

NEWS

Despite this month's federal budget pledging \$3.2 billion to women, a critical front-line service has lost much of its funding and will likely close before the end of the year. By *Royce Kurmelovs*.

Centres for working women at risk



Abbey Kendall, the director of South Australia's Working Women's Centre. CREDIT: SIA DUFF

Any reference to Working Women's Centres (WWC) in the budget would have been easy to miss if you weren't looking for one, and Nicki Petrou was certainly looking.

As the director of the Northern Territory WWC, Petrou had flown to Canberra the Monday before last with her counterpart from Queensland, Fiona Hunt, in a final effort to lobby the nation's political leadership.

Over two days they met directly with Attorney-General Michaelia Cash, Labor senators Jenny McAllister and Penny Wong, and Nationals senator Sam McMahon's staff – any federal figure they could persuade to give them time.

During each meeting they told the same story: the centres they run – which provide an essential front-line service helping women navigate issues in the workplace from underpayment to sexual harassment – needed \$700,000 a year just to keep their doors open. If the government seriously wanted to rebuild the network of centres that once spanned the country, the cost would be \$20 million.

In a year when the big-spending federal budget was being sold as a shift away from austerity politics, Petrou and Hunt thought the decision obvious. Though they had not put a dollar figure to it, federal Labor had committed in principle to funding the centres, making it an easy political win for the Coalition to match this, not least in the wake of the bombshell headlines generated by Brittany Higgins and the allegations against Christian Porter.

The bad news came buried 31 pages into the women's specific economic budget released on Tuesday night. There was just \$200,000 to keep the Queensland and Northern Territory centres open, and very little for any front-line, industrial services.

Petrou says the money buys the two centres just a few more months of operation.

“A lack of funding certainty means that services are unable to plan or commit to support our clients beyond 30 June 2021,” Petrou says. “Our staff are already talking about looking for work elsewhere. We can't live month to month. We've already lost a staff member.

“We've been arguing this stuff for over 30 years. The insult here is that we and our staff remained steady and strong, supporting workers throughout Covid and have continued to do so. Now we face the prospect of closure, of unemployment.”

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Unless someone has had to rely on the services provided by a Working Women's Centre, they are unlikely to know what it is or the role it plays.

The first Working Women's Centres were founded in 1979 to work with women who weren't represented by a union, lawyer or other advocate on issues that ranged from wage theft and maternity leave to sexual harassment and assault in the workplace.

As a measure of demand, Queensland has seen a 20 per cent increase in sexual assault and harass matters since February this year, while the Northern Territory centre alone recorded a “significant” uptake in calls for help, with a threefold increase in cases on a range of matters during the last six months of 2020.

“Our services have to exist, there are a lot of people who fall through the cracks,” Petrou says. “We saw a spike or an increase in sexual harassment and sexual assault matters reported to us. We also do things around

entitlements and bullying – all different things – but sexual assault and harassment has since become our No. 1 matter in terms of discrimination.”

By the early '90s nearly every state and territory boasted a centre, but funding was limited and split between the federal government and states and territories. In time, a lack of interest from the nation's political leadership and increasingly stringent demands on what money is available has seen the centres shuttered one by one.

Among the first to go was New South Wales, which shut its doors in 2005. Tasmania followed a year later.

In 2016, Fiona Hunt's Queensland centre lost its funding, and its independence, when it was forced to merge with another organisation, Basic Rights. While the combined organisation has secured three years of state funding, it has cut services to three days a week.

Now the Northern Territory's centre is facing closure after making an unsuccessful application for support from a federal fund overseen by the attorney-general in December 2020.

With the \$200,000 now offered by the federal government to split between the Queensland and Northern Territory centres, Petrou's organisation will likely close by the end of the year, leaving South Australia as the last independent service.

Abbey Kendall, the director of the South Australia Working Women's Centre, said that decision was illogical.

“This is disappointing because at a time when we should be thinking about how to grow our organisations and grow our reach, they're cutting us back,” Kendall said. “It doesn't make sense. It doesn't make sense for a government that tells us women are a priority and safety is a priority.”

Dominique Allen, associate professor of business law and taxation at Monash University, says the legal process involved in actually addressing workplace issues can be overwhelming for many women. “There are a number of pathways and often you need legal advice, and you need it early to work out what the best one is for you and your situation. And that may not be pursuing a legal claim, but resolving it,” she says.

“The system is complex. And once you get into it, it can be even more complex because you need to prove your claim. With sexual harassment, the legal tests aren't as complex, but they are still difficult.”

For many women, the problems will be made worse by a power asymmetry: While HR departments in larger organisations will provide support and resources for employers, workers must shoulder the risk and the cost of running their own matters alone.

Employees can make an application to the equal opportunity commissioner, but if the employee is not a member of a union, or there isn't a community legal centre that handles sexual harassment claims, they will be on their own.

“You'll only get that [support] from a commercial lawyer or a union,” Allen says. “The Equal Opportunity Commission can't do that – they're not in your corner, they're just facilitating the match.”

The other challenge is money.

Although the situation varies state by state, legal aid does not generally fund discrimination cases.

“Often the advice [from a lawyer] will be, ‘This is going to cost you a lot to pursue, are you sure you want to do it?’” Allen says. “Most settle. It's comparatively cheaper than if you proceed further and go to the court.”

Petrou and Hunt say it is difficult to understand the government's reason for not fully funding the centres. The WWC are currently providing workplace sexual harassment training for the Department of the Prime Minister and Cabinet, and the work they do was given an official endorsement in the Respect @ Work report, which was released in March 2020.

Across that 930-page report, Sex Discrimination Commissioner Kate Jenkins singled out the WWC for praise, describing their service as both “a valuable source of holistic assistance to victims” and “enormously underfunded”.

In giving her recommendations, Jenkins said the government ought to provide consistent funding and front up the \$20 million needed to re-establish the service across the country.

“Australian governments provide increased and recurrent funding to working women’s centres to provide information, advice and assistance to vulnerable workers who experience sexual harassment, taking into account particular needs of workers facing intersectional discrimination,” recommendation 49 of the report said. “Australian governments should consider establishing or re-establishing working women’s centres in jurisdictions where they do not currently exist.”

To date, the government’s attitude has been noncommittal. In its reply to the Respect @ Work report, the government said it will “continue to engage with state and territory governments to identify the best way to provide further support”.

The refusal to commit to funding – and the suggestion that the responsibility is up to the states – was reflected in the language of the budget statement.

“For those recommendations of the Respect @ Work Report directed at both the Commonwealth and state and territory governments, funding arrangements will be discussed between both levels of government,” it said. “This will be considered through the appropriate forums once state and territory governments provide their responses to the Respect @ Work Report at the end of June 2021.”

While more funding may be made available following the Women’s Safety Summit in July, no firm details can be confirmed and a spokesperson for the attorney-general said the money was intended to buy time in order to hammer out a deal with the states.

“The attorney-general was pleased to meet with representatives of the NT and Queensland Working Women’s Centres in April of this year and to secure them interim, emergency funding of \$200,000 to support them through a period of financial uncertainty,” they said. “In line with recommendation 49 of the Respect@ Work Report, the government is engaging with state and territory governments to agree on longer-term funding arrangements for Working Women’s Centres more generally.”

Emma Sharp, a former client of the NT Working Women’s Centre, says the government’s failure to commit funding to the WWCs is not good enough.

“We can’t be saying we’ve got these women in parliament, we’ve got these women in the workplace, we’re putting in all these measures but we’re also not going to support the grassroots so that if anyone has an issue, there’s no one to talk to, no one to support them on their level,” she says.

The 35-year-old from Lloyd Creek in the Northern Territory sought help from the centre in 2017, for a complicated issue relating to maternity leave for mothers with premature babies. Because her child had been born prematurely, she was made to take maternity leave early while she stayed with her infant – leading to several complications with how that time was counted and when she was required to return to work.

Her problem involved two separate laws, which said two separate things on the same issue. When she first asked for advice, she was told that since it involved the Fair Work Act, there was nothing she could do. At the end of last year, a campaign organised through the WWC led to the law being changed to stop what happened to Sharp happening to others, which is why she says that without the centre nothing would have changed.

“Nothing,” she says. “There’s no way this would have been pursued. The centre needs to exist. Particularly in the NT, which is very different. This is not about me. It’s about every other woman who goes through something with their family.

“It’s just going to be such a loss.”

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