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PRODUCTIVITY COMMISSION

**INQUIRY INTO PAID MATERNITY, PATERNITY
AND PARENTAL LEAVE**

**MR R. FITZGERALD, Presiding Commissioner
MS A. MacRAE, Commissioner**

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY ON WEDNESDAY, 21 MAY 2008, AT 9.04 AM

Continued from 20/5/08

MR FITZGERALD: Good morning. Welcome to the sixth day of our public hearings and our second in Sydney. So hopefully today will be as interesting as yesterday. Our first participants, if you could give your full names, the positions and the organisations that you represent.

MR JONES (CPSU): Thank you, commissioner. Stephen Jones. I'm the national secretary of the Community and Public Sector Union. Appearing with me today is Kristin van Barneveld and Rhiannon Carter, who are research officers for the Community and Public Sector Union.

MR FITZGERALD: Good. Over to you.

MR JONES (CPSU): The Community and Public Sector Union, the CPSU, is the union which represents the interests of employees in Commonwealth and territory, together with state government employment, and the communications industry. The submissions that I make this morning are on behalf of those employees in Commonwealth, territory and communications industry employment.

We've approached this issue from the perspective of what policy settings are going to provide arrangements which are in the interests of the child and are going to facilitate the capacity of the primary caregiver to look after the interests of the infant child in the first 12 months of its life and how the primary caregiver is able to balance their needs of the household and household income and their connection with work with ensuring that a child gets the best start in life.

We've been informed by some of the scientific and medical research in the area, in particular the World Health Organisation recommendation as it concerns breastfeeding and the observation or the recommendation that it is in the best interests of the child that a mother where able is able to breastfeed a child for a minimum of four months, an optimum of six months in the first year of its life. That research is supported here in Australia by the National Health and Medical Research Council, a body funded by the Commonwealth which has found that breastfeeding is shown to provide significant health benefits for both the mother and the child. For babies breastfeeding increases the resistance to infection and disease and reduces the likelihood of developing allergic diseases such as asthma, eczema. There's also some limited studies associated with higher IQ scores in later life.

We believe not only is the provision of a universal paid maternity leave scheme of 26 weeks with the addition of superannuation, additional payment of superannuation upon the normal wage, not only in the interests of the child and the mother but it's also, in our observations, in the interests of employers within our industries. The Australian Public Service where women comprise around 57 per cent of employment and it's predicted will, by the year 2035, comprise up to 70 per cent

of employment, is in a battle for talent.

Commissioners may be aware that around about three weeks ago the Australian National Audit Office published a report which focused on this particular issue, the cost of recruitment and retention and the skills battle that was going on for the types of employees that the Commonwealth was seeking to attract and retain. It found that the current cost of recruitment was in the order of \$370 million per annum and that when it came to the battle for recruiting and retaining skilled employees the Commonwealth was not winning that war. The audit office made a number of observations, not the least of which was the total value to the employee in terms of wages and conditions was a crucial factor in the Commonwealth's capacity to attract and retain employees, in particular women employees, to its ranks.

Over the last 30 years we believe the public sector has lost its edge in being an employer of choice when compared to other employers who may be an alternative employment option for women in particular. The university sector, for example, in the area of paid maternity leave has certainly got way out ahead of the Commonwealth. The Australian Catholic University, for example, is now providing up to 50 weeks' paid maternity leave, 12 weeks on full pay and an additional 40 weeks on half pay.

It's our submission that these sorts of arrangements are going to be increasingly entered into by progressive employers as they are turning their minds to the sorts of arrangements that are going to be needed to attract and retain skilled workers and particularly women to the workforce. It's our belief that a universal scheme would hasten the adoption by progressive employers and the workforce at large in rolling out these sorts of arrangements. That has got to be not only, shall we say, in the interests of the child and the primary caregiver but the interests of employers as well.

It's our submission that the government needs to be - particularly the Commonwealth government - seen as a model employer. It needs to be leading the way. It's over 30 years since the first statutory scheme for paid maternity leave was introduced, 12 weeks' paid maternity leave. It has remained virtually unchanged since it was introduced in the mid-1970s. Yet over that period the demographics of the workforce and the needs of households have changed enormously but there has been virtually no change in those statutory arrangements. It's pleasing to see that the Commonwealth, having led the way in the 70s, other state governments followed suit pretty quickly by introducing statutory paid maternity leave schemes. So it's our submission that the Commonwealth needs to lead the way. It needs to lead the way by putting in place a universal scheme but it also needs to lead the way as a model employer for its own workforce.

We've conducted a survey over the last two months of current arrangements

within Commonwealth and territory employment and in communications and community sector where we have representation. We have reviewed around 126 collective agreements and on average the current arrangements provide for 12 to 14 weeks of paid maternity leave, the 12 weeks being by and large through the statutory scheme and the additional 14 weeks, certainly in Commonwealth employment, has been achieved through the bargaining arrangements that we have focused on over the last five years, so 12 to 14 weeks. Most agreements specify that that can be taken at half pay, extending the capacity for paid leave from anywhere between 24 to 28 weeks.

In addition, over the last six years we have put increasing efforts into attempting through the bargaining process to increase or to establish and increase paid paternity leave arrangements. Those agreements which have included specific paid maternity leave arrangements provide for on average one to two weeks paid leave. A stand-out exception in this regard is the ACT government where we have negotiated some very successful arrangements which provide for primary carer leave for between 12 and 14 weeks. In the ACT government primary carer leave can be taken by a person not eligible for paid maternity leave and a couple could actually gain up to 28 weeks paid leave in total if they both work for the ACT government.

Those instances where a female employee may not be entitled to paid maternity leave arose when a woman has not been in the workforce for 12 months prior to having a child. They would not be entitled to the statutory provision of 12 weeks but they may otherwise be, through this facility, able to access 12 to 14 weeks of primary caregiver leave. They are arrangements which we see as a bit of a model. We think, when taken from the perspective of the interests of the child, the arbitrary requirement that a woman be in paid employment with a particular employer for 12 months before gaining access to paid maternity leave is a requirement whose time has come and passed, in our submission.

In terms of parental leave, that's an additional benefit which is also provided for in our bargaining arrangements between one week and six weeks. Normally taken by the partner, sometimes again available for mothers who are not eligible for paid maternity leave and can also be used for adoptive mothers. In most of our agreements we have arrangements for adoptive leave which varies from agreement to agreement. Most often it's the same entitlement as paid maternity leave, although varying from agreement to agreement in the eligibility criteria for accessing the leave.

So in summary, we have arrangements through the bargaining process in addition to statutory arrangements: paid maternity leave generally, where we've been successful, two weeks above the statutory scheme; paternity leave, parental leave and adoption leave. It's our strong submission based on somewhere in the vicinity of

eight to 10 years' experience of attempting to progress these arrangements through the bargaining framework, that bargaining is a very limited response to what is, in our submission, a societal-wide issue.

There are some gains that can be achieved through direct bargaining at the enterprise level but that is always going to be a second-best option and is going to depend on the demographics of the particular enterprise, the bargaining capacity of workers within that enterprise and the economic circumstances of a particular enterprise as to whether we're able to achieve those sorts of arrangements. So bargaining is a piecemeal response and I think the evidence is pretty conclusively in on that. Where unions such as ours have been able to achieve some advances it has been because there has already been a statutory arrangement in place and we're able to improve upon that.

The Commonwealth - probably wouldn't surprise the commission to learn, given the demographics and the significant number of women who are employed in Commonwealth employment - has a significant number of women who access paid maternity leave arrangements. Our written submission will provide full details of this. But to give you a flavour of it, Centrelink which employs around 27,000 employees in 2006-2007 had approximately 890 women accessing paid maternity leave. The Australian Tax Office employing around about 23,000 people had approximately 420 women accessing paid maternity leave. In the Department of Defence which over that period employed around about 16,000 civilian employees had approximately 270 women accessing paid maternity leave.

They're some of the larger and more significant agencies. The total figure across Commonwealth employment, I'm helpfully reminded by Kristin, is approximately 3100 employees over the period 2006-2007. So that is a significant figure.

MR FITZGERALD: Sorry, can I just clarify that figure? Over 3000 took - - -

MR JONES (CPSU): Accessed paid maternity leave.

MR FITZGERALD: Accessed paid maternity leave in a one-year period? So 2006 is just the financial year?

MS MacRAE: 2006-7 financial year.

MR FITZGERALD: Yes, okay, fine. Thanks for that, yes.

MR JONES (CPSU): The headline figures actually belie an issue that we have identified in our industry, and that is the concentration of women and particularly

women of child-bearing age appears to be in certain agencies and in particular, service delivery agencies such as Centrelink and Medicare wherein those agencies - it's getting close to 70 per cent of the workforce are women. Not all of that 70 per cent is of child-bearing age obviously.

MR FITZGERALD: Sure.

MR JONES (CPSU): It's no accident that those agencies where we have been able to achieve increases in paid maternity leave aren't those agencies which are the highest employers of women.

MR FITZGERALD: Aren't?

MR JONES: So in Medicare and Centrelink, for example, the paid maternity leave arrangements are still at 12 weeks and there has been strong resistance from employers in those agencies to increase through direct bargaining that provision. We believe that the single reason for that is the funding arrangements for Commonwealth government agencies. There is nothing within the funding arrangements which accounts for or takes account of the fact that agencies such as Centrelink and Medicare and others are going to have a higher cost when it comes to funding paid maternity leave when compared to an agency such as, for example, the Australian Federal Police, which is a largely male demographic. Of course that doesn't take into account our submission that we need a provision for paid paternity leave as well.

But we think in considering this the overall arrangements that need to be put in place by employers or by the government at large - some pooling of the cost of paid maternity leave is desirable otherwise those employers with a higher proportion of their workforce who are women of child-bearing age will face a disproportionate cost of providing a societal-wide benefit. If that's true of society at large it's also true of a single employer such as the Commonwealth.

We submit that the Commonwealth should be providing a scheme of six months' paid maternity leave. We estimate that the cost to the Commonwealth as a single employer would be around about .5 per cent of their total wage and salary bill. The ACTU, we understand, is submitting that there should be a minimum position of 14 weeks' paid maternity leave, inclusive of superannuation contributions. We support this proposition but we strongly submit that whatever arrangement is put in place for the population at large and the funding arrangements which underpin that proposition should not send any section of the workforce backwards.

Therefore if you look at the arrangements which currently apply to women in the industries that we represent, they will currently have an entitlement to between 12 and 14 weeks' paid maternity leave. In addition to that through the social security

system they will have access to what is now called the baby bonus which at the end of this financial year is said to increase to around about \$5000, rounded. It's our very strong submission that the funding arrangements which underpin any new universal scheme, if that is what forms the basis of a recommendation from this inquiry, should not disadvantage any section of the workforce as compared to where they currently stand.

We've mentioned in opening that over the last two months we've conducted a survey of our members. We take this opportunity to provide a bit of a snapshot of the responses to the survey. We received nearly 3000 responses to our survey and some of the responses - and I'll break them down into particular areas. In terms of the entitlement to maternity leave 4.6 per cent of the respondents to our survey advised us that they had no entitlement to paid maternity leave at the time that they gave birth to their child. In the vast majority of these cases it was because they had not yet achieved 12 months of employment which would trigger their access to any of the paid maternity leave arrangements applying to their work.

At the Canberra hearing one of our members provided details of her circumstances as a result of working for a labour hire firm providing services to the Australian Public Service. She won her permanent employment after a lengthy period of employment with a labour hire firm. She then subsequently, doing almost exactly the same work, won permanent employment with the Australian Public Service two weeks before giving birth to her daughter. She gave evidence of the financial hardship that that imposed upon her and her family and the fact that the lack of any income support forced her back into the workforce a lot earlier than she believed was in her interests or the interests of her baby daughter.

Around about 96 per cent of the respondents to our survey advised that they had 12 weeks or more of paid maternity leave. 76 per cent of the women reported that there was a direct link between the amount of paid maternity leave they received and the amount of work that they actually took off work. So where they were entitled to 12 weeks they took between 12 weeks and 24 weeks depending on whether they took it at full or half pay; 14 weeks, between 14 weeks and 28 weeks. There was a direct link between the amount of time they were paid and the amount of time that they took off work. That doesn't strike us as unusual given the fact that it is now the norm for most households to rely on two incomes to support the needs of their family.

The survey also identified that the majority of women attempted to access or did access other forms of leave in addition to their paid maternity leave, typically annual leave, but also in a smaller number of circumstances long service leave to supplement their entitlements to paid maternity leave. One respondent reported that she could not afford to take time off without pay:

So took my paid leave at half pay and then added rec leave and long service leave at half pay to give me 11 months and two weeks off without pay. When I returned to work I had no rec leave and no long service leave entitlements.

So there was a long-term cost to her. That was, in her submission, going to affect her capacity upon return to work to deal with other emergencies as they may arise where she would otherwise have drawn down upon annual leave to do with school, child care and other arrangements or family emergencies. That was not going to be available to her.

In terms of partners, paid parental leave is incredibly and increasingly important to the people that we represent. The evidence, in our submission, is conclusive that men are not likely to take leave unless it's paid leave. In our submission the conclusion that men are not wanting to take leave to support their female partner cannot be drawn. It's just a purely economic issue that it's necessary to have at least one if not two incomes supporting the household needs. The survey data showed that only 55 per cent of partners took less than a week's leave at the time of birth of the baby and 62 per cent did not take any unpaid leave. So it's beyond controversy, in our submission, that unless there is a provision for paid leave, paid paternity leave or parental leave, we will not correct the imbalance between the effort that is made by the male partner to assist in the child-rearing in the first year of the baby's life.

MR FITZGERALD: We need just some time for questions. So I was just wondering whether you'd like to just make a couple of concluding opening comments and then we'll just have a chat about some of those issues.

MR JONES (CPSU): Can I very briefly identify a couple of matters?

MR FITZGERALD: Yes.

MR JONES (CPSU): Whilst the force of our submission is that we need to introduce a universal scheme of paid maternity leave - that is important in and of itself, I think - it also aids in drawing attention in the workplace to the needs, the broader needs, of mothers and partners in dealing with the balance between work and the interests of the child and dealing with the child in its earlier months of its life.

Our survey has identified a strong need for facilities for breastfeeding mothers in the workplace. Current arrangements are far short of the mark of what is needed. Our written submission will detail some of the shortfall that we see in that area. In addition to that, a strong desire for women who are on maternity leave to retain some

connection to the workplace. Current arrangements fall far short of what is desired. Unless that connection is maintained during the period of leave women find themselves at a disadvantage when it comes to career opportunities, or even maintaining their job that they have notionally vacated for the period of leave, or when it comes to simple arrangements such as changes in rosters and hours of work that may occur over their period of leave which dramatically changed their working arrangements and they have no say over when they return to work.

So those two other issues are crucial. We haven't mentioned the issue of child care but we will, in our final submissions, make note of that which needs to be addressed if we're looking at this issue in the whole.

MR FITZGERALD: Good. Thanks for that. I didn't want to cut you short but I just wanted to raise of couple of issues. But just on your last point one of the things that participants need to be aware of, which is what you've raised, is the inquiry is actually broader than leave. It is about looking at support for parents with children under the age of two. So any comments in relation to child care and other issues we'd welcome. Whilst the main attention is in relation to paid leave arrangements those other issues are important and part of the terms of reference to some degree.

Can I, before asking Angela for some comments, put a proposition that was put to us the other day, not on the record but privately when we met with one of the state governments. They said to us this: they have arrangements in place similar to the Commonwealth and it is roughly 12 to 14 weeks, depending on the agency. We asked them a question, which was, what are they finding in the negotiations with their employees, and I presume the union, in relation to parental leave versus some of those other issues? They were saying that parental leave no longer rates as highly as some of those other issues, that it seems to them that when you get to a reasonable level of paid maternity leave and paternity leave, that in fact other issues become more significant.

Now, they weren't being prescriptive about that but that was just their general sense that whilst they recognised that parental leave was important, their view was that once you get to that 16, 14-week period other issues start to become more significant for mothers and fathers in the workforce. I wonder how you would respond to that. As I say, it was just an off-the-record comment and they weren't opposing increases, but they were just reflecting that their workforce seemed to have other priorities.

MR JONES (CPSU): I wouldn't approach the issue by giving primacy to the arrangements for paid maternity leave above or below other arrangements. What I would say is the total package needs to be in place. Paid maternity leave assists in attracting and retaining women. Of equal importance is the flexibilities that are

available to families in the workplace in the first two to three years of a child's life, whether they be flexible hours, whether that's the capacity for part-time work or job-sharing arrangements. We've touched on the need for breastfeeding facilities or facilities for people to express milk in the workplace and store milk in the workplace and the support of employers, particularly in capital cities in accessing quality child care arrangements are all of equal importance. I don't think this issue can be approached by giving primacy of one over the other.

MR FITZGERALD: The second thing is can I just clarify - as I understand it you're seeking 26 weeks' full income replacement for Commonwealth public servants in your negotiations with the Australian government. That's correct?

MR JONES (CPSU): That's correct.

MR FITZGERALD: Separate to the universal scheme. Just putting aside what you may be able to bargain for with the Commonwealth, if a scheme were to be introduced along the lines that the ACTU has thus far put - and we haven't yet received their final position, let's say it's 14 weeks at minimum wage. Would you simply see that being absorbed into the current arrangements that you already have? In other words, I know you say you don't want to go backward, and that's a given that nobody would accept a position where you'd negotiated X and you would go backward.

But the issue about absorption has become quite interesting. Some people have said to us that whatever has been voluntarily or agreed to through collective bargaining, not only in the public sector but generally, should be retained and anything else that the government does is on top of that. Others have said to us provided that there is no going backwards then they're happy to absorb that sort of extra. I just wonder whether you have a view about that and that's why I started with - obviously you have a much larger claim going forward, but this issue about absorption, I was wondering - yes.

MR JONES (CPSU): Well, I don't think the question can be answered absence an analysis of the funding arrangements which would support a universal scheme. That's when you start looking at the current arrangements such as the baby bonus and anything that may be put in place in terms of a universal 14-week scheme. If the baby bonus is going to be used to fund a universal scheme, whether it's absorption or however else you choose to describe it, our members go backwards because they currently have access to the baby bonus through the social welfare scheme plus the employment arrangements that are in place. So however it's described - - -

MR FITZGERALD: As long as you don't go backwards from your current position is where you're - - -

MR JONES (CPSU): That's right. Of course we support, we strongly support, a scheme which provides a benefit to women who have nothing at the moment. Of course we support that. But it's our strong submission that that shouldn't be at the expense of those women whose organisations have put the effort into and have been lucky enough to succeed in achieving arrangements to date.

MR FITZGERALD: Okay. Angela?

MS MacRAE: Can I just be clear then, in relation to the 26 weeks at full replacement, that's what you're arguing for your membership, are you arguing that that's what should apply more generally or not?

MR JONES (CPSU): We take the view that if this debate is anchored where it should be, in an understanding of what is in the interests of the child, then we as a society should be striving to put in place a funding arrangement for 26 weeks' paid maternity leave.

MS MacRAE: For everybody?

MR JONES (CPSU): For everybody.

MS MacRAE: Right. Would that be for people just with workplace attachment or would it be universal, as in all mothers?

MR JONES (CPSU): It's our submission, given the changing nature of work, that just identifying people who are classified as employees is probably going to have some limitations to it. So we would say that a universal scheme should be exactly that, a universal scheme. Of course there will be differences if you are covered by industrial arrangements and you are an employer.

MS MacRAE: Yes.

MR FITZGERALD: Can I just clarify that. When you say "universal" are you including these women who are not attached to the workforce at all, would they receive the equivalent of 26 weeks at some level or would they receive a lesser amount? In other words, I presume when you're talking about universal you're talking about contract or self-employed casuals. But for women that are not attached to the paid workforce, is your submission that they also receive up to 26 weeks of some equivalent amount or is it that they just continue on with the baby bonus as it's currently configured?

MR JONES (CPSU): We make no submission in respect of those people who are

not attached to the workforce. The reason that we make no submission is that that would require a complex analysis of current social security, taxation and other arrangements which apply in those areas. I believe that there are people better placed to advocate in that area than my organisation.

MR FITZGERALD: That's fine. That's what I understood. I just wanted to check because people use "universal" in a number of ways.

MS MacRAE: Yes.

MR FITZGERALD: "Universal" every mother, "universal" every woman in the workforce and "universal" in other ways, so thanks for that.

MR JONES (CPSU): Nothing should be taken from my submission that leads to the conclusion that we would not support a scheme which applied to people who are not in some form of work.

MS MacRAE: Yes. You're just taking a position because - yes.

MR JONES (CPSU): We are just not well placed to advocate that issue.

MR FITZGERALD: No, no. Thanks for that clarification.

MS MacRAE: Could I just ask, I was interested in the comments about the ACT government and that their eligibility requirements for their primary carer leave were different. So they don't require a 12-month eligibility but they must have some sort of eligibility criteria, do they?

MR JONES (CPSU): They're employed.

MS MacRAE: Okay.

MR JONES (CPSU): They're employed by the ACT government.

MS MacRAE: Okay. So you could be in their employ for a week and then take - - -

MR JONES (CPSU): It would be most unusual.

MS MacRAE: Yes.

MR JONES (CPSU): But theoretically, yes.

MS MacRAE: Right, okay. Does that definition of employment include contractors, for example, that example - - -

MR JONES (CPSU): No, it doesn't.

MS MacRAE: No, okay.

MR JONES (CPSU): Well, "contractors" is not a term of art. Some people use that to describe people who are casual employees, fixed-term employees. You have to be an employee of the government.

MS MacRAE: Right, okay.

MR JONES (CPSU): As opposed to some other - - -

MS MacRAE: Not through labour hire or - - -

MR JONES (CPSU): Correct, to have access to the scheme.

MS MacRAE: Okay. Just in relation to that, the impression I had from that is you were saying this is a good thing. In relation to the unpaid leave requirements, are you putting any position for a change of eligibility in relation to those, because that does have the 12 months with the employer, or are you silent on that?

MR JONES (CPSU): We broadly support the provisions of the family leave test case in relation to unpaid leave which, succinctly put, provides for 12 months' unpaid but also access to extend that leave beyond 12 months on application by the mother.

MS MacRAE: But who is eligible for that though? Do you have to be employed for 12 months with the single employer? That was the nub of the question.

MR JONES (CPSU): Yes, in short. However, there are other bodies of law which impact upon this question, such as anti-discrimination legislation which creates a form of unlawful discrimination in the case of women with family responsibilities. So it's not as simple as it might at first instance appear.

MS MacRAE: But in terms of those current arrangements you're happy to support them as they are or are you recommending any changes to those?

MR JONES (CPSU): We support the current arrangements.

MS MacRAE: Right.

MR JONES (CPSU): Our written submissions may go to some of the areas beyond 12 months and the facilities that may be put in place beyond 12 months to create some firmer rights to women who wish to extend their unpaid maternity leave beyond 12 months.

MS MacRAE: With the survey you said that you'd had around 3000 responses.

MS van BARNEVELD (CPSU): It's 1300, just to correct that.

MR JONES (CPSU): 1300?

MS van BARNEVELD (CPSU): Yes, 1300 responses.

MS MacRAE: 1300 responses. I was just interested in what proportion of those responses came from females and what from males and whether that reflected the make-up of the population in general that it was offered to?

MS van BARNEVELD (CPSU): No, our survey was of women members who had had a child within the last five years.

MS MacRAE: Okay.

MS van BARNEVELD (CPSU): The men that did somehow sneak in there were taken out.

MS MacRAE: Okay.

MS van BARNEVELD (CPSU): So, yes, it was purely of women members who had at least one baby during that period.

MR FITZGERALD: I think we're going to be very interested in those survey results because one of the things that you made a comment on, and it was made yesterday by one of the participants National Diversity Council, which represents some of the 100 largest private sector employers, and that is that they maintained, as you maintained, that there is a direct correlation between the amount of time taken off and the amount of paid leave that is provided. As you increase the amount of paid leave the time extends, because in the early days of this inquiry there was some views put to us that once you get to a certain level, maybe it's the level that you're at, any additional benefit would have very little impact on the length of time taken. Clearly what your survey may be showing is that in fact that is not so. So the question I have for you is, does the survey and your own experience robustly indicate that correlation that if you increase paid maternity leave beyond three months or whatever you get a significant increase in the level of time taken off?

MR JONES (CPSU): Look, I think the proposition that has been put to you can be very easily dismissed on the basis of our data that - and I quote from our survey here - that 56 per cent of respondents said six months would be sufficient, 8 per cent said nine months and 30 per cent said that 12 months would be sufficient. Now, that's aspirational. Let's talk about the data that is already in. The majority of women who we have surveyed had to attach some other form of leave to their paid maternity leave to ensure that they had sufficient household income to meet their needs. So whether they're attaching long service leave or annual leave they are requiring some other form of paid maternity leave above the 12 weeks to extend their leave.

So any suggestion that says that 12 weeks is enough and people would come back to work after 12 weeks, whether there was further paid facility or not, can be easily dismissed by the fact that women typically attach other forms of paid leave to whatever paid maternity leave is available to them.

MR FITZGERALD: Well, the second and related proposition may be that in order to have women be able to stay at home for six months or more, and particularly relating to the breastfeeding research to which you have referred, you don't necessarily have to pay for that period. For example, what we already know, and you've already indicated, is that if you have 12 to 14 weeks of leave many women will extend that by at least double by taking it at half pay.

So some of the harder hit might say if your aim to have women being able to make the choice to stay at home for six months you can achieve that with a lesser payment. Now this becomes significant if it's a government-funded scheme because the question that we have to face is, what is the minimum that the government has to contribute to achieve an optimal result? I mean that's the starting point. So the proposition would be, well, if you want people to be able to make that choice to stay at 26 you might only have to pay up to 12 or 14 weeks. Conversely, if you wanted to have them at home 12 months the you might have to pay up to six months. How do you deal with that proposition?

MR JONES (CPSU): I think that anyone who puts the proposition that household income can be halved over a period of three, six, 12 months without having any net impact on the capacity of that household to deal with their day-to-day needs and the interests of the child not only has a loose attachment to reality but probably has never been a parent himself.

MS van BARNEVELD (CPSU): There was plenty of evidence coming through from the survey that a lot of women couldn't afford to take half pay. They actually needed to take that period on full pay and when their full pay ran out the child, at three months or four months, was put into child care and they had to go back to

work.

MR JONES (CPSU): It's really quite a simple proposition. Most households require two incomes. If you remove one income from that household the expenses don't change. In fact, they increase because you've got all the expenses that are associated with the birth of the child, whether they be obstetrician fees and all the fees that are attached to that. So the expenses actually increase, they don't decrease over that first 12-month period. To suggest that halving the income or anything like that is going to make things easier I think has got a very - it's not based in any sound research, I would suggest.

MR FITZGERALD: Another question I just want to ask, and it may be more in relation to a universal scheme rather than as it relates directly to your members and that is this proposition: I think the ACTU and others are proposing - and again, we haven't received their final submission so I don't want to commit them to this - that it's 14 weeks universally available to women attached to the workforce at the minimum wage. The question for us is - and it has come up - is that some are saying that that figure should be a flat amount irrespective of the number of hours one has worked prior to that. In other words, whether you're casual, part-time or full-time you would receive 14 weeks at the minimum wage in totality. Some have actually said to us that in fact that needs to be pro-rated. Indeed a number of the participants yesterday, including Women's Electoral Lobby, said that any payment would be pro-rated according to, you know, the number of hours you worked, you know, as part-time or casual; assuming that you retained some form of baby bonus for everybody.

So we've got two propositions - we have now several but at least two, one of which says that irrespective of the level of your workforce attachment you receive a universal payment up to the minimum wage for X number of weeks. Another proposition would be that that would be pro rata'd on the assumption that everybody gets some form of baby bonus. You may not have thought through that proposition because it really wouldn't affect your members significantly, but they are two different propositions.

MR JONES (CPSU): Can I first say I have more than a passing familiarity with the ACTU position. My understanding is that they are putting a proposition for co-contribution. If I could characterise it like this: that there would be a universal payment facilitated through a Centrelink payment, a fortnightly payment, roughly equivalent to the current \$5000 baby bonus plus superannuation, plus 9 per cent superannuation. That would be provided universally through, for want of a better word, the social welfare system.

MR FITZGERALD: Sure.

MR JONES (CPSU): In addition to that, and this is where the co-contribution component comes in, that through the national employment standards that there would be a requirement in respect of paid maternity leave that the employer pay the difference between the universal - between the federal minimum wage and the replacement wage.

MR FITZGERALD: That top-up component would be pro-rata'd but the base payment would be a flat rate up to that level?

MR JONES (CPSU): That's right.

MR FITZGERALD: Is that your understanding?

MR JONES (CPSU): That's right.

MR FITZGERALD: Okay.

MR JONES (CPSU): Well, I think it would only be in a minority of circumstances where the federal minimum wage component was less than what the woman was actually earning prior to going on maternity leave. Secondly, it's consistent with the principle that nobody should be worse off than they are currently. They currently receive or will currently receive \$5000. The pro-rataing option unless it has that principle built into it would leave somebody potentially being paid less than they currently have right now. We don't think that's desirable.

MR FITZGERALD: Can I ask a question which you may again not have thought through but given that you straddle both the Commonwealth and at least one of the territory governments, let's assume the Commonwealth - - -

MR JONES (CPSU): Both of the territory governments.

MR FITZGERALD: The Northern Territory as well, yes. We like Darwin and Northern Territory. Can I just ask this - and it's one that we haven't asked most participants because they may not have considered it - the state governments, let's assume the Commonwealth government was to endorse a proposal and it was accepted nationally. Would you expect the Commonwealth government to fund the employees that are employed within the Commonwealth and territory and state public services - sorry, I'll rephrase that. I'll put it more simply. Should the state governments fund the whole of the paid maternity leave arrangements for their employees or should the Commonwealth be required to pay up to that minimum wage level employees within the state public service?

MR JONES (CPSU): I understand the proposition. Can I cautiously answer it like this: the Commonwealth's contribution to supporting working mothers should be no less after the introduction of this scheme or any proposed scheme than it is before. That is, they are currently making a universal payment of \$5000 and it would be our submission that they should pay no less after the introduction of a scheme than they did before its inception.

MR FITZGERALD: Yes, okay, that's fine. I'm just conscious we've just run overtime by a little bit. Are there any other final comments that you'd like to make to us at this stage?

MR JONES (CPSU): Commissioners, thanks for your time.

MR FITZGERALD: Thank you very much.

MS MacRAE: Thank you.

MR FITZGERALD: We look forward to the submission and in particular the survey results. That will be most helpful to us. If we could have the next participant, which is Business and Professional Women Australia.

MR FITZGERALD: If you could give your full name and the organisation you represent?

MS CLIFFORD (BPWA): I'm Mary-Louise Clifford and I'm representing BPW Australia or Business and Professional Women Australia. We're an international organisation that has representation in Australia as well as - I think it's 76 countries around the world where we represent the views of women in the workforce and advocate, so both on the part of employers and employees. So we have a very tight rope on this issue that we've had very big discussions as an organisation. So it has been quite difficult to get to some consensus on this issue.

MR FITZGERALD: Well, that's all right. We're not in consensus yet so that's okay.

MS CLIFFORD (BPWA): No. I'm sure that as I leave here today some of my colleagues are going to South Australia and some in Western Australia that even though with the two-week period in lag there may be some difference of opinion before our final paper goes in.

MR FITZGERALD: That's fine. All right. If you'd like to make some opening comments that would be great.

MS CLIFFORD (BPWA): My other hat is that I'm a director of a child care centre on the central coast, so I have daily interests in seeing young families and how they're balancing their work-life balance and their economic situation in those early years as well. So hopefully I can give you a couple of anecdotes of the sorts of experiences of young families that we have.

One of the very first things that came up within our discussions as an organisation is that if we moved away from calling it paid maternity leave it probably wouldn't be as emotive to some people where they have this idea of we're suddenly paying people to do nothing and that there is extra money being given to people for no real reason. We had major discussion on whether we should be supporting a family establishment support payment or calling it by another name. It's just a payment that is going to help people in those very early weeks following the birth of a child. So I think that sort of gives you an idea of where we're coming from and that sort of thing.

We see it as a payment that should be made. We should be moving up to be with the rest of the world. We have, within our organisation, a map and it shows all of the countries that you can access some sort of maternity leave of our member organisation. There's two brown spots and that's Australia and America. It's quite a visual sort of thing to look at, that we really feel as a country we're wealthy enough

at this time that we really can support families in this really important times following the birth of young children.

At this stage our organisation believes that we should be looking at a minimum payment to all people who have been engaged in the workforce within the last 12 months and that perhaps the baby bonus in some sort of form can fill the gap for those people who have not been engaged in the workforce, whether they've had the opportunity to have one person supporting them at this time at home or if people are students if they don't have that tie to the workforce. We believe it should be at least at minimum wage. We believe it should be at a minimum of 14 weeks. But we also feel that something needs to happen soon.

We've been talking about this for a really long time. I think within our organisation for probably the last 10 years I've been aware of it being an issue, that perhaps what we need to do is start with something and build it up over a period of years so that we get to having at least 26 weeks or we look at 12 months that there is some sort of funding, but at least get something started at 14 weeks to have that minimum standard.

We do believe that employers do not wish to bear the cost and that there is quite a bit of concern that suddenly the world will fall apart and the sky will fall in if we ask employers to pay, but we know many people are accessing those arrangements. From many of the employers within our organisation they were straightaway, "I don't want to pay anything more than I have to," but many of them already have arrangements in place for staff that they value. So we see there's this real divide within people in the workforce now that there's those who have conditions where they may be employed by the public sector or they may be employed in bigger organisations, but people who are employed by smaller businesses or micro businesses there isn't that access to that payment unless you have a really good working relationship with your employer.

We have worked with our submission on the basis that there is an assumption in economic terms that both people are engaged in the workforce while their children are still under five, that there really isn't the opportunity for many people to take big blocks of time out of the workforce because they just cannot sustain their family's economic viability by not having some sort of income. Our members believe that it shouldn't be means tested, that it should be a payment that should be made. I heard you trying to use the word "universal" before but it doesn't cover everybody when you're talking in a context. But "all people that have been engaged in the workforce" has been our definition of it being universal and that employers could top up funds. The banter of being an employer of choice seems to be the go this current couple of weeks when I hear discussions that the opportunity would be there for employers to top it up, but I really don't see great support from the employer sector to suddenly be

thrust as an impost even though we know it makes good economic sense as an organisation to retain people that you've trained and given many skills and worked and are the face of your organisation.

I see the benefits. Not everybody has child-bearing experiences like mine where my second child I went into labour at work and he was born on the staffroom floor. His birth certificate says, "Place of birth: Glenning Valley Child Care Centre". Most employees don't want to be doing that sort of thing but I had these - - -

MR FITZGERALD: This is taking child care to an extreme.

MS CLIFFORD (BPWA): Yes, it is. But I was fortunate that my child could come to work with me, I could continue to breastfeed. I didn't take very much time off work because I couldn't afford it at the time. But I know many people when they're within my pre-school it's a really big decision for them to have a baby and to have more than one baby in child care at any given time. I heard the previous speakers talking about families accessing long service leave and annual leave to top up any payments that they have had. But we've seen such mobility in employment both within our organisation and with my work experience where people don't stay with employers for long enough to get that long service leave time up. They also don't start employment until later if they're spending time at university. So those years of opportunity of getting some long service leave before they hit child-bearing age is - when my mother would have been in the workforce, leaving school at 16 by the time she was 26 having about the third child by then, she would have been, if she had been in the workforce in that time, would have been somewhere for 10 years to be able to access to those long service leave arrangements.

But people are not getting into the workforce until they're 22 means we're looking at 32 to get those sorts of long service leave arrangements. Lots of people doing contract work, lots of short-term casualisation of work means you don't have those additional leave arrangements available. So we do believe that definitely having some sort of base system where people can access it as a government-funded payment would really allow that sector of the workforce to be able to access some sort of an arrangement.

I see families now who are building into their plan for having children. Everything is this big plan of, "How we're going to survive over the time?" When the initial baby bonus came in, which is four years ago this July, I believe, we had a family approach our pre-school, had their name on the waiting list, the plan was the baby was due in July, she would probably go back to work in September, had been doing lots of consultation about how this was going to happen with a baby that was only going to be sort of 12 weeks old, I suppose, just trying to work out how old

Luke would have been. Kelly was due on 19 July, so she was thinking, "Great, I'll have \$3000 of a paid baby bonus. This will tide us over for a period of time." Things sort of fell apart on about 13 June when suddenly she started having sort of a liver enzyme problem, had to have an emergency caesarean. Luke was born on 19 June so they missed out on the baby bonus. She thought about another four weeks she would have been working full-time, so she missed out on four weeks' wages, missed out on the \$3000. So that had such a big impact on their family's planning for what was going to happen.

So Luke actually started with us on 18 July, the day before he was actually due to be born because she could not take any more time out of the workforce. She initially started a couple of days a week and then up to full-time work. He turns four in a couple of weeks time and the impact that had on that early time - if there had just been some sort of basic payment it would have meant greater maternal health outcomes for her, time for her to bond with her baby. I was talking about it at work yesterday, this tiny little bundle and her trying to pass him over and me trying to take him and neither of us wanting to do the push or the shove. It was quite an emotive sort of moment.

We had a family yesterday who started with us with their 12-week-old baby. She had factored in down to the cent of how she could afford to keep her one child in child care for continuity for the 12 weeks she was going to have off work and how she was going to have the funds together to have start-up - paying bonds and enrolment fees and paying fees for two children. Everything was just so meticulous in her organisation for her financial planning. I just don't think that that should be such a big part of that baby time. It should be bonding and getting feeding establishment happening and enjoying being with your baby. It shouldn't be this big plan. I don't know, I could probably rattle on forever and ever and ever.

MR FITZGERALD: Well, that's fine. Thank you for that.

MS CLIFFORD (BPWA): But maybe if I answered questions I could be more concise with what I'm saying.

MR FITZGERALD: No, that's fine. Can I just ask one question: the association you represent, Business and Professional Women, just give me an understanding of its membership if you can.

MS CLIFFORD (BPWA): Within Australia at the moment our members range from about 18 years to 90 years. We have some much older members. I think at this time we have probably 760 members across Australia. We have a structure where we have clubs within local areas that are affiliated to a state body and then the state body is affiliated to a federal body and then that federal body is affiliated to an

international body. It's probably a fifty-fifty split at this time to employers and employees. Most of the employers are engaged in small business. It's not really people that are in sort of those bigger business organisations at this time.

MR FITZGERALD: Okay, that's fine. Thanks for that. Angela?

MS MacRAE: The final sort of part of your commentary was really about the financial stress that families are facing at the time of a baby coming into the home, especially when they are obviously unexpected time lines in some cases and all of those things. I just wondered if you could comment a bit about whether you thought the connection to paid leave and the extent to which paid leave was an element of that and how variations to the income support system might actually address that and if that's a critical issue whether we should be looking more at the income support side rather than a leave scheme per se?

MS CLIFFORD (BPWA): I see benefits for different families in going down both avenues. I do know that the families that access my service, the ones that have access to paid leave spend longer out of the workforce and the babies will start with us later than those who have no access to leave. Our families' incomes within our centre probably at this time between probably the 45,000 to 90,000 so they don't qualify for many of the family tax benefit assistance now. They don't get the top-up sort of payments, but they do get child care benefit. So I actually think that we're probably better going down the road of supporting those people to keep their skills and be engaged in the workforce than to have big breaks of time and keep that connection with the workforce. But I think this is probably a better avenue to go down in supporting them to be out of work for a little bit of time rather than just supporting all of them all of the time.

MS MacRAE: So the workforce connection is a big issue, you think - - -

MS CLIFFORD (BPWA): It is really important.

MS MacRAE: - - - in terms of keeping those people, I guess, out of a cycle that gets them dependent on a benefit of some sort and then relying on it long term.

MS CLIFFORD (BPWA): Yes, spending a really long time being dependent on income support where as a country I don't think that going down that avenue for looking at - we're probably better targeting money to help people make good decisions for their family and their individual circumstances at that time rather than setting into cycle of income support over a really, really long time.

I think we've have 77 families at the moment and five of them choose not to have child care benefit or do not qualify for some sort of child care benefit. So those

families are really what Mr Rudd is talking about, the working families. They fall really into that sort of basket of people at the moment. We're just a little town on the central coast and most people work. We don't have families who just use our service because they want preschool education, even though that's a component of our service we provide. They're families who need long day care and they need arrangements within a long daycare arrangement.

MS MacRAE: Just also from your final comments there, do you feel that the most critical time, I guess, that - you talked about the wrench, and I can well understand it, of handing over very young children. Would you say that that is a very predominant view that for those that have children, say, under three months in a child care arrangement that that is almost never a choice that people are making, that they feel - - -

MS CLIFFORD (BPWA): Yes. It's never a choice. I've never seen anybody who says, "Here, have my baby. I don't want anything to do with them. Here, look after them. I need to be back at work." Well, I don't think in the 15 years I've been working in children's services ever seen anybody say, "I just need to go back to work." It's always, "I have to go back to work."

MS MacRAE: At what sort of duration of leave do you see that changing? Like at what point do you feel that mothers are coming back saying, "I'm ready now and I feel this is good for me and good for my child that I'm coming to a child care arrangement with - - -"

MS CLIFFORD (BPWA): Anything from eight months onwards seems to be, you know, where they're starting to feel more comfortable - maybe it's just that they've talked themselves into it - but they've passed those very initial setting-up of feeding.

MS MacRAE: Yes.

MS CLIFFORD (BPWA): I work near some very big employers. We're not far from Sanitarium and Masterfoods, which employ lots of women and Families come to our service and breastfeed. We call them and say, "They're nearly ready now," and they will sit down and they won't have loss of time for a break in those very early years or very early months. But many of the parents when they're starting to look for things like social interaction and not using other types of services like family day care, it will be more towards when they're turning two. The majority of our children in our babies room are between one and two. As I said, we've only got the one very little one that started yesterday and then our next is sort of around that eight to nine months.

MS MacRAE: So in terms of the duration of, I guess, - and I appreciate that

probably some of what you told me is more a personal view than the view of the organisation you represent - but is the 14 weeks minimum then more of a pragmatic, "This is what we think we can get," rather than, "We're thinking about what mothers and families might ideally want"?

MS CLIFFORD (BPWA): Probably a minimum of what we can get and get started there, and that it may take time to move towards something greater, but we need to start somewhere. I mean, it seems to be the benchmark internationally to go for at least 14 weeks.

MS MacRAE: Yes.

MS CLIFFORD (BPWA): Many of the Scandinavian countries, they access a much longer time, it would be lovely, but I don't believe, myself, at this time that we will get that here, now, but let's get something in place and get the ball rolling.

MS MacRAE: Yes.

MR FITZGERALD: Just going back to your membership for a moment, some would say to us that whilst there is a need for a paid maternity scheme to be supported by the government, that should be targeted to areas where it is least likely that women will be able to access, either voluntary or negotiated arrangements. Right at the moment a lot of people are saying there should be universal, but given that people are also saying it should be government funded, what is the argument that you would put to keep it universal, rather than targeting either to small businesses, so you support those businesses only, or for lower income workers, because in one sense, it wouldn't matter if this was simply a scheme funded by employees and employers generally. But once we actually say, "It's government funded," what's the arguments your association would put in favour of it applying to all women, irrespective of their employer, irrespective of their income?

MS CLIFFORD (BPWA): I think we have the infrastructure as a country for payments to be made quite simply, as a government-funded scheme that it could, with the way child care benefit and other family tax benefits A and B are paid now, it could easily be rolled out. We already have the systems in place. I think that if we have it as a focus as a country and say this is really important if it comes from a government payment, it's focusing and saying, "We value this as a community. We value this as a society. We should be paying this money," and then, if we're saying for all women and not just those that are in the lower paid, we're saying, "Everybody's babies are just as important," and we're saying that, "We think that the impact on your family, regardless of your income at this time, it will have an impact on your family's economic situation," that we should be paying something to every family and supporting them at that time. Does that answer?

MR FITZGERALD: Well, the link to that, in relation to the payment to women not in the paid workforce, what is your view about the payments to those?

MS CLIFFORD (BPWA): We had a very, very big discussion about who falls into this category, whether it's people who have made the decision to not be in the workforce, does that cover students, does that cover people who may just be having a gap? We felt at this time, at least the baby bonus, our \$5000, was doing something to supporting those sorts of families. Maybe it's an either/or situation that we target paid maternity leave, payments to people who have been engaged in the last 12 months, and we'd keep the existing baby bonus for those people without that coverage.

MR FITZGERALD: What is your view then in relation to the government's proposal to subject the baby bonus to an income test? You don't have to have a view.

MS CLIFFORD (BPWA): I just felt that, really, 150,000 or 110, whatever the figure was, was not really a really big amount for people to be earning, particularly those who may be in the capital cities and servicing mortgages of much more than mine. My mortgage is 260,000 and I'm paying \$1000 a fortnight, so people who have mortgages for double that. Their income may be higher, but the percentage of their income going out at those times, I think it's a bit, you know, not as generous as I perhaps would liked to have seen the means testing.

MR FITZGERALD: In relation to the child care issue, can I ask - given that you're in the industry, and we've asked this of other people in the child care industry, although we haven't had too many actual participants yet give evidence in relation to this - if the government is being urged to fund paid maternity leave and paternity leave, is it a reasonable trade-off for the government to not increase its investment in very early child care under 12 months? What you've said to us is that most parents would prefer not to have to place their child in formal child care under 12 months, and I think everybody in the industry agrees with that.

MS CLIFFORD (BPWA): Yes.

MR FITZGERALD: For the government, it's often a trade-off between where they place their resources. Some would say that it is not a trade-off, that you need both. Others would say, "Well, if it's reasonable on the one hand, paid maternity is about trying to allow women to be able to stay at home with the child. Why would you therefore increase investment in formal child care for, say, under ones?" I'm just wondering whether you have a view about that.

MS CLIFFORD (BPWA): At the moment, child care for under twos is extremely

expensive. You cannot run a quality child care service without having greater than the minimum ratios.

MR FITZGERALD: Which is one to five, is it?

MS CLIFFORD (BPWA): One to five. I mean, who could ever look after five babies with one person? I mean, we had five staff in the room yesterday with eight, because we had two children that just needed one person to be with them, to sit and to settle them. So I think that the investment is important both ways. I don't think we should give up one for the other, because it just depends on people's circumstances. We have one of our staff at the moment who's about to have her second child. She was the primary income earner in her family while her husband completed a mature age apprenticeship. Her son has to come with her to child care. She used a couple of different - had family and formal child care, and I don't think she should have had to make the decision whether she kept their family going as the main breadwinner and not have child care benefit also paid.

I mean, I don't think we can make the division quite easily without looking at individual circumstances, and at this time, I would actually argue that the way child care benefit is paid, it's paid as a flat rate for whatever age the children are. Child care benefit also should be increased for children that are under three, where the expense is greater for children to be accessing formal child care in those under three years. If we look at it from a sitting at a business point, we actually don't make money in our babies' room, but when those children stay with us until they're five, we have made a profit somewhere along the line that has, you know, allowed us to put money back into the centre and train staff and do different things. But we certainly don't make money from our under threes, especially our under twos, without providing a service that gives that quality of care to the under twos. We just can't do it.

MR FITZGERALD: Going back to the association, the automatic assumption that people say to us is that small business can't really afford paid maternity or paid parental leave schemes. To some extent, others have said to us, they acknowledge that there would be some difficulty, but in fact, over time, all businesses have learnt to afford annual leave, sick leave, compassionate leave and so on and in a sense, this is no different. Given that about half your membership is in fact small business, I was wondering whether or not we accept too quickly the argument that business can't afford this, and to readily accept the proposition that government has to support it, or do you believe that there are genuine adverse impacts that would arise if you required small business operators to at least pay the top-up over and above a government contribution?

MS CLIFFORD (BPWA): We have 12 employees at this moment in time. Two of

them are not of child-bearing age. So we would find it, if we suddenly have a baby boom happening within our preschool, that it would be a major impost that would then increase the cost of running our business. I mean, what tends to happen in our experience in the last few years is that people hit sort of a certain age within your organisation of your business, that they suddenly all start having babies at the same time and it's like it's something in the water. That really would affect our viability in running a business to have that cost going on.

Where I see the benefits of being a government-funded scheme is that like our Medicare system has been funded by everybody paying a little bit, means that there's more money for everybody to be able to target it. I mean, there may be some small business operators who say, "Yay, it's a great idea. I'm rolling it out tomorrow," but I really do believe we'll see them jumping up and down saying it's not an amount they could absorb at this moment in time.

MR FITZGERALD: Just two related points, I suppose, on that. One is your view in relation to leave for the father and/or the other supporting partner, generally called paternity leave. So I was just wondering whether you have a view on that?

MS CLIFFORD (BPWA): We did have major discussions about this, saying that we felt that the opportunity should be there, depending on the individual's family circumstances, but perhaps it should be marked that the first six weeks were taken as maternity leave and then negotiation beyond that point could happen. That would allow the best of both worlds, but would also cover those maternal health sort of times, and that post part of six weeks.

MR FITZGERALD: Yes. The second point I just wanted to check on is the issue about the taking of this leave, we've heard that at the moment in the unpaid parental leave provisions, you have to take that in block.

MS CLIFFORD (BPWA): Yes.

MR FITZGERALD: You can't go in and out. Once you're returned to work, you lose it. I wonder whether you have any view about whether or not the paid maternity leave, in particular, has to be taken as a block or whether or not you could in fact take some, re-enter the workforce, and then take the balance. Although we're only talking about 14 weeks, it's probably not an issue.

MS CLIFFORD (BPWA): We really didn't discuss that as an organisation. I see from an employer point of view that it would be starting to get difficult if people are coming in and out of the workforce, but they do it all the time, taking annual leave and other leave. It may also allow families to balance things that happen in those very early months following birth, where, you know, inevitably they get sick and

things happen and you want to be there, but maybe that's a way that they can use some of that time to help do the work-life balance-type thing. It may not be a perfect way of doing things, but that's my personal point of view on how - - -

MR FITZGERALD: That's fine. As an organisation, you might have a think about that as well.

MS CLIFFORD (BPWA): I will actually have a think and chat on the next teleconference this week.

MR FITZGERALD: It's less important the shorter the period of time, of course, and more important the longer the period of time that's available.

MS CLIFFORD (BPWA): I suppose if we're looking, you know, moving beyond the 26 weeks and we're looking into a 12-month dream time in an aspirational period, they may be the logistics that really have to be nussed out.

MR FITZGERALD: Sure. Any other final comments that you'd like to make?

MS CLIFFORD (BPWA): No. I just think that we need to get something happening. For a very long time I've been within BPWA and I've been involved with the Time to Value papers and looking at the Work-Life Balance papers, that we're doing lots of talking and it would be lovely now to see something happening in this very short time and that I hope that as we are moving around the country, that we have enough evidence to say, this will be a good thing as a country to support people in this really important time, having babies and balancing their life and work.

MS MacRAE: Thank you.

MR FITZGERALD: Thanks very much, Mary-Louise. Okay. We might now take a quick break, just about 10 minutes or so.

MR FITZGERALD: We might resume. If you could give your full names and the organisation you represent, and then some opening comments and we'll have a chat. So over to you.

MS HOOKER (NIEY): My name is Jean Hooker and this is Trish Brown and we represent NIFTeY New South Wales. NIFTeY stands for National Investment for the Early Years. NIFTeY Australia was formed about 10 years ago. It's an organisation of people representing a wide variety of fields concerned with child development and it formed in response to the burgeoning level of knowledge about the neural sciences, and in a nutshell, we know that babies are born with all the neurones they'll ever need, but the connections between the neurones are only formed through the baby's experience. So there's been a huge amount of research about how babies learn, and the important factors for a young child's development.

MR FITZGERALD: If you could just give your name as well, please?

MS BROWN (NIEY): Trish Brown. I'm currently chairperson of NIFTeY New South Wales, and here in a supportive capacity, having consulted with Jean about her submission. I should say NIFTeY New South Wales is a more recent organisation of just the last couple of years.

MR FITZGERALD: Okay, that's fine. If you could just speak loudly as well, and over to you.

MS HOOKER (NIEY): I'm not quite sure where to address.

MR FITZGERALD: Just as you like.

MS HOOKER (NIEY): There are two terms of reference that the Productivity Commission has that we'd like to address: the benefits of paid maternity/paternity parental leave, one of them, and because these benefits flow from something else, it's that second terms of reference that we would like to address, which is the developmental needs of young children, particularly newborns in their first two years. NIFTeY and NIFTeY New South Wales will argue strongly for paid 12 months' parental leave, and so I will be focussing to some degree on why the second six months is important.

I'll be referring several times to James Heckman, a Nobel prize winning economist from the University of Chicago. It was NIFTeY in 2006 who brought Heckman to Australia to address a conference, and now Heckman's work is quite widely known. He says that by far the most profitable investments in the early years are those that occur in the earliest times. Later remediation is much more costly than support for early development. A quick quote, "Because of the dynamics of human

skill formation, the abilities and motivations that children bring to school play a far greater role in promoting performance in school than do the traditional inputs from mediation, reduced class sizes, et cetera, that receive so much attention in public policy debates."

So developmental support is very prudent, but it becomes a moral obligation, if we know that the benefits accrue so much, so early. The drivers of early development are to attachment of the child with her mother, firstly, and secondly, the constant loving, careful attention of significant carers to the child's needs in the first explorations of the world. Therefore, the best way to ensure the earliest needs are met is to support parents because they are the prime drivers. So that's my introduction. Did you want to pause for a sec there?

MR FITZGERALD: No, keep going.

MS HOOKER (NIEY): Okay. So what we're going to talk about are the health needs of babies, their emotional needs, their cognitive needs, and their social needs, and we're going to point out what the benefits of having paid parental leave are to all of those variates. So the health needs of babies encompass things like safety in the home, preventing SIDS, vaccinations, sleep habits, nutrition, et cetera, and babies need primary carers who will focus primarily on the babies' needs. There is no doubt that you need plenty of time to do that. Breast-feeding particularly: although it's recommended by the World Health Organisation to be breastfed exclusively for the first six months because it confers maternal immunity, it's associated with lower obesity rates and protects against allergies. But it shouldn't stop there. We should have 12 months of breastfeeding after solid food is introduced as well as before, and that's very hard to do when you go to work. It's really hard to express milk. Some people are very devoted and do do that, but it's very hard and many people give up. We in Australia need policies that will support the continuation of breastfeeding for as long as it's needed.

When babies are six months old, they are beginning to be offered solid food, a very exciting period, but they need foods that are offered on the basis of sound nutrition. We know how to prevent obesity. Many other later diseases are also linked to early food choices and exercise. But people by and large don't have extensive nutritional knowledge and the best time to get it is not in a prenatal class or even in high school but when the baby is six months old and you need it because that's when it's going to have most impact.

Parents need time to access that information and to act upon it. Leaflets and lectures are not enough. If our doctors don't apply evidence based medicine - and you couldn't find a better trained or more highly motivated group and they end up costing taxpayers millions of dollars every year through ordering unnecessary tests -

how can we expect ordinary parents to just pick things up because someone says, "Eat fruit and veg"? So what parents need is sound information, presented in a way that's likely to be accepted, and with something like food that's so important to us as individuals, time to accommodate it and supports around it, to say, "Yes, last night I cooked so-and-so and that worked really well." It is not realistic to expect working mums to do more than grab what they already know from supermarket shelves, so convenience rules rather than nutrition. Nutrition isn't a luxury, it's a necessity.

So the benefits of paid parental leave are that the babies are likely to be breastfed for as long as possible; the baby is set on a path of sound nutrition habits; we are likely to produce healthy adults with a preventive advantage and in terms of our health budget, we know that's really important. Such adults are pretty unlikely to suffer chronic illness. The costs of not providing that paid parental leave will possibly restricted breastfeeding with less immunity, more likely to eat convenience foods, more likely to become overweight and more likely to develop precursor conditions to debilitating illness. The costs in dollar terms are huge, we know, from our national health budget and we know most of the money is spent on people with chronic illness in the last parts of their lives. It's also really uncomfortable for the sufferer.

The emotional needs of babies: babies need sound attachment. It's not a luxury, it is absolutely essential. We know this from the Romanian orphans. When the orphanages were found and opened and people adopted children from there, the older the child, the less likely they were to recover from the tremendous trauma and stress of not having a secure attachment, but we don't have to go to Romania; the neglected children in our own society also provide case studies of that.

I'd like to just read a couple of quotes because they're expressed so well from the document called *What About the Kids*, which is produced by NIFTeY and the New South Wales and Queensland Commissioners for Children and Young People:

Attentive, sensitive and prompt responses to babies' signals help children develop a sense of security which facilitates their exploration of the world. One writer, Anne Manne, draws on a range of research to illustrate that the development of this loving bond between mother child is a product of time as mothers, and indeed other key adults in children's lives, become familiar with and adjust to the rhythms and nuances of their children's lives. Maternity leave is thus central to any platform of policies designed to support children's development.

Also the research writing out of the National Institutes of Child Health and Human Development in the US raises concerns that long hours of infant care, more than 10 hours, can be disruptive to mother-child attachment and raises concerns that

early entry into child care is linked to children externalising problems. Many parents need help with attachment. They could be in any layer of society, but they are more likely to be found in the lower socioeconomic stratus and also women suffering postnatal depression. Parents need time to be at home, not at work, but to be helped with that process of attachment. 78 per cent of parents surveyed by the Australian Childhood Foundation wanted information on how to relate to their children. So the benefits of paid parental leave: babies are much more likely to thrive emotionally, from there they can reach out to explore the world and develop socially and cognitively and build relationships.

What are the consequences of not providing the leave that will allow that attachment to continue and occur? Mental health can very much be impaired. You talk to any psychotherapist and so many problems in later life go right back to there. The ability to form relationships. Diminished resilience affecting study, work relationships. Risk-taking behaviour, smoking, alcohol, drugs, delinquency for sure, crime rates. Many people in our gaols have mental health problems. The dollar cost is enormous to society. It increases with the age at which you begin intervention and the effect is never as good as prevention in the first place.

Cognitive needs of babies. What do babies need? They need parents who will understand and encourage their developing exploration and understanding of the world. Babies are amazing learner. When they're newborn and offered black and white patterns they will fixate on them, whereas the rest of the world is a blur. If parents know that, they can provide that sort of thing. They respond if they're talked to. At four months babies can distinguish whether their parents are speaking to them in a different language - at four months, amazing. They learn through their senses. It starts at breastfeeding, being held, the taste, the smell and it goes through visual and auditory as well.

So we need parents who can engage and respond to the babies' efforts to communicate and be involved with parents. Parents need time and they need the opportunity to learn. What Heckman says about this he puts really well, "Learning begets learning. The earlier the seed is planted and watered, the faster and later it grows." He also points out that there is substantial evidence of critical or sensitive periods in the lives of young children. Environments that do not stimulate the young and fail to cultivate both cognitive and socio-emotional skills place children at an early disadvantage. Heckman also says, "Invest in the very young." He has a beautiful schematic graph with the age of the child along the bottom and the amount of return from investment high there and low there, and the graph goes from the very high, drops very quickly and tapers off. The point where it's beginning to taper off is by entry into school. So it's the very earliest years that give the biggest bang for your investment buck.

Who is the biggest influence on the child who is most going to help with this learning because it occurs all through the day? It's the parents. They need time to interact with the kids, but they need time also to learn about parenting. The learning is not just cognitive, but it's socio-emotional as well and these opportunities begin in the second six months when mobility starts. When babies start crawling they begin to get into situations that call for restraint. How is the parent going to react when the child might fall down the stairs? Are we going to have really vicious reaction, "No, you can't do that," are we going to have gentle but firm restraint, because the baby has to be taught about safety and danger, but he does not want to have aggressive or fearful responses. He also doesn't need a negative relationship with the parent based on conflict and a lack of understanding of what the child's needs are.

A little bit more here from the National Institute of Child Health and Development, "Findings indicate that patterns of mother-child interaction from six to 36 months can be less harmonious when children spend more, rather than less time in any kind of child care, irrespective of quality or when exposed to poorer care." Again, the point of need is when parents' needs more understanding of child development and they need in this second six months access to time and conditions and support and in an environment where they feel secure and comfortable.

Another one of NIFTeY's aims is to have a conference in February next year on what Kevin Rudd called the parent and child centres in the pre-2020 summit period in his speech to the Sydney institute. Such centres, he said, and NIFTeY would certainly like to support, will support parenting as well as providing long day care. It is in that sort of situation that we may be able to have the informal networks of parents meeting other parents and early childhood professionals from various disciplines helping to support that whole developmental grooming.

I will give you a quick example. CaFE Enfield in Adelaide that supports low SES community with such a centre. Joan Gilbert gives a story of the child discovering the tissue box and pulling them all out and you don't want the tissues all out of the box, but again how the parent can view that as either naughty behaviour or, "No, no, I've got to teach you not to," versus, "My child is curious and exploring. What can I provide instead?" Isn't that baby going to be in a learning begets learning situation rather than a fairly impoverished learning situation? In particular, in cognitive learning I want to talk about language development because it develops with those early interactions with mum with looking, responding, laughing, giggling, her talking to her, you cooing back to the baby's wonderful cooing noises. Babies need parents who understand. Parents need time to learn to understand through that very earliest period of cognitive development which is really had to access unless you understand what's going on. So parental leave gives time for parents to play, interact and learn.

Learning to become literate is totally dependent on how many words children have learnt at home. Hart and Risley in a big study pointed out that there can be 35 million words' difference between the advantaged child entering school and the disadvantaged child entering school - 35 million words. I don't mean, discrete, different words, I mean just enough time to have been said, "Isn't it fun. Let's go play," or whatever. So those children are going to be hugely different in their chances of success in school because literacy depends upon awareness of sounds, on vocabulary, on comprehension. Comprehension depends entirely on how many words you know and understand and on your knowledge of the world where parents might be saying to each other, "Let's go to the zoo next week," and in children's books. How often a child is held and read to is one of the best predictors of later reading.

There is no easy fix because kids entering school with such discrepant abilities - the poor ones don't easily catch up despite our remedial efforts. Preschool is too late. It starts in that first year. There's no cheap fix. The baby DVDs are an interesting case in point. Baby Einstein-type DVDs that children will watch, the studies have shown that children who watch the baby DVDs have half the vocabulary of the children who don't. Why is that? It's because language forms with human beings interacting in an environment that has real people and real situations and not through a technological environment that's distanced. So you can't do it cheaply, that's just the way it is.

Babies have non-cognitive learning needs too. Parents need to respect the persistence and the ability to practise and practise and practise what they show. My little grand-daughter going up and down over an arch, learning how to go down a slope now, did it over and over and over again. It's so easy to say, "I'm fed up, let's go." She needed to keep at it and that's how you get excellent violinists and good gymnasts et cetera.

So what are the benefits of paid parental leave for children's cognitive development: a huge multiplier effect, the relationship and quality of the interactions between the parent and the child, and the babies develop language which underlies all learning, literacy, social relationships, economic success and productivity. What are the costs of not providing that leave, so that the parents can make happen all those learnings and foster that development? Children start behind in cognition and language. The dollar costs again are huge. The greater they are, the longer you leave intervention - and intervention almost never allows you to catch up the way you could have done. It doesn't mean it doesn't help, it sure does, but why not prevent it in the first place.

MR FITZGERALD: We just need some time for questions, so I'm just wondering if you want to make a couple of quick comments before - - -

MS HOOKER (NIEY): I want to make another comment about social needs of babies.

MR FITZGERALD: That's okay. Make that and then we'll have a chat.

MS HOOKER (NIEY): The moment when the baby swipes the toy from another baby is a difficult moment again for a parent. What do you do and how do you know? You could condemn or you could understand the need to have the toy, but also understand that you need to teach sharing and you need to teach respect. How do parents know how to do that? Again, they need time to be with the child and apply their learnings, but they also need support - and this is at parent-child centres or whatever - where they learn how to build in their child respect and empathy, how to share, how to cope with frustrations, how to develop persistence and resilience and how to learn self-control.

So the benefits of paid parental leave are that babies learn all of those things and the costs for babies with parents without time to learn in practice, they will have difficulty managing aggression, in developing gentle and responsive interactions. People need to learn this stuff because those social needs need to be applied across many, many different situations. The outcomes for the baby may be antisocial behaviour which can lead to being ostracised, to being bullied or bullying, to anger, to violent behaviour and again, juvenile crime and justice. Again, the costs involved are huge and again, they're not as effective. Okay, I'll stop there. I have just a couple of things that I could say about maternity, paternity and parental leave, beyond parental leave and the principles upon which we might pay for paternity leave, but no specific suggestions.

MR FITZGERALD: That's fine. Thanks very much for that. We'd be very, very keen to get your written submission. Both maternal and child wellbeing issues are at the centre of this inquiry, so your input is very valuable. If I can just I suppose start, you're right, a lot of the concentration so far by participants has been up to six months and we are interested, as you've rightly pointed out, beyond the six-month period. In fact this inquiry is about children up to the age of two - - -

MS HOOKER (NIEY): Excellent.

MR FITZGERALD: - - - and the support that should be provided to parents for that period of time. So we are interested in that second six-month phase and you've made a number of comments in relation to that. I suppose the question is: your premise starts from - that the most important thing is actual physical presence; that is, the mother and/or the father or the significant partner being available to be with the child, both, to achieve these objectives. I suppose most parents would intuitively

agree with that. But I just want to ask the question: to what extent are we sure that the way to achieve that is through paid parental leave? Bringing it down, let's assume that's the objective, what is it about paid parental leave that gets us there, whereas no other strategy will, given that we don't have it and given that we - - -

MS HOOKER (NIEY): Given that we agree that the time spent with the parent and the child is a desirable thing.

MR FITZGERALD: That's your starting point absolutely.

MS HOOKER (NIEY): Yes, that's the starting point.

MR FITZGERALD: Because we haven't had it up until now. So I suppose the question is: is this the only way that you can achieve the outcomes that you're proposing or that you'd like to see?

MS HOOKER (NIEY): I'll be speaking on my own behalf - and Trish, feel free to participate as well - it seems that the economic and social pressures of our society are like that. When I had my children, one wage was enough to service the mortgage. There was no problem economically about one parent staying at home to look after children. That was manageable. That seems to be not the case. I think in my feminist ardour, to say, "My income can count towards the mortgage too," then I may have contributed to the inflated house prices that we have today, but that seems to be the main concern of people. I don't have an economist's argument to advance.

MS BROWN (NIEY): I just think most parents would prefer, if it was viable for them, to be with their child in that first year. So I agree with Jean, that apparently it is not very available or viable to be able to do that currently.

MR FITZGERALD: Second question - sorry, you may have a question related to that.

MS MacRAE: It's partly related. I was just interested, one of the other participants we've had at the inquiry has talked about the importance of attachment and it's the same issue that you've raised here, but she spoke in particular that while parental attachment is important and probably the most desirable, in some cases attachment to some other significant person may actually fill that role, even in some cases, in a superior way, and to take the argument about parents needing to learn how to parent well and all of that, a contrary view might be if you've good quality child care, those people are trained in child development and all of those things, and if a child is coming from a relatively impoverished home - not necessarily income impoverished but impoverished in other ways possibly as well - is there a place for quality child care in allowing for that attachment to a significant person? For some groups, is that

going to be an alternative that might be just as effective for some children?

MS HOOKER (NIEY): I think you firstly want to support the parent, if you can. I guess some colleagues in mental health would probably have the view that you have outlined there, that in some cases you need another person. You might be able to find this in a grandparent or a sibling of the parent. Finding it in child care would be pretty hard, I think.

MS MacRAE: So your view would be, even if the ratios were improved - I guess I'm taking Robert's point about are there other ways of achieving this and just looking at some of those choices about - but I guess, if I could get you to put on the record that your view would be that even with the best quality child care you're not going to get that interaction level that you think is most desirable.

MS BROWN (NIEY): Yes.

MS MacRAE: I was interested, the other comment, which we haven't heard before and which I hadn't really sort of thought about instinctively, was that in a 12-month period - the baby is a very different being at 12 months than they are six months, so concentrating on that second six months does give you a very different quality of interaction with the child, because they are mobile and they are starting to do those social sort of interactions that you don't get with the small baby. I suppose that's not really a question.

MS BROWN (NIEY): Yes, I think there is probably slim research or there is a window to say that perhaps a child from a very disadvantaged or perhaps vulnerable situation would be better off in, say, a quality early childhood environment. But when we say "quality" we're really referring to something like one to three with babies; not even the one to four, that we haven't got yet, sort of thing.

MS MacRAE: Yes.

MS BROWN (NIEY): I guess still it is about choice as well. So if somebody does see that that's where they want to be with their child during that first 12 months, that there is support; and furthermore, support to become the sort of parent in the optimum sort of parenting role that they could be. But it's not about making people feel guilty who - - -

MS MacRAE: No, of course, and I appreciate that's not what you're trying to say either, and I'm not trying to push that either.

MS BROWN (NIEY): Very supportive of quality time.

MS MacRAE: Yes.

MR FITZGERALD: I suppose where the rubber hits the road is from a government - most participants so far have encouraged us to a view that there should be a minimum scheme that is government funded, and of course whether that's 14 weeks or 26 weeks or 52 is contestable at the moment. But I suppose one of the questions that I have asked some participants is that, given people are asking for this to be supported by government, as distinct from employers or employees, is it correct to say that there is a trade off that the government needs to make between investing more heavily in paid parental leave, particularly maternal leave, vis-a-vis increasing funding or investment in early childhood, or early child care, particularly for under 12 months of age, because, as you say, to get good quality care, most people would say that the ratios we have are unacceptable, and the industry itself acknowledges that.

But then the next step is, well, should government be increasing the investment in formal child care for under ones or investing more heavily in paid maternity leave, or is that simply a wrong trade off, that's, you know, an inappropriate trade off. I'm not trying to set up a war, because that's not helpful to us. But if you are asking government to in fact spend resources, it is absolutely legitimate to say, "Well, where do they put the resources?" But the question is, what is your view about that and the trade off, or is it an inappropriate trade off.

MS HOOKER (NIEY): I understand anecdotally that in one of the Scandinavian countries the demand for child care for children under one has dropped hugely because the choice parents make is to personally do that; yes, for reasons that I would certainly applaud.

MS BROWN (NIEY): I would probably even just come back to something which Jean touched on, the importance of putting money into an integrated child and family centre where you will have a quality early childhood service but you have the wraparound parenting support, and I just feel that research certainly supports that as being a very good model.

MR FITZGERALD: Can I ask this question, and it's probably an unfair question but I will ask it anyway. Your critics, where do you find that the arguments you put forward have the greatest criticism or concentrates the critics' attention;, because one of the things we know in this inquiry is that everything is contestable.

MS BROWN (NIEY): Yes.

MR FITZGERALD: So I was just wondering, from my personal interest point of view but also relevant to where we can concentrate our efforts, where do you think

the critics are most either hostile to or questioning of your position?

MS HOOKER (NIEY): In terms of the provision, I think it's some small business finding it hard to think about how it would affect them and thinking that they would suffer. I heard the end of the previous session where that was explored well; yes, that's the main one. I don't find too much objection to the idea that supporting parenting and having parents have that leave is not a good principle.

MS MacRAE: There's a level of consensus around the science of the importance of those years, and that neural science is all pretty much - I mean, everything is contested, but you would say there's a very high level of agreement around that, because it was interesting that Heckman is described as an economist but some of the comments that you made he must also be neural scientist or at least have a good understanding of that science.

MS BROWN (NIEY): Well, he has taken hold of the data that's available.

MS MacRAE: Okay.

MS BROWN (NIEY): Yes.

MS HOOKER (NIEY): He came at it from a scientific point of view and ended up, you know, coming to seeing the child development perspective.

MS MacRAE: Right. There has been a lot of comment in your statements about the attachment, and you did mention about mothers and then prime carers. But do you have a view about paternity leave and whether leave should be shared, whether it could be taken concurrently, those sorts of issues, in terms of from the child development point of view?

MS HOOKER (NIEY): More from a social point of view. We certainly argue for at least 12 months' paid parental leave, and we have tried to use the term "parental leave". We do agree that the initial period for breastfeeding should be there for mums; I think we would go for more like four to six months, rather than a few weeks. But in any family there are different people. It may be that the mother has a career path and after that time she'd like to be making sure that she does her bit towards keeping that; and it may be that you have a father who'd rather be the nurturing parent, and it would be great if society encouraged that a little bit more; they told me in Toronto that it had grown from 2 per cent to 4 per cent, that's a big improvement.

But I think a little bit of paid paternity leave is really good too, because it's very hard for dads and it's not generally recognised that it's hard for dads to go from

top dog in the family to being third when the baby is born, baby is there, then mum and then dad instead, and that takes quite some adjustment. There's a certain amount of postnatal depression for fathers as well, so it's really good to have dad to have the time to personally bond with the child, change the nappy, carry the crying child around and all that stuff as well. So, yes, some specific paternity leave as well and hope that they would be flexible there.

MS MacRAE: With flexibility around - - -

MR FITZGERALD: Well, certainly the longer period that you're proposing, which is effectively 52 weeks, even though you haven't given a concrete proposal.

MS HOOKER (NIEY): At least 52 weeks.

MR FITZGERALD: At least 52 weeks. Are you going to come up with a concrete proposal in your submission or are you going to leave that open?

MS HOOKER (NIEY): Yes, we will leave that open. Beyond paid parental leave there should be the availability of things like part-time work, predictable and reliable casual work hours, time off to deal with family business. From the point of view of the baby, you want mum to look after you, not the child carer when you're sick. That sort of stuff should be part of our whole program of how we're a caring community.

MR FITZGERALD: We'd be very appreciative of any of those comments in the submission as well to pick up that broader agenda, rather than the leave.

MS HOOKER (NIEY): My principles would be the need to support babies, based on the evidence of what their needs are, and the second principle would be equity. So that in Canada the paid parental leave which is run through employer-employee contributions, it misses out on students who don't have jobs. But we should think of all of our society. Babies, whether they have parents who are in professional permanent, casual, part-time, and parents who are students and are unemployed equally and desperately need that support.

MR FITZGERALD: Given your concept of equity. But what about those women who are not attached to the paid workforce?

MS HOOKER (NIEY): Yes, that's a very interesting and difficult one to do. I can only agree with you it's good question.

MR FITZGERALD: Good. Well, hopefully you'll answer it for us. Okay, we are out of time. Look, that has been very helpful, and we certainly will appreciate the written submission, because they are very important areas. The thing that you've

done which is interesting is you've moved beyond simply the important issue of breastfeeding and attachment associated with that to a much broader agenda relating to child wellbeing, and we will be very grateful to see the evidence behind it.

MS HOOKER (NIEY): Could I end by saying we should invest now to get those benefits or we will pay later with the costs of not providing them.

MR FITZGERALD: Good. Thank you very much. Could we have our next participant from Catalyst.

MR FITZGERALD: Okay, Jo-Anne, if you could give your name and the position and the organisation that you represent and then some brief opening comments, then we will have a discussion about those.

MS SCHOFIELD (C): Okay. Thank you. I'm Jo-Anne Schofield. I'm the executive director of Catalyst Australia. Catalyst is a new progressive policy organisation. We have been operating since late November last year. We're very interested in, you know, our kind of broad principle is that the value of economic growth is to support good lives through good work in good communities. So we think that this inquiry is very important because it is a tapping into the need for a bigger conversation about how we work and live as we move into the 21st century.

Obviously at the forefront of that discussion is how women, you know, who are desperately trying to struggle with being both mothers and workers, are faring and how the policy framework needs to be improved to support women. We will be putting a more detailed submission to the commission's inquiry and we're supporting a minimum of 26 weeks' paid leave. This would be funded through a mix of employment-related and government transfer payments to families. The government transfers would be available to all families, working and non-working, while the employment-related entitlements would apply to working women and men.

Our key emphasis is on the employment-related policy and we're suggesting a system of portable leave accounts for working women and men that are funded by employers and that would provide for each a minimum of 12 weeks' leave available to workers, and this leave account could be drawn on to pay for paid breaks for parenting. The leave account proposal, we will argue, is a good fit with contemporary Australian working lives and they would operate like a bank account that moves with people from job to job throughout their working life and continues to accrue throughout their working life.

So they're a type of long service leave that people can draw upon. They also recognise that transitions in and out of the labour market can be necessary for parents throughout a child's life. Now, we note the inquiry's emphasis on the first two years and we think that they are critically important years, particularly, as we have just heard, the first 12 months of a child's life. But there are other times when parents need to have some leave available to care for children, when they start school, when they start high school or, you know, depending on what the needs of the child are in learning and development generally.

So the leave account proposal wouldn't replace the government scheme, it would operate in concert with it, and we're proposing a universal parenting payment for all parents, working and non-working, that would roll up the baby bonus into a 14-week payment at the rate of the federal minimum wage. This could be increased

over time to a more generous universal standard, but we think if that happens there needs to be a bigger review to simplify and update the very complex family welfare transfers and better align government payments to families with employment policy that is working for families as well.

So taken together this proposal would provide a minimum of 26 weeks and potentially more. We think that this proposal would put Australia in the ballpark of what other OECD countries are already providing and bring our work and family standards into the 21st century. I wanted to just touch a little bit on why this proposal could be relevant in today's labour market because it's really important to set the context for contemporary work and family life, we think, for this inquiry, to come up with a policy framework that is a good fit. We have seen over the past couple of decades, you know, dramatic shifts towards new types of employment as the economy sort of morphed into a 24/7 knowledge economy, and for women this has seen a surge in casual and part-time employment.

This is a way that women sort of manage to balance their work and family responsibilities. But it does mask the persistently high levels of underemployment among part-time women and our generally low levels of labour force participation among women with children, compared to OECD countries where there is a more supportive parenting framework. So, you know, today women make up about two-third of part-time underemployed workers and this proportion is increasing. So women are withdrawing from work as a way to try and balance, we would say, their demands from family. The starting point for a new policy framework is to recognise that the labour market will continue to operate in this way and to provide, particularly for women, short-term jobs and often insecure employment.

So existing policies that aim to help women need to take account of this fact, and that's the way most people will work. Today's policies fail most spectacularly for women who are low paid, who work in the private sector and who aren't in permanent employment. That would be most women in fact. I'm sure you've already heard of the survey that was done by the University of Queensland by Gillian Whitehouse, Marian Baird, Diamond and Hosking, which found around 30 per cent of women didn't currently meet eligibility criteria for unpaid leave, an additional 10 per cent of casuals were probably eligible but it would have been difficult to have that entitlement applied, so that's four in 10 women are now outside our system because it's built around secure permanent employment.

Of those who do access that benefit, they tend to be working in the public sector in large workplaces and earning a high salary. So conversely, women who work part-time in casual employment are less likely to access this form of leave. So we think the European experience has shown that work and family policies work best when they're part of a cohesive framework that includes government employment

and child care policy, and in Australia this framework is lacking. In fact we have tended to layer new policies on top of one another in response to a small demand, and consequently I think you could say that the policy framework is a little bit schizophrenic.

On the one hand, there are policies that seek to apply to women as mothers; on the other hand, there are policies that seek to encourage women to behave as workers. But the reality of most women's lives is that they are both, they are both mothers and workers. So we need to sort of try and congeal some of this disparate policies into a more unified and consistently applied system. I'm happy to talk a little bit more about the leave account proposal, if you'd like.

MR FITZGERALD: I think we'd be keen to hear a little bit about how that would actually work.

MS SCHOFIELD (C): Yes, sure.

MR FITZGERALD: Yes, so I think that would be good just for a couple of moments, and then we can come back to questions.

MS SCHOFIELD (C): Sure. Okay, well, look, this is an idea that we're putting forward for further investigation and modelling. We think that a leave account would apply like a simple bank account, which is portable and moves with workers from job to job. So it would be a form of portable long service leave, in that it would roll up long service leave into a central account. This wouldn't be a new entitlement, because it's analogous to existing long service leave entitlements that people access. However, because of the way that the labour market operates today, a lot of workers never get to realise that entitlement, so they never get to actually achieve it.

Nevertheless, employers make contingency for long service leave payments, and under our scheme that contingency would be paid into a central fund in a similar way that superannuation payments are made; they could be made quarterly to a central scheme that holds worker accounts. So the accounts would be established by legislation and contributions would be based on a percentage of earnings which reflects hours, work and salary. There would need to be some consideration of a qualifying period, whether it mirrored existing long service leave schemes or was shorter; but that would depend on some modelling to look at how we reached the 12-week entitlement under the long service leave funds. We think casual and temporary employees should also be covered by this scheme and contributions would be proportionate to their earnings and the period that they worked. Additionally, independent and self-employed people could contribute and individuals could contribute to top up their funds and as could employers, if they sought to provide additional benefits.

I suppose there's also the issue of employees who have accrued an entitlement but don't go on to have children and we think they should be able to access their account for other forms of care, elder care to have paid breaks from the workforce. I mean, we don't make any submission on how people use those accounts, but we do think, given the community demand for policies, that will provide them some flexibility to deal with work and family, we think that the schemes will be used for that purpose. I think similar schemes that I'd had some experience within the contract cleaning industry in both the ACT and Queensland as part of my former position with the Liquor, Hospitality and Miscellaneous Union.

Portable long service schemes were introduced there and we had done some modelling to show that the employer contribution was around 2 per cent, but that included retrospective payments. So we would expect the contribution to be modest and importantly the costs of funding a paid parental leave entitlement are spread across firms so we think this is a particularly cost-effective proposal for small business, because each employer of a person pays their share and that particularly helps industries that employ a large proportion of women. I think I might leave you two questions on that, but one of the other points that I wanted to emphasise was the success of our retirement incomes policy model. When that was introduced in 1985, we've seen that grow into a world class system to help address what is now an important issue of an ageing population and to provide income support for retirees.

I think that certainly the demographic changes that are going to face our economy and other western economies over the next decade would indicate that policies that help women are really important, because not only do women bear children, and nobody's suggesting that increases in birth rate will address our shrinking labour supply problem, but we do need to continue to bear children and also we also need women to be in the workforce because they have valuable skills to contribute. So getting policy right for women is vitally important over the next decade.

I just want to refer to the 2006 federal budget, which decided to make superannuation tax free for the over 60s. This policy was aimed at increasing the participation of mature-age workers for a few more years, to keep them working until 60. This was estimated by Rice Warner Actuaries to cost \$100 billion in today's terms over 15 years, compared to leaving the 15 per cent tax rate on super. That's a hundred billion dollars to keep older workers attached to work for a few more years, and this is on top of our world class superannuation system and nobody's denying that those benefits are valuable. But even if we paid a government-funded federal minimum wage scheme for 26 weeks to all families and we indexed that at 3 per cent over 15 years, I don't think that that would cost a hundred billion dollars.

I'm no modeller, but my figures suggest it would cost about two-thirds that. So we can have big public policy impacts when necessary and I would suggest it's absolutely time, now we've dealt with the retirement incomes issue and policy for mature workers, it's absolutely time that we deal with the policies that will help women and families in the future. We're pleased to see that this inquiry is looking into that.

MR FITZGERALD: Thanks very much, Jo-anne. I might ask Angela to start off.

MS MacRAE: I still feel I haven't quite grasped the bank account model. The employer would be required to make payments after a certain qualifying period for all their employees. Is that right?

MS SCHOFIELD (C): No, the employment would make payments immediately when somebody started work. It could be a superannuation payment for employees.

MS MacRAE: But you'd still need some sort of - a bit like we have with the super whether it's 480 a month or - - -

MS SCHOFIELD (C): Or with long service leave, yes. So it might be several years before you can draw on your account.

MS MacRAE: So there is a little bit of time which you couldn't take it, but you would be paying it for all male and female employees.

MS SCHOFIELD (C): Well, we think so, yes.

MS MacRAE: So the employer would pay it to a central fund but it would be individually nominated?

MS SCHOFIELD (C): It would be an individual's account, yes.

MS MacRAE: But the account would be held by government on trust?

MS SCHOFIELD (C): Well, it could be by trustees. Existing portable long service leave schemes operate through trustees, or government. We don't have a firm view on that.

MS MacRAE: You might have a period where you couldn't access the leave - whatever period that is - but once you could, you're suggesting that you might take it - well, would you have a firm view around it should be primarily for child-based leave or are you saying that really - I mean, it's going to be hard up-front to say to someone, "Are you planning to have children or not? You know, you're going to

have to hold that, but you've got an ageing parent that you're caring for at home now. Are we going to let you access that or not?" Those sort of access rules, how would you see that operating?

MS SCHOFIELD (C): Well, you'd have to construct those very carefully, I think, and it's something we would want to give a bit more thought to. I think if people had access to that benefit now, I'd suggest that most of them would use it when they needed to for parenting - people that had children. So you could construct rules around that being the account's primary purpose, but that would be difficult to enforce in some circumstances.

MS MacRAE: In that case, I guess going back to some of the other submissions we've had, you wouldn't really be saying through a scheme like this that that sort of quarantining of a period for the mother and the maternal health benefits and things is probably less directly addressed by a scheme of this type. So would you say the objective of a scheme such as this is primarily about income support? Would that be how you see it?

MS SCHOFIELD (C): Yes, it would be about income support and income maintenance.

MR FITZGERALD: We heard from WEL yesterday, Women's Electoral Lobby, that in a sense an opportunity to do something similar to what you've recommended occurred when we introduced superannuation and there was a view then that whilst it was predominantly about retirement income, it should also have been about lifetime, life cycle needs, and of course that was rejected at the time so the concept had been talked about a little bit. But just in relation to this particular proposal, both long service leave and maternity leave in part is about workplace attachment. In other words, long service leave - except for those schemes which have been introduced as portable in the construction area and a few others - was always about trying to create an incentive to stay with that employer for a longer period of time.

Similarly, those people that have put forward paid maternity and paternity leave from a workplace view have said it's also about attachment to either the workplace or more broadly to the workforce. Once you move in to a universally accessible fund, those two things disappear. The very fact that it's portable takes away the workplace attachment argument, in other words, the employer. So obviously you would see that as a trade off. So this is about workforce attachment rather than attachment to that particular employer?

MS SCHOFIELD (C): Yes, I don't think those two things necessarily have to be in conflict, because if people are in secure employment and they access the benefit whether it's under an employment policy or a policy that is provided by external

agency, people would still return to that job because there's the issue of their job security and their career path and their skills. So I don't think that this scheme would necessarily cut across workplace attachment, but it does primarily focus on labour market attachment and the fact that the majority of women don't access a scheme now because it's not provided for in their workplace.

MR FITZGERALD: One of the things that obviously it's trying to pick up is the changed nature of the labour market, as you rightly said in relation to the greater casualisation, the greater flexibility - both enforced and by choice - that's taking place in the labour market itself which is a changed position. As I understand your proposal, what's on top of and separate to these leave accounts is, as you say, universal payment by the government up to the minimum wage of, say, 14 weeks or so.

MS SCHOFIELD (C): Yes.

MR FITZGERALD: So that underpins all of this.

MS SCHOFIELD (C): Yes.

MR FITZGERALD: That is applicable, as I understand, both to women in the paid workforce and women outside of the paid workforce.

MS SCHOFIELD (C): That's right.

MR FITZGERALD: So that sits there as the underpinning.

MS SCHOFIELD (C): Yes.

MR FITZGERALD: This really provides the additionality - - -

MS SCHOFIELD (C): Yes.

MR FITZGERALD: In addition to your 26 weeks.

MS SCHOFIELD (C): That's right.

MR FITZGERALD: I'm just clarifying your 26 weeks. Are you saying that it's 13 weeks for the mother and 13 weeks for the father or other carer, so you get your 26 weeks that way, or is it something else?

MS SCHOFIELD (C): No, well, the 26 weeks would be the 14 weeks the universal payment and then a 12 week of one parent accessing leave account.

MR FITZGERALD: Either parent?

MS SCHOFIELD (C): It could be more if both parents did.

MR FITZGERALD: Okay.

MS SCHOFIELD (C): But you would need to build in some ability for a scheme to accrue for when somebody had a second birth, for example, and you might look at even some opportunity for transferability of accounts with a particular period being reserved for one parent, but being able to, sort of, transfer that account to the household.

MR FITZGERALD: Can I just ask this question: why would we not simply require employers to pay for maternity and paternity leave as a top-up to the government contribution? I understand the issue about portability.

MS SCHOFIELD (C): Yes.

MR FITZGERALD: But I was just wondering why do we not simply require employers to fund maternity and paternity leave as they do in other countries?

MS SCHOFIELD (C): Yes, well, I mean that is an option. But this is a savings based scheme so it spreads the costs across somebody's working life and across a number of firms, so it means that there's not a cost at the point where somebody is off for work.

MR FITZGERALD: So it's a way of distributing the risk across both employers and employees and across industries?

MS SCHOFIELD (C): Yes, that's right. A little bit I suppose similar to some of the social insurance schemes that operate in Europe.

MR FITZGERALD: Angela?

MS MacRAE: Like for those people that currently have entitlements to either maternity or paternity leave, would you see that ideally of being rolled up into this employment-related payment that you've got or would you see that as - how would you see the transition, I guess, to a scheme of this sort? You might not have thought about it too much yet.

MS SCHOFIELD (C): No, I think we'd probably adopt the principle that existing entitlements shouldn't be absorbed or reduced down into this sort of scheme, but this

could certainly operate as a kind of minimalist employment-related scheme with top-ups where companies pay, you know, 26 weeks currently or something.

MR FITZGERALD: The proposal, as you say, is a way of sharing a risk and what have you. I suppose the question I have is, what do you think the employment landscape would look like if you were to introduce this proposal? In other words, what are you actually trying to achieve by it in fairly concrete terms? What's the change that you want to see both for women or employees more generally or employers?

MS SCHOFIELD (C): I think giving people a little bit more control by having their own account that's not linked to their workplace and their employer. A little bit more control about, you know, when and how they fund paid breaks for work, particularly at that crucial time where people do need time off in the first two years of a child's life, and by also meeting the expectations of how people will continue to work in the future which is obviously we think going to be - and we don't prefer this - but through, you know, insecure employment and predominantly, you know, a lot of movement between jobs.

So we think that this gives people a little bit more autonomy and choice in how they take paid breaks from work. A similar principle operates in the public sector where you can move around from agency to agency but you still take your long service leave entitlement with you and even though you have a different employer, you're still part of public service. This would just, I suppose, extend that across the whole labour market because existing government agencies can now accommodate somebody taking their leave or long service leave even though they might not have been in that job for several years. So we think it sort of fits with how people move around from job to job and it gives them a little bit more control.

MS MacRAE: Would you see then that effectively if the eligibility for this sort of paid leave varied, that you would want to align that with the unpaid leave rules, who is eligible for the - you mentioned the research that 30 per cent of women currently don't get access to unpaid leave because of casualisation and what have you, are you likely to recommend something in your submission that would say that the rules about unpaid leave should match however you define who will be entitled to the employment-related top-ups, if I can call it that?

MS SCHOFIELD (C): Yes, I think the entitlement needs to be linked to the fact that you've had a child, not where you happen to be working when you have a child.

MS MacRAE: Or for how long I suppose.

MS SCHOFIELD (C): Or for how long, that's right.

MS MacRAE: Okay.

MR FITZGERALD: Are there any other questions?

MS MacRAE: I'm sure they'll be more because I still feel I've not quite grasped the nettle on it, but that's all right I'll try and - - -

MS SCHOFIELD (C): We'll try and make it a bit clearer in our written submissions

MR FITZGERALD: Now, that's fine, we'll come back to you after we get the written submissions. Are there any other comments you'd like to make in closing?

MS SCHOFIELD (C): No, just thank you for an opportunity to speak.

MR FITZGERALD: Thanks Jo-anne, I must say as we go on we keep getting more and more variations on the theme, so that's terrific and you've added yet another one.

MS SCHOFIELD (C): I don't envy your task I must say.

MR FITZGERALD: No, that's fine, that's good. It's a great stage at the moment. Thank you very much for that.

MS SCHOFIELD (C): Thank you. You're welcome.

MS MacRAE: Yes, thank you.

MR FITZGERALD: The Public Service Association of New South Wales.

MS DOWERS: I'm Wendy Dowers.

MR FITZGERALD: I was wondering if you could give your name and your position in the organisation you represent and then you're opening comments and then we'll have a discussion or a chat about those.

MS HAMEED (PSA): Yes, I'm Shabnam Hameed, I work for the Public Service Association. I'm the women's industrial officer at the PSA and this is our member Wendy Dowers who works at the Australian Museum.

MR FITZGERALD: Good, thank you.

MS HAMEED (PSA): Just in terms of opening comments, we'd like to submit that there's - - -

MR FITZGERALD: You'll just have to speak up louder, they can't hear you at the back.

MS HAMEED (PSA): Fair enough. We'd like to submit that there's a need for paid parental leave scheme which encompasses the following: a minimum of a six-month paid support consistent with World Health Organisation recommendations that women need to breastfeed their babies for at least six months to maximise health outcomes for the baby, mother and family. World Health Organisation recommendations form the basis for local minimum standards. New South Wales Health recommends exclusive breastfeeding for six months and the Department of Community Services only allows adoptions if one parent is at home as a full-time carer for a minimum of six months after placement. We also believe the scheme should encompass a base salary provided by government which should be paid to all women, irrespective of whether they are casual full-time, part-time, contractors or stay at home mums, recognising that women who may currently not be in employment have or will contribute to the workforce through their lives; a system of wage replacement, and that the payments available to women should also be accessible to partners if they are acting as a primary carer of the child.

PSA members currently have different entitlements to paid parental leave. While the PSA has successfully negotiated a minimum entitlement to six months' paid maternity leave for our members or general staff in universities, the majority of our members who are covered by the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006 have an entitlement to 14 weeks' paid maternity leave.

The condition's award also provides for one week paid paternity leave or other parent leave. In all cases, the quantum of paid leave available is also available to parents on adoption if the child is under two. Some of our members, such as those in the Rural Lands Protection Board, have no entitlement to paid parental leave. Members who are casual employees or have not met qualifying period of employment - usually women have to complete not less than 40 weeks' continuous service prior to the commencement of maternity leave - may also be excluded from current entitlements. The PSA submits that a universal scheme or paid parental leave should be implemented so that women, babies and families are not disadvantaged due to their current position of the mother and partner in their employment life cycle.

The PSA submits that any universal scheme should be implemented in addition to current entitlements as a universal scheme should act as a safety net for all Australians. We also submit that current entitlements have been a result of bargaining and that our members should not be disadvantaged by the introduction of a universal scheme. Current entitlements are being already budgeted for by employers and have arisen out of negotiations with employers, usually encompassing factors such as recognising workers for productivity and encouraging employers to provide conditions in excess of community standards to recruit and retain staff. We believe that there will always be scope for employers of choice and that any universal scheme should not undercut gains that have already been made.

The PSA will submit a more formal submission and we too have surveyed our members and our submission will be based on that. Today we'd like to take the opportunity to have our members speak to the commission directly about their personal experiences parenting and the need for a universal paid parental leave scheme. Unfortunately, our first witness, Nic van Gerven, who is a PSA member who is currently on maternity leave from the Department of Commerce, her baby was sick today so she was unable to make it.

MS MacRAE: There's the evidence.

MS HAMEED (PSA): She's asked if I read her submission, if that's okay?

MS MacRAE: Yes.

MR FITZGERALD: Yes, by all means.

MS HAMEED (PSA): Okay, so I'll read it as it's written. Obviously I'm not Nic van Gerven.

My name's Nic van Gerven. I'm employed as a marketing coordinator in the New South Wales Department of Commerce. My husband Steve and I are first time

older parents of a five and a half month gorgeous son, Eamon, born in early December 2007. I'm 41 and Steve is 45 years old. Following a career change, Steve, my husband, is a third-year trainee autometerist for a small, private company that does not have parental leave entitlements. Steve therefore had to take annual leave when Eamon was born. Unfortunately, being relatively new to the company, he was only in the position to take a couple of weeks. I was lucky enough to have access to 14 weeks' paid maternity leave, which I took as 28 weeks at half pay. I will extend this period by taking two weeks of annual leave and one month of extended leave - long service leave - at half pay and a period of leave without pay.

The period of leave without pay is yet to be determined, as I'm hoping to take approximately five months, which would allow me to spend approximately the first 14 months of my son's life caring for him, myself and breastfeeding him for as long as possible, rather than putting him into care. However, mortgage stress and my husband's trainee status - read very low salary - means this may not be possible and I may need to return to work before Eamon turns 10 months. We are looking into every avenue to avoid this however.

As we are a little older and didn't have time on our side, we conceived through IVF and then elected to have the obstetrician of our choice to oversee the pregnancy and birth. Due to complications during labour, Eamon was born by emergency caesarean and required an anaesthetist and an assistant surgeon. We used our baby bonus to pay some of our medical bills. It didn't cover all of our out-of-pocket expenses, but fortunately most. If I was not entitled to any paid leave, the period taken - and consequently the period I could breastfeed for - would have been greatly reduced. There are no facilities - that is, no room or dedicated fridge et cetera - at my workplace where I could express milk so, if I had not access to paid leave, it would have meant stopping breastfeeding a lot earlier, probably six to eight weeks.

It remains to be seen how much, if any, leave without pay we can afford for me to take and if it turns out that I can't take any, shortening the period I'd hope to breastfeed will remain the case. I hope to breastfeed as long as possible, as the World Health Organisation recommends if possible for a minimum of 12 months. In addition to the lack of breastfeeding expressing room, breastfeeding - especially in the first few months - is very physically demanding and draining. It takes quite a bit of energy to make milk and working long hours while producing breast milk is not an ideal situation, especially if you're then returning home to parenting and other domestic responsibilities.

It remains to be seen, due to mortgage stress caused by a series of interest rate rises, whether I'll be in a position to take leave without pay or will have to return to work early. I'm taking advantage of virtually all my paid leave entitlements in every effort to extend the period I can to spend time with my cherished son in his first

phase of life. I will return to work with practically no leave, which is not a good position when putting a child into child care as they can be more susceptible to illness. I intend to return to work three days a week when I do return in order to spend as much time as possible with my son. Part-time work is available under my workplace conditions.

I also hope to take advantage of flexible work practices by starting a little later and working later to fit into my husband's working hours and take my son to child care. Steve will be able to pick him up, as he finishes relatively early. My husband's workplace does not have flexible work practices or part-time work and even if this could be negotiated, it would extend the period that he remains a trainee and would therefore negatively impact on his earning potential for longer. Child care is not only expensive, but in very short supply in the inner west of Sydney. We're hoping the federal government's recent changes to the child care rebate will help our financial situation and we're grateful for the promised higher rebate. Hopefully child care centres won't put their fees up.

We're hoping it will now be financially beneficial to actually return to work. Before the rebate changes, it looked like being a bit of a toss up as there was not much financial short-term benefit to returning at all. Personally, irrespective of child care availability or affordability, my preference is to return to full-time work when my son is at least two years or even older. As older parents, Eamon may be our only child and you can't get a repeat performance on a child's early years; you only have one opportunity. However, I do wish to return to work part-time when my son is approximately 12 to 14 months old to ensure I retain my skills in a fairly fast-changing work environment and for my future career prospects.

It is my feeling that 12 to 14 months out of the workplace will not be detrimental to my employer or to my future career. Also, I will come back wanting to return and relishing to be back to work, rather than having to return out of financial necessity and feeling awful and guilty. I don't think I've lost too much by the way of skills or corporate memory in this time. In fact, I think the break and the change of focus will mean returning invigorated and focused. I think I would be less productive going back to work before I feel it's appropriate as my focus and my priorities just wouldn't be about work. There's just a little bit more.

MR FITZGERALD: That's all right.

MS HAMEED (PSA): The federal government is trying to encourage people to have more children. Providing six months' paid maternity leave and other parent leave for parents would make this more possible than the baby bonus ever will, however the baby bonus obviously helps. My husband and I would dearly love to have another child. Due to our ages and previous issues conceiving, we would have

to act quickly to bring this about. Unfortunately, our current financial situation is not conducive to having a second child in the next year or two. I would not be in a position to take leave without pay and will have exhausted any other leave entitlement I have. If there was six months' paid maternity leave, I would return to work part-time and try to have a second child. Six months or more paid leave would be more valuable to me than a baby bonus.

I know from talking to others in my mother's support group that many couples are finding the lack of paid parental or maternity leave a strain and this is definitely influencing their thinking when considering more children. I consider myself one of the lucky ones to have any paid leave, however the current cost of living - food, petrol, housing costs, interest rate rises - and the cost of having children - you need to buy prams, cots, nappies, clothes and pay doctors' bills - makes it really hard to take the leave without pay that I feel I need to provide my child with the parenting that I think is essential to their self-esteem, security and nourishment. I also feel it would be beneficial for partners' husbands to be provided with a period of leave. I think parenting is a two-person job in the initial phase. Sleep deprivation and hormonal changes can lead to stress and depression, and could be avoided if both parents were given leave to support each other and their baby. It would lead to improved focus at work when they do return. Employers offering such leave would have no problems retaining or attracting new staff, and most employees repay in kind; you put in what you feel you owe. If you are made to feel valued, and such leave arrangements will definitely make you feel you're valued, you will contribute more.

MS MacRAE: Thank you.

MS HAMEED (PSA): I'd like to ask Wendy to make her submission.

MS DOWERS (PSA): All right. Well, I'm obviously not on maternity leave, I'm a bit past that. My name is Wendy Dowers and I have been employed at the Australian Museum for the past 10 years as the bookings officer. My position involves handling inquiries and looking for schools, colleges, universities and tourism. I organise lectures and hands-on activities. I am the grandmother of three boys. My son lives in Adelaide with his wife and twin boys, aged four; I see them about every four months. My daughter lives in Sydney with her husband and son aged nine months.

When my daughter announced she was pregnant with her first child at the age of 34 she reminded me of a conversation we had some time ago where I had offered to help as she could not afford to give up work. After considerable thought, I decided to apply for 12 months' leave without pay just in case things didn't work out with the arrangement, and I didn't fancy applying for a new position in the workforce, considering my age, had I resigned. At this stage my daughter has returned to work three days a week instead of four; she was previously committed to

four days. She finds this is enough to cope with and doesn't want to miss out on her baby son growing up.

My daughter worked until two weeks before her baby was due and had arranged for three months' leave after the birth, but of course this was without pay, as she is employed in private enterprise as an office manager. When she did return to work she was still breastfeeding. She needed to express breast milk several times a day, where she had to sit in her car and cover up the windows for privacy, as there was nowhere suitable in her workplace to do this. This continued for three months after she returned to work. Her employer has been understanding, but I feel she has had to make a lot of sacrifices, because she has to keep working, and everyone knows that the interest rates keep going up, and my daughter and her husband need to incomes to pay off a mortgage.

Her husband was entitled to five days' paternal leave without pay when the baby was born, and opted to take one week rec leave instead. Paid child care is out of the question, as it would take two-thirds of my daughter's pay. The baby bonus my daughter received was used to buy second-hand equipment to set up her house and mine, as everything had to be duplicated: cot, pram, car seat, bouncer, high chair, etcetera. Clothing and bedding was handed on from the other grandsons. The remainder of the baby bonus was used to substitute her wage that she wasn't receiving. At the end of the 12 months' leave that I have taken I hope to return to my position at the Australian Museum and job-hare so that I can continue to help my daughter and also earn a small income, as I really enjoyed my work at the museum. Hopefully, there will be another baby along the way, and I think this situation will continue for a few more years to come. Thank you.

MR FITZGERALD: Good. Thank you very much. I might ask Angela to start off.

MS MacRAE: I was interested in the extent of your story there with your daughter and her return to part-time work. What factors were most important in her determining how long she would take out of the paid workforce to begin with? It sounded like it was primarily a financial decision.

MS DOWERS (PSA): Yes.

MS MacRAE: You said that she was originally committed to doing four days a week and then went to three. Were the finances different, I suppose, after the baby arrived than she had expected?

MS DOWERS (PSA): I think they just tightened the budget a bit more and found that she could have one more day at home.

MS MacRAE: Okay. Had she had paid leave, do you think she would have taken a longer period to begin with outside of the workforce and would she have looked to maybe, had she had paid leave, get that at half-time?

MS DOWERS (PSA): I'm sure she would love to have stayed home for six months at least.

MS MacRAE: Right. So six months.

MS DOWERS (PSA): At least to get over, you know, the breastfeeding part.

MS MacRAE: Yes. Then in relation to the prospect of a second child, was she also in the position where if she had any rec leave or long service leave is that all, sort of, used, as in the first story that we heard, where the lady has taken all her entitlements and then the prospect of a second child is that much harder because you've taken the other leave entitlements that you might have been - - -

MS DOWERS (PSA): I'm pretty sure she hasn't used any long service leave. I think she has been in this position for, say, eight years.

MS MacRAE: Okay. So she might not be entitled to it yet even?

MS DOWERS (PSA): Probably not even thinking about it, no.

MS MacRAE: No. All right. If we could then go back to the scheme that you'd be proposing. If I understood it, you were looking at six months' paid leave. Again it was the question I put to the other union people, are you talking about that as for your membership or are you saying that that's an arrangement for people generally?

MS HAMEED (PSA): For both. So a six-month universal scheme at a base wage, whether that be minimum wage or whether that be average male earnings or a base rate of pay, funded by government, and then employer top-up.

MS MacRAE: What is the arrangement for your members at the moment? Are they generally entitled to 12 to 14 weeks? Is that right?

MS HAMEED (PSA): Yes, generally entitled to 14 weeks, the majority of our members. We do have some members at the Australian Catholic University or other universities where there's a minimum of 26 weeks, and we have some members that are entitled to none.

MS MacRAE: The areas that are entitled to none, is that because of the eligibility

requirements or is it because there's the nature of their work, and then does it tend to be in the lower-paid - - -

MS HAMEED (PSA): It's not necessarily. I mean, in the case of the Rural Lands Protection Board it's just the employer's complete resistance to having paid maternity leave. Half their workforce are women. Most of the workforce are customer service officers, which are at the lower end of the scale. However, due to the changing demographic of vets - I think 90 per cent of our veterinary graduates are women now - they're getting more and more vets into the board system; and so it's not necessarily about how much people are earning and that's where they're getting their leave entitlement, it can also be ingrained cultural resistance.

MS MacRAE: Okay.

MR FITZGERALD: Can I explore that just a little bit, without necessarily wanting to analyse that agency, but it may be a good example. Why do you think that employer has difficulty in introducing this scheme, given that, as part of the public service, most others have some form of leave? So what is it happening, because - - -

MS HAMEED (PSA): It's funding arrangements, basically. I think there are 47 boards and their funding is based on a levy that they put on landholdings of a certain size, and so that the funding is basically at a local level and then fed into the main board system. So the concern that has been put on the table is that it will affect individual boards disproportionately. So it's the same argument that you've heard from small business, that it's difficult - even though they're part of the New South Wales government the funding isn't directly - it's not treasury-funded.

MR FITZGERALD: And those boards are quite small in - - -

MS HAMEED (PSA): Some of them are.

MR FITZGERALD: Some of them are quite small.

MS HAMEED (PSA): Yes, some of them have one staff member.

MR FITZGERALD: I was wondering to what extent there has been a real analysis of the additional costs that would be incurred by such an agency, or agencies, those boards, by this proposal. Or do you think that it's more a view that it would be unaffordable, rather than an actual analysis that it is unaffordable.

MS HAMEED (PSA): I don't think there has been an actual analysis. I mean, most of the workforce, like the rest of the public sector, has an average of I think 48 to 51.

There are very few people of child-bearing age currently working in the board system. The other half of the comment I'd like to make on that, is if we do get a scheme like this up, we're very much in support of some kind of pooled entitlement, because there are areas within the public service that are far more female dominated than others and we don't believe that feminised agency should have to bear the costs of providing the same argument the CPSU is running, something that is of benefit to all of government but also all of society.

MR FITZGERALD: Would you see that as a pooled arrangement that simply - an example is a pool for public sector employees; or are you talking about a pooled arrangement which is almost the social insurance model, where there's employer and perhaps employee contributions, that applies nationally?

MS HAMEED (PSA): Unfortunately, we haven't had enough debate on this internally, so I can't answer that.

MR FITZGERALD: Okay. But there would at least be a pool across the public sector.

MS HAMEED (PSA): Yes, definitely.

MR FITZGERALD: The New South Wales public sector.

MS HAMEED (PSA): Yes.

MS MacRAE: Then if the sort of scheme that you're proposing was to be implemented, what sort of behaviour change would you see, do you think, in terms of workforce participation for women in that sector?

MS HAMEED (PSA): Hopefully much better recruitment and retention. I mean, if we're looking at the lower end of the scale, there are case examples for people leaving the Rural Lands Protection Board because of lack of paid parental leave. In cases where we do have parental leave, I haven't analysed all the survey results but nearly every single respondent so far has said that they have returned to the same workplace with the same employer in a similar type of job. A lot of people access part-time entitlements, but, yes, it creates a great deal of attachment to that workplace.

MS MacRAE: Okay. So if we were to go to something that was pooled - well, at the moment it's not, so the arrangements are very much workplace, there is a workplace element to it now that would change as a result of your scheme, if you were to have it, because you'd be looking at the public sector more generally. Or when you're saying people are returning to work to the same position, it's within the

same agency?

MS HAMEED (PSA): Yes. But they don't necessarily have a connection that it's not New South Wales paying, it's, you know, the Office of Fair Trading paying.

MS MacRAE: Yes.

MS HAMEED (PSA): Yes. So, I mean, the kind of portability and transfer arrangements within the public sector would probably override where the money was actually coming from, because people are much more, you know, focused on - there's a lot of loops you have to jump through before you get to transfer.

MS MacRAE: Okay. So that workplace element is quite strong, in terms of eligibility then. You're saying if you were to shift from one agency to another under the existing arrangements that you could well lose your entitlements.

MS HAMEED (PSA): No.

MS MacRAE: You couldn't? Okay.

MS HAMEED (PSA): No. So at the moment if you're a public servant and you're a schedule 1 public servant then if you transfer your entitlements move with you.

MS MacRAE: Right.

MS HAMEED (PSA): So that's everything, like sick leave and, you know, long service leave, etcetera. It doesn't have people, you know, transferring wildly across the public service, is what I'm trying to get at there.

MS MacRAE: Right, yes.

MR FITZGERALD: One of the questions that we have raised with a number of participants is, if the objective is to allow women to make the choice of being able to stay home for, say, a six-month period, for all the reasons that Wendy you've indicated and your other member has indicated, it may be that you actually can do that without having to pay the full six months. I mean, nearly everybody we have spoken to, if they have offered a period of time - sorry, many, not all, but many, convert that into double the time by taking 50 per cent of the wage, or so on. So you could get to a 26-week period - if that was your benchmark, and we have heard others today talk about 52 weeks, if not longer - by actually not necessarily paying for that whole 26 weeks at the full rate.

MS HAMEED (PSA): What we found in the survey is that people with higher

earnings and lower outgoings can access the half-pay - and we will put some statistics to you in the formal submission - is that a number of people, in the large proportion, couldn't access the leave at half-pay predominantly in those agencies that have high proportions of females and have low wages. So that there was a whole group of women there that couldn't access it at half-pay. There was also a whole group of women who were - - -

MS MacRAE: Sorry, just to be clear, is that that they couldn't because of financial constraints or they couldn't because they're not eligible?

MS HAMEED (PSA): Because of financial constraints.

MS MacRAE: Right. Okay.

MS HAMEED (PSA): The other reason why women were choosing not to access half-paid leave was because they were either the sole breadwinner or the primary breadwinner. You know, while half-pay works for certain people, it doesn't work for all people. The other issue we found was even with women who were earning quite a lot of money that mortgages are going up and the cost of living is going up, so accessing leave at half-pay wasn't possible for them either. So yes, the pool of people that could access it at half-pay are shrinking.

MR FITZGERALD: Well, we'd be very keen to see the evidence on that. Just in relation to partner leave or paternity leave, I was just wanting to get your proposals there. What are you proposing in relation to paternity leave?

MS HAMEED (PSA): Well, like, Unions NSW were exploring a quantum, but what has really come out of our survey is the plaintiff stressed that a lack of paid partner leave is imposing on families, especially a lot of the lower paid women are saying that if they do take their leave at half-pay the only way they can afford to is for their partner to work extra overtime shifts, which means they're never home, and then they get really stressed out when the baby cries, don't know how to - like, we had a response where the person was saying, "I don't know what to do. My partner doesn't even know how to pick up the baby," and, yes, it's creating a great deal of stress.

The other thing that the surveys really showed was that most people knew what their parental entitlements were, if was maternity leave, and they knew what the paid parental leave entitlement was for paternity or other parent leave. But most people didn't know what the unpaid entitlement for partner leave was because it just didn't cross their minds that they could even use it.

MR FITZGERALD: I wonder why that is, because it has been in for a while now

and the unpaid parental leave is accessible by both principal carers, and yet people don't seem to understand it or access it. It has been put to us many times in this inquiry that men will not take unpaid leave, no matter what you offer, I'm not sure if that has been the experience, and the only way they will take it is not only if you pay it but that you actually call it paternity leave, thus sending a signal both to the employer that it is desirable and to the employee, the male, that it's in fact, you know, almost a good thing to do, an okay thing to do. So both signalling and payment seem to be important. But I'm not sure what your views on that would be, Wendy.

MS DOWERS (PSA): Well, I mean, I don't sort of get too involved in my daughter and her husband's financial situation. I don't like to ask too many questions. In his situation, I mean, he did have paid rec leave there that he could access though, that was obviously the answer.

MR FITZGERALD: But he didn't take the unpaid leave part of it.

MS DOWERS (PSA): No.

MR FITZGERALD: Do you think, without putting your son into anything here, if he didn't have the annual leave accrued, do you think he would have taken any leave?

MS DOWERS (PSA): Probably not. But then, see, I took probably two or three days carer's leave to help my daughter when she was first home.

MR FITZGERALD: There is an issue just in relation to this, clearly people are saying to us at the moment that there should be a component which is specifically quarantined for maternity leave, and there is a growing view that at least a small portion should be quarantined for paternity leave. A broader issue is should it be available to people other than those two, and that is to grandparents and what have you. I wonder whether the union has a view about extending these schemes beyond the mother and the father or the principal other partner.

MS HAMEED (PSA): I think we phrased it as primary carer leave, to allow grandparents or significant others to access it as the primary carer. I know St George in their last round of enterprise negotiations put in a clause so that grandparents could access leave without pay and then return to the workforce, because they were finding that so many people were retiring to look after their grandchildren when what they actually needed was leave to look after their grandchildren.

MR FITZGERALD: But in your case, just take that, the grandparent would be entitled to the government subsidy, or the government minimum, and their employer's top-up in a universal scheme. So if the grandparent was to take the leave, and it's obviously a smaller period than the maternity leave, but a small period, then

they would be entitled to the full wage replacement made up of those two components. Is that your view?

MS HAMEED (PSA): If they're the primary carer, yes. So, much like other submissions, we're saying there should be a quarantine period for mothers, because of the kind of physicality of having children, but that there should be a portion available to transfer to a primary carer.

MR FITZGERALD: In exactly the same way.

MS HAMEED (PSA): Yes.

MR FITZGERALD: Can I just ask one question, which I have asked this morning of the CPSU, but it arose in a conversation we had with another state government in recent times, and it's specifically relevant to your union's position. They were saying to us that once you get to this 12, 14-week period of maternity leave in fact in their negotiations with their employees the priorities change to other issues. They were saying to us that paid parental leave no longer rates as the most significant issue, rather other issues are more current; child care flexibility, those sorts of issues. Their view was that once you get to that 12 to 14-week period a lot of the stressors start to decrease and other issues become more important. I am just wondering what your experience is and that of your members.

MS HAMEED (PSA): That's not our experience. Certainly access to child care, return to work provisions, career progression, flexible work practices are all very important issues for our members, but our members don't think that 12 weeks, or 14 weeks in our case, is sufficient, and they're more than willing to become active around that issue.

MR FITZGERALD: A second thing that has been put to us is that if you left this to enterprise bargaining, even within the public sector, that in a number of the workplaces they would trade this off for other things because either the number of women in that particular workplace might be very low or other factors might occur, and so they have said to us that you can't leave this to the normal bargaining, because in many workplaces the very group that you want to assist would in fact be overridden by the majority generally of men, I suspect they're saying. I'm not quite sure if that's your experience either.

MS HAMEED (PSA): Well, our union is based - 58 per cent of our union are women, so I doubt that it would occur in our union, and I would say that any union who does that is rather undisciplined. However, having said that, I would say that bargaining is not the answer to a paid parental leave scheme. I think bargaining should sit on top of a universal scheme, the universal scheme should address the

wellness of the baby/child/mother, etcetera and that bargaining can address, you know, the employer of choice, the recruitment and retention, the productivity gain arguments. There is a role for bargaining, but I don't think it's the answer.

MS MacRAE: Could I just, and it's a matter of detail, but we had a presentation yesterday from somebody representing parents of children that have been adopted from overseas, and I must say she put a very compelling case for removing age limits where they apply. I note that you have said in your opening that you have eligibility for where a child is adopted that the child must be under two, and I just wondered why that age limit was there and on what basis that was put in place.

MS HAMEED (PSA): There are separate provisions for children that are adopted who are over two. I don't know them off the top of my head.

MS MacRAE: Okay, that's all right.

MS HAMEED (PSA): Yes, but I presume the intention is that if your children are over five and they're at school there are different needs.

MS MacRAE: Yes. I won't make her case here, but basically she was saying that for many of those children they actually don't go to school when they're five because they have language difficulties and attachment issues that mean that they're often with the parent longer. Anyway, I was just interested in that. But we don't need to take that further for now.

MR FITZGERALD: No, that's good. Are there any other comments that you'd like to leave us with at this stage, because obviously we will get your written submission, and the survey results and other information will be very valuable to us, because we are keen to actually see what is happening in the workplace, what people's views are. I suppose the other thing we really want is what difference any of these schemes will make over and above that which you've already got. So if you increase from the 14 in your case to 26 weeks, what do we expect to be the consequence of that and why should we expect that to be the case. I'm sure you've got some evidence of that. But are there any other points that either of you would like to make in conclusion.

MS HAMEED (PSA): Not really.

MR FITZGERALD: Good. Thanks.

MS HAMEED (PSA): Thanks very much.

MR FITZGERALD: Can I just say thanks to Wendy and also to your other

member for putting that. One of the things we are very keen to hear is of personal experiences. They are very valuable in this. At the end of the day, our view is that whilst this is about broad national policy, it's the impact on individual lives that is very important and tells us whether or not what we are proposing or considering actually makes a real difference. So thanks for that. We appreciate that.

MS DOWERS (PSA): Thank you.

MR FITZGERALD: We might now have a break for lunch and resume. Can I just ask you, is Richard Fletcher here yet? All right, well, then in that case we will resume at 1.30. We have got four participants this afternoon, and we will conclude the hearings about a quarter to 4.

(Luncheon Adjournment)

MR FITZGERALD: Richard, if you could just give us your full name and the organisation you're representing, if you are, and then your comments, and then we will have a bit of a chat about those things.

MR FLETCHER (FAC): Okay. I'm Richard Fletcher. I am representing the fathers and families research program of the Family Action Centre at the University of Newcastle where I'm a lecturer.

MR FITZGERALD: That's fine. Can you hear at the back? You're right? Okay, good.

MR FLETCHER (FAC): I have tendered a submission to the commission, but I want to speak to a couple of points that aren't in the submission.

MR FITZGERALD: Yes, please.

MR FLETCHER (FAC): The first one is about - looking at the transcripts from Canberra, for example - the way that the discussion sometimes runs about the amount of information that fathers might have. I have been running antenatal groups for fathers for a couple of years, and I have three questions I ask them in the group. So this is a group of dads who have come in for the standard six weeks. I take them separately, and the first question is, "Where was your father when you were born? We know where your mother was. Where was your dad?" Now, the average age for a first child in Australia is about 32, and the 1980s was when we began to let fathers into the delivery room, so mostly their fathers were not at the birth. But of course these days men are at the birth and these days they go to antenatal classes, whereas that wasn't the case for their fathers. So there's a generational gap there.

The second question is, "Why are you going to do it differently to your own father?" because men by and large think their fathers did pretty well, since we turned out all right. They answer that by firstly saying the community expects them to be more involved than their own father, that their wives will kill them if they don't, and then the third reason is because they want more connection with their children. Sometimes that's framed in terms of when they're teenagers they don't want them to turn to drugs, but generally they voice a desire to be closer to their children. Then I ask them, "How long are you going to take off work?" and you know the average is two weeks in Australia, and that's the average I get.

But I say, "How did you decide that?" and there has never been anybody in those years I've been running this group who has said, "Well, you know, we had a look at this and we talked about that and we talked about this, and we decided in the end to do this." The most common answer is, "That's what you can do." There isn't, I think, any awareness in the community of the purpose of taking leave. Obviously

you should because you know she is going to be, you know, somewhat disabled after the birth and in need of assistance and there's a new baby. But the actual idea of what you do on paternity leave, I would like the commission to keep in mind that there's an enormous information gap there that fathers aren't informed about, the purposes or even through discussion about their own ideas, they're not formed, I would say. That's the first point I would make.

The second point I would make is, I notice in the transcripts also assumptions about the motivations of fathers. I think this is a large area in deciding a paternity leave scheme. You have to make certain assumptions about what dads will do and why. I would point to the fact, or what I would say is a fact, that there's no evidence about fathers' motivation to go on. So that means that we would normally be cautious about our assumptions. For five years we've run an intensive program funded by the Bernard van Leer Foundation of the Netherlands to work with services to get dads involved. So we worked with antenatal, postnatal schools and so on.

Out of that experience over those five years - so this is not research, this is experience - we would say that the primary motivation is often an assumption for people. So for example - this is a bit of research - we did a pharmacy study. There's 40-something pharmacies in the Hunter Valley. We took 10 randomly and we put observers in for 60 hours. We asked them to count what people did. So we didn't interview anybody, just watched what they did. You can see there there's a set of figures. So for every hundred males, this is what the females did. So you can see from the figures that there's approximately more women than men come into the pharmacy; about even numbers talk to the pharmacist. The really big differences are in their behaviour. So that when you watch men walk into a pharmacy, they tend to get their business done and get out quickly. When you watch women walk in, they open things, they smell things, they try things on. When we've asked people about that evidence of difference in behaviour, mostly they've said, "Oh, the men are too macho," or sometimes they say, "The men are really efficient, you know, that's why they do that." This is an assumption about men's motivations that I'm pointing to.

What we did then was, we coded all the displays in the pharmacy. Can you see these? You can see that it's pretty easy to code the displays if they're for females or for males. We took out the ones that were for neutral things like analgesics and we took out the ones for babies and so on. That left us with a square metres in those 10 pharmacies directed at mums, or women, and square metres directed at men. The results are, if you count them up, 30-something square metres directed at the men and over 330 square metres directed at the women. So when we explain men's behaviour in terms of them wanting to be macho or tough or don't care about things - for example, you can see the same patterns of behaviour in child care centres and in health centres. When we explain men's behaviour by saying they don't care about things, I think we could look better at the environment.

A second area we worked in was schools, for example. We've done the first study in Australia about men's volunteering in schools. It's about 20 per cent. This is a fathers attending a school activity. Those fathers are there, you can see there's about 70 of them on the stage out of a population of about 120. They're there because their children invited them, because the children asked them to come in for something to do with their activities; not to build a retaining wall or to go on a committee, but because of the connection with the children. So the point we make from that, our experience over those five years is that when men see the purpose of something - that's in the middle of a working day, of course, so some of them have made semi-legal arrangements to get there. When the purpose is clear in relation to their children, then the behaviour follows. So these are not motivations to do with economics. These are to do with a connection between children. Okay.

We see the same thing happening in areas such as neonatal intensive care, antenatal and postnatal activity. The purpose is often missing, and so the assumption that the financial incentives are driving things, we'd say is overreaching what we know; the assumption that men are driven by financial considerations, for example. It's true that at the time of the first child that is when they're feeling strapped, which of course is why paid paternity leave would make sense. But to say that if you offered men paid paternity leave and they didn't take it up that that was because they weren't interested in spending the time with their babies or children, we'd say that's an assumption that isn't borne out by our experience in working with fathers around a whole range of services. So that's our experience.

The research area is something else. In that area I've just completed a PhD in father-infant attachment, and this area is a relatively new area in the last decade. The model that most of our health workers and welfare workers were trained on was a matri-focal model which said that basically for a child to develop well it needs to have a secure attachment to the mother and that's what will determine in a large sense how well the child develops - not just breastfeeding, but attachment or bonding as we tend to call it. Then the father's role in that scenario is to assist the mother, so to be supportive, not just in physical ways but in emotional ways, because it's her job to make the bond with the baby and it's his job to help her do that.

that isn't the picture in the research today because now we have good evidence that fathers' attachment to the baby also is a determinate of its wellbeing independent of the mother. So the old model was that the mum forms the template with the attachment and then fathers follow on, like everybody else. That isn't the research evidence we have today. So one example is that one of the features about attachment is, if the mother is depressed then the attachment is at risk because she isn't able to be responsive to the baby. So the reason we have in Sydney and everywhere else lot of programs for postnatal depression is not just because depression is a thing you want

to avoid and treat, of course it is, but we spend so much effort on that because we're worried that if the mother is depressed the attachment of the baby will suffer and then society will cop the results down the track in terms of behaviour and mental health.

In 2005 the Lancet published a study of 10,000 fathers and their children, following them up over four years. The fathers' depression at eight weeks doubled the risk of their children having behaviour disorders at three and a half, independent of anything to do with the mother. So 10 years ago the picture was that mothers were the centre of things and that the fathers' role was sort of subsidiary or assistant. Now that isn't the picture. So if we're talking about leave for parents - not in terms of breastfeeding obviously but in terms of bonding or attachment, which is I'd say accepted in the scientific community now - that is a determinant of social wellbeing. So if we're thinking about reducing crime, mental health problems, social disorder, things that are going to cost us in dollar terms, going to cost us money down the track, we would be looking to encourage secure attachment to the father as well as to the mother, that would be what the evidence would say.

The final point about postnatal depression is that the rates in Australia, the generally accepted rate is usually 13 to 15 per cent but they range from 10 to 20 per cent of mother, have postnatal depression. In that case, two things are needed: she needs support, of course, if she's depressed because what that means is she's not coping so she doesn't feel successful raising her new baby. But the second thing it means is that the baby's attachment is at risk because if she isn't attaching well and he's at work, then that doesn't leave you a lot of room. We have evidence that fathers' involvement with new babies improves their outcomes when the mothers are depressed, and it also improves the outcomes for the mothers. So mothers recover quicker from postnatal depression when the father is involved with the baby as well as obviously supporting her.

So I think postnatal depression itself has particular implications. If you're talking about 250,000 babies a year in Australia and up to 20 per cent, so that's up to 50,000 babies, that's a lot of babies to be coping with a mother who is depressed. That's a lot of fathers who could be of a lot more of assistance than returning to work after two weeks. So that's the story.

MR FITZGERALD: Thanks very much for that. There are a number of questions that I've got and that I'm sure Angela does. So I'll let Angela take the rein for the moment.

MS MacRAE: Yes. It's really interesting - and it was great to read your paper, so thank you for that. I was interested, and I'd be interested in your views about the importance then of concurrent leave. You would have seen, if you've read some of

our transcripts, that many of the schemes and models that have been put to us talk about paternal leave really being taken, but if you did you'd only have a short period of it being able to be taken concurrently and then it would have to be sort of subsequent to the mother's period away. What sort of period do you think you might want concurrent leave to apply, or should it be pretty much open for a couple to determine according to their circumstances?

MR FLETCHER (FAC): Well, I can see why people might be worried about concurrent leave in that if there isn't a clarity about what you're doing it for, it's an opportunity for her to keep doing everything and him to stay home and have a holiday. But in terms of the depression area, for example, most depression is diagnosed fairly early. So it would make sense for that period to be available to them to have concurrent leave. I don't know whether you can build things in to say if there's, you know, a requirement that they have to sort of produce a doctor's certificate or something. So I don't know if you can quarantine categories of people. I've not got a view on that.

MS MacRAE: Yes.

MR FLETCHER (FAC): But in general it seems that it ought to be flexible, that people ought to be able to take concurrent leave rather than I think - you know, what I've seen in the transcripts is that notion of primary carer, which I think actually reflects that model of attachment that she is bonding, then it's his turn to bond.

MS MacRAE: Yes, very much so.

MR FLETCHER (FAC): If you wait until the baby is 18 months before he does that, by then it's happened, sort of thing.

MR FITZGERALD: It could be, or of course it could just simply be the economic pressures and people trying to work out how to extend the leave in totality.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: So there seems to be two views just on that point: one is, we've heard perhaps - not on the transcripts but in private meetings we've had with a number of organisations - the notion that concurrent leave is very important for the reasons you've identified, not only supporting the mother but for that early attachment to the child. The competing pressure seems to be, "Ah, yes, but if that means I don't get longer I'd rather have it sequentially." So that there does seem to be two things, you know, at play here.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: People and organisations seem to have slightly different views about which way is best. But the point I suppose about the flexibility is, when we started this inquiry I think we had a bit of a view that we were talking about paid parental leave. Very, very quickly both in terms of the early discussions we had with various organisations, but also the hearings, it was that you did need to quarantine: you needed to quarantine a period of time for the mum and increasingly people say you need to have a period of time for paternity leave. So I suppose in my own mind - I don't know about Angela - I've sort of moved a little bit away from the notion of simply having a paid paternity leave and let everybody else work it out. I think that's true when you're talking about longer periods of leave, but if you're talking about, you know, 14 weeks or whatever have you, it does seem to me that the overwhelming advice we're getting is that you need to have quarantine. Now, whether they're taken together or separate is a different issue.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: But it certainly is very strong now that people say there should be a period for the mother, a period for paternity and then what you do after that is pretty much open.

MR FLETCHER (FAC): In my view, going on the experience of fathers' degree of information about things, I would say unless the father's leave is quarantine - so if he doesn't take it he loses it or something like that - then by default the mother will take it. If you call it parental leave then he would assume, and the community would assume, that that's really for her unless he's particularly keen. So I think that the structures that would encourage fathers to see this as a message to them that they have a role from birth. I am unable to show you, but the Institute of Psychiatry has produced a DVD about fathers' attachment. On that it has footage of a baby at five hours looking for its father's voice because it's recognised it through the womb. So this idea that I think is like - I think that will grow, that acceptance that fathers have a connection from birth, not once the father can kick a football.

MR FITZGERALD: I'm sorry to interrupt Angela, but I'm just intrigued by this. Because in one sense you started off by saying if fathers know - well, if people know, but if fathers know the purpose for which they have a role and in your case it's both attachment and bonding to the child, then they will respond. A more pragmatic approach is that you change behaviour, and as a consequence of changed behaviour you change motivation. In other words, one of the things about paternity leave is that irrespective of whether the father understands what his purpose is, the mere fact that it's there and he loses it if he doesn't take it will change the behaviour from which the motivation changes. Now, I must say that there's more evidence that that works than the contrary in some circumstances.

MR FLETCHER (FAC): Well, I'd say it gives you the opportunity to deliver the information about his role.

MR FITZGERALD: Yes.

MR FLETCHER (FAC): I think that's consistent.

MR FITZGERALD: Because the alternative is to educate men about that role in the hope that they take whatever leave, both paid and unpaid, that is available.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: Some of us may say well, you might be better to signal it more directly, the quarantined leave.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: I was just wondering about that. I'm sure it will change over generations, but I'm not - as you say, the behaviour is still - and I'll just put that in context. We heard from John Sutton the National Secretary of the CFMEU, Construction, Forestry and Mining Union. He was very blunt, that whether it's paid or unpaid leave, unless you call it paternity leave they won't take it. Employers won't encourage it and employees won't take it.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: He thinks that they should take it and therefore you should in fact call it that.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: He was very clear that his members just won't take it unless you actually say there it is, and it's paid, and if you don't take it you don't get it.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: So I don't know whether that resonates with you.

MR FLETCHER (FAC): Yes, absolutely.

MS MacRAE: Does the research say, or would you have a strong preference for the father - to the extent the father does get a period of paid leave - would you have a

bias towards the father taking that as early as possible in the period post-birth or - - -

MR FLETCHER (FAC): Yes.

MS MacRAE: Yes.

MR FLETCHER (FAC): Because I think the other view is that dads sometimes say in the groups, they say, "Oh, I'm going to take my leave. You know, I've got two weeks, I'm going to take it when he's a couple of months old and they interact more," you know, because fathers think, "Well, that's when I'll be able to really relate," because they're unaware of this idea that in the first day there are periods when the baby is settled enough to relate. So I think following your line of argument, if you set the framework so that it should be - you encourage them to take it early, then I think that would be better.

MS MacRAE: Right, and primarily because the bonding is likely to be more stronger, I suppose, if it's done early.

MR FLETCHER (FAC): Yes.

MS MacRAE: Yes, okay, and I guess the paternal support as well.

MR FLETCHER (FAC): That's a period of intensity. Yes.

MS MacRAE: Not that you do it mainly for that, but there would be that issue at the same time.

MR FITZGERALD: Can I ask you a question: you're not saying that the experience between bonding with the father and the mother are of an equal nature - sorry, it's a question not a comment, I'm just asking.

MR FLETCHER (FAC): Right.

MR FITZGERALD: Is the research from overseas and here showing that the bonding and attachment issues between mother and child and father and child are the same, or are we saying they're both important but different, when you take away the issue of breastfeeding and so on.

MR FLETCHER (FAC): Probably. Well, one thing you'd have to say if you were realistic is that we're still a long way from having a very clear answer on that. I'd say the weight of evidence at the moment is that the mother's attachment, we have more evidence. We've been looking at it longer, but we have more evidence of both harm and positive outcomes for mothers than we do for fathers. Where you compare them

in the same study, it's often a stronger effect for the mother - say if you're looking at the effects of poor attachment and you compare the mothers and fathers, her effect on child behaviour, you can find more evidence that that has a stronger effect than the father's. So yes, you wouldn't say they're the same. There's a lot of debate however about fathers' role in modulating emotional regulation. That's a new area. So it's not just about whether you're affectionate and responsive, but how you actually handle the baby's excitement. So it's sort of looking at father's role in the positive aspects of emotional regulation. But that's a newer area. So the blunt answer to your question is, yes, it's stronger for mothers, the evidence.

MR FITZGERALD: And you would think that would be the case.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: But as you say, the research in one is stronger than the other so - - -

MR FLETCHER (FAC): The other important thing about attachment is that it's not time dependent. So that the fact that fathers don't spend as much time with the mother, the research on attachment is very clear that it isn't the amount of time you spend, it's what you do with the time. That's the issue.

MS MacRAE: But you would need a base amount of time.

MR FLETCHER (FAC): Yes.

MS MacRAE: Yes. There's a minimum amount.

MR FLETCHER (FAC): If you only see it on Sunday when you're awake, yes.

MS MacRAE: There's a necessity, yes, but beyond that it's the quality of the time that you're spending.

MR FLETCHER (FAC): Yes.

MS MacRAE: Yes, okay.

MR FITZGERALD: One of the things about this inquiry is it's more than an inquiry about leave; it is trying to look at supports for parents for children up to the age of two, although the concentration of our effort and certainly the participants is about leave. Are there other things that we as a society, community need to be doing over and above the paid leave area that would enhance the capacity of fathers to be able to bond with and attach to children? So this is one element, which is obviously

time related.

MR FLETCHER (FAC): Yes.

MR FITZGERALD: But over and above that, are there other policy-relevant issues that we should be mindful of?

MR FLETCHER (FAC): Well, I'm not entirely clear on the reach of your policy, but for example the policy surrounding services is something we're very familiar with. Those policies relate to, for example, the policies of hospitals, about who is their patient; the mother is the patient, not the father. That has direct consequences in terms of services. You can see the same air of policy in terms of welfare services, child care services, the policy surrounding those. For example we have a national accreditation scheme for child care, so services have to acquit themselves on standards. At the moment those standards say, have you consulted parents, and you have to show that you have. But you only have to say "parents". So when look at the figures for a child care centre and they've talked to 90 mothers and one father, there's no requirement on them now in the way we frame policies - this relates to your earlier commenting about parenting leave as opposed to father's leave.

In the move from the 50s when we replaced "mother" with "parent", for the best of reasons, what that's inadvertently done is mask the way the services policies are actually discriminatory because they don't require services to do anything for the fathers because as long as they say "parents" they're covered. So that's a broad policy area that we've seen some change recently from FaHCSIA to require their services to identify not just parents but mothers and fathers, and of course that led to them noticing, "Oh, goodness, only 2 per cent are dads."

MS MacRAE: Yes.

MR FLETCHER (FAC): So that's a broad area we would point to.

MR FITZGERALD: Yes.

MS MacRAE: Well, I guess even thinking about the centres post-birth, they're called Maternal and Child Health Centres; they're not family health centres. Yet the information you've given us today says that fathers suffer postnatal depression as well, but while that's often, for a mother would be picked up at those maternal visits, there is no real equivalent for fathers, is there.

MR FLETCHER (FAC): No. Have I got time to just give you an example?

MR FITZGERALD: Yes, sure.

MR FLETCHER (FAC): I'm talking to a midwife who is running postnatal depression groups for mothers and we're talking about the groups. She tells me how pleased she is with the one that's just finished and how they helped a woman cope with a terrible tragedy. So this is a woman who has already got depression; she has a new baby. She leaves the baby in the care of her husband. Her husband is looking after it. He goes to the phone. The baby drowns. She told me how pleased she was at the way the group's emotional containment of that woman allowed the woman to get through that terrible tragedy. So at the end of that description I said, "And the father?" and the midwife said - there was a gap - "Oh, um, well, no, he's not our patient, you know. I don't know what happened to him."

MS MacRAE: Gosh.

MR FLETCHER (FAC): I pointed out that the midwife was talking to me because she wanted fathers involved. So this is not somebody who dismissed fathers. When you say that they're called maternal services, I think that imbues everything in the services. We're not discrimination against fathers, but it's more like invisibility.

MS MacRAE: Yes. Thank you.

MR FITZGERALD: I think that last comment is actually true. It is more invisibility. In fact the forgotten problem or the forgotten person is often more disadvantaged than when they're actively discriminated against sometimes. At least in one case there's a positive recognition, whereas the other there's no recognition at all which is an issue. Are there any other final comments you'd like to make, Richard? I mean, I think it's a very valuable insight that you've brought. We've been conscious of trying to work out how in this inquiry we take account of the role and purpose of fatherhood, but it's not an easy one. I think you've identified why that's not an easy one to come to grips with. Are there any other comments you'd like to make?

MR FLETCHER (FAC): No.

MS MacRAE: Thank you.

MR FITZGERALD: Look, thank you very much for that and thanks for coming down. We appreciate that. If during this inquiry you become aware of more research either domestic or international or have further thoughts, please contribute because this is an interactive process. We want to get to a final outcome by February. But everything up until then, we're hoping to be further educated on.

MR FLETCHER (FAC): Good.

MR FITZGERALD: Kelly, if you can give your full name and any organisation you represent, if any.

MS LAING: No. My name is Kelly Laing and I'm here as a citizen of Australia; a mother.

MR FITZGERALD: That's a pretty good group to represent. Over to you. If you'd like to make some opening comments and then we'll have a chat about those points.

MS LAING: I'm just going to read from what I actually put in because it says exactly what I want to say and how I want to say it, so I'll just read from that. It's much easier, I think.

MR FITZGERALD: Please. If you could just speak up a little loudly that would be great.

MS LAING: Sure. I'm here today to address the Productivity Commission on the issue of paid maternity leave in Australia. I'm a full-time paid working mother of a four-year-old daughter and a two-year-old son. I worked up until 36 weeks pregnant with both pregnancies and had complications with both pregnancies and births. I am one of the fortunate women in Australia who received nine weeks and 14 weeks respectively in paid maternity leave. The remainder of my approximate five months' maternity leave was made up of sick leave and annual leave and a period of being unpaid. During this time though my sick leave, annual leave, superannuation and other entitlements were frozen, just like many other women in the same situation. This I believe is another area to be addressed that interrelates with paid maternity leave.

The issue of paid maternity leave is one that I'm very passionate and committed to. I will lobby for as long as it takes to see the issue addressed adequately so that women like me have the option to stay at home with their newborns for at least six months with paid maternity leave. I'm not an economist and I'm not an academic, but I do not understand why it is that other countries such as Switzerland and Italy offer paid maternity leave when we can't. Why is it that our very lucky country cannot provide the same, similar or a better paid maternity leave program?

The issue of whether you return to work or not is hardly a debate these days. Even if you do not have a mortgage, paying rent and living in any of the major capital cities is very expensive and requires two salaries unless one of you earns \$150,000 per year, before tax, of course. You are generally just surviving, not living or getting ahead. Paid maternity leave is an essential component to supporting the call from health and other professionals about the benefits of breastfeeding children

exclusively for the first six months. How can you breastfeed exclusively if you're not receiving a supplementary income to allow you to stay home to feed your child? The government's one-off payment of \$5000 as of 1 July is a very generous and welcomed supplement to many families juggling the costs of living and supporting a new family on one wage. For me, I received a little over \$3000 at the time of my second birth which equated to one day of childcare for approximately 50 weeks of the year, and that was with the child care rebate. One day, not a month or half a year: one day for a year.

What I would urge the Productivity Commission to consider is some of the other financially and economically successful paid maternity leave programs in other programs, to study and analyse those programs and how they might be implemented into Australia in the 21st century. If we want our country to grow, prosper and populate, we need to offer more than a \$5000 one-off supplement as incentive. Real people need real solutions to the problem of not receiving an income whilst staying home to raise a family, if not indefinitely at least for a minimum of six months.

MR FITZGERALD: Good. Thank you very much, Kelly. If you could go back a little bit just into your own personal circumstances. You had no access to paid leave?

MS LAING: Yes, I did. I had nine weeks with my first child and 14 for the second.

MR FITZGERALD: Nine weeks, right. Okay.

MS LAING: But both, because I had complications with both pregnancies, I had to finish earlier and use some of my sick leave.

MR FITZGERALD: Why did it move from nine weeks to 14 weeks? Did the scheme change or did you change employers?

MS LAING: No, it came in line with the International Labour Organisation's guidelines. That's the prescribed minimum, 14 weeks.

MR FITZGERALD: Your employer took that up?

MS LAING: Yes.

MR FITZGERALD: Was the employer the same employer as the first one?

MS LAING: Yes.

MR FITZGERALD: So they increased from nine to 14 weeks.

MS LAING: Yes, because they became aware of the change.

MR FITZGERALD: As a consequence of that change, how did your decisions change between having access to nine weeks vis-a-vis 14 weeks? I'm sure there are other circumstances, but was it influential, that extra five-week period?

MS LAING: Not really. Everything was calculated to the very dollar; the very last dollar and the time that I could take using all of my annual leave, sick leave, the paid maternity leave to make sure we could cover costs for the mortgage. But the main factor was the child care as well. There's a huge waiting list and both of my unborn children's names were on lists before I was basically 12 weeks pregnant with both of them. I just had to continually keep calling up. But there was always that in the back of your head: you knew you had to be back at work before that time was up because there was no more money after that point.

MR FITZGERALD: Just to refresh, the period of time you spent away from work after the first child was how long?

MS LAING: Both of my maternity leaves all up were approximately five months.

MR FITZGERALD: You took five months in both cases.

MS LAING: Mm'hm.

MR FITZGERALD: Right. Okay.

MS MacRAE: With the second period then, you had a longer period of paid maternity leave but you would have had less other leave, I suppose, because you'd used it for your first child. Is that right? So did you have less accrued annual leave?

MS LAING: Both times I accrued - yes.

MS MacRAE: Okay. So you'd used what you'd sort of accumulated, the gap between them, but it wasn't enough to cover the extra. Yes?

MS LAING: No, and just with, you know, rising costs of things and of course some of the interests rates and child care from the first child.

MS MacRAE: Yes.

MS LAING: Yes, it did mean that I got, you know, an extra five weeks because I

was paid an extra five weeks' leave. Yes, the money was just absorbed by the other costs.

MS MacRAE: Should you have a third child, I guess that impact would be compounded again - - -

MS LAING: Absolutely.

MS MacRAE: Yes.

MS LAING: My daughter goes to big school next year, but then I would still have two children in child care again to pay five days of care for, or 10 days effectively because you've got two.

MR FITZGERALD: It highlights an issue which I think we're becoming more conscious of, and that is whatever scheme you have impacts differentially or differently for the second and subsequent children because so many women return to work on a part-time basis and by the time the second child comes they've got less leave entitlements, they've got increased costs because of child care and under most schemes that exist today, the paid maternity leave has obviously reduced accordingly as well as accrued annual leave and everything else.

MS LAING: Yes.

MR FITZGERALD: That I'm sure is exacerbated if you have an additional third child or what have you. So when you look at your circumstances and what's being said generally in the media and that about this issue, what's the sort of scheme that you think would really have aided you and would help women in your same circumstance? What's the sort of shape of a scheme?

MS LAING: Definitely a paid period of six months.

MR FITZGERALD: Full pay?

MS LAING: Yes. I couldn't have done it any other way. The mortgage wouldn't have been met. We would have had to sell the house.

MS MacRAE: One of the other issues that's come out in respect of some of the other sort of personal stories we're hearing is that the return to work is often not very satisfactory. How was that in your case? Were you able to return to the same position or one that was similar enough that you were happy with it?

MS LAING: No, I was extremely - I'm very fortunate. It was the same rate of pay.

I actually renegotiated my conditions in terms of starting and finishing time, so starting earlier so the children aren't still there at dark in child care.

MS MacRAE: Yes, okay.

MS LAING: So very, very fortunate.

MS MacRAE: Did you have a partner? Do you have a partner?

MS LAING: I've just recently divorced.

MS MacRAE: Okay.

MS LAING: Yes, at the time.

MS MacRAE: So at the time you had the children, was he entitled to any leave?

MS LAING: He was self-employed but he was meant to take two weeks with both but never really did because he had no support at his employment.

MS MacRAE: Right.

MS LAING: Yes.

MS MacRAE: Just in relation to when you were looking for employment, and I don't know how long you were in your position before you had your children, but did it make a difference when you were looking for a position as to whether or not maternity leave was offered? Did that enter your sort of mindset when you were looking for a position?

MS LAING: To be honest, the job that I got at the time, I'd applied for another position and I'd only just recently been engaged and I felt that people were looking at my ring thinking, you know, "Child-bearing age; don't think so."

MS MacRAE: Right.

MS LAING: I know that you can't prove that, but I definitely felt that that was being looked at when I was in interviews.

MS MacRAE: An issue.

MS LAING: But I was at my position for four years before I became pregnant.

MS MacRAE: Right, and that wasn't an issue you think with your current employer? I mean, it sounds like they offer fairly relatively generous - - -

MS LAING: They do, yes.

MS LAING: With the flexibility as well.

MS LAING: Absolutely.

MS MacRAE: That's something that - - -

MS LAING: Very family-friendly.

MS MacRAE: Right.

MS LAING: That's what I mean, I'm one of the very, very fortunate people.

MS MacRAE: Can I ask, is it private sector employment?

MS LAING: Basically, yes.

MS MacRAE: Okay.

MS LAING: Yes.

MR FITZGERALD: If the scheme had existed of six months at full pay, what do you think you would have done in terms of return to work? How would that have changed what you did do or what you would have liked to have done?

MS LAING: I would have used the extra time that I had with annual leave to supplement that period, so I effectively could have stayed home longer.

MR FITZGERALD: Do you have sort of a view as to what period of time would have been most beneficial to you and your child and children if you could have?

MS LAING: In an idea world I think two years. Two years would be wonderful. You know, all the firsts are pretty much past. They start to speak a little. That's when they're getting more interested in socialising with other children. You know, you feel a little bit more ready, I suppose. I mean, I still feel the same every morning I drop my children off to the same place, I drop them there; you don't want to do it, it's awful. But you know, it's the reality. It's life. I mean, I know people that are paying \$450 a week in rent. So that's what I mean, it's not an issue of whether you have a mortgage or you don't or if you have children or you don't. Everyone is in the

sort of same boat. Everyone is struggling financially. Yes.

But I definitely think it's a step in the right direction that at least we're talking about this, considering it, looking at other schemes. I mean, I find it bizarre that only Australia and America are the only two Westernised countries that don't offer anything. I mean, you've got obscure countries like - you know, I read a report in the paper the other day. I mean, it's just bizarre to me.

MR FITZGERALD: Yes. If you go to Wikipedia you'll find a whole list of them.

MS LAING: Yes.

MR FITZGERALD: Several pages of them.

MS LAING: Yes.

MR FITZGERALD: Not that that's a primary research site.

MS MacRAE: No.

MR FITZGERALD: But it gives you a summary.

MS LAING: Yes.

MR FITZGERALD: But the point that is relevant. I suppose what Australia seems to have done has increased its payments through the Social Security system. You have family tax benefits and child rebates and the baby bonus and so on, rather than go through the paid maternity leave scheme. Now, why that's happened I'm not quite sure.

MS LAING: You see, in my case, you know, changes have happened over the past four years.

MR FITZGERALD: Yes.

MS LAING: With my first daughter we were totally entitled to nothing because we were over the threshold because everything was means tested.

MR FITZGERALD: Yes.

MS LAING: So no immunisation, no baby bonus, nothing.

MR FITZGERALD: Sure.

MS LAING: Then only with the second, with the son, it was about \$3000. Even with the child care rebate, you know, it was something like \$5 a day because again we were over that sort of threshold. I mean, we could have been millionaires and still entitled to it.

MR FITZGERALD: Yes.

MS LAING: So there's got to be some sort of balance, and to me there's no balance at the moment; it's either sink or swim. You know, you've got Costello saying, "Have one for each other, one for the country," you know, and then where's the support?

MR FITZGERALD: We might change that slogan shortly. But I suppose the other issue, but you may or may not have considered it, is who pays for this. The assumption by most participants is that the government should pay at least up to a certain minimum level.

MS LAING: Absolutely.

MR FITZGERALD: In your case your employer, either through negotiations or voluntarily, has moved from nine weeks to 14 weeks. Do you have a view as to who should actually fund these schemes and in what manner that should happen?

MS LAING: Definitely. In my case I think whatever my employer was prepared to pay they burdened that cost, then the rest made up by the government. Then in the cases of where people aren't offered maternity leave, then the government picks up the bill for that and you pretty much scrap the baby bonus for working parents. But people that stay at home, I think they should still receive it.

MR FITZGERALD: So you roll it in for working families and leave it as it is.

MS LAING: Mm.

MR FITZGERALD: In your employer's case, do you think that if the government were to fund up to a minimum wage that your employer would use that in order to extend beyond the 14 weeks? In other words, just assume for a moment it's a 14-week scheme and the government funds up to the minimum wage. That would ease the burden on companies such as your own employer. Do you think, given its history, it's probably likely that it would increase to some extent the benefits, or is it likely to say well, we'll take that subsidy and - - -

MS LAING: I don't know. I mean, that's a really hard call because at the end of the day it's all about money, isn't it.

MR FITZGERALD: Yes.

MS LAING: I mean, if you're running things and it comes down to the dollar at the end of the day, yes.

MR FITZGERALD: Sure.

MS LAING: I don't know. I mean, they're extremely generous and flexible. They would just prescribe to whatever I suppose international labour relations - - -

MR FITZGERALD: Standards are.

MS LAING: Yes.

MS MacRAE: This might be a tricky question for you, but given the relative generosity of the maternity leave arrangements and some of the flexibility there, do you feel that the workplace that you're in has a culture of family-friendliness - - -

MS LAING: Absolutely.

MS MacRAE: - - - and is it an issue that's discussed among staff? Can I ask then whether the males in that workplace are as supportive of, or does it help - for example, the males at your workplace, are they entitled to paternity leave?

MS LAING: They are.

MS MacRAE: Would they take it?

MS LAING: They are.

MS MacRAE: They are, right.

MS LAING: To two weeks, and they have.

MS MacRAE: Okay.

MS LAING: We've just had a father recently, yes.

MS MacRAE: Okay, two weeks. And that's seen as sort of a normal, regular kind of thing to do?

MS LAING: Yes.

MS MacRAE: Yes, okay.

MS LAING: I mean, a lot of what the gentleman was saying before I came, you know, I agreed with a lot of what he was saying. But I think that's mainly because of the physicality, that the woman actually generally carries the baby, feeds the baby. You know what I mean? So a lot of - yes. But I've also heard research about Italy and Switzerland where, you know, they're offered just as much leave as a woman but they don't take it, the men. So, you know, whether that's because they don't want to be home, who knows, or it might be about the education as he was saying about bonding. I don't know. But in my case, my husband at the time was very proactive, very hands-on and bonded very well with the babies early on. Yes.

MS MacRAE: Yes. But that's why I was interested in; I think the culture of the workplace can be important as well as we heard from CFMEU that, you know, for them, even though they do have this unpaid period - or do they have a week paid? I'm not quite sure, I can't remember now. But anyway, it's not taken generally as a rule.

MS LAING: I wonder if that's because they're not aware though. You know, I think sometimes people aren't aware of their entitlements. So if they're not aware of it, they're not going to take it.

MS MacRAE: Yes.

MR FITZGERALD: Yes. I think one of the points too is that unless you're very explicit about it, the employer won't encourage it.

MS LAING: No, of course not.

MR FITZGERALD: And doesn't publicise it. The employee either doesn't know about it or even if it's offered there's some sort of reluctance and can't take it.

MS MacRAE: Or feels an overt pressure.

MS LAING: Yes.

MR FITZGERALD: It doesn't say much for men, I might say, about some of these issues, but anyway.

MS LAING: I think it's changing.

MR FITZGERALD: Yes.

MS LAING: Our culture is changing; parenting, yes.

MR FITZGERALD: Yes, perhaps our children will do it differently than what we've done. But from the employer's point of view, you went back after five months in both cases.

MS LAING: Mm.

MR FITZGERALD: Some people have said to us interestingly that if the period is too short it's more disruptive to the employer than if the period is longer, in other words, whether you backfill or you don't backfill and what have you, and so strangely enough some people have said if you only sort of have 12 or 14 weeks' leave, that's more disruptive to an employer than maybe something longer where you can actually bring somebody in, train them up a little bit to the job and actually do the job, whereas what some women have said to us is all that happens is after about three or four months your work is still there.

MS LAING: Okay.

MR FITZGERALD: But I was just wondering, in your experience that wasn't an issue. The employer was able to manage your absence and transition back into work - - -

MS LAING: I actually had someone temporary.

MR FITZGERALD: Yes.

MS LAING: Yes, I had a hand-over period for both times and just not even a day I think of hand-over when I came back so, yes.

MR FITZGERALD: Good. Any other queries? Look, thanks very much for that personal stuff, that's terrific. We're very keen to hear from people about their own personal experience and I thank you for that. That's been really insightful so thanks for that.

MS LAING: Thank you.

MS MacRAE: Thank you.

MR FITZGERALD: Pat, if you could give your full name and the position and organisation that you're representing.

MS McDONOUGH (WERP): Certainly. My name is Pat McDonough and I'm a solicitor with the Inner City Legal Centre.

MR FITZGERALD: Good. Can you tell me what WERP is?

MS McDONOUGH (WERP): Women's Employment Rights Project.

MR FITZGERALD: That's part of that service?

MS McDONOUGH (WERP): Yes, we've been funded by the state government to provide that service.

MR FITZGERALD: Over to you.

MS McDONOUGH (WERP): Thank you for allowing me to speak today. As you're already aware, countries such as Pakistan, Ethiopia and even Iraq and other developing nations have a universal system of paid maternity leave and Australia along with the US does not. You will also know about the 2002 HREOC discussion paper valuing parenthood, options for paid maternity leave, which was released in the same year, and the Workplace Relations Amendment Bill put to the parliament in 2004 by Senator Stott Despoja. Until now nothing happened. Obviously it is of great concern the report from this commission is not due until February 2009.

Community legal centres are of the view that Australia should follow the International Labour Organisation's minimum standard of 14 weeks' paid maternity leave as a minimum increasing to a minimum of six months. The payments should be universal and paid to all women. Payments available to women should also be accessible to partners if they are acting as the primary carer of the child. But my reasons for coming to speak to you today is to talk to you about my experience as a solicitor providing advice to working women.

My background is that I worked for the PSA which is a union back in the 80s for five years. I then worked for Redfern Legal Centre as a solicitor for 11 years. I then went to work for Working Women for two and a half years until it closed, and I've been at Inner City since then. So I've had a lot of experience giving advice to women. In the years 2006 and 07, Inner City was funded by the New South Wales Office for Women to run a project which we called the Women's Employment Rights Project and which we affectionately call WERP. WERP provided legal advice, information and training to community advocates of women's employment rights. As part of the project a case history survey for the collection of data from clients

seeking employment law advice was sent to all CLCs in New South Wales. The survey monitored the impact of the WorkChoices legislation on New South Wales women.

The project originally identified unfair dismissals, unlawful terminations, unpaid wage claims, the impact of AWAs, pregnancy discrimination and discrimination against women returning to work after maternity leave as areas requiring some examination. The surveys were collected over a 10-month period and for today's purposes I wish to point to the alarming rate of discrimination against pregnant women and women returning to work after maternity leave. Our survey revealed that of the 224 relevant case histories collected, 63 or 28 per cent of the women reported discrimination in the workplace. 30 sought advice specifically on discrimination during pregnancy and/or return to work from maternity leave. Whilst the 63 clients could make a complaint to one of the discrimination jurisdictions, an analysis of those 63 females revealed that 21 per cent had their employment terminated and were unable to lodge an unfair dismissal claim under the WorkChoices legislation because there were fewer than a hundred employees in the workplace.

In January this year WERP was funded again and this time as part of the project a telephone advice service is provided to women that operates two mornings per week. Over the last four months we have provided 200 advices. About 30 of those women complained about pregnancy discrimination and discrimination when returning to work after maternity leave. I've got 10 case studies that I want to share with you. The first one is with regard to pregnancy. A client worked as assistant to the sales manager of a large company for nearly four years. She discovered she was pregnant and informed her employer. Three weeks later she was made redundant. Not long after, a new salesman was put into her position. Our client has not been able to get another job because of her pregnancy.

The second case study: it was after a client working for a travel agency in a country town informed her boss that she may be pregnant. The response was, "Just remember, if you are pregnant you are out." About a month later when she informed her boss that she was pregnant, the boss' response was, "I guess it's too late to have an abortion." After this the boss only spoke to our client when she was snapping out orders. When our client tried to talk to her boss about her conduct, the response was, "If I'm a bitch to work with, then resign." My client eventually resigned when she became very ill at work and the boss refused to let her get medical attention.

The next case study is a 22-year-old sales assistant worked for four years as a sales assistant in a newsagency, soon after new owners took over the business. In February this year the client informed the employer she was pregnant, having found out only a week before. At first the employer said, "Don't worry," her job was

secure. But over the next few weeks the employer took all the client's duties away from her, for her own good, and gave her jobs that required a lot of heavy lifting which she had never had to do before. The employer also told her that she could only return to work after maternity leave on a part-time basis, although the client wanted to return full-time. Eventually because of the heavy lifting, she resigned.

The next one: a client with three children was working part-time as an HR manager for a charitable organisation. She was pregnant with her fourth child and was planning to return to work after eight months' maternity leave. She says it was the perfect job for her. In February she was called in and informed that they had restructured her job and they would be advertising it. No consultation or discussion had been held about this sudden change with my client. She was given two weeks' notice. When you looked at the new and old job descriptions, there was no discernible change in duties. Only two people applied for the position: my client and a former employee who had just arrived home from overseas. The former employee was successful and my client was given five minutes' notice to leave the building.

The last pregnancy discrimination case - I've got dozens and dozens of them, I've just picked out some of them. A nurse who worked for five years for a private day surgery provider miscarried at work and was ill after the miscarriage. Centrelink advised her that she could receive health benefits for three months, provided she had a job to go back to. So it was quite a surprise when she discovered that her employer had advised Centrelink that our client had resigned. My client checked with one of the partners of the company and was informed that she could come back to work as a casual but it was too risky to employ her permanently in case it happened again.

Women who are terminated during their pregnancy not only lose income for that period, but they also lose all their statutory rights to maternity leave and the right to return to work. Nobody will give a pregnant woman with a big tummy a job. It just happens to be on the increase, I think. I've got some more case studies for discrimination against women when they're returning to work. The first one is a 34-year-old sales representative had worked for seven years for a large pharmaceutical company. She advised her employer of her pregnancy and later trained the locum replacement. Prior to her return from maternity leave she was told by her employer that changes had been made to the allocated geographical areas that staff could apply. They were told they could apply for the area closest to the area they had previously worked in. But my client was not given the opportunity to apply and her area was given to her replacement. The area she was given was too far away from home and involved a lot of country travelling, and with the young child she had no alternative but to resign. The employer then insisted she return her maternity leave payment because she had resigned within two years after taking maternity leave. When the employer advised the client that she had to reimburse the maternity

leave payment, she was well out of time to lodge an unfair dismissal application.

The second case study: the client worked for a very large global firm for five years which had a policy of guaranteeing employees a right to return to work part-time after maternity leave. While she was on maternity leave the company revoked this policy and retrospectively applied the new policy to our client. They offered her four part-time roles to choose from, all of which were for a fixed term of six months. The next one: a 28-year-old worked in accounting for a travel agency for four years. She became pregnant and had a baby. She was due to return to work on 4 December. On 1 December she received a call from work to say, "Don't bother coming back to work." There was no consultation or offer of other work. Two new staff had been hired as accounts payable officers. Our client was devastated because her husband was in China caring for his two elderly parents and could provide no income to help her, and her mother had just arrived from China to care for baby when she returned to work. An unlawful termination application was lodged at the conciliation. The employer argued operational reasons, even though this matter was not an unfair dismissal application. The deputy president convening this conciliation was not supportive of our client's application. Luckily the matter was successfully settled.

In another case, two weeks before our client went on maternity leave she had a performance review and as a result she was promoted to account director, which she was very happy about. When she returned to work after maternity leave she discovered that the annual salary was \$1,500 less than she was paid in her previous position. The last one is: whilst a client who worked for a large communications company was on maternity leave, there was a restructure within two groups merging our client's position and another client's position. Our client's job was given to the other worker and the other worker's job was made redundant. My client was informed of this change after the merger had taken place. She was told that she had to find another job for herself in the company and if there is no job she will be made redundant.

So whilst this is relatively a small sample, these figures are particularly concerning given that the notion of family and work-life balance is high on the political agenda in Australia today, and especially that women's rights in regard to pregnancy in the workplace and returning to work after maternity leave have been enshrined in legislation for decades.

We need to challenge the culture in Australia in regard to women's place in the workplace. What is the point of these laws when they are constantly being flouted? With the advent of WorkChoices, it became worse for women because of the hundred or less staff exclusion from unfair dismissal claims. If women worked for a large company, the employer relies on the operational requirements exclusion. There

is no avenue for a remedy for women in these situations under the Workplace Relations Act.

I have to say, I'm tired of young women ringing me crying and saying that they thought they had a right to their old job, or that they have just been terminated from their job when they announced they were pregnant. When designing a paid maternity leave scheme, one of the questions that need to be asked is, what happens when women are terminated when they are pregnant if paid maternity leave becomes a reality? How will that work? Will they be paid anything? Currently women in this position have no income and a baby on the way and no likelihood of getting a job until well after the baby is born. An ideal situation would be the government designing a scheme of paid maternity leave that will change the current attitude of many employers to women who are pregnant or want to return to work in their old job after maternity leave, especially if they want to return to work part-time.

MR FITZGERALD: Thank you very much, and thank you very much for supplying those case studies. I do look forward to receiving them in the submission. I might ask Angela to lead off, but I have a couple of questions too and I'll come back.

MS MacRAE: No, you go ahead.

MR FITZGERALD: A couple of conundrums I think for me: if we were to introduce a government-funded paid maternity leave scheme, in one sense - and just for a moment assume no employer top-up, so it doesn't actually cost them anything, it may well be that the level of discrimination continues or even grows in the sense that the employer can say, "Well, you don't need us any more, the government is going to pay you." So in a sense their obligation is even lessened a little bit.

MS McDONOUGH (WERP): Yes.

MR FITZGERALD: So I just pose in that scenario whether or not the introduction of a paid maternity leave will do anything to change the conduct of those employers who already are acting unlawfully. The second one, which a number of organisations have put to us, is one that includes not only a government scheme but a compulsory top-up by the employer. I suppose in that case my first comments are even more concerned, and that is in that case there's another reason not to in fact continue with pregnant women. So I was just wondering, the schemes would help the woman, there's no question about that. What's happened to your clients is appalling and therefore they would be better off by a government scheme, except in relation to the actual employment relationship.

MS McDONOUGH (WERP): That's right. I mean, I don't know how we're going

to get around this. I mean, there needs to be something done at government level to try and change the culture. One of my clients who's example I gave today that worked for the charitable organisation, she's an English lass and she says the problems don't exist in England like they do here, that she was really shocked that this happened; that you're just paid 90 per cent for the first six weeks and then you were paid the standard rate for the next 20 - this is in the UK - and that's the minimum. It's this "boysie" - I'm sorry - - -

MR FITZGERALD: That's all right.

MS McDONOUGH (WERP): - - - macho workplaces. A lot of these are huge companies that everybody here would recognise instantly if I told you who they were. They should know better. I understand small employers. I can understand that. Sometimes they're ignorant or there's not enough money or whatever. But big employers, they just don't want women coming back part-time, or if they're pregnant they start planning to get rid of them.

MR FITZGERALD: So in this case, just if I can make an assumption, in most of these cases would the women who were terminated or who resigned, would they have been entitled to paid maternity leave in those organisations?

MS McDONOUGH (WERP): No.

MR FITZGERALD: So the rationale being used by the employers is that the disruption to the actual work itself both through time taken and their coming back on a different arrangement was the motivating factor?

MS McDONOUGH (WERP): Yes.

MR FITZGERALD: Even if there was a paid maternity leave scheme, if that was their dominant reason for doing what they did, that would not have changed, would it.

MS McDONOUGH (WERP): No. That's the concern for me. I can't for the life of me think how we can address that just by the scheme. But there has to be some education that's more than just provided by HREOC and the ADB. Maybe it needs to be television, radio about women's rights so that we can get it into people's heads. I mean, you know, it's people in the street who, unless it effects them, don't care either.

MS MacRAE: Or probably don't know, I suppose, is the sort of thing. I guess it's one of those issues around, you know, do police think we're all offenders because that's the population they're dealing with. What proportion, or do you have a feel for

what sort of proportion of employers might be sort of flouting the law in this way? I guess with those big employers, do you get the sense that it might be individuals within those organisations rather than a whole of organisational culture that's leading to that sort of behaviour?

MS McDONOUGH (WERP): Well, sometimes it's an individual in the organisation, but - - -

MS MacRAE: I mean, presumably there's at least tacit approval.

MS McDONOUGH (WERP): Yes.

MS MacRAE: No-one is pulling them up about it.

MS McDONOUGH (WERP): Sometimes it's an individual, but then the company will stand behind them.

MS MacRAE: Right.

MS McDONOUGH (WERP): That's usually what happens. I can't remember the first part of your question.

MS MacRAE: It was more how typical do you think this sort of behaviour is. I know you've got hundreds of cases but I'm still not getting much of a feel for - - -

MS McDONOUGH (WERP): We get calls every day.

MS MacRAE: Right, okay.

MS McDONOUGH (WERP): Every day. The last call I had before I walked out and came here was return to work.

MS MacRAE: Okay.

MS McDONOUGH (WERP): The job was gone. They knew the law exactly. They were relying on the Workplace Relations Act, "We don't even have to give you a redundancy," and she's been there eight years.

MR FITZGERALD: In one of the proposals we've got - it may be also overseas as well - there's been a proposition that there should be a payment made by the government to an employer upon the return of the actual employee to work. There are payments that are suggested to enable the employer to actually replace the staff. Some people have said there should be some sort of contribution at that early point.

But one of the proposals in one of the submissions we've got is that there should be a payment, which effectively I suspect is trying to say you know, there's an incentive to actually get that employee back. Now, it's only one submission and I haven't looked at it in any great detail at this stage. But do you think with these sorts of employers that you're referring to, that sort of incentive would have any effect at all, or are they beyond being, to use a terrible word, incentivated or a better word, motivated to do the right thing?

MS McDONOUGH (WERP): Money is always a good incentive. It's a novel idea, I haven't thought about it. I mean, it's something in our Australian society, it's just got to take up. I mean, children of Australia belong to all of us. We've got to pay the tax to provide a good system so that these rights can be enshrined and everybody is happy with it. You know, if you talk to people from Europe, it's a fait accompli. They're all happy with it. They pay higher tax, they get the service for it. They get these rights. But it's how we're going to turn around our Australian people. You need to turn around the people as well as the employers. They need to be turned around to understand that this is a good thing.

MR FITZGERALD: Yes.

MS McDONOUGH (WERP): I know one of the rationales for paid maternity leave is to keep your trained people, but here you've got a system where there's no maternity leave paid and an employer is not asked to pay and they don't care, in some places. They're not interested, the fact that they've just lost - with this last one this morning, after eight years' service. You might have had them and they've worked for 12 years and 17 years and 18 years.

MR FITZGERALD: What some people have said to us, and we've been trying to grapple with this issue, is that the issue of paid maternity leave in particular, parental leave more generally, has a value beyond simply providing income support for the individuals involved, which it obviously does, but that it actually would aid in changing the culture; that is the culture of accepting women as mothers as well as women as workers, which is a very noble - and I say that in the absolutely right sense of that word - aspiration. I suppose the question I've got for you is, given that you're dealing with the hard edge of this, is it more than a noble aspiration? Would it actually make a difference, given that you believe that this is a society-wide issue, or to what extent would it contribute to making the change, I suppose is my question.

MS McDONOUGH (WERP): I was hoping that the paid maternity leave, if it was designed in such a way, that it would change employers. But I'm not positive about it at all. That's why I think that some sort of education has got to happen; you know, loud, noisy education so that people understand that it's so important. You can't talk about the fact that there's a chronic shortage of workers and at the same time do this

to women. I think women are a long way from sharing the workplace equally. People, like taxi drivers, have asked me or said to me, "Well, you know, a women's employment rights project? What's fair about that? What about the blokes?" But the thing is, men don't get pregnant and that's the difference. It's a big difference for women working and having children.

MR FITZGERALD: The other issue - and it has come up - this issue about discrimination against women. I mean, one of the issues we're also mindful of, that any scheme that is developed - somebody yesterday was very clear about this: one of the things has to be that it doesn't increase the capacity, you know, the motivation for discrimination, of employing women generally, which is the issue we've been talking about here.

MS McDONOUGH (WERP): Yes, they get smarter.

MR FITZGERALD: Yes, so they don't employ women in the first place. That's right. Although the contra view to that is that in a tight labour market the capacity for employers to be so able to discriminate, to be picky, to use a simple term, is reduced. But I'm not sure. I'm not sure.

MS McDONOUGH (WERP): No, I don't understand that at all. It doesn't seem to be happening. I find it quite alarming. I didn't really become aware of it until I went to work at Working Women's, and that's when I suddenly realised that this is a real problem, that these laws have been enshrined for decades and this is going on every day. Every day you get these calls and crying and upset and, "What am I going to do, they've just sacked me." Up until 2006 at least a quick way was to go to the Industrial Relations Commissions and now you can't, so you've got to go the long track with the discrimination jurisdictions who I have to say are excellent. I think they're excellent organisations. But it's slower. It's more intensive. You can't run down to the court for an hour and sort it, which you can in the industrial commission.

MR FITZGERALD: All right. Well, that's been very helpful. Again I seriously will welcome the case studies that you've got, and if you've got any others - - -

MS McDONOUGH (WERP): I've got dozens of them.

MR FITZGERALD: Got dozens as well. Those that are indicative of the issues, because I tend to think those sorts of example really highlight for us a couple of very important issues, but in a very clear, stark way.

MS McDONOUGH (WERP): Yes.

MR FITZGERALD: The answers become less clear, I might say, the more I think

about this.

MS McDONOUGH (WERP): I know, that's my problem too. I will endeavour and talk to my colleagues and see if we can think up some way that paid maternity leave will assist the culture; the bad culture or get rid of the bad culture.

MR FITZGERALD: Sure, and there may be, as you talk this through with your colleagues, there may be some design features either in the actual scheme itself or related to these issues that, you know, could be beneficial.

MS McDONOUGH (WERP): Yes.

MR FITZGERALD: There is no silver bullet and nobody expects there to be.

MS McDONOUGH (WERP): That's right.

MR FITZGERALD: But people do believe that this sort of issue is significant in reshaping the culture of the employment of women, or for the employment of women in Australia. Whether that's well-founded - - -

MS McDONOUGH (WERP): I hope it is.

MR FITZGERALD: - - - or too optimistic I'm not sure. Thanks very much for that.

MS MacRAE: Thank you.

MS McDONOUGH (WERP): Good. Thank you.

MR FITZGERALD: If you could give your full names and the organisation that you represent.

MR McDOUGALL (NCYC): James Duncan McDougall from the National Children's and Youth Law Centre.

MS WATERHOUSE (NCYC): Sarah Waterhouse, also from the National Children's and Youth Law Centre. I'm a student intern.

MR FITZGERALD: Great. Well, James and Sarah, over to you. You know the drill well and truly.

MR McDOUGALL (NCYC): We're going to divide the tasks up and I'm going to give a brief overview of the centre and the approach that we've taken in the submission in general terms, and then Sarah as the principal author of the submission is going to speak to the actual application of that process to the issue and then we'll see how we go. I might have some further comments to respond.

MR FITZGERALD: That's good.

MR McDOUGALL (NCYC): The National Children's and Youth Law Centre, as you may be aware, is a community legal centre that is committed to promoting the rights of children in Australia. Historically we have evolved a little since we began, so that now we focus on delivering services directly to children and learning from that in terms of looking at policy that impacts on children and doing advocacy around those particular issues. Our policy development I suppose is still in the area that we are learning. The fact that we are here is probably a new experience for the centre. But it comes from our focus principally on understanding and learning how to present a child rights framework and to use it in looking at relevant policy issues. So we are recognising that a child's experience is in fact quite broader than the legal issues that we confront would indicate.

From the beginning the centre was established, we've had the United Nations Convention on the Rights of the Child as our framework document. The centre in fact was established in some of the early enthusiasm that surrounded that Convention. We've kind of stuck to it, and it's probably not as widely or as enthusiastically received these days as it was perhaps in the early 90s, but we're still champions, I suppose, of it. More particularly we have monitored the way that the Convention is used in an international sense and recognise that in Australia we're actually playing catch-up; that a child's rights framework is quite a recognised framework for examining policy as it relates to children. That's something that is relatively rare in Australia. It's a challenge for us because it means that we have to start to rethink a lot of the issues that public policy debate concerns itself with in

Australia. But from our perspective, it produces some really exciting opportunities and this is one of them.

Sarah is going to talk a little bit more about the kind of issues that are brought out by using the child rights framework. But in looking at the issue of parenting leave, it's about making sure that at the centre of your attention is a comprehensive examination of how you would protect the interests of children and recognising that the Convention itself is a comprehensive tool; that it's not just a document used by lawyers, it's a document that covers all the various parts of the child's experience: their health, their development, their education, their interaction with processes, decision-making processes, particularly those that effect them. So it is that we see that the issue of the first 12 months of a child's life is incredibly important.

We spend most of our time working with children at the other end of the spectrum, so this does become for us a more hypothetical exercise, but it's one that we are still learning from. But one of the things that we also do is look at the broader context of Australia's implementation of the Convention and recognise that the measures that Australia puts in place for providing for child care, child protection, an appropriate education system and then training for a child to enter adulthood and full adult citizenship are all opportunities to kind of re-examine the issues that we deal with on a day-to-day basis. That's enough from me in terms of introduction. Now can I ask Sarah to address you in terms of how that framework applies to parenting leave.

MS WATERHOUSE (NCYC): I'm not sure if you've got the copy; we sent through a draft copy of our submission. It's obviously quite lengthy and runs to about 11 pages so I've pulled out what I see as some of the salient points and will highlight those today.

MR FITZGERALD: Please. You'll just have to speak up a little louder.

MS WATERHOUSE (NCYC): Sure. Noting the themes identified in the commission's issue paper, our submission speaks primarily to the potential impact of paid parental leave on "the development of young children and supporting families to balance work and family responsibilities". As James just noted, the centre is obviously offering a child rights analysis of the public policy arguments for paid parental leave. A child's rights analysis emphasises children's interests and their inherent value and places these centrally to, in this case, the discussion on parental leave. As again noted, this is grounded in the United Nations Convention on the Rights of the Child. An infant's right to be cared for by their parents can be seen as a central proposition. Specifically this is articulated in Article 7 of the Convention.

In conjunction with the Convention on the Rights of the Child, we note the

direct relevance on the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW; the International Covenant on Economic, Social and Cultural Rights; International Labour Organisation guidelines and World Health Organisation guidelines. I note that these have obviously been raised by various different submissions. With respect to the public policy arguments that support paid parental leave, in our submission we focused on maternal and child health, child development and the wider community. I have pulled out the salient points for each of those areas.

Maternal and child health: paid parental leave through the provision of a financially supported period of time following the birth of a child allows a new mother sufficient time to recover from the pregnancy and birth. Furthermore it could be argued that improvements to maternal health consequentially improve child health and development outcomes by increasing maternal capacity to provide adequate care and also by helping to create an optimum environment in which to foster bonding and attachment. The most significant and direct benefit to child health in terms of physical health from paid parental leave may derive from the expected increase in breastfeeding initiation rates and the overall duration that a child is breastfed. A recent Australian study, which is fully referenced in our written submission, highlighted the negative effects of both full-time and part-time work on breastfeeding rates. At the most extreme in terms of consequences for child health is infant and child mortality. As noted in the Issues Paper in a study across 18 OECD countries, Tanaka found that the extension of weeks for job protected paid leave has significant effects on decreasing infant mortality rates. That particular is cited in the issues.

Child development: paid parental leave also helps ensure optimum child development by providing families with the genuine choice and opportunity for one parent to remain at home with their child during those first formative months of life. For young infants in particular, positive parent-infant attachment, attunement and emotional regulation provide the foundations for healthy physical, emotional and neurological development. The consequences for poor attachment can be long-term and risk negatively effecting children's behaviour and later learning capacity.

For those parents who may be experiencing additional problems, for example postnatal depression, the alleviation of financial stress and the additional time and opportunity to bond with the new baby would appear particularly important and may help ameliorate some of the behavioural problems which are later found in children affected by parental depression. Studies of children in child care settings tend to indicate amongst other things higher cortisol - which is a stress hormone - levels, a greater tendency towards aggressive behaviour and problems with parent-infant interactions. These effects are particularly evident or particularly profound the younger the child and the longer the hours they spend in child care. Whilst outside the immediate ambit of this inquiry, which seems to have kind of come down to paid

parental leave, the centre also supports those policies that help to ensure high-quality child care, which I think James canvassed earlier, for those who need or want to use this option. It's stating the obvious, but prevention is obviously preferable to intervention. We believe that paid parental leave can fairly be considered a policy that supports prevention by providing assistance to parents and families from the outset.

Wider community: the potential wider benefits to the community as variously described in many of the other submissions include increased gender equality, greater paternal involvement, public health savings, and also the expected intergenerational, or sometimes called social capital, benefits. These benefits both directly and indirectly create a more positive community environment for children. An extended and universal model of paid leave can be one that values and supports children as well as their parents and the wider community, and it can also reasonably be expected to meet the desire of many parents who want to care for their own children.

In our submission we did look briefly at the international trends in the area of paid parental leave. A point that has already been reiterated on multiple occasions, but it's an important one nonetheless, is that Australia and the United States stand alone as the only OECD countries still failing to provide paid parental leave. We also think it's relevant to reiterate the preference for and viability of longer lengths of leave in countries such as the United Kingdom and Canada, particularly because of their comparable socio-political backgrounds.

The United Kingdom, as you're probably aware, provides 39 weeks of paid maternity leave and I believe there's an intention to increase that to 52 weeks by 2010, whilst Canada provides 52 weeks of leave, and that's 55 weeks in Quebec. Countries such as Sweden and Finland stand apart for their generous models of parental leave: 15 months and potentially up to three years on a subsidised stay-at-home allowance respectively. When viewed against this background, Australia's current policy for 12 months of unpaid parental leave - and even then it's only for those meeting the requisite employment criteria - is not a policy that we believe is meeting the needs of Australian children, their parents and the wider community. Children and their families have a right to better recognition and support.

In summary we conclude that a child rights analysis supports paid parental leave. Our proposed model which is set out in more detail in our submission is a government-funded one that would be universally available upon the birth of a child; would be paid at the federal minimum wage for 12 months and it would replace the current baby bonus scheme. Some other details which I think are perhaps slightly different to those raised in other submissions: subject to administrative

considerations, it might be desirable to have entitlement depend on fulfilling basic criteria - to ensure, for example, a child's regular attendance at an appropriate health clinic - and that parents receive information and also support from appropriate health care and parental support services.

We considered this issue of paid maternity versus paid parental leave. We concluded that it may be appropriate to set a presumption that for the initial 14-week period the allowance be payable to the birth mother to provide optimum support for maternal health and breastfeeding objectives. But then to ensure non-discrimination to a child's family status and situation and to promote paternal involvement, each of which are identifiable child rights objectives, the leave should otherwise be available as paid parental leave.

MR FITZGERALD: Good. Thank you very much. That's very helpful from our point of view, and it's again - today we've had a number of submissions that have concentrated on the child and yours is an important contribution to that. In relation to the Rights of the Child, and you refer to the covenants in relation to those rights, I suppose the question is, can you achieve those rights through other mechanisms other than a paid parental scheme? What makes the paid parental scheme the best or most effective way of achieving those rights? I'm not saying they're not, I'm just simply saying that rights don't tell you how, they simply tell you why or what objective is to be met. I'm just wondering why you believe that, or just rearticulate why you believe that a paid parental leave scheme, the one you've outlined, best achieves those rights in the Australian context - given as you rightly say we don't have them, we haven't had it and some people probably continue to believe that we shouldn't. So I just wondered.

MS WATERHOUSE (NCYC): I think it will very much depend what kind of paid parental or paid maternity leave scheme is potentially put in place as to how well it will actually meet the rights we're talking about. I think that that's particularly important to bear in mind if you're considering for example something like a 14-week scheme. While that's clearly better than what we have now, we would argue that that is simply not long enough; that if you're going to link that to employment conditions, that it doesn't provide the necessary universality. Obviously our main objectives in terms of the scheme we were looking at were universality, and also this really extended length of time.

So in considering the issue in some detail, that scheme that we propose we believe will reasonably meet those rights. Certainly I hear what you're saying: could there be other ways to ensure those rights are also upheld? I think our current system is clearly not doing that. I think what we're proposing would go a long way towards doing so.

MR McDOUGALL (NCYC): I think that there are a couple of comments that I would make. One is that one of the things that the Convention does is that it starts from the presumption that the family is the most appropriate caring situation for a child and calls on appropriate support for the family. So I think the proposition that you put is actually quite challenging because it does - from the Convention's point of view, you have to ask is there an alternate? Is there a more appropriate method? That's where I think we recognise where we are historically in Australia, and the provision that is made for the care of children. We do have probably one of the best universal health schemes that does provide for most but not all children. We have standards of living generally speaking that are relatively generous. But we still have identifiable problems that have not been adequately addressed. I think that what brings us as Australians to realise is the importance of those early years. I think that there is increasingly a lot of attention being given to that in terms of advocacy from the scientific and health community, so that's something that we also need to respond to. I think the work of organisations like NIFTeY and ARASEY are giving appropriate attention to that.

I also think that on a longer-term basis that we are going to understand some of the economic consequences of that for the wider community; that those benefits of providing within the context of the family the best possible supports, there's also to ensure that those other mechanisms are going to address where children are still suffering - and there are some fairly obvious examples of that - that I think does lead us to say well, parenting leave is only going to be part of the answer. But it does seem to be a pretty important step to take at this time. I think we would argue that it's only a first step and that's part of the reason why we are proposing that we think about a universal scheme; a scheme that lasts for 12 months rather than just 14 weeks.

But also necessarily it needs to be linked in with mechanisms that deal with children of parents who may not be in employment. That's going to be another significant issue; particularly children of indigenous parents, is going to be a significant issue, particularly with the levels of unemployment experienced by that community. But also to think about how we think about the consequences for what happens to a child - not just the parents, but the child - at the end of the period of leave entitlement. I think there are some interesting debates around at the moment about linking benefits. I'm not sure whether those debates are happening sufficiently in the context of what is in the best interest of the child, but I think once again that it's an important start. I suppose I struggle to see that this mechanism cannot be an improvement. Having said that, I think it needs to be evaluated.

MR FITZGERALD: Sure.

MR McDOUGALL (NCYC): I think you always need to recognise that

entitlements have unintended consequences. One of those consequences might be we introduce a scheme of leave entitlement but we do find that the benefits to children at the time that entitlement ends start to fall away quite dramatically. That's going to be another challenge.

MS MacRAE: I guess one of the questions in my mind, though, was that if you're most concerned about the children that are most - I was going to say at risk, that's probably too strong a word in this context, but those that might be the most disadvantaged out of the current arrangements, what's the benefit do you see in having a universal payment rather than maybe targeting something more specifically at those that are missing out, is the first part of the question. The second part is, are there benefits for children, do you think, in having a scheme that has - while you're talking about universal, that is including those outside the paid workforce, do you see benefits for children in having a scheme as some of them that have been put to us suggest that has links to the paid workforce and that if a mother in particular is connected to the paid workforce at the time of the birth, that she may be entitled to something more or different from those that are outside of it.

MR McDOUGALL (NCYC): I think the question of universality is an interesting one. I think that it is something that does seem to be something that works better in an Australian context. You look at health care and see what's happened there. I wouldn't disagree that that isn't going to be substitute for targeting responses as well. But from the principled starting point, I think that it is the logical starting point. I think I'd love to know more about what the long-term consequences are, but I don't feel confident enough to make assertions in that area. Did you want to add more?

MS WATERHOUSE (NCYC): Yes, just a couple of comments. We - and I think we managed to do this in our final submission. What we didn't include in our model is that for those parents, those women perhaps appropriately, those women who are employed, that obviously included with this is the retention of your job after that 12-month period. We didn't specifically state that.

MR McDOUGALL (NCYC): No, it's implicit.

MS WATERHOUSE (NCYC): Yes, it's implicit but perhaps we should have made it explicit. So obviously, you know, your job is still there if you're employed. The kind of scheme we're proposing obviously offers benefits to everyone. So at the moment the current baby bonus, I believe it calculates at something like 11 or 12 weeks if you worked it out at a federal minimum wage. So in terms of supporting parents and supporting all parents, the kind of model where it's quite considerably greater support and we believe that greater support is warranted when you consider the kind of public policy considerations that we raised.

MS MacRAE: Is that primarily an income issue? That's really the heart of my question. Do you see the benefit to the child out of that the fact that there's more income coming to the family which then allows a longer duration of leave, and if that's the case - I mean, is that one of the objectives, I suppose, for your scheme? I'm taking it as an implication that it is, that you're saying that the longer - if the rights of the child say that the parents are the best possible carers for that child that allowing a higher level of income that allows a greater period out of the workforce will provide the biggest - or is one of the best ways; why you've structured the scheme the way that you have and you'd be expecting to see longer periods out of the workforce as a result of your model.

MR McDOUGALL (NCYC): Mm.

MS MacRAE: Have you chosen 12 months as the basis there because you think that that's particularly critical from a child development point of view, because we did hear that from NIFTeY earlier. Is that one of the issues for you, or you're not taking a view on that? I mean, I'm interested to explore the 12 months; what drove you to the 12-months duration?

MR McDOUGALL (NCYC): Partly being aspirational and pushing beyond. Because of our view of the centrality that children should have in the debate, but also informed by the evidence which says the first 12 months are so important and that if you are going to provide the value that it is provided for a reasonable period so that you can gain the benefits in terms of the child's development. So I think that it's probably a combination of those factors that have produced that position.

MR FITZGERALD: Just a question. I think, Sarah, you made a comment that perhaps there is some conditionality that could be attached to the payment. I think you mentioned about attendance at health clinics and perhaps other issues. I'm interested to explore what you have in mind with those and how conditional would the payment actually be, or is this an encouragement to access those services? Another comment I'd make: you're right, the terms of reference are clearly largely focused around paid leave, but it's actually a broader inquiry. It's about support of parents with children under the age of two. So we are keen to look at some other aspects. Clearly we won't do so with the intensity and scrutiny that we are to the paid leave issue, but we are interested in a slightly broader set of issues that go to, as I say, supporting parents with newborn babies. But just back to the conditionality.

MR McDOUGALL (NCYC): It's partly an awareness of the fact that in giving priority to children, and that in the current public debate there are rare opportunities, but opportunities to do that, that we want to focus attention on that this is ultimately going to be for the benefit of the health and development of that child; a recognition that all of us can still learn better practices in that area. So once again, it's

aspirational in the sense that the best knowledge about how you care for a child is never ending to some extent, and that we want public policy to address that.

It's also from a more dramatic point of view something which I think is in the public arena in the context of indigenous children and welfare payments. I think there is an argument there that if we're going to be doing that to the indigenous community, we need to be thinking about the fact that there are children from non-indigenous communities who would benefit from a clearer linking, a clearer examination of their health and development and that this may be - may not be - it may be an opportunity to do that. The other point I'd make is to once again say that we want there to be a stronger attention given to the interests of children so that there will be more attention paid by the wider community to how that might occur. That comes back to Pat's point earlier, that she would like employers to show a better respect for mothers and working mothers. So in the same way we would say well, we want employers and the wider community and public policy makers to actually turn their mind to what are the best child-friendly, child-supportive practices that you can introduce and that we don't know necessarily what they are, there will be people out there who will develop those practices, and there probably needs to be a recognition of a degree of flexibility which I think is something we've touched upon in what we've considered. But that they are the type of issues that we think it's really important to address, and this is an opportunity to do that.

MR FITZGERALD: I suppose - and I notice the caution in your comments about whether they would or they wouldn't work and whether they're appropriate or otherwise. I share all of those. I suppose the one question would be that in one way the indigenous proposals, or the proposals that are now in place in three indigenous communities around Australia - Cape York, the Northern Territory and North-West Western Australia - are in a sense experimental so we might learn something. But also in a sense they're targeted. Now, whether they're targeted well or otherwise, maybe those evaluations will give us an insight into that. I presume what you're suggesting is broader than that, perhaps. That if you were to have a government-funded parental leave scheme, any conditionality would be again universal rather than targeted. Would that be the starting point from your point? So the payment is universal but so too would be the conditions.

MS WATERHOUSE (NCYC): Absolutely.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: Okay. Well, that's very challenging.

MR McDOUGALL (NCYC): Yes. We recognise that.

MS MacRAE: I think you arrived later than one of the presenters we had today that was talking about the role of fathers. I'd just be interested in your view, that you do talk about the possibility of being able to share some of the leave. But in a number of submissions, and again from the fellow we were talking to earlier today, there's a concern that unless paternity leave is actually separately identified and quarantined that fathers don't take it and employers won't offer it. So I just wondered if you had a view on that. I mean, the presenter this afternoon was talking about the importance, that while there's an awful lot of attention paid to the attachment and bonding between mother and child and in fact children do well and there's an importance also to be placed in and of its own right between a father and a child, or potentially another prime caregiver, whether you've got a view about that in the design of a scheme, whether you would think about maybe quarantining some part of leave for a father.

MS WATERHOUSE (NCYC): A sort of use it or lose it type, I think that was discussed yesterday.

MS MacRAE: Possibly, yes.

MR FITZGERALD: Possibly. I might say that if you're talking about a scheme as long as 52 weeks, I think we'd acknowledge that a fair share of that would in fact be able to be taken according to the family's own desires. It's really those early periods and clearly I think most people have said, and I think you have too, that you might quarantine some weeks for the mother.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: But the question is, should you quarantine some weeks, albeit a much smaller period of time, for the father or other carer?

MS WATERHOUSE (NCYC): I think the other way obviously of doing that is offering in conjunction with this, in an ideal world, an amount, whether that's two weeks or longer, of paternity leave that is only that and that it's a use it or lose it. I think there are sound reasons to do that early on, both for the father's involvement with the new baby and also to support the mother and to allow that kind of family bonding. So perhaps that's another way of doing it, is offering it in conjunction with.

MR FITZGERALD: But early, is your point.

MR McDOUGALL (NCYC): Yes. Our understanding of what scientific evidence there exists at the moment stresses the importance of the link between the mother and the baby during those early weeks. So that's obviously something that we feel we have a degree of knowledge on so we can propose.

MS MacRAE: Yes.

MR McDOUGALL (NCYC): Beyond that, I don't think we know. Having said that, I had a conversation with someone earlier today about a mentoring scheme and the person made the point that both young girls and boys, particularly from disadvantaged families, lack male role models and whenever there is a male role model, they are pounced upon. So that's something that I am keenly aware of in terms of the entire experience of childhood, and I think there is some emerging evidence about that. I'm not sure that that evidence exists to the same extent during the first year.

MR FITZGERALD: Yes, I think that's right.

MS MacRAE: Yes.

MR FITZGERALD: Richard Fletcher who presented just after lunch made those comments. He thinks that the research is increasing both in terms of the quantum of research, but also the evidence from that research that the father-child bond and attachment is much more critical than we've given attention to up till this stage. But he also acknowledged that in terms of the actual volume of research it's still significantly less than what we know about mothers and their attachment and bonding arrangements with their children.

MR McDOUGALL (NCYC): Yes.

MS WATERHOUSE (NCYC): Can I just add something else in there.

MR FITZGERALD: Sure.

MS WATERHOUSE (NCYC): In terms of the 52 weeks we're proposing, and you were sort of saying would you consider using part of that, quarantining part of that. From a child rights perspective, I think one of the quite valid considerations is that where paternity leave is available there are - and there's a lot of reasons for this, but it is so difficult often to encourage men or to have workplaces encourage their male employees to take that, that it would be sad for a child to miss out on some of those 52 weeks of having a parent there - if it was a use it or lose it for example, that some of that leave would be lost - it would be sad from the child's perspective if it wasn't taken.

MR FITZGERALD: That's true. Although I presume that if you had a paid scheme of 52 weeks what would seem to be the case is that many families would extend that by taking half pay and whatever else.

MS WATERHOUSE (NCYC): Sure.

MR FITZGERALD: So the actual number seems to be variable. Although we want to explore that a little bit further because that may not be so much the case with lower-income families where if you're paid for 52 that's exactly what you get, and if you're paid for 12 that's exactly what you get. So we'll just see.

MS WATERHOUSE (NCYC): I guess my point was I think encouraging fathers to take leave is incredibly important, but I'm just not sure that penalising - - -

MR FITZGERALD: Sure. Yes.

MS MacRAE: You don't want it to end up being a penalty on the child.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: Yes. I understand that. Any other questions? Any other final comments that you might have?

MR McDOUGALL (NCYC): I suppose the only other comment I was going to make was, in being conscious that we are sitting here before you as advocates but not trained economists, but to indicate that we feel that there is actually a gap in the available evidence and the available data on looking at the productivity value of children, to look at what the long-term benefits, the longitudinal data would reflect in terms of the value to the community of implementing a whole range of these ideas. It's not something that once again is within your power to address.

MR FITZGERALD: No. Although what we will be trying to do in this inquiry is to - this is not just an economically driven inquiry, obviously; it's one that looks at the economic and social impacts more broadly. But we do want to get a bit of an economic understanding of what the impacts of these schemes are likely to be. We are already very conscious of the long-term economic implications of having or not having children and the wellbeing of children. One of the challenges, however, is to what extent one is confident about the cause and effects.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: I mean, you can make assumptions that if this were to happen, you know, this would be the impact in economic terms for Australia's long-term labour force participation rates and economic status.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: The more difficult question is, what is it that would achieve that particular change.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: So I go right back to the point. So that's really the greater challenge. Hopefully at the end of this inquiry, if nothing else we will have given some exposition to those issues.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: But I just want to make the point, which we have, whilst economics plays a role in this and an important part, it's only part of the overarching sort of framework by which we're considering these issues. But it will be challenging.

MR McDOUGALL (NCYC): Yes.

MR FITZGERALD: It's good. Sarah, any final comments?

MS WATERHOUSE (NCYC): Yes, look, I was here obviously yesterday listening to some of the oral submissions. I know it came up, you discussed the signalling that can be involved with a scheme like paid parental leave and it was talked about how important it is in terms of valuing workers and valuing mothers and also obviously valuing parents. I would just add - and I say this also as a mother personally - that it's also about valuing children. I think that is so incredibly important.

MR FITZGERALD: I think that's a really interesting observation you've made. It is interesting that as we've gone through this, people have entered this debate from very different points of view, all of which have validity. But one of the things that's been pleasing I think today has been a reconcentration of attention back on the child. Undoubtedly that will happen right through the inquiry, so we take on board that point. It is interesting, I might say, how people approach this particular issue; some very much from workplace attachment issues, workforce attachment issues, maternal wellbeing and also, hopefully, a child welfare issue. Thanks very much for that, we appreciate it. You're the last for the day. I just want to say thank you and thanks to Zidan and Ralph and others for their help, and yourself. Thank you very much. We now adjourn the hearings until we reconvene in Adelaide next Wednesday.

AT 3.34 PM THE INQUIRY WAS ADJOURNED UNTIL
WEDNESDAY, 28 JUNE 2008

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