

18 July 2024

Dr. Andrew Leigh
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment
Australian Parliament House, Canberra

Subject: Urgent approval of Charities Legislation Amendment Bill 2024 as proposed by the Stronger Charities Alliance

Dear Minister,

As you are aware, Adult Learning Australia, operating for 60+ years, is the national peak body for the nonprofit adult and community education (ACE) sector. Its membership encompasses both organisations and individuals from every state and territory, representing the sector's diversity.

As such, we are the national voice for adult learning and community education, and it is crucial that we are freely able to advocate for equitable access to lifelong learning for all Australians.

We also manage the Learning Changes Lives Foundation which seeks to raise and distribute funds to enable educational access for adults who might otherwise not be able to undertake foundation skills education and training.

We support the work that has been done by the Stronger Charities Alliance to draft and present to you the *Charities Legislation Amendment Bill 2024* and urge you to take action to ensure that it is passed by the Parliament.

As you know, the charity sector's advocacy role has come under contestation in the past. We have faced several legal and political challenges that have impacted the operations, funding and supporter base of several reputed charities. While your government has helped create a more enabling environment, some legal ambiguities continue to make our advocacy role uncertain. If they are left unaddressed, they could be used against the sector in the future. The bill proposes to address three such gaps, which will help safeguard charitable advocacy.

The Alliance has shortlisted these reforms based on the Voices for Change survey and consultations with sector experts and our members. In the Voices for Change survey, charities and not-for-profits highlighted that despite the centrality of advocacy to a healthy democracy, policymakers and regulators do not fully appreciate and understand the sector's advocacy role. Many also expressed lingering fear from the past episodes of contestations over charitable advocacy. The bill helps give them more certainty, increases trust in the regulator and clarifies the independent advocacy role of the sector when using government funding.



We understand that your government has set a goal of doubling philanthropy. In the Voices for Change survey, charities told us that many donors were reluctant to fund advocacy because of legal uncertainties around our advocacy role. Enacting our bill would create more certainty about advocacy and, in turn, contribute to increased philanthropic giving to the sector.

Through its party platform, Labor has long promised to promote and protect the charity and the not-for-profit sector's advocacy role. Some initiatives that your government has undertaken are steps in that direction. However, urgent legislative changes are needed to safeguard our advocacy role.

The Alliance has front-loaded much of the work for legislating the safeguards by drafting the bill with the help of leading charity law experts. As a 140-member strong Alliance, the bill has the backing of a wide section of leading Australian charities (including peak bodies, faith-based organisations, First Nations organisations, environmental organisations, community service providers and human rights organisations, to name a few).

As the champion of our sector, we urge you to take immediate action and bring the bill to Parliament for its approval. The end of the current parliamentary term is approaching fast, and safeguards for charitable advocacy must be legislated before that.

Thank you for your cooperation. We look forward to your positive response and working with your office on the bill's approval.

Sincerely,

A handwritten signature in blue ink that reads 'Jenny Macaffer'.

Jenny Macaffer | Chief Executive Officer

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