



## **MEDIA RELEASE**

**Hon. John Hatzistergos MLC  
Attorney General  
Minister for Justice**

**Friday, March 14 2008**

### **NSW ASKS FEDS TO UNIFY DISCRIMINATION LAWS**

NSW Attorney General John Hatzistergos has asked the Commonwealth to consider the harmonization of respective anti-discrimination laws.

"I am concerned that NSW residents and businesses have to contend with two layers of regulation when making or responding to a discrimination complaint," said Mr Hatzistergos.

He said complaints were made to different bodies, NSW had a cap on compensation while the Commonwealth's was unlimited, and proceedings were conducted in different jurisdictions with accompanying fee and cost differences.

Mr Hatzistergos said the inconsistencies were confusing and forced people to shop for which jurisdiction offered them the best prospect of success.

"People often have to engage professional legal assistance, increasing costs and undermining the informality of anti-discrimination tribunals," he said.

Mr Hatzistergos said differences also existed in the coverage provided by each system. The Commonwealth doesn't cover discrimination on the grounds of homosexuality or transgender status, which are unlawful in NSW.

NSW also proscribes vilification on the grounds of race, homosexuality, transgender and HIV/AIDS status. These protections are not available in the Federal jurisdiction, where only racial vilification is prohibited.

"Under NSW law, vilification can be a criminal offence while Commonwealth law treats this behaviour as a civil wrong," said Mr Hatzistergos.

Mr Hatzistergos has proposed a joint project between the Commonwealth and NSW to harmonise and modernise the operation of discrimination law which could involve adopting uniform legislation. An alternative or interim solution could be joint administration of both existing systems.

The proposal will be considered at the meeting of the Standing Committee of Attorney Generals in South Australia later this month.

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