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GILLARD GOVERNMENT'S ANTI-DISCRIMINATION CHANGES THREATEN LEGAL RIGHTS

"The Gillard government's changes to anti-discrimination laws undermine fundamental legal rights like the presumption of innocence," said Simon Breheny, Director of the Legal Rights Project at free market think tank the Institute of Public Affairs.

The changes were announced last night by Attorney-General Nicola Roxon as part of a process aimed at consolidating current Commonwealth anti-discrimination laws.

"The entire complaints process has been skewed towards the person making an allegation of discrimination, and fails to respect the rights of defendants," Mr Breheny said.

"The Gillard government's decision to reverse the onus of proof in this case shows the willingness of this government to ignore basic legal rights.

"The onus of proof should be on the person making the accusation because it is often very difficult to prove innocence," said Mr Breheny.

"Giving complainants an unfair level of power under the legislation raises the threat of dubious claims being made and makes a mockery of Australia's legal system.

"The draft legislation includes the availability of just one defence, which further skews the process in favour of the person bringing the claim.

"These changes demonstrate how Australians' fundamental legal rights are being undermined. For example, IPA research shows that in the past two years, 12 pieces of legislation have removed the right to silence," said Mr Breheny.

For more information on the IPA's Legal Rights Project visit: Freedomwatch.ipa.org.au.

For media and comment: Simon Breheny, Director, Legal Rights Project, 0400 967 382.