

# JUSTACT

ACT WITH JUSTICE IN MIND

News & resources from the Justice and International Mission Cluster

FEBRUARY 2024



SUPPORTER UPDATE EDITION

## MEASURES TO BETTER PROTECT PEOPLE WITH DISABILITY

**For many years, the JIM Cluster has invited you to take action in support of measures to prevent the abuse, neglect and exploitation of people with disability. Most recently, in the last JustAct, we requested that you write to the Federal Government to implement recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. Thank you to everyone who has taken actions in response to the resources we have provided.**

There was good news on 17 December 2023, with the Minister for the National Disability Insurance Scheme, Bill Shorten, announcing the Federal Government was establishing a Taskforce comprising the Australian Competition and Consumer Commission (ACCC), the NDIS Quality and Safeguards Commission and the National Disability Insurance Agency. The Taskforce will target disability service providers that have sought to exploit people with disability by grossly overcharging them for essential services, supports and

equipment. The Government has provided \$6.7 million over four years to curb the over-charging of people with a disability.

The NDIS Quality and Safeguards Commission has launched a dedicated e-mail address for people on the NDIS and people who care about them to report exploitative disability service providers who are overcharging for services, supports and products. The reports can be sent to the NDIS Quality and Safeguards Commission via the e-mail [pricehelp@ndiscommission.gov.au](mailto:pricehelp@ndiscommission.gov.au)

As of the end of November 2023, 18 prosecutions of NDIS providers were underway, with a combined alleged value of fraud of \$18.3 million. The NDIS Quality and Safeguards Commission has issued 43 banning orders against disability service providers in the last year.

Anyone with information about suspected fraud involving the NDIS should contact the NDIS fraud helpline on 1800 650 717 or e-mail [fraudreporting@ndis.gov.au](mailto:fraudreporting@ndis.gov.au)

In addition, on 3 December 2023, the Victorian Government announced more than \$1.8 million in additional funding to help Victorians with disability and their families access timely and targeted advocacy support when needed. •

# REFORMS TO REDUCE WORKPLACE EXPLOITATION PASS FEDERAL PARLIAMENT



**In November 2023, we requested that you write to Senators Jacqui Lambie and Tammy Tyrrell to ask that they support the *Fair Work Legislation Amendment (Closing Loopholes) Bill 2023*. The Bill sought to introduce several reforms to curb workplace exploitation by unscrupulous employers.**

Wage theft and unintentional underpayment of wages is significantly underreported. The McKell Institute has estimated that employees were underpaid between \$850 million and \$1.35 billion annually.

The Fair Work Ombudsman recovered \$509 million of unpaid wages for nearly a quarter of a

million employees in the 2022 – 2023 financial year. It had received 14,000 anonymous reports of underpayment of wages, which was 1,600 more than in the previous financial year. Half of all the reports were from people working in the hospitality and retail industries.

Since 2008, new flight attendants working for Qantas have been employed by labour-hire businesses, most of which are owned by Qantas. The arrangement allowed the corporation to pay flight attendants less than if they had been directly employed. Some owners of meatworks have used similar tactics.

There was good news with the Parliament passing several reforms within the Bill on 7 December 2023. The Bill was passed due to Senator Lambie, Senator Tyrrell and Senator David Pocock voting with the Government and the Greens to pass the Bill.

The measures that were passed were:

- Stopping companies from underpaying people through the use of labour-hire businesses to supply their workforce;
- Criminalising intentional wage theft. Employers that deliberately underpay workers will now face up to ten years in prison and fines of up to \$7.8 million;
- The introduction of a new criminal offence of industrial manslaughter;
- Better support measures for

emergency service workers who develop post-traumatic stress disorder (PTSD);

- Better protection from discrimination at work of people who are being subjected to domestic and family violence at home; and,
- Closing a loophole in which large businesses have been able to claim small business exemptions during insolvency to avoid paying redundancy payments to people working for them.

The measures in the Bill to provide better protections for people working in the on-demand gig economy will come back to the Senate early this year for consideration.

In addition, the other measures to still be considered by the Senate are:

- Measures allowing employees to challenge unfair employment contract terms;
- Strengthening the ability of unions to investigate cases of people being illegally underpaid;
- Measures to deal with sham contracting, where people working in what are, in effect, permanent roles are placed on rolling short-term contracts; and,
- Measures that will allow people in ongoing employment roles to choose to become permanent instead of indefinitely remaining a casual employee.

Thank you to everyone who wrote to Senators Lambie and Tyrrell in support of the Bill. •

## FROM THE JUSTICE & INTERNATIONAL MISSION CLUSTER

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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.

# FEDERAL GOVERNMENT INCREASES SUPPORT FOR RENEWABLE ENERGY DEVELOPMENT

**We have continued to invite you to engage with successive Federal Governments for them to take action to reduce greenhouse gas emissions. Thank you to everyone who has taken action to support measures to address the threat of human-induced climate change.**

There was a positive announcement on 23 November 2023 with the Federal Labor Government promising to expand the Capacity Investment Scheme from 9 GW to 32 GW. The power generation will be around half the current National Energy Market with its nearly 11 million customers. The Capacity Investment Scheme underwrites new renewable energy generation and storage, providing certainty for renewable energy investors. •

## VICTORIAN GOVERNMENT DELIVERS A ROADMAP TO REPLACE GAS

**In July 2023, we requested that you write to the Victorian Government to thank them for their plans to develop a roadmap to phase out gas and included suggested measures for the roadmap.**

On 14 December 2023, the Victorian Government released an updated "Gas Substitution Roadmap". Measures included in the roadmap are:

- From 2024, discounts will be available to support Victorians upgrade to electric induction cooktops, helping people fully electrify their homes at a discounted rate;
- A review of minimum energy efficiency standards for rental properties; and,
- From 1 January 2024, all new homes that require a planning permit will not be connected to the gas network. A process will commence to prohibit new gas connections for houses that do not require planning permits.

There are around two million households on gas in Victoria, which is more than any other Australian state. Victoria has approximately 50,000 new homes built annually.

The Victorian Government has stated that it is on track to meet its target of 95% of Victorian power generation from renewable sources by 2035.

On the negative side, the Victorian Government has failed to rule out approving new gas developments. It has also not committed to leading by example and switching government buildings off gas.

The Victorian Liberal Opposition has opposed the gas substitution roadmap.

Thank you to everyone who wrote about the gas substitution roadmap to the Victorian Government. •

## JIM CONVENTION THEMES

**In October 2023, we invited you to have your say in future themes for the JIM Convention in the coming years. We received 17 responses, and the strong order of preference for future JIM Conventions was:**

1. Food and social justice;
2. Reviving our democracy;
3. Peace-building; and,
4. Supporter-run Convention.

We plan to run Conventions on the first three themes in that order unless a more pressing issue emerges in 2025 or 2026.

Thank you to those who responded to the survey. •

## JIM CLUSTER IS PART OF AN ADVISORY GROUP TO THE FEDERAL GOVERNMENT ON MODERN SLAVERY

**On 5 December 2023, the Federal Government announced the appointment of 20 people to a Modern Slavery Expert Advisory Group. Dr Mark Zirnsak, Senior Social Justice Advocate, was one of those appointed. The Group will advise the Government on the operation of the *Modern Slavery Act 2018* and the practical implementation of measures to strengthen the Act.**



# TASMANIAN GOVERNMENT COMMITTS TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 14

**In July 2021, we requested that you write to the Tasmanian and Victorian Governments urging that they increase the age of criminal responsibility to 14. There was good news in late 2023 with the Tasmanian Government committed to raising the criminal responsibility age to 14 by 2029 with no exceptions. In addition, they committed to raising the minimum age that a child can be detained in a youth justice facility to 16. The Tasmanian Government said they would achieve the outcome “by developing alternatives to detention for children up to 15 years that result in better outcomes for young people and the communities they live in.”**

The Tasmanian Government has promised to expand options for children to be diverted from the criminal justice system when they break the law.

On 30 October, the Victorian Government announced the appointment of an Independent Review Panel to advise on the design and implementation of an Alternative Service Model to support young Victorians to stay out of the justice system as part of reforms to Victoria's minimum age of criminal responsibility. The Victorian Government has announced the

age of criminal responsibility will be raised from 10 to 12 years by the end of 2024. The age of criminal responsibility will then be later raised to 14 years with exceptions for certain serious crimes and subject to the development of an Alternative Service Model.

Thank you to everyone who has taken actions in support of diverting children from detention and the criminal justice system to put them back on a path of a crime-free life rather than a path of repeated criminal behaviour. •

## FEDERAL GOVERNMENT BANS NAZI SALUTE

**In June 2023, we issued a postcard campaign targeting the Federal Government supporting their move to introduce laws to ban the public display of Nazi symbols. The postcard urged that the Nazi salute be included in the prohibited symbols, which the Government had planned to leave out. Thank you to everyone who signed and sent off the postcard.**

There was good news on 6 December 2023 with the Parliament passing the laws to ban the public display of Nazi symbols, including the Nazi salute.

The postcard campaign is no longer needed. •

# NATIONAL GAMBLING REFORMS

**We have invited you to write letters and send postcards calling for gambling reforms for over two decades.**

In August 2021, we requested that you write to the Commonwealth Government to seek a ban on people being able to use credit to bet online. It is bad enough that people can lose everything they own. Credit betting means people can end up with nothing and be in debt as well.

Legislation passed the Commonwealth Parliament on 7 December 2023 banning online

gambling with credit cards and other forms of credit. Corporations that fail to enforce the ban on gambling with credit cards, credit-related products and digital currencies will be liable for fines of up to \$234,750.

In addition, the Federal Government has launched BetStop, which allows people to exclude themselves from online gambling with Australian-based gambling corporations. As of late November 2023, 13,000 Australians had self-excluded from online gambling. Over half of those who were excluded were aged between 18 and 30. Further, 40% elected to self-exclude

for a lifetime. Registering for self-exclusion has taken less than five minutes for the majority who have done so.

Online betting corporations are prohibited from opening an account or accepting bets from people who have self-excluded. The corporations must also not send the person any marketing materials.

In the last ten years, the number of Australians gambling online has doubled to 3.5 million people.

Thanks to everyone who has supported the campaigns to curb gambling harms over the last 25 years. •

# SBS TAKES A SMALL STEP TO ADDRESS GAMBLING HARM



**In June 2022, we requested that you write letters to SBS asking that they stop screening gambling advertising on their platforms. Thank you to everyone who wrote to them in response to the action.**

At the end of October 2023, SBS announced a small step towards reducing gambling harm facilitated by their platforms. As of March 2024, viewers using their online streaming service will be able to opt out of having to watch gambling, alcohol or fast

food advertisements.

SBS stated that 3% of their revenue comes from gambling advertising. SBS has received \$1.8 billion from the Federal Government over five years to fund its operations. •

## AUSTRALIAN GOVERNMENT ACTION TO CURB ONLINE CHILD SEXUAL ABUSE AND CORPORATE RESISTANCE

**We have requested for many years that you take actions to encourage successive Federal Governments to take actions to curb online sexual exploitation and abuse of children. Most recently, we issued a postcard action in January 2023. It is not too late if you did not get to send off the postcard or would like more for your congregation or faith community.**

In October 2023, the eSafety Commissioner issued a \$610,500 fine on Elon Musk's corporation X, formerly Twitter. The fine was for failing to answer questions sent to it in February about what actions the corporation was taking to curb

child sexual abuse material on its platform.

X has refused to pay the fine and is taking the eSafety Commissioner to the Federal Court to try to have the fine overturned.

Mr Musk cut over 80% of Twitter's workforce since he took over the corporation in October 2022. Those sacked included many of the content managers responsible for stamping out abusive and criminal content on the platform.

The eSafety Commissioner has raised concern that proactive detection of child sexual abuse material on the X platform decreased from 90% to 75% in the three months after Mr Musk took over.

Thank you to all those that have taken actions in support of reforms to address online child sexual abuse. •



# ISRAELI POLICE OFFICER ACQUITTED FOR EXTRAJUDICIAL EXECUTION OF AUTISTIC PALESTINIAN MAN

**While overshadowed by the terrorist attack mounted by Hamas on 7 October and the mass killings that continue to be carried out by the Israeli army in Gaza in August 2020, we requested that you write letters to the Israeli Ambassador to Australia regarding two extrajudicial executions of Palestinians.**

One of the cases was the extrajudicial execution of 32-year-old Eyad al-Hallaq, who had autism, by an Israeli police officer. At the same time, Eyad's carer told the officer that Eyad had special needs. Eyad was unarmed, wounded and terrified when he was executed. We have learnt that in July 2023, the police officer in question was acquitted by Jerusalem's District Court. The judges accepted the officer's claim that the killing was in self-defence. The court ruled that the officer had made "an honest mistake [believing] he was faced with an armed terrorist" and "didn't know Eyad was an innocent man with special needs".

After the court ruling, Eyad's father said the verdict showed that in Israel, there is "one justice for Jews and another for Arabs".

The Israeli national security minister, Itamar Ben-Gvir, applauded the court ruling in a statement. He stated that "hero soldiers who protect the State of Israel with their lives will get a hug and full backing from me and from the Israeli government."



**“IT HAS BEEN COMMON FOR DECADES THAT ISRAELI POLICE AND SOLDIERS ENJOY VIRTUAL IMPUNITY FOR KILLING UNARMED PALESTINIANS.”**

The commander of Israel's Border Police, Amir Cohen, also welcomed the verdict, saying the officer would return to active duty and go to a commanders' course in a few weeks.

It has been common for decades that Israeli police and soldiers enjoy virtual impunity for killing unarmed Palestinians.

The JIM Cluster will continue to support Palestinian and Israeli

organisations that seek a just peace to the conflict through non-violent means. Part of the path to peace needs to be that Israeli security forces are prevented from carrying out extrajudicial executions with impunity, to reduce cases of injustice that assist Palestinian terrorist groups from finding ready recruits who see no hope of a meaningful peace with Israel. •

## DO YOU HAVE SOMETHING TO SHARE?

Do you have a story of social justice action from your faith community that might encourage others?

Does your congregation have a social justice group whose story we could tell?

Do you know someone who is making a difference on climate action, justice for refugees or asking businesses to curb modern slavery (or any of our other issues)?

Is there a social justice book you would recommend to the network?

Please contact us with any tip for a story you may have and we will arrange for someone to tell your story.

E-mail [jim@victas.uca.org.au](mailto:jim@victas.uca.org.au) with your tips.



# AUSTRALIAN GOVERNMENT ACTION TO CURB ONLINE CHILD SEXUAL ABUSE AND CORPORATE RESISTANCE

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it in February about what actions the corporation was taking to curb child sexual abuse material on its platform.

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## FURTHER IMPROVEMENTS TO THE SCHEME FOR PACIFIC ISLANDERS TO WORK IN AUSTRALIA

**The JIM Cluster has advocated to the Federal Government over several years that people on the Pacific Australia Labour Mobility (PALM) scheme should be able to bring their families to Australia when they are here for prolonged placements. People in the PALM scheme can work in Australia for up to four years. We have seen prolonged separation from families result in family breakdown.**

The JIM Cluster has worked with the Federal Government to design a pilot program that will allow workers to bring their families to Australia, provided they can financially live in Australia. Family members will be allowed to work in Australia in the pilot program.

The family accompaniment pilot



will be implemented in 2024.

In addition, there has been good news about actions to crack down on employers in the farming sector that seek to exploit the people working for them. These are usually horticulture farms that are not part of the PALM scheme.

On 12 December 2023, the Victorian Labour Hire Authority announced that illegal labour-hire business A L Star Pty Ltd had been fined \$617,916 for operating without

a labour-hire licence. It allowed people to work in horticulture in Rosebud, Koo Wee Rup, Torquay, and Devon Meadows.

On the same day, the Supreme Court of Victoria issued penalties totalling \$264,352 to a Victorian company, Honey Bunny Global Pty Ltd, and its director, Surawadee Tanchote, for using workers from seven unlicensed labour hire businesses to work on orchards in the Cobram area. •

# ASSISTING IN POVERTY REDUCTION FOR THE PACIFIC ISLANDS

The JIM Cluster collaborated with the Pacific Islands Council of South Australia and the Pacific Islands Council of Queensland to support the introduction of a visa that will allow 3,000 people from Pacific Island countries and Timor Leste to migrate to Australia as permanent residents every year. The new Pacific Engagement Visa was passed through Parliament on 19 October 2023 with the support of the Greens. The good news is that a lottery will allocate the visas. Thus, it will be open to everyone in the countries that participate. Therefore, people in financial hard-

ship in the Pacific Islands can be selected in the lottery. However, they will still need to secure a job in Australia before being allowed to migrate. The lottery is also restricted to people aged between 18 and 45, although if selected, they will be able to bring their family with them.

The lottery system prevents the Australian Government from cherry-picking the most capable people from the Pacific Islands for our benefit and to the detriment of the Pacific Islands communities left behind. Minister for International Development and the Pacific Pat

Conroy stated, "A ballot ensures we do not deprive the Pacific of skills and talent by providing broad access to the program for Pacific and Timor-Leste citizens."

The people on the Pacific Engagement Visa and their families will have access to Medicare, free schooling for their children, family tax benefits and childcare subsidies.

The visa was implemented at the request of Pacific Island governments that wanted greater access for their people to migrate to Australia. •



## FEDERAL GOVERNMENT TAKES AN ADDITIONAL STEP TO ADDRESS ILLEGAL LOGGING

We have invited you to take action and urge the Australian Government to implement laws and measures to address illegal logging overseas and in Australia. The most recent action was a sheet issued by the JIM Cluster in April 2023 asking you to write letters to the Federal Government for further reforms to address illegal logging.

There was good news on 8 December 2023, with the Federal Government announcing a \$1.2 million grant to World Forest ID to expand its database of documented timber species and the places where they grow. Such a database is vital to detecting some forms of illegally logged timber imported into Australia. By testing

the imported timber species, it can be possible to identify if the wood has been logged from a region where logging is prohibited or if the species is protected.

Thank you to everyone who has taken action over the years to continue improving Australia's response to illegally logged timber. •

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## FEDERAL GOVERNMENT PROVIDES FUNDING TO SUPPORT REFUGEES GLOBALLY

**In October 2022, we issued a postcard action directed to the Federal Government urging them to fulfil their promise to increase the refugee intake in Australia to 27,000 people annually. The Government has increased the refugee intake from 13,750 to 20,000 people annually so far.**

There was also good news on 16 December 2023 concerning

the Australian Government's commitment to support refugees. The Government announced that it had pledged \$265 million for the UN High Commissioner for Refugees-led Global Refugee Forum. Of the funds pledged:

- \$235 million will be used to support displaced Rohingya refugees in Myanmar and Bangladesh;
- \$20 million to support Afghan

refugees; and,

- \$10 million to support Sudanese refugees.

The Federal Government has also established a Refugee Advisory Panel to ensure those with lived experience of being refugees can advise the Australian Government's resettlement programs.

Thank you to everyone who signed the postcards in October 2022. •