Submission to the Australian Law Reform Commission – Traditional Rights & Freedoms – Encroachments by Commonwealth Laws

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1 Table of Abbreviations

ALRC	Australian Law Reform Commission
FW Act	*Fair Work Act* 2009 (Cth)
ICCPR	International Covenant on Civil and Political Rights
JobWatch	Job Watch Inc
RDA	*Racial Discrimination Act* 1975 (Cth)

2 Introduction

Job Watch Inc (**JobWatch**) is pleased to make a submission to the Australian Law Reform Commission (**ALRC**) regarding encroachments by Commonwealth laws on traditional freedoms.

In this submission, JobWatch will address:

Question 9-1: What general principles or criteria should be applied to help determine whether a law that reverses or shifts the burden of proof is justified?

Question 9-2: Which Commonwealth laws unjustifiably reverse or shift the burden of proof and why are these law unjustified?

Question 2–1: What general principles or criteria should be applied to help determine whether a law that interferes with freedom of speech is justified?

Question 2-2: Which Commonwealth laws unjustifiably interfere with freedom of speech and why are these laws unjustified?

2.1 About JobWatch

JobWatch is an employment rights community legal centre which is committed to improving the lives of workers, particularly the most disadvantaged. It is an independent, not-for-profit organisation which is a member of the Federation of Community Legal Centres (Victoria).

JobWatch was established in 1980 and is the only service of its type in Victoria. The centre receives State and Federal funding to do the following:

- Provide information and referrals to Victorian workers via a free and confidential telephone information service (TIS);
- Engage in community legal education through a variety of publications and interactive seminars aimed at workers, students, lawyers, community groups and other organisations;
- Represent and advise disadvantaged workers; and
- Conduct law reform work with a view to promoting workplace justice and equity for all Victorian workers.

Since 1999, JobWatch has maintained a comprehensive database of the callers who contact our TIS and to date we have collected over 167,000 records. JobWatch starts a new record for each new caller or for callers who have called before but who subsequently call about a new matter. Our extensive database allows us to report on our callers' experiences, including on what particular workplace problems they face and what remedies, if any, they may have available to them at any given time. Currently, JobWatch's TIS takes approximately 10,000 calls per year.

The comments in this submission are made both from the perspectives of lawyers who routinely advise and represent clients in General Protections and discrimination matters and from callers to the JobWatch TIS. Case studies have been utilised to highlight particular issues where we have deemed it

appropriate to do so. The case studies which we have used are those of actual but de-identified callers to JobWatch's TIS and/or legal practice clients.

3 What general principles or criteria should be applied to help determine whether a law that reverses or shifts the burden of proof is justified?

3.1 Rationale for the burden of proof and when its encroachment is justified

The traditional burden of proof and presumption of innocence are part of the broader concept of the fair trial at the common law. As stated in the 'Traditional Freedoms' Issues Paper, this principle may be encroached upon when it is particularly difficult for a prosecution to discharge the legal burden of proof. In criminal law, the imbalance of resources between the state and the individual has supported the burden of proof resting with the prosecutor. A shifting or reversal of the burden of proof may therefore be justified in instances where the imbalance of resources favors the defendant, rather than the prosecutor.

In answering Question 9-1, JobWatch suggests that a law that shifts the burden of proof may be justified if:

a) Given the legal context, it is particularly difficult for the prosecution to prove their case; and/or

b) If it is particularly difficult to prove a case due to an imbalance in resources that favours the defendant.

3.2 The employment law context – General Protections in the *Fair Work Act* 2009 (FW Act)

The FW Act's General Protections prohibit an employer from taking 'adverse action' against an employee because or partly because an employee has exercised a workplace right, has temporarily been absent from work due to illness or injury, has participated or not participated in an industrial activity, or because of an employee's protected attribute. The FW Act's protected attributes are race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin. Adverse action includes dismissal, demotion, refusing to hire and discriminating between the employee and other employees but is only unlawful if done for a prohibited reason.

In regards to proving that the reason for adverse action includes a prohibited reason, section 361 of the FW Act effectively reverses the traditional burden of proof.

Section 361 - Reason for action to be presumed unless proved otherwise

If:

(a) in an application in relation to a contravention of this Part, it is alleged that a person took, or is taking, action for a particular reason or with a particular intent; and

(b) taking that action for that reason or with that intent would constitute a contravention of this Part; it is presumed that the action was, or is being, taken for that reason or with that intent, unless the person proves otherwise.

This makes it a rebuttable presumption that a contravention has occurred. JobWatch believes that this reversal is both justified and necessary. This is due to the fact of the inherent power imbalance between employers and employees. The reasons for the traditional burden of proof in the criminal law context (where the prosecution is the more powerful party, and where there is a greater punitive emphasis) do not translate to the employment context.

Commonwealth industrial relations legislation has included prohibitions on the termination of employment for proscribed reasons since 1904 (originally in regard to union involvement only and later expanded to other protected attributes). Since then, all versions of these provisions have included a reverse onus of proof.[1]

The reverse burden of proof in the Fair Work Act's General Protections is an example of a justified reversal of the burden because:

1) *There is often a lack of evidence to support the employee's claim.*

- General Protections claims necessarily involve the determination of the employer's 'substantive and operative' reasons for action. As this is a subjective test, relevant evidence of these reasons are often entirely controlled by the employer.

- It has been noted that '[t]he circumstances by reason of which an employer may take action against an employee are, of necessity, peculiarly with the knowledge of the employer.[2]

- An entire claim can fall on the way an employer defines and subdivides their reasons for acting.[3]

- Employers are generally better placed to lead direct evidence about the reasons behind certain decisions.[4]

1 Anna Chapman, Beth Gaze and Kathleen Love 'The reverse onus of proof then and now : the Barclay case and the history of the Fair Work Act's union victimisation and freedom of association.' (2014) 37 (2) *University Of New South Wales Law Journal* 471, 482.

2 See, for example Heidt v Chrysler Australia Ltd (1976) 26 FLR 257, 267. Quoted with approval in Maritime Union of Australia v CSL Australia Pty Ltd (2002) 113 IR 326, 336. This phrase was also used in Explanatory Memorandum, Industrial Relations Reform Bill 1993 (Cth), 64.

3 Anna Chapman, Beth Gaze and Kathleen Love, 'Adverse Action, Discrimination and the Reverse Onus of Proof: Exploring the Developing Jurisprudence' (Paper presented at Australian Labour Law Association Annual Conference, 2012) 13.

4 General Motors Holden Pty Ltd v Bowling (1976) 12 ALR 605

- This issue has been referred to as the employer's 'monopoly on knowledge'.[5]

- Employee claims should not be open to defeat by a mere denial by the employer, as it is more difficult for employees to procure the necessary evidence. Section 361 helps to rectify this unequal access to evidence which stems largely from the power imbalance that exists between the parties.

- Unlike the unfair dismissal regime, there is no requirement in the General Protections for procedural fairness in dismissing an employee, nor does the alleged non-unlawful reason for dismissal have to be a valid reason. All the employer has to prove is that the reason for dismissal did not convene the General Protections.

The case study below of a recent call to JobWatch's TIS illustrates the difficulty employees face in proving that their employer treated them adversely because of a prohibited reason:

Amber, 35-44

Amber worked for more than 6 years as a draftsperson. After becoming pregnant and applying for maternity leave, her employer made her position redundant due to alleged 'financial reasons'. The employer combined Amber's role with another role, but did not offer Amber the new position, despite the fact that she was capable of performing the new role.

2) Employees are uniquely vulnerable

- Victoria Legal Aid identifies that in the context of the workplace, victims of discrimination and harassment are uniquely vulnerable. Complainants and witnesses are often financially dependent on the discriminator and discouraged from making a complaint or giving evidence by the negative repercussions within their workplace and industry.[6]

- Individuals are frequently deterred from making complaints due to difficulty proving the conduct, often because:

    - there are no witnesses to the discrimination, harassment or victimisation;[7]
    - the witnesses are afraid of losing their jobs or of other negative ramifications if they support the complainant;[8]
    - the complainant does not have access to the names or contact details of witnesses, or to other information and

5 Laurence Lustgarten, 'Problems of Proof in Employment Discrimination Cases' (1977) 6 Industrial Law Journal 212, 213.

6 Victoria Legal Aid, Submission to Commonwealth Attorney-General and Minister for Finance and Deregulation, Consolidation of Commonwealth Anti Discrimination Laws, 1 February 2012, 10.

7 Victoria Legal Aid Consolidation of Commonwealth Anti Discrimination Laws, 1 February 2012, 19.

8 Ibid.

documentation that is in the possession and control of the alleged discriminator.'[9]

- Section 361 is also consistent with other aspects of Federal discrimination law, such as the *Equal Opportunity Act* 2010 (Cth) where the respondent bears the onus of proving reasonableness in complaints of indirect discrimination.

The following case studies of calls to JobWatch's TIS are examples of situations in which employees are too intimidated to follow up a complaint and proving any adverse action would be very difficult if it were not for the reverse burden of proof:

Shantel, 25-34

Shantel worked for over a year as an office administrator. She had been bullied at work for eight months by her colleagues and the principal. She had complained to the employer but no action or investigation took place. Shantel took sick leave due to stress. Her employer was unhappy about the sick leave and wanted to discipline her for absenteeism and eventually force her to resign.

Bill, 45-59

Bill worked in customer service for his employer for more than two years. He suffered verbal and psychological harassment from his supervisor over a few months. Bill complained to his employer but was told to 'put up with it'.

3) Statistically, very few GPD claims succeed

- In JobWatch's experience, strong cases for the employee are likely to settle at the Fair Work Commission conference or at mediation in the Federal Court or Federal Circuit Court. There does not appear to be any reliable statistics available in relation to this claim but anecdotally JobWatch estimates that approximately 70%-80% of General Protections claims settle or are discontinued prior to hearing.

- Based on a snapshot of 25 General Protections decisions from the Federal Circuit Court of Australia in 2014/2015 put together by JobWatch for this submission, in approx 70% of cases the employee applicant's General Protections claim was unsuccessful. This shows that the reverse onus of proof does not automatically result in General Protections claims being won by employees nor does it make it unfairly difficult for employers to defend such claims.

9 Ibid.

4) *The case law shows that the 'rebuttable presumption' of section 361 is easily rebutted*

Board of Bendigo Regional Institute of Technical and Further Education v Barclay (*Barclay*)[10]

- In *Barclay*, the High Court held that if the employer's evidence as to whether or not a proscribed reason was the 'substantial and operative' reason for their action is accepted as reliable then it will be capable of discharging the burden of proof.

- The Court also held that when determining whether an employer's reason for taking adverse action was influenced by an unlawful consideration, it is necessary to look to all of the available evidence.

- *Barclay* shows that a decision maker's subjective reasons for taking adverse action will be able to satisfy the employer's reverse onus of proof, unless there is evidence to the contrary. However, direct evidence given by the decision-maker might be found to be unreliable where it is contradicted by other evidence. In those cases the statutory presumption against the employer may prevail.

- Further, being able to submit corroborative contemporaneous documentary evidence that supports evidence given by the decision-maker may help an employer to defeat any challenge to the decision-maker's testimony. Documentary evidence of this type may stop a claim from being made in the first place or, once disclosed in the proceedings, discourage the applicant and their representatives from pursuing the claim further.

Chapman, Gaze and Lowe note that this approach relies almost entirely on the trial judge's assessment of the decision-maker's evidence and credibility.[11] This test means that section 361 does not impose an unreasonable burden on employers because if they have a genuine non-discriminatory explanation for the adverse action, they will not be liable.

In *practice*, once an employer has adduced evidence supporting their claim that their reasons for the adverse action did not include a prohibited reason, the onus is discharged and the claimant's case will be dismissed or the onus of proving that the evidence of 'another' non-unlawful reason is not reliable will then rest with the employee applicant. This shows that section 361 does not, in fact, place a large burden on employers, but is in fact a balanced approach. In other words, the 'reverse onus of proof' is in practice a 'rebuttable presumption', which may be easily rebutted simply by the employer giving evidence of their subjective reasons for the adverse action.

Further, the High Court in *Barclay* clarified that the focus for General Protections should be on the decision maker's actual reason for the action rather than any unconscious elements. There must be deliberate actions on

10 [2012] HCA 32 .

11 Anna Chapman, Beth Gaze and Kathleen Love, 'Adverse Action, Discrimination and the Reverse Onus of Proof: Exploring the Developing Jurisprudence' (Paper presented at Australian Labour Law Association Annual Conference, 2012) 16.

the part of the employer for an employer to be liable, as the words 'discriminates between' involves an employer deliberately treating and employee, or a group of employees, less favourably than other employees.[12] This is narrower than the general discrimination law approach where the discriminator's motives are not relevant.

Other cases

The following cases further illustrate the way in which employers can discharge the burden of proof:

- In *State of Victoria (Office of Public Prosecutions) v Grant*,[13] the adverse action claim was dismissed as Grant's misconduct was not completely interwoven with his medical condition'.[14] As the misconduct could be separated from his mental illness, the mental illness was not the substantive and operative reason for dismissal.

- In *Wolfe v Australia and New Zealand Banking Group Ltd,*[15] the applicant alleged that adverse action, including dismissal, had been taken against him for discriminatory reasons, in particular, family responsibility reasons. The court was critical of the decision-maker's reasoning process, which it considered not to be transparent, not to be compliant with the collective agreement that was in place, and possibly to be unfair. Nonetheless, the employer was not found to have taken adverse action for a prohibited reason. Rather, the decision-maker's denial that he took adverse action for a discriminatory reason, coupled with a reasoning process for dismissing the employee that, although not objective, was "not … so completely irrational", were sufficient to discharge the burden of proof.[16]

- In *Begley v Austin Health,*[17] the court rejected the employee's claim that she was targeted for redundancy because she complained about her classification and salary. Although the court found that the employee had been treated "very unfairly", the court accepted the decision-maker's evidence that the decision to terminate the employee's employment was not made for a prohibited reason. The court accepted that the review process commenced before B made her complaints and that the person who identified B's position as surplus was not involved in dealing with her complaints and was not aware of them at the time the decision to make her position redundant was made.[18]

12 Hodkinson v Commonwealth [2011] FMCA 171, 177.

13 [2014] FCAFC 184.

14 Ibid [52].

15 [2013] FMCA 65.

16 Ibid [97].

17 [2013] FMCA 68.

18 Begley v Austin Health at [379].

The decision-maker was found to have had sound reasons for dismissing the employee, and accordingly, the reverse onus was satisfied and the application was dismissed.[19]

3.3 Commentary from other jurisdictions

In the UK, the burden of proof has been altered in the discrimination law context due to the problems complainants face in attempting to prove discrimination.[20] The House of Lords has acknowledged that discrimination law presents special problems of proof for complainants since "those who discriminate on the grounds of race or gender do not in general advertise their prejudices",[21] while the UK Court of Appeal has stated that "a complainant can be expected to know how he or she has been treated by the respondent whereas the respondent can be expected to explain *why* the complainant has been so treated".[22] These explanations for the necessity of the reverse burden are directly applicable to the General Protections context- the same problem of proving the respondent's reason for action affects all potential complainants.

3.4 Recommendation regarding the General Protections

The "burden of proof at common law rests where justice will best be served having regard to the circumstances both public and private."[23] In the employment context, justice is best served by placing the burden of proof on employers. JobWatch therefore recommends that the General Protections provisions of the FW Act continue to include a reverse burden of proof. Although this may impose some costs on businesses, they can and should be equipped to deal with the burden. Further, the reverse burden encourages employers to maintain systems to ensure that discriminatory factors are not taken into account in decision making, and to maintain records to that effect.

4 What general principles or criteria should be applied to help determine whether a law that interferes with freedom of speech is justified?

4.1 A common law right

'Freedom of speech is a common law freedom. It embraces freedom of communication concerning government and political matters.'[24] Freedom of speech has been referred to by the High Court of Australia as 'the ultimate constitutional foundation in Australia'.[25] It is both in the public interest and

19 Ibid [393].

20 Dominique Allen, 'Reducing the Burden of Proving Discrimination in Australia' (2009) 31 *Sydney Law Review* 579, 593

21 [1998] 2 All ER 953 ('Zafar') 958.

22 Igen [2005] ICR 931, [31] (emphasis added).

23 Williamson v Ah On [1926] 39 CLR 95 (Issacs J)

24 Monis v The Queen (2013) 249 CLR 92, 128 [60] (French CJ).

25 Ibid, quoting Wik Peoples v Queensland (1996) 187 CLR 1, 182 (Gummow J).

essential to democracy that individuals possess and exercise free speech without impediment and that 'voters be able to freely discuss candidates' policies and their fitness for office.'[26]

The right to hold opinions without interference, exception or unlawful restriction is a human right as observed by the International Covenant on Civil and Political Rights (ICCPR).[27] The right in Article 19(1) to hold opinions without interference cannot be subject to any exception or restriction.[28] The right in Article 19(2) protects freedom of expression in any medium including written and oral communications.[29] Freedom of speech is central to the international human rights regime and human dignity. It protects not only popular opinion but also unpopular ideas including those that may offend or shock.

Freedom of expression is a cornerstone upon which the very existence of a democratic society rests. It is indispensable for the formation of public opinion. It is also a condition *sine qua non* for the development of political parties, trade union, scientific and cultural societies and, in general, those who wish to influence the public. It represents, in short, the means that enable the community, when exercising its opinions, to be sufficiently informed. Consequently it can be said that a society that is not well informed is not a society that is truly free.[30]

4.2 Restriction on freedom of speech

The right to freedom of speech, however, is not absolute. It is a qualified right and carries with it special duties and responsibilities. It may be restricted provided the restriction is provided by law and is necessary '[f]or the respect of the rights or reputations of others'[31] or '[f]or the protection of national security or of public order … or of public health or morals.'[32]

4.3 Restrictions to respect the rights or reputations of others

The international community has identified discrimination and racism as 'an abuse of human dignity and equality'.[33] Racism, intolerance and discrimination are 'abhorrent and must be combated with the utmost determination'.[34]

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26 George Williams, 'The State of Play in the Constitutionally Implied Freedom of Political Discussion and Bans on Electoral Canvassing in Australia' (Research Paper No 10, Parliamentary Library, Parliament of Australia, 1996–97) 1.

27 International Covenant on Civil and Political Rights, opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976).

28 Ibid art 19(1).

29 Ibid art 19(2).

30 Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism (Arts 13 and 29 American Convention on Human Rights), Advisory Opinion OC-5/85, 13 November 1985, Series A, No 5, 70

31 International Covenant on Civil and Political Rights, opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) art 19(3)(a).

32 Ibid art 19(3)(b).

33 Agnes Callamard, 'Conference Room Paper by Agnes Callamard' (Paper presented at Expert Seminar on the Links between Articles 19 and 20 of the International Covenant on Civil and Political Rights, Geneva, 2–3 October 2008) 7 <http://www.ohchr.org/Documents/Issues/Expression/ICCPR/Seminar2008/CompilationConferenceRoomPapers.pdf>.

34 Ibid.

The *Racial Discrimination Act 1975* (Cth) (*RDA*) seeks to combat racism, intolerance and discrimination by making it unlawful for a person to do an act, otherwise than in private if the act is reasonably likely in all the circumstances to 'offend, insult, humiliate or intimidate another person or a group of people' and 'the act is done because of the race, colour or national or ethnic origin of the other person or of some or all of the people in the group'.[35] This includes words, sounds, images or writing to be communicated to the public.[36] The *RDA* therefore imposes restrictions on freedom of speech. However, these restrictions are justified on the basis that the rights and reputations of people of all races, colours, nationalities and ethnic origins need to be protected.

In *Eatock v Bolt*,[37] Mr Eatock successfully argued that articles written by Mr Bolt were published in contravention of section 18C of the *RDA.* These articles conveyed messages about Aboriginal persons who have fairer (rather than darker) skin and contained imputations that these people were not genuinely Aboriginal but were pretending to be Aboriginal so they could access benefits that are available to Aboriginal people. It was held these imputations were reasonably likely to offend, insult, humiliate or intimidate the people who were the subject of Mr Bolt's articles. The articles had therefore contravened section 18C of the *RDA.*

5 Which Commonwealth laws unjustifiably interfere with freedom of speech and why are these laws unjustified?

5.1 The right to be a bigot

The decision in *Eatock v Bolt* was met with controversy. The *RDA* was argued by many to be too great an imposition on free speech and Attorney-General George Brandis voiced concerns that section 18C amounted to 'political censorship'.[38]

'In a free country people do have rights to say things that other people find offensive or insulting or bigoted'.[39]

In response to *Eatock v Bolt*, the Abbott Government introduced the Freedom of Speech (Repeal of s.18C) Bill 2014 (Cth) (the Bill) to amend the *RDA* and remove the restrictions in section 18C.[40] The proposed changes would make it legal to offend, insult or humiliate a person on the basis of his or her race, colour, descent or national or ethnic origin. However, the proposed changes would still make it unlawful to *vilify* another person or group of persons, or to *intimidate* another person or a group of persons because of the race, colour, or national or ethnic origin of that person or that group of persons.[41] The term 'vilify' is defined as inciting hatred against a person or a group of persons[42]

35 Racial Discrimination Act 1975 (Cth) s 18(c).

36 Ibid s.18(c)(2).

37 Eatock v Bolt (2011) 197 FCR 261.

38 Emma Griffiths, 'George Brandis Defends "Right to be a Bigot' amid Government Plan to Amend Racial Discrimination Act', ABC News (online), 24 March 2014 < http://www.abc.net.au/news/2014-03-24/brandis-defends-right-to-be-a-bigot/5341552>.

39 Ibid.

40 Freedom of Speech (Repeal of S.18C) Bill 2014 (Cth).

41 Ibid.

42 Ibid cl 2(a).

and ‘intimidate’ is defined as causing fear of physical harm to a person or that group of persons.[43]

The proposed changes set a very stringent standard. They are also unnecessary. Neither the current restrictions in section 18C nor the decision in *Eatock v Bolt* unnecessarily restrict free speech or journalistic integrity. It is a defence to s 18C if the conduct is a fair and accurate report of any event or matter of public interest,[44] or the conduct is is a fair comment on any event or matter of public interest and is an expression of a genuine belief held by the preson making the comment.[45] The issue in *Eatock v Bolt* was the ‘manner in which the articles were written, including that they contained erroneous facts, distortions of the truth and inflammatory and provocative language’.[46]

Additionally, the marked difference between the current protections under section 18C and the proposed definitions in the Bill is a cause for concern. In particular, the use of the terms ‘vilify’ and ‘intimidate’ risk *protecting* hate speech unless the speech *urges, encourages or persuades* others to also take part, or the speech threatens actual physical harm. In the current geopolitical climate, this is a worringly high threshold.

5.2 Recommendation regarding restrictions on Freedom of Speech

The current provisions under section 18C of the *RDA* should remain unchanged. They do not unnecessarily restrict free speech, restrict fair comment or reporting of matters that are in the public interest. The decision in *Eatock v Bolt* serves as a timely reminder that the public dissemination of ill-informed, unsubstantiated information encroaches more on our freedoms than the justified restrictions of section 18C because ‘a society that is not well informed is not a society that is truly free'.[47]

Section 18C of the *RDA* attempts to combat racism, intolerance and discrimination whilst simultaneously promoting the accurate reporting of sensitive topics in order to uphold the reputations of individuals and encourage social cohesion. Changes like the proposed changes to section 18C of the *RDA* in the Bill are therefore unjustified because they do not adequately balance the special duties and responsibilities that accompany the right to freedom of speech.

Indeed, in JobWatch’s opinion, provisions similar to section 18C should be *extended*, as far as constitutionally possible, to include protections for persons on the basis of other protected attributes, such as gender identity and sexual orientation, through amendments to the relevant legislation (i.e. the *Sex Discrimination Act* 1984)[48].

43 Ibid cl 2(b).

44 Racial Discrimination Act 1975 (Cth) s 18D(c)(i).

45 Ibid s 18D(c)(ii).

46 Eatock v Bolt (2011) 197 FCR 261, 271 [8] (Bromberg J).

47 Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism (Arts 13 and 29 American Convention on Human Rights), Advisory Opinion OC-5/85, 13 November 1985, Series A, No 5, 70.

48 Marianna Papadakis, ‘Charlie Hebdo Enters a Legal Divide’, The Australian Financial Review (Sydney), 14 January 2015, 7.

6 Conclusion

As a result of the above, any encroachment on traditional freedoms by the 'reverse onus of proof' in the General Protections and the restrictions on freedom of spech in section 18C of the RDA are entirely justified and so the status quo should, as a minimum, remain.

JobWatch would welcome the opportunity to discuss any aspect of this submission further.

If you have any queries please contact Ian Scott on (03) 9662 9458.

Yours sincerely,

Per:
Job Watch Inc