



December 1, 2016

Vice President Watson
Fair Work Commission
chambers.watson.vp@fwc.gov.au

Dear Vice President Watson,

Women's Health Tasmania write in support of the application before the Fair Work Commission, for a new modern award entitlement of 10 days paid family and domestic violence leave.

Women's Health Tasmania (WHT) is a universal service, available to all women in Tasmania. It seeks to increase the range of services, and its reach, to women vulnerable to inequitable health outcomes due to social or economic determinants. WHT acknowledges the impact of societal influences such as income, education, gender, sexual orientation, ethnicity, disability and isolation on health outcomes, and seeks to reduce the negative effects of these factors on individual women.

WHT is part of a national network of women's health centres. It is a health promotion charity funded by the Tasmanian Department of Health and Human Services, guided by the World Health Organisation's definition of health – "Health is a state of complete physical, mental and social wellbeing, not merely the absence of disease or infirmity".

WHT provides a safe, supportive environment for women. It is run by women, for women, and aims to promote positive health outcomes by providing a diverse range of services taking a holistic approach. This perspective on women's health has seen WHT at the forefront of preventative health in Tasmania.

WHT's vision is for Tasmanian women to be informed, supported and active decision makers in their own health and wellbeing. As a result, WHT has also been a key advocate on issues such as a woman's right to make informed choices about her health. Our leadership has been evident in a wide range of health policy, in social justice and gender equity. WHT consistently advocates on behalf of women with both State and Commonwealth governments, on a range of legislation and policies impacting on women's health. Our knowledge and expertise is based on 28 years' experience working with, and for, the women of Tasmania.

We recognise both women and men experience family and domestic violence. However, there is clear evidence women are over-represented in the statistics. Evidence shows one in six women, and one in 20 men, have experienced at least one incident of violence from a current or former partner since the age of 15.[1]

Research has also established rather than being a few isolated acts, violence against women is a pattern of behaviour violating the human rights of women and girls, limiting their participation in society and damaging their health and well-being [2].

We believe existing entitlements, such as personal leave and annual leave, simply do not provide adequate protection, particularly in workplaces without relevant policies or enterprise agreements.

Economic factors have a significant influence on whether a person experiencing domestic violence remains in, leaves, or returns to a dangerous relationship.[3] Providing paid leave will permit an employee experiencing family and domestic violence to be absent from work to relocate or attend appointments with legal, financial or medical professionals without being financially disadvantaged.

The provision of paid family and domestic violence leave across the board validates the experience of people experiencing family and domestic violence, while also sending a clear message that Australian society will support and protect them. Surely, this approach can only assist in reducing the incidence of family and domestic violence over time. Considering the amount of time people spend in the workplace, it has a crucial role to play in a whole-of-society response to family and domestic violence.

Through the Council of Australian Governments, Victoria, South Australia, Queensland and Australian Capital Territory have advised the Commonwealth Government they support universal access to paid family and domestic violence leave. A number of inquiries have also highlighted the important role workplaces can play in responding to family and domestic violence, particularly in the provision of paid leave.[4] Workplaces already providing paid family and domestic leave report only small numbers of employees request leave and set-up costs are manageable [5]

Employment safety nets must continue to respond to the issues employees and employers deal with in modern workplaces. The unacceptably high rate of family and domestic violence in society is precisely such an issue. WHT believes the provision of paid family and domestic leave is vital in ensuring the safety net of minimum employment conditions in Australia remains both fair and relevant. The Fair Work Commission has a remarkable opportunity to guarantee all Australians can access the support they need to escape family and domestic violence, and rebuild their lives.

Yours sincerely,



Jen Van-Achteren

Acting Executive Officer

References:

- [1] ABC Fact Check, <http://www.abc.net.au/news/2016-04-06/fact-file-domestic-violence-statistics/7147938>, 15 Apr 2016
- [2] Garcia-Moreno, C., Pallitto, C., Devries, K., Stockl, H., Watts, C. & Abrahams, N. 2013. Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence. Switzerland: World Health Organization
- [3] The *Victorian Royal Commission into Family Violence* found that financial security is a significant protective factor in people gaining freedom from abusive situations
- [4] Commonwealth of Australia, *National Plan to Reduce Violence against Women and their Children 2010–2022*; Commonwealth of Australia, *Domestic Violence in Australia, Senate Inquiry*, August 2015 (**Senate Inquiry Report**); Australian Law Reform Commission, *Final Report Family Violence and Commonwealth Laws—Improving Legal Frameworks* (ALRC Report 117), February 2012; New South Wales, *Stop the Violence, End the Silence, NSW Government*, June 2010: <http://arp.nsw.gov.au/c2011-08-support-employees-experiencing-domestic-violence>; South Australia, *Taking a Stand: Responding to Domestic Violence*, October 2014; Queensland, *Not Now, Not Ever, Queensland Government Special Taskforce*, February 2015; Victoria, *Victorian Royal Commission into Family Violence*, March 2016
- [5] *Implementation of Domestic Violence Clauses – An Employer’s Perspective*, Gendered Violence Research Network, University of NSW, Sydney, November 2015.