



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO.5 – LEGAL AFFAIRS

MEDIA RELEASE

REPORT TABLED ON PROPOSED AMENDMENTS TO ANTI-DISCRIMINATION LEGISLATION

FOR IMMEDIATE RELEASE

18 September 2020

Portfolio Committee No. 5 – Legal Affairs has today tabled its report for the inquiry into the [Anti-Discrimination Amendment \(Complaint Handling\) Bill 2020](#).

Chair of the Committee, the Hon Robert Borsak MLC, said 'The committee has made seven recommendations that go beyond the proposed amendments to the *Anti-Discrimination Act* 1977 as put forward in the Bill. The committee has recommended strengthening the provisions in the Act to allow the President to decline complaints that are found to be frivolous, vexatious, misconceived or lacking in substance, on receipt of a complaint and during investigations. We have also recommended that the President of the Anti-Discrimination Board be given the power to refer a complainant to the Attorney General for consideration of whether the person should be the subject of an application to the Supreme Court for a declaration that the complainant is a vexatious litigant.'

Mr Borsak continued: 'The committee also agrees that there needs to be a thorough review of the Act, with the aim of updating and modernising the legislation, conducted in consultation with key stakeholders. The committee has also recommended that the NSW Government consider a number of other potential amendments to the Act to improve the complaints handling process.'

Mr Borsak concluded 'The recommendations made by the committee aim to prevent the complaints process being abused and to prevent vexatious complaints from proceeding down a path to be investigated, utilising unnecessary resources and unfairly impacting respondents. These amendments and a further review of the Act will improve the complaints process and ensure people with meritorious complaints are the focus of the Anti-Discrimination Board.'

The committee's report and other inquiry documents can be found on the committee's [website](#).

-ENDS-

For further information please contact Committee Chair, Hon Robert Borsak MLC, on 9230 2573.