

Nicholas Pengelley

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Gay Rights

On 4 January 1995 a spokesman for the Federal Attorney-General, Mr Lavarch, announced that the Australian Law Reform Commission could be inquiring into the topic of legal rights for gay couples during 1995. The announcement followed a call from the Chief Justice of the Family Court for gay couples and their children to be legally recognised as family units. The move was endorsed by gay rights groups and criticised by the Federal Opposition.

Some Commonwealth public servants with same-sex partners have already been granted the same rights as married workers, without legislation. The rights have been negotiated within individual Commonwealth departments, including the Departments of Immigration and Foreign Affairs and Trade, as part of enterprise bargaining agreements. According to a report in the *Sydney Morning Herald* (5 January 1995) the Department of Immigration agreement states, in relation to family leave, that "the term 'family' will be inclusive of the wide range of lifestyles of staff, without discrimination as to race or sexual preference".

Greater Access to Justice and Increased Rights for Women

Statements by the Federal Minister for Justice, Duncan Kerr, indicate that the Government's February "Justice Statement" will include the creation of a women's legal service in each state and territory and funding of enhanced programmes targeting rural and non-English-speaking women.

In a separate development the Australian Law Reform Commission has proposed, in its final report on *Equality Before the Law*, a new Equality Act. The Commission sees the new Act as a "Bill of Rights" for women which would, "compel all tiers of government to develop laws, policies and programs that advance the equality of women" (*The Age*, 22 December 1994).

No Change to Class Action Law

Australian standing laws have always prevented the development in this country of US-style "public interest" litigation. Ronald Sackville, QC, in his *Access to Justice* report, recommended the adoption of the 1985 proposals of the Australian Law Reform Commission for relaxation of the standing laws. The Australian Conservation Council, in particular, welcomed the proposal and foreshadowed litigation to enforce environment protection laws. The Australian Chamber of Commerce and Industry attacked the idea.

A spokesman for the Attorney-General, however, said that there would be nothing in the February *Justice Statement* about relaxing the standing laws. There would be proposals for the establishment of environment defenders' offices which would assist community groups and others in legal challenges. (see e.g. *The Sydney Morning Herald*, 28 December 1994).

West Indies Legislation

Internet lists often contain requests for various items of legislation from the West Indies. I noted in this column (volume 2 number 3) the existence of the West Indies Legislation Indexing Project and the publication of an index for each of the 18 island nations. These indexes are kept up to date by the Project which is based at the Faculty of

Law Library, University of the West Indies, under the direction of Sir Clifford Hammett. A subscription can be arranged through Gaunt

Copies of any of the legislation noted in the various indexes can be obtained from the Faculty of Law Library. Charges are as follows:

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Reforms to the Family Law Act & Simplified Procedures

The Attorney-General has announced the Government's proposals for the reform of the *Family Law Act*. The reforms will affect the property and children's sections of the Act. The Family Court anticipates it will need to change many of its procedures, documents, Rules and the Case Management Guidelines to accommodate these reforms. The Court plans to introduce simplified procedures at the same time.

It is expected that reforms to the Act and the consequential changes to Court Rules, policies and procedures will come into effect on 1 July 1995.

For further information contact:

Attorney-General's Department
Family and Administrative Law Branch
Telephone (06) 250 6367

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