

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department of the Prime Minister and Cabinet

Budget Supplementary Hearings 2002-2003, 20 November 2002

Question: PM25, PM26, PM27, PM28, PM29 and PM30

Outcome 1, Output 2.2

Topic: Paid maternity leave

Hansard Page/ Direct on Notice: F&PA

Senator Crossin asked: Has OSW done any costings of paid maternity leave? If so, what are they?

Senator Crossin asked: Have any OSW officials participated in any inter-departmental meetings or cabinet documents on the cost of implementing paid maternity leave? Has the Minister?

Senator Crossin asked: Will they be made available to the public?

Senator Crossin asked: Can you tell me what sort of committee this is – is it reporting to cabinet etc?

Senator Crossin asked: Can you tell me who was the Cabinet Minister in attendance?

Senator Crossin asked: Were there representatives from the Men's Rights Agency present?

Answer:

OSW is currently part of the interdepartmental Work and Family Taskforce chaired by the Department of the Prime Minister and Cabinet. This Taskforce is reviewing a wide range of options that might facilitate better choice for parents in balancing their work and family lives. Consideration of paid maternity leave options has come within the consideration of the Taskforce. The Taskforce is producing a report for the Government.

No Cabinet Ministers have attended Taskforce meetings. There are no representatives from non-government agencies including the Men's Rights Agency on the Taskforce.

Senator Nick Minchin made available preliminary indicative costings in a media release on 16 August 2002. These were followed by the release of more detailed indicative costings by the Department of Finance and Administration in a media release by Senator Minchin on 12 September 2002.

The following are indicative costings of various schemes of paid maternity leave, made available in the 12 September 2002 media release, based on those outlined in the Sex Discrimination Commissioner's discussion paper. The estimates are for 14 weeks (International Labour Organisation recommendation) of paid maternity leave based on

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eligibility of **(a) women employees with one employer for 12 months or more, or (b) women employees with one or more employers for 12 months or more.**

The estimates assume that family payments such as Maternity Allowance would continue unchanged and that each option would apply to all women who have been employees for the 12 months prior to the birth of their child.

Option 1. No Cap (Full wage replacement) 14 weeks of paid maternity leave at the rate of the mother's current wage and salary (i.e. uncapped); **(a) \$680m, or (b) \$780m.**

Option 2. \$1000 per week Cap 14 weeks of paid maternity leave at the rate of the mother's current wage and salary but capped at the same level as the Baby Bonus (\$52,000 per annum); **(a) \$605m, or (b) \$715m.**

Option 3. \$754 per week Cap 14 weeks of paid maternity leave at the rate of the mother's current wage and salary but capped at the rate of a midway point between the Baby Bonus current cap and the Federal Minimum Wage; **(a) \$575m, or (b) \$660m.**

Option 4. \$431 per week Cap 14 weeks of paid maternity leave at the rate of the mother's current wage and salary but capped at the rate of the Federal Minimum Wage; **(a) \$415m, or (b) \$475m.**

Question: PM 31

Outcome 1, Output 2.2

Topic: Family law

Direct on Notice

Senator Crossin asked: Mr Ticehurst mentioned five suicides per week due to child access problems, do you know where these figures are from? Could you find out?

Answer: No. In Frank Cassidy's *Canberra Times* article of 17 November 2002 Mr Ticehurst was quoted as saying "70 per cent of separations were trouble-free but "it's the others that cause the grief"." Mr Cassidy's article then stated that "five men a week committed suicide because of child access problems". It is not known where Mr Cassidy obtained this statistic.

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Question: PM 32

Outcome 1, Output 2.2

Topic: Family Law Reform Act and domestic violence

Direct on Notice

Senator Crossin asked: Can you tell me how this committee or the Family Law Reform Act is taking into account violence perpetrated by a parent against either the other parent or the child/ren?

Answer:

The Attorney-General's Department has portfolio responsibility for the *Family Law Act*.

The *Family Law Act* specifically provides protection for victims of violence and other forms of abuse. Primary dispute resolution (PDR) is not mandatory and is only conducted where it is safe for both parties. Special consideration is given to the needs of women and children affected by domestic violence or sexual abuse. The rules of the Family Court state that matters involving domestic violence cannot be dealt with through PDR.

Question: PM 33

Outcome 1, Output 2.2

Topic: Children, domestic violence and the Family Court

Senator Crossin asked: On what basis does OSW consider that a child's relationship with both parents after divorce should override safety issues?

Answer:

We are unclear about the background to this question.

OSW provides advice on issues relating to divorce and the protection of women and children in situations of domestic violence.

Research conducted under the Commonwealth-funded *Partnerships Against Domestic Violence* initiative has highlighted the adverse effects on children living in situations of domestic violence.