

Thursday, 8 April 2021

Government recognises need for cultural change to sexual harassment laws

The following statement can be attributed to the President of the Law Council, Dr Jacoba Brasch QC.

“The Law Council of Australia welcomes the Federal Government’s engagement with the important issue of sexual harassment as a matter for the national agenda.

Eliminating sexual harassment in the legal profession has been part of a long-running commitment from the Law Council and recent events have emphasised that fresh and comprehensive responses are required to drive the necessary, and overdue, cultural change.

The government’s broad support of the 55 recommendations of the [Respect@Work report](#), either in full, in- principle or in-part, is a positive step forward and reflects many of the issues raised in the Law Council’s [National Action Plan to Reduce Sexual Harassment in the Australian Legal Profession](#) and [other advocacy on this subject](#).

It is particularly pleasing to see the first words of the report align with those of the Law Council, stating that sexual harassment is unacceptable in any context, “whether in the workplace or elsewhere”.

Although lacking in some detail, the commitment by government to “develop targeted amendments to the *Sex Discrimination Act 1984* (Sex Discrimination Act) to ensure that it reflects modern expectations and other relevant legal frameworks, and has appropriate coverage,” is fully supported by the Law Council, so too the extension of legislation to cover judges and members of parliament.

And while it is not clear what legislative changes are being proposed, the effectiveness of the legislation will depend upon how it is drafted. Addressing prior ambiguities is key to ensuring that sexual harassment is appropriately addressed, and that problematic conduct does not fall into regulatory gaps.

The Law Council will carefully consider the government’s *Roadmap for Respect* response to the Respect@Work report, in consultation with its Constituent Bodies, key stakeholders and its expert Equal Opportunity Committee.

The Law Council is pleased that the government considers engagement with industry groups to be crucial and, as the voice of the Australian legal profession, looks forward to further consultation with Government as specific recommendations and legislation are developed.”

ENDS

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