#### **INVESTMENTS IN WOMEN**

# Subject/Issue

The Government's through the 2024-25 Budget support priority areas of *Working for Women: A Strategy for Gender Equality.* 

# **Key points**

- Working for Women: A Strategy for Gender Equality (the Strategy) provides a framework for Government action over the next 10 years, and will inform policy and decision making through future Budgets.
  - The Women's Budget Statement (WBS) is aligned to the Strategy and outlines the actions and investments made by Government to achieve progress under the Strategy's five priority areas.
  - NB: The WBS is part of reporting framework for Working for Women (along with annual Status of Women Report Card and portfolio Annual Reports).

# Investing in women's safety

- The Government is providing an additional \$1.1 billion in the 2024-25 Budget to support women's safety and deliver the *National Plan to End Violence against Women and Children 2022-2032.* This puts investment since October 2022 at \$3.4 billion.
- \$925.2 million over five years to establish the permanent Leaving Violence Program to help people experiencing intimate partner violence with the costs of leaving that relationship. (BP2, p.176; WBS, p.18)
- \$44.1 million in 2024-25 to support the National Legal Assistance
   Partnership and Family Violence Prevention Legal Services, including one year indexation supplementation to the funding for Legal Aid
   Commissions, Community Legal Centres, and Aboriginal and Torres Strait
   Islander Legal Services, and additional funding to address community legal
   sector pay disparity. (BP2, p.51; WBS, p.22)
- \$19.4 million over two years to establish an independent National Student Ombudsman to help eradicate gender-based violence from universities. (BP2, p.63; WBS, p.27)
- \$18.7 million over four years to establish a National Higher Education Code to Prevent and Respond to Gender-Based Violence.
   (BP2, p.63; WBS, p.27)

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- \$13.1 million in targeted investments to support refugee and migrant women. This comprises:
  - \$7.0 million over two years to extend domestic and family violence prevention initiatives for refugee and migrant women as part of the Settlement Engagement and Transition Support program. (BP2, p.138; WBS, N/A)
  - \$6.1 million over four years to maintain specialised visa support for temporary visa holders experiencing domestic and family violence. (BP2, p.176; WBS, p.27)
- \$11.7 million over two years to extend the First Nations Family Dispute Resolution pilot to establish new culturally safe and appropriate family dispute resolution service models. (BP2, p.48; WBS, p.22)
- \$6.5 million in 2024-25 for a pilot of age assurance technology to support the Government's efforts to protect children from harmful online content, including online pornography. (BP2, p.150; WBS, p.20)
- \$9.6 million over five years to further support policy advice to Government end gender based violence. This includes:
  - \$4.3 million in 2024-25 to commission Australia's National Research Organisation to further build the evidence base on pathways into and out of perpetration of family, domestic and sexual violence. (BP2, p.157; WBS, p.15)
  - \$3.9 million over four years from 2024-25 (and \$1.0 million per year ongoing) for the Office for Women (part of the Department of the Prime Minister and Cabinet) to assist in coordinating whole of Government efforts relating to women's safety across portfolios. (BP2, p.157; WBS, p.15)
  - \$1.3 million over two years from 2023-24 for a rapid review of targeted prevention approaches to violence against women, with a panel of experts to provide advice to government on preventing gender-based violence, including a focus on homicides. (BP2, p.157; WBS, p.15)
- \$1 billion directed towards crisis and transitional accommodation for women and children fleeing domestic violence, and youth under the National Housing Infrastructure Facility. (BP2, p.75; WBS, p.24)

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# Cost-of-living relief and support for women's economic security

- All 6.5 million Australian women tax payers will get a tax cut from 1 July 2024, with an average benefit of around \$1,650. Around 90 per cent of women taxpayers receive an additional tax cut of \$707 on average compared with the former Government's legislated tax cuts.
   (BP2, p.12-13; WBS, p.44-45)
  - The redesign will also increase incentives to participate in the labour market, especially for women, with Treasury expecting a boost of 630,000 additional hours per week worked by women.
- \$1.1 billion over four years from 2024-25 (and \$0.6 billion per year ongoing from 2028–29) to pay superannuation on Government-funded Paid Parental Leave for births and adoptions on or after 1 July 2025. (BP2, p.166-167; WBS, p.61)
  - In 2022-23, around 66 per cent of Government-funded PPL recipients were women.
  - Paying an annual superannuation payment of 12 per cent on the full partnered entitlement of 22 weeks will increase a median earning mother's superannuation balance at retirement by around \$4,250, or 1.15 per cent. [NB: in the 26 week scheme from July 2026, there will be 4 weeks reserved for each parent so maximum entitlement is 22 weeks unless single].
- \$1.9 billion over five years from 2023-24 (and \$0.5 billion per year ongoing from 2028-29) to increase Commonwealth Rent Assistance maximum rates by 10 per cent from 20 September 2024 to help address rental affordability challenges. (BP2, p.167; WBS, p.19, p.47-48)
  - This will support single women households, who are 51 per cent of households eligible for the maximum Commonwealth Rent Assistance rate, compared to 27 per cent who are single men households.
- \$239.7 million over five years from 2024-25 (and an additional \$250.5 million from 2028-29 to 2034-35) to limit the indexation of Higher Education Loan Program (HELP) debt to the lower of either the Consumer Price Index or the Wage Price Index, effective from 1 June 2023. This will benefit women, who hold the majority of HELP debts.

  (BP2, p.63; WBS, p.48)

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#### Valuing care

- \$427.4 million over four years from 2024-25 (and an additional \$1.2 billion from 2028-29 to 2034-35) to establish a new Commonwealth Prac Payments of \$319.50 per week from 1 July 2025. Tertiary students undertaking supervised mandatory placements as part of their nursing (including midwifery), teaching or social work studies will be eligible. (BP2, p.62; WBS, p.40)
- \$87.2 million over four years in initiatives to support, attract and retain aged care workers. (BP2, p.112; WBS, p.39) [Note this is comprised of two measures in BP2 \$65.6m to attract and retain aged care workers + \$21.6m to facilitate growth of the care and support workforce in thin markets]
- The Government has committed to funding the final decision of the Fair Work Commission to increase the award wages of many aged care workers, a highly feminised industry, building on the \$11.3 billion already provided for wages increases. The Budget also includes a provision to deliver on the Government's commitment to provide funding towards a wage increase for early childhood education and care workers, with details to be finalised following Fair Work Commission processes. (BP2, p.86; WBS, p.39)
- \$18.6 million over five years from 2023-24 (and \$3.1 million per year ongoing from 2028-29) to modify the Carer Payment participation limit, from 25 hours per week to 100 hours over a four-week period, and remove travel time, education and volunteering from the work limits. (BP2, p.166; WBS, p.32)
  - Around 31,000 Career Payment recipients earn income, including over 25,000 women.
- \$13.9 million to provide and improve parenting support through the Raising Children Network, the Fathering Project and the Brave Foundation's Supporting Expecting and Parenting Teens Program. (BP2, p.168-169; WBS, p.38)

# A gender equal workforce for a future made in Australia

• \$38.2 million over eight years from 2023-24 (and \$1.3 million per year ongoing) to provide funding for a range of STEM programs to increase diversity in STEM education and industries. (BP2, p.73; WBS, p.50)

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• \$55.6 million over four years from 2024-25 to establish the Building Women's Careers program to drive structural and systematic change in work and care training environments. (BP2, p.73; WBS, p.50)

# Investing in women's health

- There is over \$160 million of key investments in women's health through the 2024-25 May Budget. Key investments include:
  - \$56.5 million to implement the remaining recommendations from the *MBS Review Taskforce – Participating Midwives* report, to promote flexible, high-quality and tailored maternity care. (BP2, p.129; WBS, p.71)
  - \$49.1 million to add longer specialist gynaecological consultation items to the Medicare Benefits Schedule, supporting women with complex conditions such as endometriosis, chronic pelvic pain and polycystic ovary syndrome. (BP2, p.129; WBS, p.67)
  - \$56.1 million over four years in a package of health measures to improve women's health across the life course, including:
    - \$12.5 million over four years to provide free menstrual hygiene products to rural and remote First Nations communities. (BP2, p.132; WBS, p.68)
    - \$7.0 million over four years for the development of miscarriage education and awareness resources, including a public awareness and education program and delivery of bereavement care services. (BP2, p.132; WBS, p.72)
    - \$6.0 million over two years to support Primary Health Networks (PHNs) on the central coast to provide trauma-informed healthcare for women and children experiencing domestic and sexual violence. (BP2, p.132; WBS, p.25)
    - \$6.7 million over two years from 2024-25 for strategies in participating maternity services and First Nations communities to prevent preterm and early term birth, and monitoring the *National* Stillbirth Action and Implementation Plan 2024-2030. (BP2, p.132 and p.133; WBS, p.73)
    - \$5.5 million over three years for the Australian Institute of Health and Welfare to develop a dataset on sexual and reproductive health. (BP2, p.132; WBS, p.65) [Note this is part of \$8m for development of datasets in BP2]

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- \$5.2 million over three years to support scholarships for health professionals to undertake training to support women to access long acting-reversible contraceptives. (BP2, p.132; WBS, p.68)
- \$5.0 million over two years to continue to the Every Moment Matters awareness campaign to reduce the incidence of babies born with foetal alcohol spectrum disorder. (BP2, p.133; WBS, N/A)
- \$3.5 million over four years and \$0.4 million ongoing to provide privately practising midwives access to professional indemnity insurance, covering low-risk home births and intrapartum care outside a hospital, and supporting ongoing delivery of Birthing on Country programs. (BP2, p.133; WBS, p.73)
- \$1.5 million over two years for a national audit of early pregnancy assessment service clinics. (BP2, p.132; WBS, p.65) [Note this is part of \$8m for development of datasets in BP2]
- \$1.2 million over two years to support training for health practitioners to better treat, care for and manage women's health during menopause. (BP2, p.133; WBS, p.70)
- \$1.1 million over four years to development and maintain a virtual interactive contraception decision tree. (BP2, p.133; WBS, p.68)
- \$1 million over two years for a miscarriage data scoping study. (BP2, p.132; WBS, p.65) [Note this is part of \$8m for development of datasets in BP2]
- Additional investments in women's health through the 2024-25 Budget include:
  - Expanding the listing for Abemaciclib on the PBS for the treatment of early breast cancer. (BP2, p.119; WBS, p.66)
  - \$1.4 billion over thirteen years from 20242-25 through an updated Medical Research Future Fund ten-year Investment Plan, for research into health priorities such as women's health, including menopause, pregnancy loss and infertility. (BP2, p.115, WBS p.65)

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# **Background**

2024-25 Budget was released on Tuesday, 14 May 2024.

# **Supporting information**

#### **Questions on Notice**

No QoNs asked

#### Freedom of Information (FOI) Requests

 PM&C FOI request FOI/2023/319. Minister for Women Senate Estimates Briefing Pack prepared by the Department of the Prime Minister and Cabinet (PM&C) for the OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. Decision Pending.

#### **Recent Ministerial Comments**

Nil

### **Relevant Media Reporting**

• Nil

 Date:
 21 May 2024

 Updated Cleared by EL2:
 s 22(1)(a)(ii)

 Date:
 15 May 2024

Cleared by (SES): Padma Raman, Executive Director, Office for Women

Telephone No: s 22(1)(a)(ii)
Group/Branch: Office for Women

Contact Officer: s 22(1)(a)(ii) Director, Gender Budgeting

Telephone No: s 22(1)(a)(ii)

**Consultation:** The Office for Women

PDR Number: SB24-000077

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#### GENDER RESPONSIVE BUDGETING

# Subject/Issue

The Government is putting gender equality at the centre of Budget decision making with the implementation and continued refinement of gender responsive budgeting.

# **Key facts and figures**

 An updated version of Including Gender: An APS Guide to Gender Analysis and Gender Impact Assessment (the Guide) was published on the Department of the Prime Minister and Cabinet (PM&C) website on 5 February 2024.

# **Key points**

- Gender responsive budgeting is one of the Government's key tools for implementing *Working for Women: A Strategy for Gender Equality*.
- From 2023-24 MYEFO, the Government extended gender responsive budgeting across the Budget process.
  - This delivers on our election commitment and puts gender equality, and the impact on women, at the centre of budget decision making.
- All agencies have a role in delivering gender equality outcomes by:
  - undertaking gender analysis on all new policy proposals and including gender considerations in policy design
  - self-assessing whether new policy proposals meet Gender Impact
     Assessment (GIA) criteria and completing GIAs where required
  - ensuring gender analysis is proportional to a proposal's value, scope and impact.
- Agencies are required to complete a GIA if the proposal meets any of the following criteria:
  - If the total value of the proposal is \$250 million or more over the forward estimates
  - Has a significant positive or negative impact on gender equality
  - Targets cohorts of people who can typically be disadvantaged
  - Relates to a gender segregated industry

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Establishes a National Partnership Agreement (or like agreement)

# The Women's Budget Statement

- The 2024-25 Women's Budget Statement is the first since the Government released *Working for Women: A Strategy for Gender Equality* on 7 March 2024.
  - See the Investments in Women brief for details on 2024-25 Budget announcements.
- Working for Women provides a framework for the Government to drive gender equality through its policies and programs. Gender responsive budgeting is a key tool to implement the Strategy as it puts consideration of gender impacts – and alignment with the Strategy's priorities – at the heart of policy design and Budget decisions.
- The Government will continue to use the Women's Budget Statement to report on efforts and investments to achieve the outcomes in *Working for Women*. The Women's Budget Statement is now a reporting mechanism for *Working for Women*.

# Embedding process *Including Gender: APS Guide to Gender Analysis and Gender Impact Assessment* and the Budget Process Operational Rules (BPORs)

- The Office for Women produced the Guide, Including Gender: An APS
   Guide to Gender Analysis and Gender Impact Assessment, which provides
   information to assist policy makers to undertake gender analysis as part
   of developing a new policy proposal.
  - The Guide was originally published on 11 August 2023.
  - After evaluating outcomes from 2023-24 MYEFO, an updated version of the Guide to provide further clarification on the new requirements was published on 5 February 2024.
    - The updates included more information on using data for gender analysis and streamlining the quick reference guide.
- The requirements for gender responsive budgeting are also set out in the BPORs. The BPORs (published in December 2022 and updated online in May 2024) include 'advancing gender equality' as a Budget policy objective. The BPORs also provide information on developing a GIA.
  - Completed GIAs are provided with a New Policy Proposal to the Cabinet for consideration and remain in-confidence.
  - However, this Women's Budget Statement highlights 'gender analysis in practice' to show how gender responsive budgeting is being used across government to design policy that contributes to improving gender equality.

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# **Background**

The Office for Women is responsible for implementing the systems and processes that support gender responsive budgeting. The Office for Women also provides advice, throughout the Budget process, on items that have a significant impact on gender equality.

Gender responsive budgeting was scaled up at 2023-24 MYEFO following two pilots of gender impact assessment. In partnership with the Office for Women, agencies completed 14 GIAs in the October 2022-23 Budget and 12 GIAs in the 2023-24 Budget.

In the 2023-24 Budget, the Government invested \$1.34 million from the APS Capability Reinvestment Fund (CRF) in the *NextGEN: Policy for a Gender Equal Nation project*, to uplift gender analysis capability across the APS (2023-24 BP2, page 189). OFW is leading the codesign of this project with the Department of Employment and Workplace Relations and the Department of Education. OFW is also supporting the APSC's CRF project to co-design a gender analysis micro-credential that is being developed, piloted and delivered by the University of New South Wales.

OFW established the Gender Data Steering Group, co-chaired with the Australian Bureau of Statistics, to maximise the utility of the Government's major data holdings as an evidence base for gender equality and to support GRB. The research partnership through the *Working for Women* Program will also help support GRB.

# **Supporting information**

#### **Questions on Notice**

No QoNs asked

#### Freedom of Information (FOI) Requests

 PM&C FOI request FOI/2023/319. Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. Decision pending.

#### **Recent Ministerial Comments**

• Nil

#### **Relevant Media Reporting**

One of the budget papers will be all about women. Here's what you need to know,
 Tom Crowley and Claudia Long, ABC News, 13 May 2024.

Date:20 May 2024Cleared by (SES):Shelby SchofieldTelephone No:\$ 22(1)(a)(ii)Group/Branch:Office for WomenContact Officer:\$ 22(1)(a)(ii)Telephone No:\$ 22(1)(a)(ii)

Consultation: Nil

PDR Number: SB24-000078

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### **WORKING FOR WOMEN: A STRATEGY FOR GENDER EQUALITY**

# Subject/Issue

On 7 March 2024, the Government launched *Working for Women: A Strategy* for Gender Equality (the Strategy), outlining the Government's vision for gender equality.

# **Key points**

- The Strategy outlines the Government's vision for gender equality an Australia where people are safe, treated with respect, have choices and have access to resources and equal outcomes no matter their gender.
- It highlights current and recently implemented Government action and provides a pathway for Government action over the next 10 years. It will inform policy and decision making through future Budgets to help achieve this vision.
- Focusing on key areas for Government action, the Strategy also signals areas for action by individuals, communities, organisations and industry.
- It outlines the need for everyone to work together to shift the attitudes and stereotypes that drive gender inequality.
- The Strategy has five interrelated priority areas:
  - gender-based violence;
  - unpaid and paid care;
  - economic equality and security;
  - health; and
  - leadership, representation and decision-making.
- While everyone stands to benefit from gender equality, the Strategy has a strong focus on women, given that women have historically fared worse on most indicators of gender equality.
- The Strategy brings together all of Government's work on gender equality, complementing and not duplicating the work of existing plans and strategies.
  - The Strategy has a strong economic focus, informed by the work of the Women's Economic Equality Taskforce (WEET). This addresses the gap between existing strategies on women's safety and health.
  - The Strategy aligns with existing Government efforts including the National Plan to End Violence against Women and Children

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#### **WORKING FOR WOMEN**

2022-2032; the National Women's Health Plan 2020-2030; the Wiyi Yani U Thangani (Women's Voices) Report and related work; and the Government's response to the Australian Human Rights Commission's Respect@Work: Sexual Harassment National Inquiry.

# **Funding for Strategy implementation**

- The Women's Budget Statement provides information each year on the investment government is making to progress the outcomes of the Strategy.
  - Refer to SB24-000077 Investments in Women for further information.

# **Reporting on the Strategy**

- The Government will measure and report on gender equality outcomes, by:
  - highlighting key outcomes and indicators in the Status of Women Report Card, released each year on International Women's Day.
  - outlining investments Government is making to support progress on gender equality through the Women's Budget Statement each year.
  - requiring departments to report on their efforts to improve gender equality through their Annual Reports.
- The Strategy's Reporting Framework will track and report on its impacts and progress over time.
  - A Baseline Data Report will be released in the first year of the Strategy and will be used to measure progress overtime.
- Formal reviews will be undertaken at the mid-point (2029) and end point (2034) of the Strategy.

# If asked: How will the Government use procurement levers to increase investment in women-owned and led businesses?

- The Government has committed to introduce gender equality targets for employers with 500 or more employers, as part of the *Workplace Gender Equality Act*. [See WGEA *Gender Equality Targets* Brief]
- The Government is reviewing the procurement process, including through Buy Australia, to see where there are opportunities to use procurement to help progress gender equality.

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#### **WORKING FOR WOMEN**

- At the moment it is not easy for departments to identity women-owned and led businesses in AusTender, the Government's procurement information system.
- A new project, announced alongside the Strategy, will establish a voluntary Commonwealth supplier registration process within AusTender, enabling women-owned and led businesses to be identified more easily.
  - Data will begin to be collected from mid to late 2026.
  - This change will help us to better understand Government procurement patterns.

# **Background**

The Strategy was an election commitment, and outlines the Australian Government's vision for gender equality. It was informed by a comprehensive evidence base, reflecting wide consultation with more than 3,000 people and organisations.

The Government engaged state and territory governments on the Strategy and to explore alignment with individual state-based approaches.

In the October 2022-23 Budget, the Government provided \$3.1 million over one year to the Department of the Prime Minister and Cabinet (PM&C) to deliver a number of the Government's gender equality commitments, which included funding to develop and deliver the Strategy. Costs to develop the Strategy in 2023-24 have been met from within PM&C's existing resources.

# **Supporting information**

#### **Questions on Notice**

#### Supplementary Budget Estimates 2023-24 (October 2023)

- SEQoN 0047. National Strategy to Achieve Gender Equality submissions.
   Response tabled 12 December 2023.
- SEQoN 0048. National Strategy to Achieve Gender Equality list of unions that participated in roundtables. Response tabled 12 December 2023.

#### Budget Estimates 2023-24 (May 2023)

SEQoN 0386. National Survey into Understanding and Experiences of Consent.
 Response tabled 14 July 2023.

#### Freedom of Information (FOI) Requests

 PM&C FOI request FOI/2023/319. Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. This FOI is with the Information Commissioner for review following a practical refusal. As the decision is under review it would be inappropriate to comment further.

#### **Recent Ministerial Comments**

Nil

#### **Relevant Media Reporting**

Nil

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# **WORKING FOR WOMEN**

Date: 20 May 2024
Cleared by (SES): Clancie Hall
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Consultation: Nil

PDR Number: SB24-000079

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#### STATUS OF WOMEN REPORT CARD

# Subject/Issue

The Government releases a Status of Women Report Card annually on International Women's Day (8 March 2024).

# **Key points**

- The Government released the second Status of Women Report Card (the Report Card) on International Women's Day 2024 (8 March 2024) to provide a picture of what life looks like for women in Australia.
  - To complement the Report Card (included in <u>Attachment A</u>), an Expanded Data table (<u>Attachment B</u>) was also released.
  - The Expanded Data table includes more comprehensive data across the life course.
  - These are both published on the Working for Women website.
- The Report Card is part of the reporting framework for *Working for Women* to shine a light on how things are going across each priority, and where more effort is needed.
- The report cards include the most recent, publicly available data as pointin-time products. While they follow similar themes and include a number of the same data points, they are intended to provide a snapshot of gender equality in Australia each year, and not as a like for like comparison.
  - Some data points will be included in the Report Card each year.
     Where this data has not been updated, the report card will include other data points to demonstrate current progress.
- The Government will annually release a Status of Women Report Card every International Women's Day to shine a light on where progress has stalled and more effort is needed.
  - This will help the Government report on progress towards achieving the objectives of Working for Women: A Strategy for Gender Equality.
  - The Report Card is a snap shot while it does include data on indicators from the strategy, it does not only report against these indicators, nor does it provide an update against every indicator of the strategy. Indicators of the strategy will be reported through a baseline report to be published later this year, and at a mid-point review.

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# **Background**

You asked the Office for Women (OFW) on 16 February 2023 to prepare the first Report Card.

With the release of the first report card in March 2023, the Government committed to releasing a Status of Women Report Card every International Women's. The second report card was released on 8 March 2024, aligned to the themes of *Working for Women*.

The report cards draw on existing publicly available data from a range of data sources, including those published by the Australian Bureau of Statistics (ABS), Australian Institute of Health and Welfare (AIHW), the Melbourne Institute via the Household Income and Labour Dynamics in Australia Survey (HILDA), the World Economic Forum (WEF), and others. The data included in the Status of Women Report Card is the most recent available at the time of release.

# **Supporting information**

#### **Questions on Notice**

No QoNs asked

#### Freedom of Information (FOI) Requests

No FOIs asked

#### **Recent Ministerial Comments**

• Nil

#### **Relevant Media Reporting**

• Nil

Date: 15 May 2024
Cleared by (SES): Padma Raman
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**Group/Branch:** Social Policy and International Engagement Branch

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Consultation: Nil

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### **WOMEN'S ECONOMIC EQUALITY TASKFORCE – OPERATIONS AND ADVICE**

# Subject/Issue

The Women's Economic Equality Taskforce (WEET) was an independent advisory group that provided early advice on women's economic equality.

#### **Key Points**

- The WEET provided its final report *Women's Economic Equality: A 10-year plan to unleash the full capacity and contribution of women to the Australian economy* to the Minister for Women on 1 September 2023, and it was published on the Department of the Prime Minister and Cabinet's (PM&C) website on 23 October 2023.
  - Background: A preview of the recommendations was provided to the Government on 23 August 2023.
- The WEET's recommendations explore:
  - Government's role in driving economic equality and care
  - Investing in and valuing care work
  - Safe and equitable work
  - Education and skills
  - Women's role in building and leading the economy
  - Financial and economic security
  - Attitudes and biases.
- Through the 2024-25 Budget, Government is addressing many of the actions identified by the WEET including:
  - Payment of superannuation on Government-funded paid parental leave (PPL) from 1 July 2025
  - Increasing Commonwealth Rent Assistance (CRA) over two Budgets
  - Financial support to students during mandatory placements while studying nursing, midwifery, teaching and social work
  - Committed to funding a further increase to the award wages of many aged care workers
  - Committed to provide funding towards a wage increase for early childhood education and care workers, with details to be finalised following Fair Work Commission processes.

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- The 2023-24 Budget also responded to WEET advice including:
  - Expanding and modernising Commonwealth PPL
  - Expanding Parenting Payment (Single)
  - Abolishing and replacing ParentsNext
  - Increases to working age payments and CRA
  - Supporting pay increases for aged care workers.

Refer to Investments in Women brief for further detail on 2024-25 Budget.

# If asked: Will all the WEET's recommendations be implemented through the Strategy?

- Working for Women: A Strategy for Gender Equality (Strategy)'s focus on economic equality builds on the recommendations of the WEET's final report.
- The WEET's seven recommendations shaped the priority areas of the Strategy and the future areas for reform.
- Many specific actions proposed by the WEET are already being addressed, or are reflected in areas for future reform in the Strategy.
- Given the long-term nature of some of the recommendations, the WEET report will continue to inform the decisions Government makes in future Budget cycles.

# Replacement?

 The WEET was time-limited advisory mechanism. Through the Working for Women Program, Government is investing in partnerships including the National Women's Alliances to provide evidence based, intersectional gender equality advice and civil society expertise.

# Taskforce membership

- Members were selected based on their wide-ranging, diverse lived experience, background and networks. See <u>Background</u> for a list of members.
- OFW provided a list of 52 candidates to the Minister for Women's Office for consideration with a summary assessment of the candidates' skills, qualifications and attributes; four members were recommended by the Minister for Women.

#### Taskforce duration

- WEET members concluded their term on 30 April 2023.
- The Chair concluded her term on 21 August 2023.

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# **Appointment process**

• The Chair and members were appointed by the Minister for Women in accordance with the process outlined in the Cabinet Handbook.

# Taskforce resourcing

 In 2022-23, \$3.1 million was provided to support OFW deliver the Government's election commitments, including developing the National Strategy and establishing and supporting the WEET.

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# **Background**

#### Taskforce membership

- Sam Mostyn AO (Chair) Chair of ANROWS; incoming Governor-General of Australia
- Adrienne Picone Chief Executive Officer of Tasmania's Council of Social Service
   s 47F
- Chiou See Anderson President at National Council of Women of Australia; board member of the International Council of Women
- Danielle Wood Chief Executive Officer of the Grattan Institute; President of the Economic Society of Australia; co-founder and first Chair of the Women in Economics Network, Chair of the Productivity Commission
- Jennifer Westacott AO Chancellor of Western Sydney University
- Jenny Macklin Vice-Chancellor's Fellow at the University of Melbourne, School of Government
- Michele O'Neil President of the Australian Council of Trade Unions
- Rae Cooper AO Director of the Gender Equality in Working Life Research Initiative,
   University of Sydney; President Elect of International Labor and Employment Relations
   Association (ILERA)
- Samantha Connor Vice President of People with Disability Australia
- Shelley Cable Nyoongar, Director and Advocate for Indigenous Economic Empowerment
- Shirleen Campbell Co-ordinator of the Tangentyere Women's Family Safety Group; NT Local Hero in 2020 s 47F
   Her term ended on 13 March 2023]
- Sizol Fuyana Founder of Fuyana Support; 2022 Northern Territory Young Australian of the Year
- Terese Edwards Executive Director of the National Council of Single Mothers and their Children.

#### **Appointments**

- The Chair was initially appointed on 30 August 2022 until 30 March 2023.
- Members were initially appointed on 13 September 2022 until 13 March 2023.
- On 25 February 2023, the Minister invited the Chair to extend her term to 31 May 2023 and members to extend their terms to 30 April 2023 to allow sufficient time to finalise its work.
- On 25 May 2023, the Minister for Women extended the Chair's appointment from 31 May 2023 until 31 July 2023.
- On 12 August 2023, the Minister for Women reappointed the Chair until 21 August 2023 (nine days) to support final delivery of the WEET's recommendations.

#### **WEET** meetings

The first of the WEET's 10 meeting was 21 September 2022. Two meetings were attended by the Minister for Women, on 21 September 2022 and 1 March 2023. Meeting outcome documents are published on the PM&C website.

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#### **WEET** remuneration

Members were remunerated consistent with the Remuneration Tribunal Amendment Determination (No. 10) 2022.

- Members, including the Chair, were paid a daily rate of up to \$1,500 (GST exclusive)
   and were remunerated for their time, travel and incidental expenses.
- Three former members who assisted with finalising advice beyond their terms were paid an hourly rate of \$200, with a total allowance of eight hours (up to \$1,600).

#### Advice on 2023-24 Budget

The WEET provided priorities for the 2023-24 budget:

- Reinstate Parenting Payment (Single) for women with children over eight years-old.
- Abolish ParentsNext.
- Abolish the Childcare Subsidy Activity Test.
- Pay superannuation for primary carers while they are on PPL.
- Increase the rate of Commonwealth Rental Assistance.
- Invest in an interim wage increase for all early childhood educators and aged care workers.

The WEET also recommended raising the base rate of income support.

# **Supporting information**

#### **Questions on Notice**

#### Additional Estimates 2023-24 (February 2024)

- SEQoN 0058 Women's Economic Equality Taskforce request for Behavioural Economics Team advice. Response tabled 4 April 2024.
- SEQoN 0059 Women's Economic Equality Taskforce resources or advice from the Behavioural Economics Team and other government sources.
   Response tabled 4 April 2024.
- SEQoN 0081 Women's Economic Equality Taskforce other projects or activities.
   Response tabled 4 April 2024.

#### Supplementary Budget Estimates 2023-24 (October 2023)

- SEQoN 0051 Women's Economic Equality Taskforce report. Response tabled
   12 December 2023.
- SEQoN 0052 Costing on paying superannuation on paid parental leave. Response tabled 12 December 2023.
- SEQoN 0306 Women's Economic Equality Taskforce Final Report –
   Recommendations. Response tabled 12 December 2023.
- SEQoN 0307 Women's Economic Equality Taskforce Final Report Work commenced so far. Response tabled 12 December 2023.
- SEQoN 0308 Women's Economic Equality Taskforce Final report Preliminary Costings. Response tabled 12 December 2023.
- SEQoN 0309 Women's Economic Equality Taskforce Economic Impact Analysis. Response tabled 12 December 2023.

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• SEQoN 0310 – Women's Economic Equality Taskforce Final Report – Proposed changes to the Paid Parental Leave scheme. Response tabled 20 December 2023.

#### Budget Estimates 2023-24 (May 2023)

- SEQoN 0092 WEET Appointments letters exchanged. Response tabled 14 July 2023.
- SEQoN 0385 WEET Report. Response tabled 14 July 2023.

#### Supplementary Budget Estimates 2022-23 (February 2023)

- SEQoN 0092 Women's Economic Equality Taskforce Meeting arrangements. Response tabled 31 March 2023.
- SEQoN 0093 Women's Economic Equality Taskforce Short listing of candidates. Response tabled 31 March 2023.
- SEQON 0218 Women's Economic Equality Taskforce Criteria of appointment.
   Response tabled 31 March 2023.
- SEQoN 0219 Women's Economic Equality Taskforce Member selection process. Response tabled 31 March 2023.
- SEQoN 220 Women's Economic Equality Taskforce Member endorsement. Response tabled 31 March 2023.

#### Freedom of Information (FOI) Requests

- PM&C FOI request FOI/2023/319. Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. This FOI is with the Information Commissioner for review following a practical refusal. As the decision is under review it would be inappropriate to comment further.
- PM&C FOI request FOI/20224/010. Copy of any analysis and advice provided to the Women's Economic Equality Taskforce developed by the Behavioural Economics Team of the Australian Government. Released 9 February 2024.

#### **Recent Ministerial Comments**

• Nil

#### **Relevant Media Reporting**

Nil

Date:

Cleared by (SES):

Telephone No:

Group/Branch:
Contact Officer:

Telephone No:

S 22(1)(a)(ii)

S 22(1)(a)(ii)

S 22(1)(a)(ii)

Consultation: Nil

**PDR Number:** SB24-000081

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### **WORKPLACE GENDER EQUALITY ACT REVIEW IMPLEMENTATION**

# **Subject**

The Government is implementing the recommendations of the *Workplace Gender Equality Act 2012* Review (the Review).

# **Key facts and figures**

- The current national gender pay gap is **12.0 per cent**. This is the lowest gender pay gap on record for Australia.
- The WGEA average total remuneration gender pay gap is **21.7 per cent**.<sup>2</sup>
- On 27 February 2024, employer-level gender pay gaps were published for private sector employers with 100 or more employees, finding a median total remuneration gender pay gap of 19% - or equivalent of \$18,461. [See WGEA *Publishing Gender Pay Gaps* brief for detail.]

#### **Key Points**

- Recommendation 3.1a of the WGEA Review proposes to add a new requirement for relevant employers with 500 or more employees (designated relevant employers) to commit to, achieve and report to WGEA on measurable genuine targets to improve gender equality in their workplace against 3 of the 6 gender equality indicators.
  - The introduction of a gender equality targets scheme is also a commitment under Working for Women: A Strategy for Gender Equality.
- Targets will focus on the gender makeup of boards and the workforce; equal remuneration; flexible working arrangements; workplace consultation on gender equality; and efforts to prevent and address sexual harassment.
- Target setting supports and motivates employers to sustain effort on workplace gender equality by linking non-compliance to restrictions on an employer's ability to tender for Government contracts.

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<sup>&</sup>lt;sup>1</sup> Based on Australian Bureau of Statistics (ABS) full time average weekly ordinary earnings data which excludes additional remuneration such as over-time and bonuses: Australian Bureau of Statistics (ABS), <u>Average</u> <u>Weekly Earnings</u>, <u>Australia</u>, November 2023. Released 22 February 2024.

Workplace Gender Equality Agency (WGEA), <u>WGEA Gender Equality Scorecard 2022-23.</u> Released 28 November 2023. see Workplace Gender Equality Agency (WGEA), <u>WGEA Gender Equality Scorecard 2022-23.</u> Released 28 November 2023. ABS (2023).

- Achievement of targets will guarantee compliance with the Workplace Gender Equality Act.
  - If pressed: In designing the approach, the Government is considering the reasonable excuse provision that is already available for compliance measures within the Act. This would see employers having the opportunity to provide a reasonable excuse if targets are not achieved.
- Employers who fail to achieve their targets may be ineligible for government procurement above \$80,000, or \$9 million for construction services [via application of the Gender Equality Procurement Principles].
- Other outstanding recommendations will be implemented when consultation is completed.

# If pressed:

• The release of Working for Women is an opportunity to look at all the review recommendations in the context of closing gender pay gaps as a key ambition of that strategy, and look at whether there are other opportunities for reform in the WGEA space.

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# **Background**

#### First Tranche of Legislation

- On 4 August 2022, the Prime Minister agreed to implement all 10 recommendations of the Review subject to further consultation.
- Six (6) of the 10 recommendations of the Review were implemented in part or in full, through the Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Act 2023 and remade Legislative Instruments:
  - Recommendation 2: Publishing employer gender pay gaps to accelerate action to close them.
  - Recommendation 3.1b: Strengthen the existing minimum standards to require relevant employers with 500 or more employees to have policies or strategies that cover all six gender equality indicators.
  - Recommendation 3.1c: Rename the minimum standards to be 'gender equality standards'.
  - Recommendation 3.2: Strengthen accountability of relevant employers to take action to improve gender equality in workplaces.
  - Recommendation 4: Reduce the regulatory burden on employers.
  - Recommendation 5: Support Respect@Work implementation to prevent and address workplace sex-based harassment and discrimination.
  - **Recommendation 7.1:** Refine the gender equality indicators.
  - Recommendation 9.2: Amend the WGE Act to change the title of the 'Director of WGEA' to Chief Executive Officer (CEO).

#### Implementation of remaining Review legislative recommendations

- WGEA conducted stakeholder consultations from May to July 2023 and in the first half of 2024 to inform implementation of the remaining Review recommendations.
  - Stakeholders included academics, private and public sector employers, unions, industry peak bodies, partnerships, organisations representing First Nations, disability, cultural and linguistic diversity and LGBTIQA+ communities, experts in gender, and people with lived experience.
- The Government is progressing the implementation of the remaining Review legislative recommendations:
  - Recommendation 3.1a: Add a new gender equality standard to require relevant employers with 500 or more employees to achieve and report to WGEA on measurable, genuine targets against three of the six gender equality indicators.
  - Recommendation 6: Research how to collect more diversity data in addition to gender data to enable voluntary reporting, including on Aboriginal and Torres Strait Islander background, cultural and linguistic diversity, and disability.
  - Recommendation 7.2: In line with the Australian Bureau of Statistics 2020
     Standard for Sex, Gender, Variations of Sex Characteristics and Sexual
     Orientation Variables, enable WGEA to collect non-binary gender data.

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- Recommendation 7.3b: The Workplace Gender Equality Act 2012 (WGE Act) may need amending to include partnerships and partners in the WGEA data set more comprehensively. This will ensure that WGEA can collect more comprehensive gender pay gap data on partnership workforces such as legal and accounting firms.
- These changes will further drive employer action, transparency and accountability, and accelerate the progress in closing the GPG.
- The next tranche of legislation will be introduced as soon as possible in line with the Government's legislative priorities.
  - See <u>Attachment A</u> for progress updates and expected timeframes for all recommendations.

#### Workplace Gender Equality Procurement Principles (Recommendation 8)

- The Office for Women (OFW) is undertaking a review of the Workplace Gender Equality Procurement Principles (the Principles) associated with the *Workplace Gender Equality Act 2012* (WGE Act).
- The review seeks to improve the effectiveness of the Principles to minimise regulatory burden and maximise progress towards gender equality in procurement.
  - OFW conducted public and internal government consultation from August to September 2023 to inform the Principles review.
  - Public consultation included a discussion paper and invitation for submissions on PM&C's website.
  - OFW is continuing to consider consultation findings. The outcome of the Principles review is anticipated in 2024.

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# **Supporting information**

#### **Questions on Notice**

#### Supplementary Budget Estimates 2023-24 (October 2023)

- SEQoN 0053 Review of the Workplace Gender Equality Agency Act implementation of recommendations. Tabled 12 December 2023.
- SEQoN 0054 Review of the Workplace Gender Equality Agency Act introduction of legislation. Tabled 12 December 2023.

#### Budget Estimates 2023-24 (May 2023)

SEQoN 0390 – Review of WGEA Act. Tabled 14 July 2023.

#### Freedom of Information (FOI) Requests

 PM&C FOI request FOI/2023/319. Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. Decision pending. As the decision is under Information Commissioner Review, it would be inappropriate to comment further.

#### **Recent Ministerial Comments**

 On 7 March 2024, Minister for Women announced businesses with 500 or more employees must commit to targets to improve gender equality in their workplaces and show progress against those targets in order to procure with government, National Press Club Address: Working for Women – A Strategy for Gender Equality.

#### **Relevant Media Reporting**

- Government contracts on the line if gender targets not met, Hannah Wootton, Australian Financial Review, 26 March 2024.
- <u>Contractors in line for rewards over gender pay wins</u>, Poppy Johnston, The Canberra Times, 26 March 2024.
- To close the gender pay gap, we must 'reimagine' what senior leaders look like: Mary Wooldridge, Brianna Boecker, Women's Agenda, 26 March 2024.

**Date:** 15 May 2024

Cleared by (SES): Padma Raman, Executive Director

Telephone No: s 22(1)(a)(ii)

**Group/Branch:** Office for Women/Women's Economic Policy

Contact Officer: s 22(1)
Telephone No: s 22(1)(a)(ii)

Consultation: Nil

PDR Number: SB24-000082

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Recommendation 1 – Make it easier for employers to report to WGEA and improve			
collection and sharing of gender data			
Work is ongoing, the expected date of comp	letion is being determined.		
Nork is ongoing, the expected date of comp.  1.1 Improve the quality of data reported to WGEA, and reduce the regulatory burden for employers, by tasking a new Gender Data Steering Group (Recommendation 1.2) to drive and oversee research and stakeholder consultation (including with both human resources and payroll Digital Service Providers) to identify how to:  a. enable WGEA to use data employers have already provided to government, and  b. invest in a way to assist employers to extract other data from their own employer systems using a digital solution where possible.	A Gender Data Working Group has been established to support the work of the Gender Data Steering Group (GDSG) and fulfil Recommendation 1.1a and b.  Work to progress this recommendation is ongoing.  The Gender Data Working Group is currently engaged in consultations across government agencies to identify effective solutions to support this recommendation. The outcomes of this engagement will inform next steps, including the expected timing for completion.  GDSG Co-Chairs will next provide an update on its work program, including the status of Recommendation 1.1 to the Deputy Secretaries Data Group in the next meeting anticipated in	In Progress (not legislative)	
	March 2024.		
1.2 Improve the sharing of gender data among WGEA, other departments and	Gender Data Steering Group has been established.	Completed	
agencies by establishing a Gender Data			
Steering Group under the Deputy			
Secretary Data Group.			
Recommendation 2 – Publish organisation at them	gender pay gaps to accelerate action	1 to close	
2.1 Amend the Workplace Gender Equality Act 2012 to allow WGEA to publish gender pay gap information at an employer level as an overall figure and by quartile to encourage change within organisations. Individual employee pay information is not to be published. Conduct further	Implemented through the Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Act 2023.	Completed	

implementation.

Recommendation 3 – Bridge the 'action ga	p' with new gender equality standar	ds
The expected date of completion is in 2024,		
3.1 Bridge the 'action gap' to strengthen	Further development underway	In progress
the existing minimum standards by	to determine most effective and	
amending the Workplace Gender Equality	appropriate implementation	
(Minimum Standards) Instrument 2014 to:	options, including as part of any	
a. add a new minimum standard to	future legislative reforms.	
require relevant employers with		
500 or more employees to commit		
to, achieve and report to WGEA on		
measurable genuine targets to		
improve gender equality in their		
workplace against three of the six		
gender equality indicators		
b. strengthen the existing minimum	Implemented through the	Completed
standards to require relevant	remade Workplace Gender	
employers with 500 or more	Equality (Gender Equality	
employees to have policies or	Standards) Instrument 2023.	
strategies that cover all six gender		
equality indicators (not just one		
policy or strategy for one gender		
equality indicator in the current		
minimum standards), and		
c. rename the minimum standards to	Partially implemented through	In progress
be 'gender equality standards'.	the Workplace Gender Equality	
	Amendment (Closing the Gender	
	Pay Gap) Act 2023	
	(the Act). Further implementation	
	required through consequential	
	amendments to the Workplace	
	Gender Equality (Gender Equality	
	Standards) Instrument 2023, to	
	flow-through changes from the	
	amended Act.	
3.2 Strengthen accountability of relevant	Implemented through the	Completed
employers to take action to improve	remade Workplace Gender	
gender equality in workplaces by	Equality (Matters in relation to	
amending the Workplace Gender Equality	Gender Equality Indicators)	
(Matters in relation to Gender Equality	Instrument 2023.	
Indicators) Instrument 2013 (No. 1) to:		
a. require relevant employers		
to report the date employers share		
with their employees, shareholders, and/or members the		
gender equality reports that the		
employers provided to WGEA, and		
employers provided to WGEA, and		
b. require relevant employers	Implemented through the	Completed
to provide the Executive Summary	Workplace Gender Equality	
report and Industry Benchmark	, ,	
p	<u>I</u>	İ

report from WGEA to employers to their Board/Governing Body.	Amendment (Closing the Gender Pay Gap) Act 2023.		
Recommendation 4 – Reduce the regulator	y burden on employers		
4.1 Amend the Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2013 (No. 1) to:  a. Remove the 'reporting levels to the CEO' question.	Implemented on 31 March 2022 through earlier amendment to 2013 Instrument.	Completed	
b. Replace 'annualised full-time equivalent figures'. Enable employers to report on actual earnings of part-time and casual employees as well as the number of hours employees are engaged.	Implemented through the remade Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2023.	Completed	
c. Replace the parental leave questions that currently ask employers to report on the 'proportion' of their workforce. Instead, enable relevant employers to report by gender, employment status and manager/non-manager category:  i. The number of employees with access to employer-funded paid parental leave for primary carers and for secondary carers and the eligibility period for access,  ii. The number of employees who took a period of parental leave who ceased employment during, or at the end of that period.	Implemented through the remade Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2023.	Completed	
Recommendation 5 – Support Respect@Wo		address	
workplace sex-based harassment and discr 5.1 To align the Workplace Gender Equality Act 2012 and its associated legislative instrument, include 'sex-based harassment and discrimination' as a gender equality indicator in the Workplace Gender Equality Act 2012. It is already Gender Equality Indicator 6 in the Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2013 (No. 1). Recommendation 6 – Research the best wa	Implemented through the Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Act 2023.	Completed	
The expected date of completion is in 2024, subject to the Government's legislative priorities.			
6.1 Undertake qualitative research with relevant stakeholders, led by WGEA, on	Further development underway (together with 7.2) to determine	In progress	

		<u> </u>
the best way to collect more diversity data	most effective and appropriate	
in addition to gender data to enable	implementation options,	
voluntary reporting, including on	including as part of any future	
Aboriginal and Torres Strait Islander	legislative reforms.	
background, cultural and linguistic		
diversity, and disability.		
Recommendation 7 – refine the gender equ	uality indicators	
The expected date of completion is being de	termined, and subject to the Governi	ment's
legislative priorities.		
7.1 Amend the Workplace Gender Equality	Implemented through the	Completed
(Matters in relation to Gender Equality	remade Workplace Gender	
Indicators) Instrument 2013 (No. 1) to	Equality (Matters in relation to	
include mandatory reporting of:	Gender Equality Indicators)	
a. employee age (year of birth),	Instrument 2023.	
noting many employers report		
voluntarily		
b. employee's primary workplace	Implemented through the	Completed
location, noting many employers	remade Workplace Gender	
report voluntarily	Equality (Matters in relation to	
,	Gender Equality Indicators)	
	Instrument 2023.	
c. whether superannuation is paid by	Implemented through the	Completed
an employer when an employee is	remade Workplace Gender	Completed
on paid, unpaid employer-funded	Equality (Matters in relation to	
and/or government-funded	Gender Equality Indicators)	
parental leave, noting many	Instrument 2023.	
employers report voluntarily, and	motiament 2023.	
d. remuneration data for Chief	Implemented through the	Completed
Executive Officers (CEOs) or the	remade Workplace Gender	Completed
equivalent (individual	Equality (Matters in relation to	
remuneration would not be public	Gender Equality Indicators)	
but would be aggregated to	Instrument 2023.	
calculate gender pay gaps and used	mstrument 2023.	
for other remuneration analysis		
and insights).		
7.2 Amend the Workplace Gender Equality	Further development underway	In progress
Act 2012 and associated legislative	(together with 6.1) to determine	in progress
instruments, in line with the ABS	most effective and appropriate	
2020 Standard for Sex, Gender, Variations	implementation options,	
of Sex Characteristics and Sexual	including as part of any future	
Orientation Variables, to enable WGEA to	legislative reforms.	
collect data on non-binary people.	legislative leloillis.	
7.3 To identify the best approach to	Further development underway	In Progress
1	to determine most effective and	(not
improve other aspects of gender equality		l •
indicator reporting and reduce the	appropriate implementation	legislative)
regulatory burden on employers, the	options, including as part of any	
Department of the Prime Minister and	future legislative reforms.	
Cabinet is to do further work to assess the	This would will be informed by	
need for legislative amendments to:	This work will be informed by	
	outcomes from the Australian	

a.	require employers to report to	Bureau of Statistics (ABS)	
	WGEA on occupations and jobs at	comprehensive review	
	Australian and New Zealand	of ANZSCO. ABS has advised that	
	Standard Classification of	the updated classification as a	
	Occupations (ANZSCO) level 4 for	result of the review will be	
	non-managers	released by December 2024, in	
		time for use by Census 2026.	
b.	include partnerships and partners	Further development underway	In progress
	in the WGEA dataset more	to determine most effective and	
	comprehensively than they are	appropriate implementation	
	currently (partners in partnership	options, including as part of any	
	structures are considered owners	future legislative reforms.	
	not employees, this skews the		
	reporting of gender pay gap data		
	to WGEA), and		
c.	make it mandatory for relevant	WGEA is considering	Completed
	employers to report on data as it	administrative options to	
	relates to individual entities within	implement this recommendation.	
	corporate structures, not as it	Note: for the employer Gender	
	relates to the group hierarchy.	Pay Gay publication, further	
		legislative amendments may be	
		required to clarify that 'relevant	
		employer' includes parent and	
		subsidiary companies.	
Recon	nmendation 8 – strengthen complian	ce and enforcement	
The ex	spected date of completion is in 2024.		
8.1 An	nend the Workplace Gender Equality	Further development underway	In Progress
Act 20	112 so all relevant employers must	to determine most effective and	(not
compl	y with WGEA's reporting	appropriate implementation	legislative)
obliga	tions for Commonwealth grants	options, including as part of any	
eligibil	lity and Commonwealth	future legislative reforms. A	
procui	rement participation. To support	review of the Workplace Gender	
impler	mentation of this recommendation,	Equality Procurement Principles is	
the Of	fice for Women, with the	currently underway.	
Depar	tment of Finance and other relevant	Outcomes from the review are	
depart	tments, will review the Workplace	being considered to inform policy	
Gende	er Equality Procurement Principles.	options for implementation.	
Recon	nmendation 9 – set WGEA up for futu	re success to support employers to	drive gender
	ty in Australian workplaces	- In the second	
	spected date of completion is in 2024.		
	GEA is a critical enabler of the WGEA	\$18.5 million was provided	Completed
	v recommendations. The	through the March 2022-23	
	mendations have resourcing	Budget to support	
1			
implic	ations for WGEA that will require	implementation of the WGEA	
	ations for WGEA that will require leration by the Australian	implementation of the WGEA Review (\$17.5m to WGEA and	
consid	leration by the Australian	Review (\$17.5m to WGEA and	
consid Gover	leration by the Australian nment. To maximise effectiveness,		
consid Gover WGEA	leration by the Australian nment. To maximise effectiveness, will need additional investment to	Review (\$17.5m to WGEA and	
consid Gover WGEA impler	leration by the Australian nment. To maximise effectiveness,	Review (\$17.5m to WGEA and	
consid Gover WGEA impler recom	leration by the Australian nment. To maximise effectiveness, will need additional investment to ment the WGEA Review	Review (\$17.5m to WGEA and	

9.2 To avoid confusion with company	Implemented through the	Completed
director roles, amend the Workplace	Workplace Gender Equality	
Gender Equality Act 2012 to change the	Amendment (Closing the Gender	
title of the 'Director of WGEA' to 'Chief	Pay Gap) Act 2023.	
Executive Officer (CEO)'.		
9.3 WGEA to review its Employer of	WGEA has completed a review of	In Progress
Choice Gender Equality citation to	its Employer of Choice Gender	(not
improve its effectiveness as a citation and	Equality citation, engaging the	legislative)
incentive for more employers to progress	Gender Institute for Women's	
gender equality in their workplaces.	Leadership at Australia National	
	University and Deloitte to assist.	
	Implementation of	
	recommendations is expected to	
	commence in 2024.	
9.4 WGEA to continue to improve the way	WGEA has significantly improved	In Progress
it supports employers progress gender	the functionality of the reporting	(not
equality in their workplaces by:	platform, established a capacity	legislative)
a. reviewing the reports it provides to	building team to work directly	
employers	with employers and is improving	
b. expanding its educational	reports, resources and tools to	
resources	accelerate improvement in	
c. developing tailored 'off the shelf'	gender equality.	
policies for small and medium		
enterprises		
d. publicising the positive progress of		
employers		
e. improving the functionality of		
WGEA's digital reporting platform		
f. strengthening its capacity to assist		
employers to bridge their action		
gaps, and		
g. leading employers through the		
change management required by		
any reforms flowing from		
recommendations in this report.		
Recommendation 10 – review the Workplan		years from
the date any legislative changes commence		
The expected date of completion is from 202		Ι.
10.1 Formally review the effectiveness of	The Review is expected to	In progress
action flowing from this WGEA Review five	commence in 2027, five years	
years from the commencement of any	from the commencement of the	
legislative reform.	first legislative reform on	
	31 March 2022.	

#### **OVERVIEW - WOMEN'S SAFETY**

#### Subject

The Government is committed to effective action to improve women's safety.

# **Key statistics**

- As at 29 May 2024,
  - Destroy the Joint reports that 31 women have been killed by violence in Australia.
  - Sherele Moody (Australian Femicide Watch and The RED HEART Campaign) reports that 39 women have been killed in Australia.
- The Australian Institute of Criminology's National Homicide Monitoring Program reported that 34 women were killed by an intimate partner in 2022-23, a 28 per cent increase from 2021-22 (26 women killed).

# **Key points**

- Gender-based violence is the first priority area for action under Working for Women: A Strategy for Gender Equality (Working for Women). This priority area will be measured by two outcomes:
  - people live free from violence and are safe at home, at school, at work, in the community and online;
  - employers support an end to gender discrimination, and sexual harassment and violence in the workplace.
- Working for Women complements work already underway through the National Plan to End Violence against Women and Children 2022–2032 (National Plan), which commits all governments to end gender gender-based violence in one generation.
- On 1 May 2024, National Cabinet met to discuss the national crisis of gender-based violence, and agreed to a number of priorities aimed at strengthening prevention efforts and system responses, including improving data sharing between jurisdictions (see Attachment A).
  - Four key outcomes that were agreed at National Cabinet:
    - Strengthen prevention efforts targeted, evidence-based approaches, led by the Commonwealth.
    - Improving police responses to high risk and serial perpetrators,
       including considering use of focused deterrence and fixated threat

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- strategies, led by Police Ministers Council and the Standing Council of Attorneys-General.
- Improve information sharing about perpetrators across systems and jurisdictions, led Commonwealth and Victoria, working through the Data and Digital Ministerial Committee.
- Strengthened national consistency and drive best practice approaches across jurisdictions, including relating to risk assessment of high risk perpetrators and responses to sexual assault, led by the Council for the Australian Federation.
- The Commonwealth also announced a range of new work and measures that support the goals of the National Cabinet.
  - These include a suite of online safety measures, the new Leaving Violence Program and the fifth phase of the Stop it at the Start campaign.
- On 28 May 2024, the Government announced the expert panel appointed to undertake a rapid review of prevention approaches and provide practical advice to Government on further action to prevent gender-based violence (see terms of reference at <u>Attachment B</u>).
  - Panel members are Ms Jess Hill, Dr Zac Seidler, Dr Todd Fernando,
     Dr Anne Summers AO, Ms Elena Campbell and Dr Leigh Gassner APM.
  - The panel will be co-convened by the Domestic, Family and Sexual Violence Commissioner, the Executive Director of the Office for Women, and the Secretary of the Department of Social Services.
  - The independent expert panel will report back to Government in the third-quarter of 2024.
  - The rapid review was agreed by First Ministers at the National Cabinet meeting on 1 May 2024, and funded in the 2024-25 Budget.
- On 26 May 2024, the Government launched a new Consent Campaign to improve community understanding and attitudes on consent and respectful relationships to help reduce the incidence of sexual violence.
- Measures in this Budget bring the Government's total investment to over \$3.4 billion since October 2022 to support women's safety and deliver the National Plan (see <u>Attachment C</u>).
- Investments in the 2024-25 Budget include:
  - \$925.2 million over five years to establish the permanent Leaving Violence Program to help people experiencing intimate partner violence with the costs of leaving that relationship.

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- \$44.1 million in 2024-25 to support the National Legal Assistance
   Partnership and Family Violence Prevention Legal Services, including
   one-year indexation supplementation to the funding for Legal Aid
   Commissions, Community Legal Centres, and Aboriginal and Torres
   Strait Islander Legal Services, and additional funding to address
   community legal sector pay disparity.
- \$19.4 million over two years to establish an independent National Student Ombudsman.
- \$18.7 million over four years to establish a National Higher Education
   Code to Prevent and Respond to Gender-based Violence.
- \$7.0 million for family and domestic violence support initiatives for refugee and migrant women as part of the Settlement Engagement and Transition Support program.
- \$6.1 million over four years to maintain specialised visa support for temporary visa holders experiencing domestic and family violence.
- \$6.0 million over two years for the provision of trauma-informed local outreach healthcare in crisis and temporary accommodation and services, to support women and children experiencing family, domestic and sexual violence.
- \$11.7 million over two years to extend the First Nations Family Dispute Resolution pilot to establish new culturally safe and appropriate family dispute resolution service models.
- \$6.5 million in 2024-25 for the Age Assurance Pilot to Protect
   Children from Harmful Online Content to support the Government's
   efforts to protect children from harmful online content, including
   online pornography.
- \$4.3 million in 2024-25 to commission Australia's National Research
   Organisation to further build the evidence base on pathways into and out of perpetration of family, domestic and sexual violence.
- \$3.9 million over four years from 2024-25 (and \$1.0 million per year ongoing) for the Office for Women (part of the Department of the Prime Minister and Cabinet) to assist in coordinating whole of Government efforts relating to women's safety across portfolios.
- \$1.3 million over two years from 2023-24 for a rapid review of targeted prevention approaches to violence against women, with a panel of experts to provide advice to government on preventing gender-based violence, including a focus on homicides.

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- \$1.4 million over two years for the eSafety Commission to support internal legal and compliance functions under the Online Safety Act 2021.
- \$2.5 million over two years to the Attorney-General's Department to undertake an audit of Government supply chains and procurement procedures to tackle modern slavery risks.
- This Budget also includes a new decision to direct \$1 billion of funding for the National Housing Infrastructure Facility towards crisis and transitional accommodation for women and children experiencing domestic violence and youth, as part of our \$32 billion investment in housing.
  - Funding is being rebalanced to provide more up-front grants rather than loans to support states and territories and community housing providers to deliver more housing for these cohorts.
  - This is a result of feedback from the housing sector which highlighted that grant funding is typically more suitable to crisis and social housing projects, due to the lower rates of return.

# If asked: What is the Government doing to prevent violence and respond to the high number of women being killed by men's violence?

- Australia, state and territory governments have set a joint target to reduce female intimate partner homicide by 25 per cent each year.
- The Government is establishing a new statistical dashboard by mid-2024 to provide timelier reporting on female intimate partner homicide.
- Through the National Plan, the Government is working with states and territories to strengthen system responses, with a focus on high-risk perpetrators and serial offenders to prevent homicides.
- Following National Cabinet on 1 May, all governments committed to enhanced efforts on (see <u>Attachment A</u>):
  - Strengthening prevention efforts through targeted, evidence-based approaches;
  - improving police responses to high-risk perpetrators and serial offenders;
  - improving data sharing about perpetrators across systems and jurisdictions; and
  - strengthening national consistency to drive best practice justice responses that support people who have experienced violence.

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- The Government has appointed an independent expert panel to conduct a rapid review into best-practice prevention approaches and advise Government on further action to prevent gender-based violence.
  - The review will focus on evidence-based approaches to preventing violence, new methods and whole of system opportunities, with a focus on high-risk perpetrators and the prevention of homicide.
  - The independent expert panel will report back to Government in the third-quarter of 2024.
- The Government is providing an additional \$4.3 million (over two years from 2023-24) for the Australian National Research Organisation for Women's Safety to further build the evidence base on pathways into and out of perpetration, including improvements to data linkages to understand characteristics of people who use violence.
- The Government is also delivering a range of new measures to tackle factors that exacerbate violence against women, such as violent online pornography and misogynistic content targeting children and young people.
  - The Government is investing \$6.5 million in 2024-25 to pilot age assurance technologies to protect children from harmful online content, like pornography.
  - A new phase of the Stop it at the Start campaign will launch in mid-June and run until May 2025. This campaign intends to counter online content targeted at young adults that condones violence against women.
  - The Government will also introduce legislation to ban the creation and non-consensual sharing of sexually explicit deep fake material created and altered using technology such as artificial intelligence.

# If asked: How were the Rapid Review Expert Panel appointments made?

- The expert panel brings together leading experts from multi-disciplinary fields with the mix of skills and expertise required to provide Government and National Cabinet with advice on approaches to the prevention of violence against women.
- The candidates were identified in discussion between the panel coconvenors, and selected through a direct process based on their specialist skills and expertise to deliver what is required of the review.
- This approach was necessary in order to expedite standing up the review to ensure its outcomes can be reported to National Cabinet in the third quarter of 2024.

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- The panel is not intended to be a representative group and will use consultative mechanisms to ensure the views and expertise of different cohorts and organisations inform the review.
- This will include, but is not limited to, consultations with people with lived experience of violence, frontline services and First Nations people and communities.

# If asked: How is the Leaving Violence Payment program different from the Escaping Violence Payment?

- The Government is providing \$925.2 million over five years to establish the Leaving Violence Program as an ongoing financial support program for victim-survivors leaving a violent intimate partner relationship.
  - Under the new program, eligible victim-survivors, regardless of visa status or gender, can access up to \$5,000 in financial support and short-term referral services, risk assessments and safety planning.
  - This will be provided in the form of up to \$1,500 in cash (or cash equivalent) and the rest as a pre-paid card for goods and services.
  - The payment amount will be indexed annually to reflect the increasing cost of living.
- The new LVP builds on the successes and learnings of the Escaping Violence Payment trial (EVP) and the Temporary Visa Holders Experiencing Violence Pilot (TVP), to establish a new program.
  - Both the EVP and TVP will be extended to 30 June 2025 to continue to provide support services until the new LVP is established from 1 July 2025.
  - LVP combines the EVP trial and TVP into a single program accessible to any eligible individual regardless of gender or visa status
- The LVP will deliver over 36,000 packages per year. This represents a 200 per cent increase in financial assistance package capacity compared to the initial capacity of the EVP trial which was 12,000 packages per year.

# If asked: What progress has the Government made in providing 500 frontline service and community workers?

- The Minister representing Minister for Social Services is best positioned to provide the latest implementation update.
- The Australian Government has delivered funding to all jurisdictions in line with our commitment.

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- Jurisdictions have faced delays recruiting workers due to challenges with the current job market and workforce pipeline, local recruitment processes and negotiations with service providers.
  - The newly announced Commonwealth Prac payment will help support the pipeline of social workers for this sector.
- The Australian Government is working closely with states and territories to accelerate implementation and recruitment of workers, including through the agreement of project plans and regular progress reporting.

# If asked: What is the Government doing to support community legal services?

- In the final year of the \$2.4 billion National Legal Assistance Partnership 2020-25 (NLAP), the Government is providing a one-off funding uplift of \$44.1 million in 2024-25 to address the immediate resource and workforce needs affecting the legal assistance sector.
  - This includes: \$8.6 million one-off funding for Family Violence Prevention Legal Services.
- An independent review of NLAP was conducted in 2023-24 by Dr Warren Mundy.
  - The review report was received by Government on 5 March 2024 and released publicly on 28 May 2024
  - The review made 39 recommendations and identifies a range of issues that affect the sector's capacity to deliver these important legal services
  - The review will inform recommendation of future funding arrangements ahead of the expiry of the current NLAP on 30 June 2025.

# If asked: How is the Government responding to Ariel Bombara's claims that police did not take seriously her warnings that her father was an imminent threat?

- We share the nation's grief and devastation at the murders of Jennifer Petelczyc (pa-tel-ches) and her daughter Gretl by Mark James Bombara.
- This was a tragic event and the Australian Government is eager to understand how this event occurred, and what is needed to ensure it doesn't happen again.
- At National Cabinet on 1 May 2024, First Ministers agreed to improve police responses to high risk and serial perpetrators, including considering use of focused deterrence and fixated threat strategies.

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# **WOMEN'S SAFETY**

- This work will be led by Police Ministers Council and the Standing Council of Attorneys-General.
- We understand the West Australian Police will be launching an internal investigation into Ms Bombara's claims and look forward to these findings.

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#### **Background**

### Portfolios to direct further questions to

Topic	Relevant portfolio		
National Consent Campaign			
National Plan	Social Services		
500 frontline workers			
Stop it at the Start			
Progress under the National Plan	Social Services; DFSV Commission		
Intimate Partner Homicide Dashboard	AGD, Australian Institute of Criminology		
Higher education	Education		
National Legal Assistance Partnership			
Sexual violence	Attorney-General's		
Coercive control			
Pornographic deep fakes			
Age assurance pilot	DITRDCA; eSafety		

#### **Key facts**

Community group, Destroy the Joint, report on the number of women killed by violence in Australia and report that:<sup>1</sup>

- 64 women were killed by violence in 2023.
- 57 women were killed by violence in 2022.

The She Matters project by Sherele Moody (Australian Femicide Watch and The RED HEART Campaign) report on the number of Australian women killed each year and report that:<sup>2</sup>

- 73 women were killed in Australia in 2023.
- 60 women were killed in Australia in 2022.

The Australian Institute of Criminology's (AIC) National Homicide Monitoring Program report on the number of female victims of intimate partner homicide each financial year: <sup>3</sup>

- 34 women were killed by an intimate partner in 2022-23 (one woman every 11 days).
- 26 women were killed by an intimate partner in 2021-22 (one women every 14 days).
- 27 women were killed by an intimate partner in 2020-21 (one women every 14 days).
- 37 women were killed by an intimate partner in 2019-20 (one woman every 10 days).

This figure has been generally dropping since 1989-90, with particularly high numbers in 1990-21 (72 women), 2001-02 (75 women), 2007-08 (65 women).

Since the age of 15:4

- One in three women has experienced physical violence;
- One in four women has experienced violence by an intimate partner; and
- One in five women has experienced sexual violence.

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<sup>&</sup>lt;sup>1</sup> Destroy the Joint, Facebook

<sup>&</sup>lt;sup>2</sup> She Matters project by Sherele Moody, Instagram

<sup>&</sup>lt;sup>3</sup> Homicide in Australia 2022-23 Report, Australian Institute of Criminology National Homicide Monitoring Program.

<sup>&</sup>lt;sup>4</sup> ABS, 2021-22 Personal Safety Survey, 15 March 2023 release.

#### **National Consent Campaign**

The National Consent Campaign is funded under the National Plan. The campaign will run until May 2024 across television, online video, cinema, social media, search and out of home channels. The campaign targets adults who have young people in their lives to help them get on the same page about consent so that they feel comfortable and confident having conversations with young people. The campaign was developed after extensive developmental research with more than 2600 Australians and consultation with an Expert Advisory Panel.

# Gender-based violence in higher education

On 23 February 2024, Education Ministers agreed to the *Action Plan Addressing Gender-based Violence in Higher Education* (Action Plan), proposing a multi-pronged approach to create higher education communities free from gender-based violence. The Action Plan was developed in response to the Universities Accord Interim Report, and outlines seven actions, including establishing a National Student Ombudsman and a National Higher Education Code to Prevent and Respond to Gender-based Violence that will set requirements for higher education providers to embed a whole-of-organisation approach and strengthen accountability for systemic issues relating to gender-based violence.

#### National Plan monitoring and evaluation

On 16 August 2023, the Australian, state and territory governments launched the First Action Plan 2023-27, a dedicated Aboriginal and Torres Strait Islander Action Plan 2023-25 and an Outcomes Framework. The First Action Plan is accompanied by an Activities Addendum detailing investments and efforts by the Commonwealth, states and territories to implement each of the 10 actions.

Under the Outcomes Framework, the Australian Government and state and territory governments have agreed to an initial set of six national targets to measure progress:

- 1. Rates of female intimate partner homicide.<sup>5</sup>
- 2. Knowledge of behaviours that constitute family, domestic and sexual violence.<sup>6</sup>
- 3. Community attitudes towards violence against women.
- 4. Community attitudes towards rejecting gender inequality.
- 5. Community attitudes towards rejecting sexual violence.
- 6. Closing the Gap Target 13.7

The Outcomes Framework targets will be measured through the Performance Measurement Plan (released 6 May 2024) that outlines how the six National Plan targets will be measured.

The Domestic, Family and Sexual Violence Commission will also monitor the progress of the National Plan through its Yearly Report to Parliament, expected in August 2024.

### Intimate partner homicide dashboard

On 24 November 2023, the Government announced a new statistical dashboard due to be released by mid-2024 that will provide quarterly updates on intimate partner homicide. Currently, official reporting intimate partner homicide is updated annually.

### 500 workers election commitment

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<sup>&</sup>lt;sup>5</sup> Measured by the Australian Institute of Criminology's National Homicide Monitoring Program.

<sup>&</sup>lt;sup>6</sup> Targets 2 – 5 Measured by the National Community Attitudes towards Violence against Women Survey (NCAS) run every four years by Australia's National Research Organisation for Women's Safety Limited (ANROWS).

<sup>&</sup>lt;sup>7</sup> Closing the Gap Target 13: By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50 per cent, as progress towards zero.

In the 2022-23 Budget, the Government provided \$169.4 million over four years to engage 500 frontline service and community workers to support women and children experiencing family, domestic and sexual violence. Funding is provided to jurisdictions under the 2021-27 National Partnership Agreement on Family, Domestic and Sexual Violence Responses.

All jurisdictions have received the first two payments for 500 frontline workers under the National Partnership Agreement including: payment one of \$14.9 million in June 2023, and payment two of \$43.2 million in September 2023. The third payment of \$52.4 million is due to jurisdictions in August 2024, upon receipt of progress reports from jurisdictions.

The commitment to deliver 500 new community and frontline sector workers is not currently on track to meet the target of 352.42 FTE workers in 2023-24. As of 30 April 2024, 39 workers (30.9 FTE) have commenced across Australia due to challenges with recruitment and negotiations with service providers.

# Commonwealth Prac Payment

On 6 May 2024, the Minister for Education, the Hon Jason Clare MP, and the Minister for Skills and Training, the Hon Brendon O'Connor MP, announced the Government will establish a Commonwealth Prac Payment to support students undertaking mandatory workplace placements required for university and vocational education and training qualifications to be a teacher, a nurse, a midwife or a social worker. The payment will help support the pipeline of social workers available to support those affected by family, domestic and sexual violence.

#### Sexual violence

The Attorney-General is leading work on justice responses to sexual violence with his state and territory counterparts responsible for laws relating to sexual violence. This includes convening a national roundtable on 23 August 2023 to inform the terms of reference for an Australian Law Reform Commission inquiry into justice responses to sexual violence. The Inquiry commenced on 22 January 2024 and is due to report in early 2025.

On 29 November 2022, the Senate referred an inquiry into current and proposed sexual consent laws in Australia to the Legal and Constitutional Affairs References Committee. The inquiry report was released on 14 September 2023 and included 17 recommendations. The Government response to the report and recommendations is anticipated to be tabled in Parliament in mid-late 2024.

The Government has funded a number of measures as part of its efforts to implement the Standing Council of Attorneys-General Work Plan to Strengthen Criminal Justice Responses to Sexual Assault 2022-2027, including:

- \$1.1 million in the 2022-23 Budget toward developing a national justice sector education and training package on the nature and impacts of sexual assault.
- \$8.4 million funding over three years from 2023-24 to pilot new service delivery models in Victoria, Western Australia and the Australian Capital Territory. These will provide sexual assault victim-survivors with greater access to dedicated legal services to support their safe and informed participation in the justice system.

#### Legal aid and the National Legal Assistance Partnership 2020-2025 (NLAP)

The NLAP is a \$2.4 billion agreement between the Commonwealth and state and territory governments to fund vital legal assistance services for the most vulnerable people in Australia, including women experiencing gender-based violence.

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With the current NLAP to expire in 2025, an independent review considered how future arrangements could better provide access to justice for all who need it. The review, completed 5 March 2024, will inform future funding arrangements for legal assistance. A report has been provided to states and territories to consider its recommendations.

A report from Community Legal Centres Australia, *A Sector in Crisis*, found that more than 350,000 people in Australia had been turned away from community legal services in the last year, with key challenges facing community legal centres as inadequate funding, increased demand for services, and recruiting and retaining skilled staff. These problems are more acute in rural and remote communities.

# **Supporting information**

#### **Questions on Notice**

#### Additional Estimates 2023-24 (February 2024)

 SEQoN 0082 – Staffing and vacancies - Office for Women. Response tabled 4 April 2024.

### Freedom of Information (FOI) Requests

- PM&C FOI/2024/078. Senate Estimates Briefing Pack prepared by PM&C for the 2023-24 Additional Senate Estimates, relating to the Office for Women, Workplace Gender Equality Agency and the Women's Economic Equality Taskforce.
- PM&C FOI/2023/319. Minister for Women Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Quality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. Decision pending.

#### **Recent Ministerial Comments**

- On 28 May, the Government announced the Expert Panel appointed to lead the Rapid Review of Prevention Approaches: <u>Working to end violence against women</u> with rapid review into prevention approaches.
- On 1 May 2024, National Cabinet met to discuss gender-based violence: <u>Meeting of National Cabinet on gender-based violence</u>.
- On 1 May 2024, in a joint media release the Prime Minister, the Minister for Women, the Minister for Social Services, Attorney-General, and the Minister for Communications announced a range of measures to tackle online content that exacerbates violence against women: <u>Tackling online harms</u>.
- On 1 May 2024, the Prime Minister, Minister for Women and Minister for Social Services announced the Leaving Violence Program: <u>Helping women leave a violent</u> <u>partner payment</u>.
- On 28 April 2024, the Prime Minister delivered a speech at the <u>No more: National</u> rally against gender based violence march.
- On 6 March 2024, the Attorney General announced he received the report of the Independent Review of the National Legal Assistance Partnership.
- On 23 February 2024, the Minister for Education, the Hon Jason Clare MP, announced two women's safety measures under the Universities Accord: Independent National Student Ombudsman to improve student safety.

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 On 7 February 2024, the Prime Minister delivered a speech to the UN Women's Annual Parliamentary Breakfast highlighting we must work together to end violence and focus on prevention: <u>International Women's Day parliamentary breakfast.</u>

# **Relevant Media Reporting**

- Herald Sun Op-Ed Only men have the power to stop this, Ms Zoe Daniel MP, Herald Sun, 23 April 2024.
- A sector in crisis: community legal centres overwhelmed, Rudi Maxwell, The Canberra Times, 25 March 2024.
- <u>Has your child watched porn? Most young Australians have and experts are</u> worried, SBS News, 20 March 2024.
- <u>Scope of federal government inquiry into the judicial response to sexual violence</u> revealed, Georgia Roberts and Monte Bovill, ABC News, 23 January 2024.

**Date:** 28 May 2024

Cleared by (SES): Padma Raman, Executive Director, OFW

Telephone No: s 22(1)(a)(ii)

**Group/Branch:** The Office for Women

Contact Officer: s 22(1)(a)(ii)
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Consultation: DSS Women's Safety Group, DoE University Accord Implementation Branch, AGD

Family Safety Branch, Finance AAU

**PDR Number:** SB24-000083

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# <u>Attachment A</u> – National Cabinet agreed actions and announcements

Action	Proposed Lead	Details			
National Cabinet agreed actions					
Police and justice responses to high risk perpetrators	Commonwealth, Attorney- General	Police Ministers Council to work alongside the Standing Council of Attorneys-General to develop options for improving police responses to high risk and serial perpetrators of gender based violence, including considering use of focussed deterrence and fixated threat strategies.			
National information sharing on perpetrators	Commonwealth, Minister for Women and Finance	Improving information sharing about perpetrators across systems and jurisdictions, complements existing work of the Data and Digital Ministers Meeting and Women and Women's Safety Ministerial Council.			
Nationally consistent responses to sexual assault	States, Victoria and South Australia	States and Territories will explore opportunities to strengthen national consistency and drive best practice approaches across jurisdictions. Details for implementation are yet to be determined.			
Prevention rapid review	Commonwealth, DFSV Commissioner and OFW	A new measure for an expert panel to conduct a rapid review of best practices approaches to prevention. The expert panel will engage with states and territories, and key stakeholders, especially First Nations experts.			
Additional Commonwea	alth measures (announced)				
Leaving Violence Program	Commonwealth, Minister for Social Services	\$925.2 million over five years is provided in the May 2024-25 Budget to permanently establish the Leaving Violence Program announcing the program will commence by mid-2025.			
Phase five of Stop it at the Start	Commonwealth, Minister for Social Services	\$55.3 million over years from 2022-23 was provided in the 2022-23 Budget for a fifth and sixth phase of the primary prevention campaign. Launching phase five of the Stop it at the Start campaign in mid-June 2024 to counter violent and misogynistic content online.			
Learning from lived experience	Commonwealth, Domestic, Family and Sexual Violence Commissioner	Continuing to learn from those with lived experience of violence. This could be implemented through the existing Lived Experience Advisory Council led by the Domestic, Family and Sexual Violence Commission.			
Legislation on deepfake pornography	Commonwealth, Minister for Communications	Introducing legislation to ban the creation and distribution of deepfake pornography.			
Classification reforms	Joint, led by Commonwealth Minister for Communications	Undertaking classification reforms with states and territories to examine options to reduce exposure to violent pornography informed by experts. This is an existing measure.			
Review of the Online Safety Act	Commonwealth, Minister for Communication	Bring forward the Statutory Review of the <i>Online Safety Act 2021</i> by one year; and bring forward legislation on doxxing in early August 2024 to outlaw the release of private information online with an intent to cause harm.			
Age assurance pilot to protect children online	Commonwealth, Minister for Communication	\$6.5 million is provided in the May 2024-25 Budget for a pilot of age assurance technologies to better protect children online, and support codes or standards under the Online Safety Act.			

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# Attachment B – Rapid Review of Prevention Approaches Terms of Reference

#### Overview

Violence against women and children remains a national crisis in Australia. While there has been significant action and investment towards ending gender-based violence, including through the National Plan to End Violence against Women and Children 2022-2032 (the National Plan), the recent increase in rates of intimate partner homicide shows the need to continually identify gaps and opportunities to strengthen our current approach and accelerate efforts to stop violence against women.

On 1 May 2024, following a meeting of the National Cabinet, the Commonwealth announced it would undertake a rapid review of evidence-based approaches to prevent gender-based violence. This work will be led by a panel of experts (the Panel). The Panel will provide practical advice to Government on further action to prevent gender-based violence, which builds on the considerable work underway under the National Plan. It will be co-convened by Australia's Domestic, Family and Sexual Violence Commissioner (the Commissioner), Ms Micaela Cronin, the Executive Director of the Commonwealth Office for Women, Ms Padma Raman, and the Secretary of the Department of Social Services, Mr Ray Griggs AO CSC.

### Scope

Drawing on existing evidence and best-practice approaches, the Panel's work will address opportunities to strengthen prevention efforts and approaches across all forms of violence against women and children, including a particular focus on homicides. Prevention will be conceived broadly to include anything that contributes to reduced levels of gender-based violence. It will build on Australia's current approaches to prevention and consider whether they need to be further adapted or refined.

The Commissioner and co-convenors will report to the Minister for Social Services and the Minister for Women on behalf of the Panel, with the focus areas of:

- Targeted approaches to preventing violence, with a focus on identifying what works across the life cycle and for different groups of people. This includes:
  - prevention and early intervention for those most at risk of experiencing or perpetrating violence;
  - the most effective settings and approaches for preventing violence and intervening early; and
  - o pathways and approaches specific to different types of violence.
- Engaging with determinants, risk factors, pathways and intersecting factors for genderbased violence, including different and emerging forms of violence, and the role of key industries;
- Whole of system opportunities for prevention and intervention, including stronger accountability and consequences for people who choose to use violence.
- Opportunities to effect attitudinal change and accelerate progress to prevent violence against women and children, including at a local level. This could include consideration of place-based and saturation models.

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In undertaking its work, the Panel will consider:

- Opportunities to engage with men to support prevention, acknowledging that family, domestic and sexual violence is overwhelmingly perpetrated by men, against women.
- New approaches that governments, the non-government sector and industry that can take to prevent gender-based violence in Australia.
- The experiences and needs of different groups of people, including First Nations people, culturally and linguistically diverse people, people with disability and LGBTQIA+ people.
- Developing practical and realistic recommendations for future effort over short, medium and longer-term time horizons.

The work will inform the Commonwealth's report back to National Cabinet in the third quarter of 2024.

#### Stakeholder engagement

Throughout its work, the Panel will consult regularly with Our Watch, ANROWS, the National Women's Alliances, states and territories, and other stakeholders they determine appropriate.

The Panel will also undertake targeted stakeholder consultations via a series of roundtables. Roundtables will include members of the National Plan Advisory Group, the First Nations National Plan Steering Committee, people with lived experience of violence, frontline services, and academics and data experts.

#### Membership

- Dr Anne Summers AO
- Dr Todd Fernando
- Dr Leigh Gassner APM
- Ms Elena Campbell
- Ms Jess Hill
- Dr Zac Seidler

#### **Deliverables**

The Panel will provide a final report to the Commonwealth Government, with specific and practical advice on the best approach(es) to strengthen prevention efforts across all forms of violence against women and children in Australia. This report will be delivered by 15 August 2024 to the Commonwealth Minister for Social Services and the Minister for Women. The final report will also be provided to the Prime Minister to inform the Commonwealth come back to National Cabinet ahead of its meeting in the third quarter of 2024.

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# Attachment C - Women's Safety measures

# 2024-25 Budget Measures

<u>Portfolio</u>	<u>Measure</u>	Total \$(m)
DSS	Leaving Violence Program	925.2
Home Affairs	Support for temporary visa holders experiencing domestic family violence	6.1
Home Affairs	Reforms to Migrant and Refugee Settlement Services	7.0
NIAA	National Legal Assistance Partnership including Family Violence Prevention Legal Services	44.1
AGD	First Nations Family Dispute Resolution Pilot	11.7
Education	National Higher Education Code to Prevent and Respond to Gender-Based Violence	18.7
Education	National Student Ombudsman	19.4
Health	Healthcare in women's crisis accommodation and services	6.0
PM&C	Rapid Review of targeted prevention approaches to violence against women	1.3
DSS	Expand Perpetrator research and evidence base	4.3
PM&C	Office for Women - Ending Gender-Based Violence	3.9
DITRDCA	Age Assurance Pilot to Protect Children from Harmful Online Content	6.5
ACMA	Online safety – eSafety Commission funding	1.4
AGD	Strengthening the Modern Slavery Act	2.5
	Total	\$1.1 billion

# 2023-24 MYEFO Measures

<u>Portfolio</u>	<u>Measure</u>	Total \$(m)
Home Affairs	Forced Marriage Specialist Support Program	12.1
DSS	Temporary Visa Holders Experiencing Violence Pilot	4.4
AGD	Speak Now	2.2

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# 2023-24 Budget Measures

<u>Portfolio</u>	<u>Measure</u>	Total \$(m)		
Aboriginal and	Torres Strait Islander Action Plan			
DSS	\$145.3m over four years, including a provision of \$128.6m in the Contingency Reserve, to support activities which address immediate safety concerns for First Nations women and children.			
NIAA	\$17.6m to deliver family safety initiatives under the Action Plan			
NIAA	\$23.2m to deliver 7 place-based, trauma-aware and culturally responsive healing programs to support families			
DSS	\$7.8m to support the development of a standalone First Nations National Plan for Family Safety			
NIAA	Funding over two years to support National Family Violence Prevention Legal Services providers	\$68.6		
Funding for th	ne First Action Plan			
DSS and Treasury	\$159.0m over two years to extend the National Partnership on Family, Domestic and Sexual Violence Responses			
DSS	\$38.2m to extend the Escaping Violence Payment (EVP) and Temporary Visa Holders Experiencing Violence Pilot (TVP) to January 2025. Costs to be met from within existing DSS resources			
AGD	\$33.1m Family Law Priority Property Pool program (PPP500)			
DSS	\$24.3m to enhance the Support for Trafficked People Program (STPP)			
AGD	\$18.4m to improve the safety of women and children in child abduction cases			
AGD	\$13.4m to extend the Lawyer-assisted Family Law Property Mediation program	\$326.7		
DSS	\$12.1m for primary prevention initiatives including community led sexual violence prevention pilots and Teach Us Consent	]		
Home Affairs	\$10m to expand Family Violence Provisions and establish an Enduring Visa Support Capability for Victims of Domestic and Family Violence	ic and		
DSS	\$8.5m for early intervention initiatives including developing a perpetrator risk assessment framework, funding the Mensline Changing for Good Service and developing a national perpetrator referral database			
AGD	\$6.5m to strengthen and harmonise Sexual Assault and Consent Laws	-		
DSS	\$3.3m to develop a National Model of Care for children who present to emergency accommodation as a result of family and domestic violence and to evaluate 1800RESPECT			
	Total	\$589.3		

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#### **OFFICE FOR WOMEN GRANTS**

# Subject/Issue

Investment through the Working for Women Program will support action under *Working for Women: A Strategy for Gender Equality* (Strategy).

# **Key facts and figures**

 The appropriation for the Working for Women Program is approximately \$49.843<sup>1</sup> million over 2024-25 to 2027-28.

# **Key points**

- To support the implementation of the Strategy, the current women's portfolio funding, previously known as the Women's Leadership and Development Program (WLDP), has been reframed to the Working for Women Program (WfWP).
- The WfWP aims to improve outcomes for women and gender equality in Australia, with a focus on addressing gendered attitudes and stereotypes and taking action across the five priority areas of the Strategy.
- Funding priorities within the first year of the Strategy include establishing two key partnerships:
  - \$10.88 million over five years (from December 2024 to June 2029), continuing investment in the National Women's Alliances (NWA) to ensure women's voices and expertise inform the implementation of the Strategy;
  - \$5 million over six years (from late 2024-25), to establish a research partnership to help build the evidence base on what works to achieve gender equality, with a particular focus on economic equality.
- From 2025-26, the WfWP will also support further evidence-based projects to drive action across the Strategy's priority areas.
- These projects will be informed by, and build on, the advisory and research partnerships, as well as further stakeholder engagement and existing evidence.

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<sup>&</sup>lt;sup>1</sup> Figures are based on the re-profiled appropriation and reclassification of administered funds to departmental funds for Hub administration costs, published as per the Portfolio Budget Statements 2024-25.

# National Women's Alliances (NWA) Grant Opportunity

- A network of up to six civil society organisations will be established, building on the current NWA program.
- Successful organisations will collaborate to provide evidence based, intersectional gender equality advice and civil society expertise to Government on areas of most impact and influence to the Strategy.
- The open competitive grant round opened on 21 May 2024 and will close on 3 July 2024. An information session will be held on 29 May 2024. Agreements are expected to commence on 2 December 2024.
- Under the new arrangements, funding has been increased by 25 per cent with 5 year grant agreements to be offered.
- The funding increase and longer agreements will ensure NWA are sufficiently resourced to fulfil performance expectations, are better able to attract and retain the required expertise and will provide continuity over the first 5 years of implementing the Strategy.
- The grant opportunity allows for more flexibility on how Alliances are structured and work together, with more clarity and sharper focus for how they direct their effort so they can be as effective and targeted as possible.
  - The increase in resources, closer collaboration and coordination, and direction through <u>Working for Women</u> to focus effort, are all part of the scaffolding to ensure the alliances have real impact and are working in partnership with government.

# Research Partnership

- The Government is committed to connecting with women's experiences and building the evidence base on what works to achieve gender equality, especially in relation to diving economic equality.
- The research partnership will provide a mechanism for the Government to hear directly from the Australian community, particularly women, about their experiences, concerns and priorities.
- It will provide actionable insights to identify avenues for action with a particular focus on women's economic equality.
- The grant opportunity is expected to open in August 2024, with the partnership in place by March 2025. A forecast opportunity was published on GrantConnect on 10 May 2024.

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# Women in Public Office (WIPO) Grant

 Delivering on the Government's election commitment to improve gender equality and diversity in politics, \$5 million (2022-23 to 2026-27) will be provided to Women for Election Australia (WFE) to build and support a pipeline of diverse women to prepare for, and enter, public office.

## Sensitivities

s 47E(d) , s 47G(1)(a)				

- We take complaints seriously, and OFW is taking steps to ensure administrative arrangements of the WIPO grant activity adhere with Commonwealth grant regulations and frameworks.
- The Government is committed to preparing and encouraging more women across the political spectrum to run for public office, particularly those from First Nations or Culturally and Linguistically Diverse backgrounds. This grant opportunity is aimed at providing culturally appropriate training and resources to support more women into political office.

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# **Background**

### **Funding Profile**

Through the 2024-25 Budget the following changes were made to the existing program appropriation:

- \$8.329 million was re-profiled across the first five years of the Strategy (2023-24 to 2027-28) to enable the establishment of two key partnerships, and to fund future projects to drive action under the Strategy.
- \$0.672 million (2023-24 to 2029-30) was reclassified from administered to departmental funding to meet implementation costs for the two key partnerships, including costs for the DSS Community Grants Hub (Hub).

The presentation of the appropriation in the 2024-25 PM&C Portfolio Budget Statement shows a \$0.799 million reduction to the appropriation in comparison to figures published in the 2023-24 Portfolio Additional Estimates Statements. This reduction is due to the re-profiling, reclassification \$ 47E(d)

Working for Women Program Appropriation (\$'m)	2023-24	2024-25	2025-26	2026-27	2027-28	Total
2023-24 PAES	21.368	21.144	18.000	5.256	5.382 <sup>1</sup>	71.150
Reclassification & Movement of Funds	-0.860	-7.046	-0.937	4.334	3.896	-0.613 <sup>2</sup>
		s 47E(d)				
2024-25 PBS <sup>3</sup>	20.508	14.058	16.958	9.575	9.252	70.351

<sup>&</sup>lt;sup>1</sup> 2027-28 budget figure was not published at 2023-24 PAES.

### Women's Leadership and Development Program

Since 2019-20, 89 projects have been funded under the WLDP. More than 76,000 women and girls are estimated to benefit from the range of national and community level projects.

Projects contribute to improving the overall economic security, workforce participation, leadership representation and safety outcomes of women in Australia. The majority of projects focus on boosting women's employment opportunities, particularly in traditionally male-dominated sectors, and benefit women from all backgrounds, including women with disability, First Nations women, culturally and linguistically diverse women, and women living in rural, regional and remote areas.

As at 31 March 2024, 67 grants are active under the WLDP. By December 2024, 44 of these grants will cease, with the remaining grants ending progressively by October 2027.

#### National Women's Alliances

Six National Women's Alliances (NWA) are currently funded until 30 Nov 2024 to advocate for women and advise policymakers on Australian Government policies that affect women.

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 $<sup>^2</sup>$  Additional reductions of \$0.059 million are expected (in 2028-29 and 2029-30) as part of the re-profiling process and will result in an overall reduction to the appropriation of \$0.672 million from 2023-24 to 2029-30.

<sup>&</sup>lt;sup>3</sup> Figures are based on the re-profiling of the appropriation and reclassification of administered to departmental funds for Hub administration costs, published as per the Portfolio Budget Statements 2024-25.

#### The six NWA are:

- Equality Rights Alliance women's economic security and women's leadership
- National Women's Safety Alliance women's safety
- Harmony Alliance migrant, refugee and culturally and linguistically diverse women
- National Aboriginal and Torres Strait Islander Women's Alliance First Nations women
- National Rural Women's Coalition women living in rural, regional and remote areas
- Women With Disabilities Australia women with disability.

Each of the Alliances received \$997,477 from 2021-22 to 2024-25. This amount includes indexation.

# Women in Public Office grant

WFE lead a group of partners to deliver this non-partisan program, including Turnstone Collective, Australian Local Government Women's Association, Global Institute of Women's Leadership, Ruth McGowan Pty Ltd, and Quantum Impact Group Pty Ltd.

The project commenced in June 2023.

WFE were selected through a competitive selection process.

#### **Supporting information**

#### **Questions on Notice**

No QoNs asked

### Freedom of Information (FOI) Requests

PM&C FOI request FOI/2023/319. Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. This FOI is with the Information Commissioner for review following a practical refusal. As the decision is under review it would be inappropriate to comment further.

#### **Recent Ministerial Comments**

Nil

### **Relevant Media Reporting**

Nil

**Date:** 17 May 2024

Cleared by (SES): Padma Raman, Executive Director, OFW

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Consultation: Nil

PDR Number: SB24-000084

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#### WOMEN IN HONOURS AND LEADERSHIP

# Subject/Issue

To achieve gender equality, more women, including First Nations women and women from diverse backgrounds, need to be represented in decision-making, leadership and in public life. The Government is committed to driving progress on women's leadership, representation and decision-making across all areas and levels.

# **Key facts and figures**

- As at 30 June 2023, women held 51.6 per cent of Australian Government board positions – a record high.
- In the 2024 Australia Day Honours list, women received 50.5 per cent of Order of Australia (General Division) awards.
- As at 14 May 2024, women represent 44.7 per cent of the 47<sup>th</sup> Parliament (56.0 per cent of the Senate; 39.1 per cent of the House of Representatives).
- At the current rate, it could take up to 50 years to reach gender parity in ASX300 CEO roles.<sup>1</sup>

# **Key points**

- Leadership, representation and decision-making is the fifth priority area for action under Working for Women: A Strategy for Gender Equality (Working for Women), which was launched on 7 March 2024.
- Under Working for Women, the Government is implementing new and renewed targets for women's representation on Australian Government boards:
  - At least 50 per cent representation of women in overall board positions, at the portfolio level (new target)
  - At least 50 per cent representation of women in Chair and Deputy
     Chair positions, at the portfolio level (new target)
  - At least 50 per cent representation of women in overall board positions, at the whole of government level (renewed target)
  - At least 40 per cent representation of women on individual boards (renewed target)

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<sup>&</sup>lt;sup>1</sup> CEW Senior Executive Census 2023.

#### Gender Balance on Australian Government Boards

- As at 30 June 2023, 51.6 per cent of overall board positions were held by women, which was the highest overall result since reporting began in 2009.
  - Women held 42.3 per cent of Chair and Deputy Chair positions;
     received 52.9 per cent of new appointments; and received
     45.2 per cent of external nominations.
  - Most boards (78.7 per cent) have at least 40 per cent representation of women.<sup>2</sup>
- On 15 December 2023, the Gender Balance on Australian Government Boards Report 2022-23 was published on the Department of the Prime Minister and Cabinet (PM&C) website.
- From 1 July 2024, the Government will expand the methodology of gender balance on Australian Government boards reporting so that all positions are captured.
  - Currently, positions are excluded from reporting unless they are appointed or approved by an Australian Government representative (i.e. the Prime Minister, the Cabinet, a Commonwealth Minister or the Governor-General in Cabinet). This includes ex-officio positions.
- OFW will also consult across Government to identify an appropriate approach to collecting and reporting remuneration data.
  - OFW has collected initial high-level data on the remuneration of board positions since the 2022-23. This includes how many board positions are not remunerated.
  - However, individual remuneration arrangements are complex and it has not yet been possible to accurately calculate if there is a 'gender pay gap' on Australian Government boards [NB: complexity includes that some boards are remunerated on a per annum basis and others on a per diem basis].
- The next annual reporting period, commencing July 2024, will include the new targets and the expanded methodology.
  - These new targets and methodology will appear in the annual reporting in the second half of 2025 and the any interim headline results published..
- The Office for Women (OFW) is preparing for implementation, including developing new guidance material, and supporting departments and agencies through the transition to the new reporting.

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<sup>&</sup>lt;sup>2</sup> Note the 2022-23 report is the first to publish this data.

# Women's representation in Honours

- Since 2022, OFW has undertaken gendered analysis of the Order of Australia awards to understand the underrepresentation of women and the barriers to improving gender equality in the Australian Honours system.
  - This found that barriers include a lack of community awareness of the honours system, limited engagement with the system by women and a lack of nominations of women.
- OFW is encouraging the public to nominate more women for an Order of Australia through a social media campaign, #NominateAWoman.
  - The campaign is delivered within existing resources, and using Australian Government, PM&C and OFW communications channels.
  - The next iteration of the campaign will be delivered in 2024, with posts to focus on aviation, building and construction, transport and engineering. The campaign seeks to increase nominations for women for the Order of Australia, particularly where women are underrepresented.
  - On 2 August 2023, OFW launched the campaign encouraging nominations for women, highlighting women's underrepresentation in awards for services to sport.
  - On 14 August 2023, a follow-up post marked National Science Week, encouraging nominations for women who have demonstrated outstanding services to science and/or STEM.
  - In its first four weeks, from 2 August to 31 August 2023, the
     #NominateAWoman campaign reached 550,385 people.

# Women's representation on private sector boards and CEO positions

• The Government is looking at how it can collaborate with the private sector on gender equality broadly, and including women's representation in leadership, including representation on private sector boards.

# Women's political representation – see grants brief

- The Government has committed \$5 million over five years (2022-23 to 2026-27) to boost gender equality and diversity in Australian politics.
  - Funded through the competitive Women in Public Office grant opportunity, Women for Election Australia (WFE) are leading a group of partners to deliver a non-partisan program to equip and encourage more women across the political spectrum to run for public office at local, state and federal levels.
  - Funding is provided through OFW.

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# **Background**

#### Gender Balance on Australian Government Boards

The Australian Government introduced targets for gender balance on government boards on 1 July 2016. In the context of *Working for Women: A Strategy for Gender Equality*, the Government renewed its commitment to these targets.

OFW collects data from portfolios on gender balance on government boards at two points each year – as at 30 June and 31 December. OFW collates this data to provide annual, whole of government results.

A Gender Balance on Government Boards Annual Report is published each year on the PM&C website. The report covers financial year results and is released in the second half of each year.

Through the 2022-23 reporting period, for the first time, OFW collected additional data on disaggregated Chair and Deputy Chair positions, the representation of women on individual board level, and remuneration data. This data will also be collected for the 2023-24 reporting period.

There are limitations with the collection of remuneration data, which is inconsistently reported, and is often amalgamated with salary information. This means a 'gender pay gap' cannot be calculated.

Under the current methodology, reporting is not comprehensive and does not provide the full picture of gender balance on Australian Government boards. This is a result of the current methodology limiting the scope of reporting to only capture 'reportable' positions and boards. The Guidelines, which define what positions and bodies are included or excluded for gender balance reporting under the current methodology, can be accessed through the *Gender Balance on Australian Government Boards Report 2022-23 – Appendix A.* 

OFW is exploring ways to calculate gendered differences in Australian Government board remuneration by annualising equivalent earnings, noting there are risks with such an approach. For example accurately converting per diem to equivalent per annum remuneration amounts would depend on how many days a particular board meets. This data is not collected by the Australian Government.

### Women's representation in the Order of Australia

OFW has undertaken comprehensive analysis of data to understand the under representation of women in the Order of Australia. This analysis indicates that a key contributor to the under representation of women in the honours system is a lack of nominations for women across all the categories of the award.

The Office of the Official Secretary to the Governor-General (OOSGG) administers the Order of Australia. Data OFW used in their analysis is collected and provided by OOSGG and is not publicly available.

# **Supporting information**

#### **Questions on Notice**

### Supplementary Budget Estimates 2023-24 (October 2023)

 SEQoN 0049 – EL1 positions supporting work nominating women in the Australian honour system - position description. 24 October 2023. Response tabled 15 December 2023.

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#### Budget Estimates 2023-24 (May 2023)

 SEQON 0389 – Gender balance in Australian Government board report. Written QoN. Response tabled 14 July 2023.SEQoN 0388. Nomination of women to the Australian Honours System. Written QoN. Response tabled 14 July 2023.

### Freedom of Information (FOI) Requests

- PM&C FOI request FOI/2023/319. Minister for Women Senate Estimates Briefing Pack prepared by PM&C for OFW, Workplace Gender Equality Agency, and any materials pertaining to the work of the Women's Economic Equality Taskforce. Decision pending.
- PM&C FOI request FOI/2023/370. OFW records relating to the #NominateAWoman campaign. Decision pending.

#### **Recent Ministerial Comments**

• Nil

#### **Relevant Media Reporting**

• Nil

Date: 20 May 2024
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Consultation: Nil

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#### IMPLEMENTATION OF THE SET THE STANDARD REPORT

# Subject/Issue

Progress in implementing Government-led recommendations of the *Set the Standard Report*.

# **Key facts and figures**

- The 2024-25 Budget provided:
  - \$3.8 million to the Parliamentary Workplace Support Service (PWSS) in 2024-25 for an Independent Parliamentary Standards Commission (IPSC), with further funding for the IPSC to be considered following passage of legislation,
  - \$1.5 million to PM&C in 2024-25 (non-ongoing) for the Jenkins Review Implementation Taskforce, including funding to support extension of the Parliamentary Leadership Taskforce (PLT) to 1 October 2024 (independent Chair and secretariat),
  - \$2.9 million over four years from 2024-25 (and \$0.8 million ongoing) to the Department of Finance (Finance) to align insurance arrangements for MoPS staff with other Commonwealth employees and Ministerial staff, and
  - \$1.8 million over two years from 2024-25 to Finance to support reviews of the implementation of the Set the Standard Report (Report) and of the Parliamentary Workplace Support Service Act 2023.
- The Government leads implementation on eight (8) recommendations and one (1) sub-recommendation. Five (5) recommendations have been implemented:
  - establishment of the statutory PWSS, which commenced on 1 October 2023 (rec 11),
  - review of the Members of Parliament (Staff) Act 1984 (MoP(S) Act) undertaken by the Department of the Prime Minister and Cabinet (PM&C), and published in October 2022 (rec 18), and
  - (by former Government) legislative amendments to clarify termination and discrimination protections for MoP(S) Act staff (recs 17, 24), and expansion of the former PWSS (rec 20(b)-(e)).
- Outstanding Government-led recommendations are:
  - establish the IPSC (rec 22),

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- amend the Public Interest Disclosure Act 2013 to apply to MoP(S) Act staff (rec 23), with protections for people who make reports being considered in the context of establishing the IPSC,
- formalise staff code of conduct (rec 21(b)), which is being progressed by the Special Minister of State to coincide with IPSC commencement, and
- establish an independent review of implementation of Report recommendations (rec 3), which the PLT has agreed will commence 18 months after establishment of the PWSS (i.e. April 2025).
- Updates on implementation progress on all 28 recommendations made in the Report are regularly published on the PLT website (most recently published implementation tracker, from 7 February 2024, is <u>attached</u>).

# **Key points**

- The Government is working with the PLT to establish the IPSC by 1 October 2024, subject to passage of legislation. Consultation on draft legislation is advanced.
  - Refer to Estimates Brief: Update on Recommendation 22 –
     Independent Parliamentary Standards Commission (IPSC).

# If asked about funding for the PWSS:

- The 2023-24 Budget committed \$51.7 million over four years of new funding (and \$12.4 million per year ongoing) for the statutory PWSS.
- This is in addition to funding associated with functions that transferred to the PWSS from Finance, and funding allocated to the former PWSS.

# If asked about PWSS officeholder appointments

- The inaugural PWSS CEO and Advisory Board members took office on 15 April 2024.
  - Ms Leonie McGregor was appointed as CEO for a period of five years,
  - Ms Carmel McGregor was appointed as Chair of the Advisory Board for a period of five years,
  - The Hon Andrew Greenwood was appointed as a member of the Advisory Board (former judicial officer) for a period of five years, and
  - Ms Tanya Hosch and Ms Elizabeth Dowd were appointed as members of the Advisory Board for a period of three years.

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- On 21 December 2023, the Remuneration Tribunal published its determination for the PWSS CEO and Advisory Board members:
  - CEO total remuneration (inclusive of super) is \$444,210 per annum.
  - Advisory Board member remuneration is:
    - Chair \$1,070 per day,
    - Member (former judicial officer) \$999 per day, and
    - Member \$856 per day.

# If asked whether the Government will amend the Public Interest Disclosure Act 2013 to apply to MoP(S) Act staff (rec 23 the Report):

- The Government supports appropriate protections for MoP(S) Act staff who disclose wrongdoing.
- Staff who report a corruption issue to the National Anti-Corruption
  Commission (NACC) have protections against reprisal or detriment in the
  NACC legislation. This goes a long way to addressing a former gap in the
  Commonwealth integrity framework.
- The Government is considering protections for MoPS Act staff who make reports to the proposed IPSC about breaches of the Behaviour Codes as part of establishing the IPSC. The draft IPSC legislation is under consideration by the PLT.

# If asked about implementation of rec 9 (Presiding Officers, party leaders and parliamentary departments should review premises and policies to increase accessibility and inclusion):

- This recommendation is the responsibility of the Presiding Officers, party leaders, and parliamentary departments. The recommendation has been partly implemented.
- The PLT considered an update at its meeting on 30 April 2024. Further
  information on the reviews that have been undertaken is published on the
  PLT's website.
- Questions about Finance's internal audit of infrastructure and accessibility in parliamentary workplaces should be directed to Finance.
- Questions about the Australian Network on Disability's (AND) dignified access review of Australian Parliament House (APH), which has now been published on the APH website, should be referred to the Department of Parliamentary Services (DPS).

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# If asked about Parliamentary Health and Wellbeing Service (PHWS) (rec 26):

 Questions about the PHWS, including publication of the feasibility study, should be directed to DPS.

# If asked about the status of the PWSS's Parliamentarian Resourcing Review:

- The PWSS published Terms of Reference for the *Independent Review of Resourcing for Parliamentarian Offices* on its website on 30 January 2024.
  - The Terms of Reference state a 'final written report of the review will be provided to the PWSS CEO by October 2024'.
- Further questions about the review should be referred to the PWSS.
- PM&C's Review of the Members of Parliament (Staff) Act 1984 (published 7 October 2022) recommended that the PWSS should undertake a review of the factors affecting workloads in parliamentarians' offices '... to inform an evidence-based consideration of office and staff resources'.

# If asked about the PWSS's investigation into Senator Van's conduct:

- The PWSS is an independent agency.
  - The conduct and progress of its investigations are a matter for the PWSS.
- I am not able to comment on individual cases managed by the PWSS.

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# **Background**

The Australian Human Rights Commission's *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* (Report) was tabled in Parliament on 30 November 2021.

# Parliamentary Leadership Taskforce (PLT) oversees implementation of Report recommendations

PLT membership is: **Government** – Senators the Hon Katy Gallagher and the Hon Don Farrell, Ms Sharon Claydon MP; **Coalition** – Senators the Hon Jane Hume and Perin Davey, the Hon Sussan Ley MP; **Greens** – Senator Larissa Waters; **Independent** – Ms Zali Steggall MP.

Dr Vivienne Thom AM replaced Ms Kerri Hartland as independent PLT Chair in February 2023. The PLT has met 19 times as at 30 April 2024. Its first annual report on the implementation of Report recommendations was tabled in Parliament on 8 February 2023. Its second annual report was tabled on 7 February 2024.

## Parliamentary Workplace Support Service (PWSS) appointments

Under the *Parliamentary Workplace Support Service Act 2023* (PWSS Act), the Special Minister of State is responsible for appointing the PWSS CEO and Advisory Board members, and for consulting with the Leader of each non-Government Parliamentary party, comprising at least five current parliamentarians before doing so. Prior to appointing PWSS officeholders, the Special Minister of State consulted with members of the PLT as well as with relevant Parliamentary party leaders.

For the period from 1 October 2023, when the statutory PWSS was established, to 15 April 2024, when inaugural PWSS officeholders were appointed, the PWSS was led by Ms Michelle Wicks as acting CEO. There was no PWSS Advisory Board in place during this period.

#### **Progress on Report recommendations**

Government recommendations that have been implemented are:

**Establishment of new HR entity (rec 11)** – The PWSS Act commenced on 1 October 2023. The PWSS is responsible for implementing a further six Report recommendations which are mainly of an ongoing character:

- Rec 4 (individual leadership)
- Rec 7 (measurement and public reporting)
- Rec 12 (professionalising management practices for MOPS)
- Rec 13 (professional development for MOPS)
- Rec 19 (monitoring, evaluation and continuous improvement)
- Rec 28 (alcohol policies).

Review of the MoP(S) Act (rec 18) – PM&C's Review was completed on 1 October 2022. The report was publicly released on 7 October 2022 with the Government providing in-principle support for all 15 recommendations. The Special Minister of State leads implementation, supported by Finance. Legislation to implement 11 of 15 Review recommendations came into effect on 17 October 2023. The PWSS is implementing the remaining four (4) Review recommendations.

Legislative amendments to strengthen MoP(S) Act staff protections (recs 17, 24) – the MoP(S) Act, Age Discrimination Act 2004 and Disability Discrimination Act 1992 were amended by the former Government on 23 February 2022.

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Expansion of the former PWSS (rec 20(b)-(e)) – Expansion took effect on 12 April 2022.

The following Government recommendations are in progress/partly implemented:

Independent Review of implementation of *Set the Standard Report* recommendations (rec 3) – the PLT agreed to this Review taking place 18 months after the PWSS is established. Finance will lead establishment of the review. Expected completion in 2025.

**Expansion of the former PWSS (rec 20(a))** – expansion of formal investigation function to all Commonwealth Parliamentary Workplace (CPW) participants is being considered in the context of establishing the IPSC.

Legislating staff code in the MoP(S) Act (rec 21(b)) – this is under Government consideration (led by the Special Minister of State).

**Establishing the IPSC (rec 22)** – progressing as a priority, following Parliament's endorsement of the codes of conduct on an interim basis in February 2023. The Government is consulting on an in-confidence basis with the PLT and the PLT Staff Consultation Group on draft legislation to establish the IPSC.

Amendment of *Public Interest Disclosure Act 2013* (PID Act) to extend protections to MoP(S) Act staff (rec 23) – partly implemented by the *National Anti-Corruption Commission Act 2022* which provides protections for MoP(S) Act staff who disclose corruption issues to the NACC. PLT Tracker provides Government is considering further protections for MoP(S) Act staff in the context of establishing the IPSC.

<u>Note</u>: Senator Hume and Mr Julian Leeser MP wrote to the Attorney-General, the Hon Mark Dreyfus KC MP, on 13 February 2023 noting that amendments to the PID Act to clarify that MoP(S) Act employees are not public officials for the purpose of the PID Act is contradictory to recommendation 23. They asked for a briefing on the work being undertaken by the Government on any future response to that recommendation. The Attorney-General wrote to Senator Hume and Mr Leeser on 14 February 2023 indicating that the Government would be pleased to facilitate a briefing on the implementation of Report recommendations, and referred the members to the Minister for Finance's Office.

#### Other recommendations:

Data reporting and monitoring (recs 7, 8, 19) – for parliamentary departments and PWSS to implement. PM&C's Behavioural Economics Team (BETA) team worked with relevant agencies on a report presented to the PLT in March 2023, with findings on a 'test run' data collection exercise and draft outcomes for the PWSS to consider in developing its monitoring framework. PM&C briefed Senator Hume on this work in May 2023. The outcomes of BETA's work were provided to the statutory PWSS for ongoing implementation.

Increasing access and inclusion within Parliamentary workplaces (rec 9) – Finance has completed an internal audit of physical infrastructure and accessibility in CPWs, and developed principles and benchmarks for CPWs to assess access and inclusion measures. DPS engaged the AND to undertake a dignified access review of APH in mid-March 2023. The review was published on the APH website on 18 March 2024. DPS is preparing a plan to consult with stakeholders on the AND's recommendations.

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Parliamentary Health and Wellbeing Service (PHWS) (rec 26) – DPS commissioned the Strategic Development Group to undertake a feasibility study into establishing the PHWS. The study, which was partly informed by a survey released to CPW employees in October 2022, was completed on 30 November 2022. The study was shared on a confidential basis with Implementation Group members, including PM&C, on 6 December 2022. DPS was allocated \$0.8 million in the 2022-23 Budget to set up a shopfront for the PWSS in Parliament House and to conduct the PHWS feasibility study. An online directory of pre-existing health and wellbeing services at APH has been published on the APH website. This recommendation is in progress.

# **Supporting information**

### **Questions on Notice**

SEQoN 0134 – Jenkins Implementation Taskforce - meetings or briefings. Additional Budget Estimates 2023-24, 13 February 2024. Tabled 10 May 2024.

Since 1 July 2023, has the Prime Minister received any briefing from the Jenkins Implementation Taskforce from the Department of the Prime Minister and Cabinet?

### Freedom of Information (FOI) Requests

- On 2 May 2024, PM&C received an FOI request from Federal Breaking News Report for the Sydney Morning Herald, seeking access to inquiries and feedback from staff consultation groups on the IPSC from 24 April 2024 to 2 May 2024.
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- On 23 April 2024, PM&C received an FOI request from contributor to *The Mandarin*, seeking access to documents related to recommendation 26 of the Set the Standard Report and the establishment of the PHWS.

  A decision on this FOI request is due by 23 May 2024 (FOI/2024/121).

#### **Recent Ministerial Comments**

- On 21 March 2024, the Special Minister of State announced the appointment of Ms Leonie McGregor as PWSS CEO and members of the inaugural PWSS Advisory Board.
- On 7 February 2024, speaking in the House of Representatives on the second annual report on implementation of the Set the Standard Report, the Prime Minister said 'There were 28 recommendations adopted by the former government with our bipartisan support. Thirteen of those recommendations have been fully implemented, and work is underway on the remainder ... A key priority for all of us in the year ahead is the establishment of the [IPSC]. Our goal is to work across the parliament to have that organisation up and running by 1 October [2024]'.

#### **Relevant Media Reporting**

Voters back drug and alcohol tests for politicians, David Crowe, The Sydney Morning Herald, 1 March 2024. Reported 'the Prime Minister ... and Opposition Leader ... rebuffed calls for drug and alcohol testing after independent MP, Ms Zali Steggall OAM, asked in Parliament [on 15 February 2024] about passing a law to impose random testing'.

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### **SET THE STANDARD**

- Well past closing time for parliamentary drinking culture, Editorial, The Age,
   20 February 2024. Reported the development of an alcohol policy for the
   Parliament has 'turned into a major sticking point' for the PLT, with members not able to agree on specifics.
- Nationals MP Davey helped write new alcohol rules for parliament, Olivia Ireland and James Massola, *The Age*, 19 February 2024. Reported that Senator Perin Davey, who slurred her words at a Senate Estimates hearing, is a member of PLT which is 'tasked with writing federal parliament's tough new alcohol and drugs policy'.
- Govt launches review into number of political staffers, Karen Barlow, Canberra Times, 19 February 2024. Reported on the commencement of the parliamentarian resourcing review by the PWSS, noting its announcement came following a 'marked increase in Albanese government staffing since [October 2023]' with non-government MPs and MOPS employees stating this increase was 'galling and hypocritical'.

**Date:** 15/5/2024

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Consultation: Nil

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# UPDATE ON RECOMMENDATION 22 – INDEPENDENT PARLIAMENTARY STANDARDS COMMISSION (IPSC)

# Subject/Issue

Progress in establishing the Independent Parliamentary Standards Commission (IPSC) (recommendation 22 of the *Set the Standard Report* (the Report)) to investigate alleged breaches of codes of conduct for parliamentarians, staff and Commonwealth parliamentary workplaces (CPWs).

# **Key facts and figures**

- PLT implementation tracker states the IPSC is 'expected to be completed by October 2024 subject to legislative processes'.
- Draft IPSC Bill, with an explanatory guide, released to the Parliamentary Leadership Taskforce (PLT) on 14 March 2024.
  - PLT meetings held to discuss draft legislation on 27 March and 30 April 2024.
  - Additional briefing sessions held with individual PLT members as they have requested.
- Draft IPSC Bill, with an explanatory guide, released to PLT Staff Consultation Group (SCG) on 1 May 2024.
  - Sessions held to obtain feedback on draft Bill on 8 and 9 May 2024.
  - Introductory information sessions held 24 April and 29 April 2024 (before release of draft Bill).
- On 7 February 2024, the Prime Minister said in the Parliament establishing the IPSC is a key priority 'for all of us in the year ahead' and that Government's goal is to 'work across the Parliament' to have the IPSC commence by 1 October 2024.
- The 2024-25 Budget provided:
  - \$3.8 million to the Parliamentary Workplace Support Service in
     2024-25 in initial funding to establish the IPSC, with further funding to be considered following passage of the legislation, and
  - \$1.5 million in 2024-25 to extend the Jenkins Response
     Implementation Taskforce and Chair and secretariat support for the PLT to continue assisting in preparing for the commencement of the IPSC.

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# **Key points**

- The Government is working in good faith with the PLT to establish the IPSC on 1 October 2024, subject to passage of legislation.
- As establishing the IPSC is a shared responsibility of this Parliament, we have been consulting with the PLT and the PLT Staff Consultation Group on draft legislation.
- Consultations on the draft legislation have been undertaken on an in confidence basis while we work with the PLT on the draft legislation.
- PLT members considered the first round of feedback from members on the draft Bill at a meeting on 30 April 2024. It is my intention to brief members at the next PLT meeting on further feedback received on the draft Bill, including from the PLT Staff Consultation Group.
- It remains the Government's intention to obtain the PLT's agreement on the Bill. However, we need the IPSC up and running by the end of the year. I will continue to work with PLT members on their concerns.
- It is my hope that we can introduce the legislation in the 2024 Winter Sittings.

# If asked about policy approaches taken in the draft IPSC Bill:

 I do not consider I should discuss details about the Bill in this hearing, while the legislation remains under review by the PLT, and while those discussions are on an in-confidence basis.

If asked whether a parliamentarian or senior staff member could be fined up to \$3 million and/or jailed up to 15 years if they do not report a worker's complaint of assault or sexual harassment to the IPSC:

- The draft IPSC legislation does not impose fines or imprisonment on parliamentarians and staff who do not report complaints of sexual assault, harassment or bullying to the proposed IPSC.
- The draft IPSC legislation has been developed to be complementary with existing requirements under the Work Health and Safety Act 2011 (WHS Act), and with the responsibilities that Act already sets out for employers and responsible officers.
- Media reporting about fines and jail time refer to existing Category 1
  penalties in the WHS Act which apply where a duty holder breaches a duty
  in circumstances involving risk of death or serious injury or illness, and the
  fault elements of gross negligence or recklessness. Simply not reporting to
  the IPSC is highly unlikely to meet this threshold. These are not new
  provisions these penalties are already available for breaches of WHS
  duties.

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- Parliamentarians or senior staff, who are likely to hold special duties as 'officers' under the work health and safety laws, and who are notified of a complaint of assault or sexual harassment are required to take appropriate steps to address this. What is appropriate would depend on the circumstances. Dealing with sexual assault, sexual harassment and bullying in the workplace is well recognised as a work health and safety issue and there is existing guidance about how to fulfill obligations as an employer and officer. As well as existing advice and support pathways, the Parliamentary Workplace Support Service is available to parliamentarians and their staff to provide advice and support specific to their circumstances.
- Notification to the IPSC would be an additional option available to 'officers' under the WHS Act, including parliamentarians, to support their obligations to ensure the health and safety of workers.

# Does the WHS Act require duty holders to obtain complainant consent to meet health and safety obligations?

- No, and this is why the draft IPSC Bill points to WHS obligations in addition to having an emphasis on a complainant's consent.
- That does not mean that people who owe duties under the WHS Act should not have regard to complainants' wishes. This is consistent with Comcare's Workplace sexual harassment: Practical guidance for employers which notes that addressing complaints includes respecting "a worker's desired outcome and preferred way of managing the complaint".
- As above, what is appropriate would depend on the circumstances, and as such, notification to the IPSC may not be necessary to meet work health and safety obligations.
- Importantly, following commencement of the statutory Parliamentary
  Workplace Support Service (PWSS) on 1 October 2023, parliamentarians
  and their staff can receive information from the PWSS on WHS matters,
  including how to meet their WHS obligations and advice on whether they
  should refer a matter for a workplace investigation.
- Additionally, complainants are able to access a confidential support service from the PWSS. This could include assisting a complainant to make a report so that it can be investigated if they decide to do so, including by the IPSC when it is established.

# If asked whether the Cabinet has considered the IPSC:

 As you know, it is not usual to comment on deliberations of the Cabinet, including on timing.

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# If asked whether you have been briefed by PM&C on the IPSC:

- Yes, PM&C has provided written briefs to me on the IPSC on multiple occasions, including to support my attendance at PLT meetings.
- PM&C regularly consults with my Office on the IPSC, as you would expect with a reform of this complexity.

# **Background**

Recommendation 22 of the Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces recommended that:

The Houses of Parliament should establish, within 12 months, an Independent Parliamentary Standards Commission with delegated power that would: a) incorporate the existing PWSS, including its advisory and support functions (and applying more broadly to misconduct covered by the Codes of Conduct); b) operate a fair, independent, confidential and transparent system to receive disclosures [and] handle informal / formal complaints and appeals about misconduct; c) make findings about misconduct; d) make recommendations on sanctions (in relation to parliamentarians, staff and others as relevant under the Standards of Conduct in the Parliamentary Precincts); and e) apply sanctions for a breach of the Code of Conduct for Parliamentarians where such sanctions do not interfere with the functions of the Parliament.

The Joint Select Committee on Parliamentary Standards (the Committee) tabled its report on 29 November 2022, making 16 recommendations directed to the Parliament and Government. In addition to recommending draft codes for parliamentarians and their staff, and behaviour standards for CPWs, the Committee supported the recommendation to establish an IPSC 'as proposed in the *Set the Standard Report*' (recommendation 5).

The Government decided that the PWSS would undertake support and local resolution functions, instead of the IPSC. This means that, once established, the IPSC will have the sole function of undertaking formal investigations of alleged breaches of the behaviour codes for parliamentarians and staff, and behaviour standards for CPWs.

#### Consultation

Minister has consulted with PLT at meetings on:

- 30 August 2023 preliminary information / discussion
- 10 October 2023 preliminary information / discussion
- 27 March 2024 (discuss draft IPSC Bill)
- 30 April 2024 (discuss draft IPSC Bill feedback)

PM&C has consulted with the Presiding Officers; Clerks and Deputy Clerks of both Chamber Departments; Department of Finance; Attorney-General's Department; Department of Infrastructure, Transport, Regional Development, Communications and the Arts; Department of Employment and Workplace Relations; Remuneration Tribunal; Comcare; Australian Federal Police, Australian Public Service Commission, and the PWSS.

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# **Supporting information**

#### **Questions on Notice**

SEQoN 0134 – Jenkins Implementation Taskforce - meetings or briefings. Additional Budget Estimates 2023-24, 13 February 2024. Tabled 10 May 2024.

Since 1 July 2023, has the Prime Minister received any briefing from the Jenkins Implementation Taskforce from the Department of the Prime Minister and Cabinet?

# Freedom of Information (FOI) Requests

- On 2 May 2024, PM&C received an FOI request from Federal Breaking News Report for the Sydney Morning Herald, seeking access to inquiries and feedback from staff consultation groups on the IPSC from 24 April 2024 to 2 May 2024.
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  A decision on this FOI request is due by 23 May 2024 (FOI/2024/121).

#### **Recent Ministerial Comments**

- Following media reports on an in-confidence briefing to the PLT Staff Consultation Group, you said on 20 May 2024 'we are confident that this process will hear from all the impacted groups and will deliver the best legislation possible to ultimately keep workers in Parliament House safe'.
- Following the draft legislation being leaked to the media, media reported statements by you on 2 April 2024:
  - 'I'm very hopeful that we will have probably a draft [of the IPSC Bill] that we would release publicly pretty soon', but that the 'final design of the IPSC will be a matter for the Parliament to determine' (ABC News Breakfast, Sydney Morning Herald),
  - 'there will be confidentiality requirements to protect the [IPSC] investigation process' and that 'sanctions will be part of the [IPSC] model [but] we haven't landed what those sanctions are' (ABC Canberra),
  - 'what the final form of [the IPSC] look like is still to be determined, but I'm working across the Parliament with Independents, the Greens, the Opposition, to make sure that we get this landed ... hopefully ... we can get it up and running around 1 October' (Sydney Morning Herald, The Age).
- On 7 February 2024, speaking in the House of Representatives on the second annual report on implementation of the Set the Standard Report, the Prime Minister said 'a key priority for all of us in the year ahead is the establishment of the [IPSC]. Our goal is to work across the parliament to have that organisation up and running by 1 October [2024]'.
- On 4 January 2024, the Minister for Finance is reported as saying the IPSC 'would not be established until at least October this year' and that the 'Government takes the recommendations in the Set the Standard report seriously and the IPSC is an important step in delivering reforms to the parliamentary workplace, but it has to be done right' (The Age, SMH).

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#### **Relevant Media Reporting**

- Fears parliamentary behaviour watchdog could be curbed by confidentiality agreements, Sarah Basford Canales, *The Guardian*, 6 April 2024, reported Greens Senator Larissa Waters 'would continue to push for accountability and transparency of misconduct'. Senator Waters thinks 'MPs who engage in misconduct should be named and shamed ... however, as the identity of the MP can't be revealed without risking identifying the complainant, whether an incident remains confidential should be complainant-led'.
- <u>Cutting rogue politicians' pay barely a penalty: Thorpe</u>, Olivia Ireland, *The Sydney Morning Herald*, 3 April 2024, reported independent Senator Lidia Thorpe described draft parliamentarian sanctions as 'barely a slap on the wrist', Liberal backbencher Garth Hamilton 'said the commission was unnecessary' and Nationals Senator Jacinta Nampijinpa Price 'said she did not believe docking a politicians' pay was appropriate'.
- Greens Senator Larissa Waters is reported as saying 'I'm supportive of fines being imposed on parliamentarians who conduct misconduct in the workplace ... if the threat of a fine is what stops someone being a creeper in their workplace, well we need to throw everything we've got at this. I personally thing that the fines should be a lot higher...' (ABC RN Breakfast, 3 April 2024).
- Nationals Senator Perin Davey is reported as saying 'We've been working very constructively through the [PLT] to make sure that we work closely with the government, with the cross benchers and to allow the processes of getting feedback and having proper consultations to everyone that will apply' (Sky News, 2 April 2024).
- Ms Zali Steggall OAM MP (Ind) is reported as saying that she is 'certainly keen for greater levels of transparency and accountability back to your electorate' and 'to see much greater consequences and accountability on standards of conduct' in the IPSC framework (ABC Radio Melbourne, 2 April 2024).
- No excuse for not fixing parliament's untouchable culture, The Sydney Morning Herald, 2 April 2024, reported there was 'little confidence' parliamentarians would embrace cultural changes, and raised concern that some 'MPs [would] be protected by a proposal to bind some complainants to confidentiality agreements'.
- <u>Victim-survivors 'insulted' as MPs try to deal with MPs behaving badly</u>, Karen Barlow, *The Canberra Times*, 2 April 2024, reported that victim-survivors called the delay in establishing the IPSC 'an insult to everyone affected by sexual assault, harassment, bullying or discrimination in parliamentary workplaces'.

**Date:** 15/5/2024

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Consultation: Nil

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