

fax (03) 6233 4515  
childcomm@childcomm.tas.gov.au  
www.childcomm.tas.gov.au

The Commissioner for Children is an independent, statutory office responsible to the Parliament of Tasmania. The Commissioner's functions include promoting the rights and well-being of children and young people, examining and advising Government on policies, practices and services provided for children and laws affecting their health, welfare, care, protection and development.

10 November 2008

1<sup>st</sup> Floor, Stone Building,  
ABC Centre, 1 Brooker Avenue,  
Hobart TAS 7000  
phone (03) 6233 4520

Productivity Commission  
Parental Leave Inquiry  
PO Box 1428  
CANBERRA ACT 2601  
Email: parentalsupport@pc.gov.au

Dear Productivity Commission

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

I write to comment on the Commission's Draft Inquiry Report "*Paid Parental Leave: Support for Parents with Newborn Children*".

The Commission's proposal for 18 weeks publicly funded parental leave (plus 2 weeks for partners on a "take it or lose it" basis) is a step in the right direction, however, in my opinion a scheme of at least **12 month's duration** is required to achieve optimum health and development outcomes for all children. This approach is consistent with expert opinion and scientific writings on early childhood development<sup>1</sup> and with other submissions received by the Commission in its round of initial consultations<sup>2</sup>.

The Commission acknowledges the link between duration of paid leave and impacts on child and maternal health and concludes<sup>3</sup>:

---

<sup>1</sup> See for example Mustard J.F. 2006 "Early Childhood Development and Experience –based Brain Development – The Scientific underpinnings of the Importance of Early Childhood Development in a Globalized World".

<sup>2</sup> See in particular Submission June 2008 NSW Commissioner for Children and Young People and National Investment for the Early Years (NIFTeY).

<sup>3</sup> Page XVIII Overview, Draft Inquiry Report

*"There is compelling evidence of child and maternal health and welfare benefits from a period of postnatal absence from work for the primary caregiver of around six months and a reasonable prospect that longer periods (of up to 9-12 months) are beneficial."*

The Commission also concludes that:

*"On balance, the evidence points to a greater potential for negative effects on child development if a mother's return to employment is made before three to six months and the child is in non-parental care for extended periods of time. There appears to be a greater potential for positive effects if a return to employment is made between 12 to 18 months."*<sup>4</sup>

The Commission's consideration of information available about the leave taking behaviour of parents around the time of childbirth tends to support the view that a longer period of paid leave is desirable or necessary and that mothers in particular are forced to rely on several different types of leave including substantial amounts of unpaid maternity leave<sup>5</sup>. Mothers who took leave around the time of childbirth took an average of 37 weeks, and of mothers in the paid workforce prior to childbirth, "around 15 per cent had returned to work within three months, 29 per cent within six months and 70 per cent within 18 months."<sup>6</sup> These statistics suggest that it is not reasonable to assume<sup>7</sup> that most parents (especially mothers) will have access to financial resources and other leave<sup>8</sup> which, in conjunction with the 18 weeks paid parental leave proposed, will enable them to take between 6 months to 9 months absence from work to provide exclusive care and nurturing of their baby.

There is ample research that supports the view that a strong secure attachment to a nurturing caregiver is critical to healthy development<sup>9</sup>. Optimising brain development and particularly the development of the HPLA neural pathway will save public cost in tertiary services like child protection, intensive targeted literacy and numeracy education, drug and alcohol therapy, police, court and prison services and ambulance and acute medical care services. It is a false economy to compel an early return of parents to the paid workforce at the cost of sub-optimal baby brain development.

---

<sup>4</sup> Page 4.36 Draft Inquiry Report

<sup>5</sup> Page 3.19 Commission's Draft Inquiry Report.

<sup>6</sup> *ibid*

<sup>7</sup> See for example assumptions expressed at page XX and at page 2.24 of the Draft Inquiry Report.

<sup>8</sup> For example, accumulated recreation leave, privately negotiated paid maternity leave.

<sup>9</sup> See for example Shore, R "Rethinking the Brain", New Insights into Early Development 2003 and the work of Dr Jack Shonkoff MD, Director, Centre on the Developing Child, Harvard University.

## Conclusion

### Summary Submission of Principle

Provision of paid parental leave of sufficient duration is essential if parents are to be supported in the important task of ensuring their newborn baby receives nurturing, responsive and consistent caring. This in turn facilitates optimal development in infants which has long term benefits for society as a whole.

### Eligible carers

The Commission's proposal to include provision for paid parental leave for adoptive parents is to be applauded as a proper focus on advancing early childhood development despite the absence of a direct biological relationship between carer and baby.

It would seem to follow that if there is no biological or adoptive parent able to assume care of the baby but there is a relative available to assume the primary carer role in lieu of the parents, that relative should be able to take vicarious paid parental leave and be guaranteed a return to work if that relative leaves paid employment to take on the carer role.

### Duration of leave entitlement

Although the Commission's proposal for 18 weeks paid parental leave (plus 2 weeks for partners) is a start and a step in the right direction, it is submitted that this is not adequate to achieve optimal child and maternal health.

Rather, consideration should be given to funding a period of 12 months paid parental leave.

At the very least, if the 18 week proposal is retained and put forward to Government, consideration should be given to allowing eligible parents to determine whether they want to extend the leave period to 36 weeks at half pay.

Yours sincerely,

Paul Mason  
Commissioner