibid, XIX.

⁵ Productivity Commission Inquiry Report, *Paid Parental Leave: Support for Parents with Newborn Children*, Report No 47 (2009) XIV.

⁶ Ibid, XVIII.