



29 August 2025

The Commissioners
NSW Law Reform Commission
<ADAreview@dcj.nsw.gov.au>; <nsw-lrc@dcj.nsw.gov.au>

Dear Commissioners,

**Review of the *Anti-Discrimination Act 1977 (NSW)*: Unlawful conduct
Consultation Paper, May 2025**

The Australian Discrimination Law Experts Group (ADLEG) is a unique, national group of legal scholars with significant experience and expertise in discrimination and equality law and policy.

In October 2023, we responded to the Commission's call for preliminary submissions on issues relevant to the terms of reference, and proposed significant issues for the Commission to consider in its review of the *Anti-Discrimination Act 1977 (NSW)*.

We regret that for want of time and resources, we are not able to make a collective submission on the Consultation Paper. Individual members of ADLEG will make submissions in their own right.

As a general proposition, we exhort the Commission to, at least, follow the standards set by other law reform reports and anti-discrimination and equal opportunity laws in Australia, where most of the issues identified in the Consultation Paper have been canvassed and addressed. We refer you to the resources we provided in our preliminary submission.

But we urge the Commission to go further than others have done. This is an opportunity for New South Wales to lead Australia to the next stage of anti-discrimination laws, adopting a positive approach to imposing non-discrimination duties rather than relying solely on the inefficient, ineffective and burdensome model of individual complaints.

ADLEG members continue to lead Australia in researching and writing on contemporary issues of anti-discrimination law, and we are available to the Commission to be consulted at any time.

Yours sincerely,

The undersigned members of ADLEG:

Associate Professor Sarah Ailwood, University of Wollongong

Dr Robin Banks, University of Tasmania

Dr Cristy Clark, University of Canberra

Liam Elphick, Monash University

Professor Beth Goldblatt, University of Technology Sydney

Emma Graham, Queensland University of Technology

Associate Professor Anne Hewitt, The University of Adelaide

Associate Professor Sarah Moulds, University of South Australia

Professor Karen O'Connell, University of Technology Sydney

Emeritus Professor Simon Rice, OAM, The University of Sydney

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