

Thursday, 12 August 2021

Amendments needed to sexual discrimination bill

All comments to be attributed to Law Council of Australia President, Dr Jacoba Brasch QC

“The Law Council acknowledges the publication of Senate Education and Employment Legislation Committee’s Report on the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021.

While the Committee members were divided in their response, it is encouraging to see the majority of Committee members gave careful consideration to the views of experts who participated in the Inquiry, including those of the Law Council.

The Law Council reiterates that the Bill is a positive step forward in realising the recommendations of the Australian Human Rights Commission’s Respect@Report.

However, the Law Council believes that amendments are necessary for the Bill to achieve its stated objectives. This includes the removal of the additional “*seriously demeaning nature*” threshold in the definition of ‘sex-based harassment’, addressing sex-based harassment in the proposed amendments to the *Fair Work Act 2009* (Cth), adopting a straight-forward prohibition of sexual harassment, and ensuring that the expansion of compassionate leave entitlements does not exclude some parents affected by miscarriage.

The Law Council is grateful for the opportunity to contribute to the public debate informing this important Bill that will have significant consequences for the Australian community.”

ENDS

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