

JUSTACT

ACT WITH JUSTICE IN MIND

News & resources from the Justice and International Mission Cluster

AUGUST 2022

UPDATE ON COMMBANK AND CLIMATE CHANGE



In April 2022, we requested that you write to CommBank asking that they stop investments in fossil fuel projects.

The good news is that Commbank is targeting a more significant role in financing new batteries in Australia. CommBank completed project finance in June 2022 to build Australia's largest grid-forming battery with 300 MWh of storage in Darling Point, in the Riverina region outside of Griffith in NSW.

Large-scale storage batteries have emerged as a vital technology to support a low greenhouse gas emission grid. Batteries help smooth out weather-dependent wind and solar generation and provide services to the grid that keep it stable as coal-fired power stations shut down.

In bad news, CommBank is looking to increase its loan to fossil fuel giant Santos from US\$750 million to US\$1 billion.

The finance is to accelerate the extraction of gas in the Barossa gas field in the pristine waters north of the Tiwi Islands in the Northern Territory. Santos owns half of the Barossa project.

If the gas from the Barossa project is extracted and burnt, it will release 15.6 million tonnes of carbon dioxide emissions annually. That is more than the emissions from three million cars per year.

The Tiwi Islanders argue they have not been consulted on the gas extraction.

It is not too late if you did not get a chance to write to CommBank in April, and the letter template can be found on the justact.org.au website under the Foundations tab 'Climate Justice'.

Thank you to everyone that has written to CommBank so far. •



DOMINATION OF SOLAR SYSTEMS PRODUCTION BY CHINESE MANUFACTURERS

In February 2022, we included in the JustAct a sheet encouraging congregations to install solar power systems where possible.

The Uniting Church National Assembly meeting in May 2022 passed a resolution calling on all parts of the church to commit to reaching net-zero greenhouse gas emissions by at least 2040. Installing solar systems will be part of the solution to the Uniting Church moving towards net-zero emissions from all its bodies.

However, as we raised in February, currently Chinese produced solar systems have a high risk of being produced through forced labour, which contributes to why they are the cheapest systems on the market. Production of solar systems in China also relies mainly on electricity from coal-fired power stations.

However, the International Energy Agency has noted that with Australia’s current power mix, producing solar panel systems in Australia would generate more greenhouse emissions than importing solar panel systems from China.

China now produces 80% of all parts of solar panel systems. The International Energy Agency (IEA) has expressed concern that China’s dominance in the production of solar systems poses a risk to the investment needed to further expand the solar panel industry.

“Solar PV’s global supply chains will need to be scaled up in a way that ensures they are resilient, affordable and sustainable”, said Faith Birol, executive director of the IEA.

China is dominant in solar panel system production due to underinvestment in the sector by other governments. The IEA estimated that China had invested more than US\$50 billion in new solar pan-

el production capacity in the past decade. That is ten times more than all European Union countries combined.

The IEA estimates that China will have a 95% dominance in the production of polysilicon and wafers needed for solar panel systems in the coming years. The estimate was based on the capacity they already have under construction.

The IEA estimates that solar PV capacity across the globe needs to more than quadruple by 2030 to be on track with the pathway to reach net zero emissions by 2050. The IEA has recommended that governments diversify their supply chains for solar systems rather than relying solely on China for production.

If possible, congregations should seek to purchase solar systems not produced in China to avoid products produced by forced labour. Ask your solar installer if alternative solar systems are available. •

FROM THE JUSTICE & INTERNATIONAL MISSION CLUSTER

Mark Zimsak – Senior Social Justice Advocate
 Tim Molineux – Social Justice Officer

Uniting Church in Australia
 Synod of Victoria and Tasmania
 Centre for Theology and Ministry
 29 College Crescent
 Parkville, Victoria 3052

Phone - (03) 9340 8807

jim@victas.uca.org.au
<http://www.justact.org.au>

All of the resources in this mailing can be found on the JIM website.

If you would like to subscribe (or unsubscribe) to either this hardcopy mailing (bi-monthly) or email update (weekly), contact the JIM Cluster.

INADEQUACIES OF VIC POLICE HANDLING COMPLAINTS FROM FIRST NATIONS PEOPLE

In April 2022, we requested that you write to the Victorian Government seeking the establishment of an independent Ombudsman to deal with complaints of police misconduct.

In May 2022, the Victorian Independent Broad-based Anti-corruption Commission (IBAC) released a report on how the Victorian Police had dealt with complaints by First



Nations people of police misconduct. IBAC examined a sample of 41 complaints made by First Nations people. Almost half the complaints related to the use of force or assaults by police. Over 17 of the complaints were related to First Nations children. IBAC found that 17 of the responses to the complaints by police contained indications of bias or a lack of impartiality. Internal police investigations upheld no complaints relating to assault by police officers against First Nations people.

The Commissioner for IBAC, Robert Redlich, said the findings indicated “systemic failures” within Victoria police’s complaint handling processes.

Thank you to everyone who wrote letters in support of establishing an independent Ombudsman. If you did not get the chance, it is not too late and the letter template can be found on the justact.org.au website under the Foundations tab ‘Flourishing Communities’.

TASMANIAN GOVERNMENT RAISES THE MINIMUM AGE OF DETENTION

In August 2020 and July 2021, we requested that you write to the Victorian and Tasmanian Governments to urge them to raise the age of criminal responsibility from 10 to 14. Thank you to everyone who wrote letters in response to these actions.

On 8 June 2022, there was good news with the Tasmanian Government announcing that the minimum age a child can be placed in criminal justice detention will be increased from 10 to 14 years of age.

The change is welcome, but does not address the issue of criminal responsibility and diverting children aged less than 14 away from the criminal justice system altogether.

The Tasmanian Government stated, “We know that detention does not support rehabilitation or reduce the likelihood of reoffending for younger children. Early exposure to a detention environment can also further traumatise young people, expose them to problem behaviours of older detainees and increase criminal networks.”

They stated that they would introduce reforms to the youth justice system in Tasmania to provide:

- A greater focus on prevention and early intervention;
- Additional options to divert young people away from the formal court system;
- A broader range of community-based sentencing options available to courts; and
- Trauma-informed, therapeutic and restorative interventions for high-risk offenders, including new custodial facilities.

The Victorian government has still not committed to raise the age for criminal responsibility to 14.

You can still sign the on-line petition to raise the age at: www.raisetheage.org.au.

THE CASE AGAINST BERNARD COLLAERY DROPPED



Blessed are those who hunger and thirst for righteousness, for they will be filled. (Matthew 5:6)

In August 2018, we issued a postcard campaign calling for the prosecution of Witness K and his lawyer, Bernard Collaery, to be dropped. A letter-writing action followed that up in February 2019.

The Australian Government gained an unfair advantage in negotiations over the division of oil and gas deposits in the Timor Sea by bugging the cabinet offices of the Timor-Leste Government in 2004. The bugs were planted by Australian spies posing as aid-funded contractors.

The bugging operation was exposed in 2012 by the head of the technical unit of the Australian Secret Intelligence Service (ASIS) responsible for planting the bugs, known as Witness K. His action in

exposing the bugging operation ultimately contributed to a fairer settlement over the resources in the Timor Sea being reached.

The previous Coalition Government sought to punish Witness K and his lawyer, Bernard Collaery, for exposing previous government unethical behaviour.

In great news for justice, on 7 July 2022, the new Attorney-General, Mark Dreyfus, and Minister for Foreign Affairs, Penny Wong, announced that the Commonwealth Government would drop the prosecution of Bernard Collaery. Mr Collaery faced five charges under the *Intelligence Services Act* related to leaking classified information and conspiring with his client, Witness K, to reveal information about the bugging of the Timor Leste Government offices.

Witness K has already been convicted and sentenced to a three-month suspended sentence.

Mr Collaery released a statement on learning the case against him had been dropped, which said, “I want to thank all the people across Australia who have supported me and worked so hard to assist me throughout this case. I am in awe of the depth of support in our community for ethical values. I also want to thank those close to me who gave me inner strength.”

The Coalition Opposition stated they believed the prosecution of Bernard Collaery should have continued.

Thank you to everyone who signed postcards and wrote letters seeking the cases against Witness K and Bernard Collaery to be dropped. •

TASMANIAN GOVERNMENT MAKES FURTHER COMMITMENTS TO ADDRESS HOMELESSNESS

In February 2022, we requested that our Tasmanian members of the JIM Cluster write to the Tasmanian Government to take further action to address homelessness.

There was good news in the May 2022 Tasmanian budget. The Tasmanian Government announced it would

spend \$538 million on social and affordable housing and homelessness initiatives over the next four years.

Of that, \$204 million would be spent in the 2021 – 2022 financial year. In addition, the Tasmanian Government stated that it would have built 1,169 new homes by the end of June 2022.

The Tasmanian Government will set up a Housing Authority by October 2022. The Authority will be

tasked with building and purchasing new homes and partnering with not-for-profit organisations.

The government will provide \$36 million a year to specialist homelessness services as part of its budget to address homelessness.

Thank you to all our Tasmanian supporters that wrote letters in response to the action we issued in February. •



VICTORIAN GOVERNMENT ACTS ON ONLINE GAMBLING REFORMS

In September 2018, we invited you to write letters to the Victorian Government on online gambling reforms.

There was good news at the start of July 2022, with the Victorian Government issuing a Ministerial Direction to online gambling corporations to introduce measures to reduce gambling harm.

The Ministerial Direction includes that online gambling corporations must provide a monthly activity

statement to people gambling with them by e-mail or post. People gambling with the company must also be able to access a record of their betting transactions. Employees of the corporations must also undertake Responsible Service of Wagering training.

From 30 June 2023, people who start gambling with an online gambling corporation must be able to set up an account without needing to consent to direct marketing.

There was also good news on 4 July 2022, with the Commonwealth

Government releasing the rules for the national self-exclusion register, BetStop. The national self-exclusion register will allow people gambling online to have themselves blocked from further online gambling. Online wagering corporations are required to promote BetStop to people gambling with them.

Thank you to everyone who has been part of the campaign to see reforms to online gambling to reduce the harm online gambling corporations can cause in our communities. •

REPLIES FROM SBS ON GAMBLING ADVERTISING

In the June 2022 JustAct, we requested that you write to SBS about no longer running gambling advertisements.

SBS are writing back, arguing they need the advertising revenue.

At the same time, they are arguing that gambling advertisements are around 1% of the advertisements they run. If they are such a small proportion of the advertisements being run, then the question is why SBS is unwilling to give them up.

Thank you to everyone who wrote to SBS on the issue. If you have not done so, it is not too late to still write, and the letter template can be found on the justact.org.au website under the Foundations tab 'Economy for Life'. •



REFORMS TO CHILD EMPLOYMENT LAWS IN VICTORIA

For over a decade, the JIM Unit and JIM Cluster have campaigned and lobbied for reforms to Victoria's child employment laws.

The reforms have aimed to improve the protection of children aged under 15 who work in Victoria and make exploitation and abuse of children more likely to be detected. Finally, there was great news in early June 2022, when the Victorian Parliament passed a Bill containing many reforms the JIM Cluster had been lobbying for.

The key features of the Bill are:

1. New licensing system

The Bill introduces a streamlined child employment licensing system that is risk-based and targeted to replace the current individual permit system. The current system requires an employer to obtain a permit every time they employ a child. In addition, the permit system involves a lot of work from public servants in approving every permit, with little benefit in doing so.

Moving to a targeted licensing system where an employer only requires one licence will streamline

the process and make it easier for employers to comply. A licence applicant must also satisfy a 'fit and proper person' test. The licences need to be renewed yearly for entertainment and advertising businesses and every two years for other employers.

The new system will free inspectors to spend more time in the field detecting and responding to the mistreatment of children in employment rather than approving permits.

2. New definition of 'employment'

The Bill updates the definition of 'employment'. It recognises that sometimes children are not remunerated in the usual way and may be provided with products, merchandise or experience for the work or tasks they carry out rather than with monetary payment. Some employers hoped that by not paying children with money, they could avoid the children being given the protection of the *Child Employment Act*.

The Bill that passed the Parliament in June 2022 amended the definition of employment of children

to remove the reference to a business, trade or occupation being carried on 'for profit' for a child to be considered employed. This extends protection for children in employment, as the profit status of an organisation is not determinative of the potential risk to children.

As is currently the case, children working in their family's business may continue to do so without needing a permit/licence, provided they are directly supervised. The Bill clarifies that 'direct supervision' means direct supervision by the child's parent, a person who has parental responsibility, or for limited periods, another responsible adult who works in the family business.

The Bill provides more robust protections for children by increasing the minimum age of a person supervising a child in the workplace to 18 years. However, this requirement will only apply to the supervision of a child in the workplace under the age of 15. Children under 15 are particularly vulnerable in the workplace, so requiring their management to be provided by an adult adds a further safeguard.

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3. Compliance and Enforcement

The Bill included amendments to the Act to increase the effectiveness of the Wage Inspectorate's compliance and enforcement regime. Inspectors will now be able to issue on-the-spot fines for violations of the protections for children in the law.

There are new offences for:

- Providing false or misleading information as part of a licence application;
- Failing to comply with a compliance notice issued by an inspector;
- Failing to provide supervision of a child during an audition or casting session; and,
- Failing to ensure that a child

working in the entertainment industry is not exposed to harmful content.

4. Public Register

The scheme also provides a public register of child employment licences, allowing parents and other persons interacting with child employees to assess a given workplace's compliance. •



JIM CLUSTER'S POSITION ON ELECTRONIC MONITORING IN THE CRIMINAL JUSTICE SYSTEM

Electronic monitoring involves allowing someone who has broken the law to remain in the community while having to wear an electronic anklet that can track their location.

In the February 2022 JustAct, we included a discussion paper on using electronic monitoring in the criminal justice system and invited responses. We received five written responses to the discussion paper.

The reasons the JIM Cluster wanted feedback on electronic monitoring have been:

- Australian churches ecumenically support prison being a last resort. However, when someone who has broken the law is in the community, there is a risk they may violate the law again and harm people in the community, especially for crimes like family and sexual violence. A well-designed electronic monitoring

system can reduce the risks that a person will be able to reoffend; and

- The Victorian and Tasmanian Governments have already been using electronic monitoring and are trialling expansions of the use of electronic monitoring.

Four of the written submissions favoured the Synod taking a position of conditional support for using electronic monitoring in some circumstances. One submission stated that the Synod should not adopt a position on electronic monitoring because the evidence of its effectiveness is mixed.

We met with the person who provided the submission that the Synod should not take a position on electronic monitoring. After discussing the issue, the person agreed the Synod should support the use of electronic monitoring in some circumstances.

The JIM Cluster will support electronic monitoring systems under the

following circumstances:

- It is used as an alternative to prison, and a court decides if it is appropriate for electronic monitoring to be offered. The person being subjected to it is then able to choose between electronic monitoring and prison;
- It is backed up by well-resourced rehabilitation initiatives, support and programs;
- The electronic monitoring system being used is fit-for-purpose and has high reliability; and
- When used for family violence offenders, the system is backed by police intervention to prevent any further instances of family violence by stopping the offender from approaching likely targets for further abuse.

Thanks to those who provided a submission in response to the electronic monitoring discussion paper. •



SUPPORTER PROFILE

RICHARD HEDDING

Could you please tell us a bit about yourself for our readers?

I am 63 years old, have been married to Megan for 30 years, and we have two daughters, Lizzie, 26, and Cat, 24 years old. I am a mechanical engineer and spent nearly 39 years working in the downstream oil industry, mainly in Melbourne but also in Adelaide and New Zealand. I took a redundancy package in October 2020, so I have spent the last 18 months doing things I have always enjoyed, such as bicycle riding and some I didn't previously have time for, such as golf and volunteering. This includes supporting refugees, repairing bicycles for charity and some environmental causes. In addition, I have recently returned to some part-time work in an engineering consultancy.

What does Community mean to you?

To me, community means having a sense of belonging and connection to others, be it through the church, sporting clubs, music or other activities.

What are the Social Justice activities you are involved in?

Through Lighter Footprints, I have been involved in advocating for improved action on climate change by contributing to submissions to the Victorian Government on topics such as reducing gas usage, managing greenhouse gas emissions, the 2035 Emissions Reduction Tar-

get and offshore wind policy. I have also arranged a couple of information seminars on 'Making Solar Easy' and recently handed out 'climate scorecards' at polling booths. I have also been involved with supporting two Afghan refugee families who arrived in Australia in 2021.

What is one issue you think about the most?

We have all benefitted from using fossil fuels over the last century or more to improve our lives, however, we now know this comes at a cost to the environment. It is vital we transition to renewables but do so in a way that supports those who are being displaced or affected in the process.

What experiences informed your sense of Social Justice?

I travelled extensively through the Pacific Islands and Asia during the last 20 years and met and saw many people with much less materially than we have in Australia but who have a strong sense of community, including support for those less able.

It's difficult to single out one experience, but seeing firsthand how the people of the Pacific Islands live, often in third-world conditions, with sea levels now rising and starting to wipe out their islands, indeed highlighted the impact of climate change for me.

What is your interest in the Synod Climate Action Taskforce

as a member?

I have always been interested in climate and energy; even while in university, my final year project was on a type of solar panel – I recall it didn't work very well! I have recently been involved with a Boroondara-based group called Lighter Footprints as part of their Energy Transition Group and as a committee member. My involvement with the Synod Climate Action Taskforce started last year when my wife alerted me that the Yarra Yarra Presbytery was looking for a representative for the Taskforce.

I hope the Taskforce can help congregations take positive action on climate change through education on the issues, plus advice and support on practical things to do. I hope we can provide sound guidance in the face of a lot of information, not all of it helpful!

What Christian perspectives do you bring to bear on your own view of Social Justice?

Treating all people as you would like to be treated, with respect and dignity, provides a foundation for developing positive relationships.

Should the church have a voice or role in justice? Why?

Yes, the church can provide a strong voice and help influence high-level policies while also providing grassroots support to those in need. •