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A Community Legal Centre

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Baillieu Government Urged to fine tune not water down Equal Opportunity Law

“The Equal Opportunity Act review in 2008 highlighted that businesses which had more diversity were more productive. Hence improved Equal Opportunity laws will not only increase opportunity for job seekers but will be good for business”, said Robin Inglis Executive Officer at Fitzroy Legal Service.

Inspite of ‘equal opportunity’ for women policies and legislation over many decades, there are still many remaining inequalities. This highlights the need to keep improving how we promote and improve equality. Enabling the Victorian Equal Opportunity and Human Rights Commission to be more strategic and systemic in its work is simply common sense; depriving it of this capacity is a blow to its effectiveness.

Changes to Equal Opportunity law introduced in 2010 failed to implement protections for homeless people and employment discrimination on the basis of irrelevant criminal record. However the legislation did improve the capacity of the Commission to be more systemic and proactive in its work and the grounds for exemptions to the Act were fine tuned.

The proposal to allow religious organisations greater power to discriminate against job seekers in part turns on the question of where ‘freedom of religion’ meets ‘civil society standards’. This will always be a difficult area because social, political and legal changes lead to reassessment of what is ‘reasonable’.

A radical example of this process is in France where legislation banning wearing religious symbols in schools has been introduced.

A less radical example in Australia is sexuality where there have been a range of social and political campaigns and legislative changes overturning prejudice and ignorance against Gay people and same sex unions. The Baillieu Government could show leadership on the issue of where civil and religious values meet by reviewing and fine tuning the new Act. Instead it appears poised to roll back the modest amendments introduced in the 2010 legislation to religious organisation’s power to discriminate and handcuff its capacity to tackle systemic discrimination.

We urge the Government to relook at this issue.

For further comment contact Robin Inglis 04222 81109

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