

Joint statement



A huge step forward in access to justice in discrimination claims

The **Power to Prevent Coalition** welcomes the costs reforms introduced in parliament on 15 November 2023 by the Attorney General, The Hon Mark Dreyfus KC. The Bill will implement recommendation 25 of the Respect@Work Report. The *Australian Human Rights Commission Amendment (Costs Protection) Bill 2023* adopts a modified **equal access costs** model in federal anti-discrimination law in Australia, addressing a key barrier to people pursuing redress for discrimination and sexual harassment.

The **Power to Prevent Coalition** is a group of diverse community organisations, unions, academics, peak bodies, health professionals (essentially) (fn)1(f)-4x.3rTetAn

equal access costs model, as proposed under the Bill, means that individuals who bring claims of discrimination and sexual harassment can recoup their legal costs if they are successful while being protected from having to pay legal costs if they are unsuccessful (except in limited circumstances). Legal costs in these types of cases can easily be in the hundreds of thousands of dollars and can bankrupt people. This has been a major barrier to people speaking up when harmed by discrimination or sexual harassment at work.

This reform is a first for Australia in discrimination law. People will now be able to bring claims without the huge risk of having to pay the legal costs of the perpetrator, or the perpetrator's employer, should they lose. It also means that people who bring successful sexual harassment or discrimination claims will have their legal costs covered.

People not being able to enforce their rights has led many people to be silenced and perpetrators not being
