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Michael Kirby AC CMG to launch Kingsford Legal Centre's Conciliation Report

Former High Court judge The Hon Michael Kirby AC CMG will lend his support to Kingsford Legal Centre (KLC) to launch their Having My Voice Heard report on conciliation practices.

Having My Voice Heard explores the experiences of vulnerable people making complaints under NSW and Commonwealth discrimination law and details recommended best practice for conciliation processes to ensure people who are disadvantaged are able to access dispute resolution processes equitably.

Director of Kingsford Legal Centre, Associate Professor Anna Cody, says implementation of the recommendations in the report will encourage best practice and ensure dispute resolution processes are inclusive and fair.

"At KLC we deliver desperately needed legal advice to some of the most vulnerable people in our community every day. While we know that many clients have positive experiences in conciliation, we also know that people who are economically disadvantaged or are not able to read or write, people with a disability, people from culturally and linguistically diverse backgrounds, and Aboriginal and Torres Strait Islander people encounter many different barriers when they try to resolve their discrimination complaints through the Anti-Discrimination Board, the Australian Human Rights Commission and the Fair Work Commission," she said.

"We had one client making a disability discrimination claim who was deaf and has an intellectual disability. His usual method of communication was lip-reading, and the conciliator he met wore a face mask because she had a cold.

"Another client, while she was pregnant, was forced by her employer to operate the x-ray machine in the dental practice where she worked – despite the fact her doctor indicated she should not do so. She had a very strong case, but ended up settling for just one weeks' pay because the conciliation conference was so intimidating; the commissioner put pressure on both parties to reach an

agreement within 90 minutes, and she felt she had no opportunity to express herself.

“Those are just two examples, there are hundreds more. The mechanisms we have in place are simply not addressing systemic discrimination, and cases like these highlight the need for appropriate training for conciliators, resourcing of relevant conciliation bodies, consistency in conciliation procedures and a recognition of power imbalances in negotiations.”

“We know that when done well, conciliation can have a restorative effect and allow people to move on with their lives. We need to support best practice in conciliation to ensure vulnerable people have their voices heard and rights upheld,” she said.

The Having My Voice Heard report will be launched by Michael Kirby AC CMG, international jurist, educator and former judge. Kirby served as Deputy President of the Australian Conciliation and Arbitration Commission, Chairman of the Law Reform Commission, Judge of the Federal Court of Australia, President of the NSW Court of Appeal and Justice of the High Court of Australia.

EVENT DETAILS

The Hon Michael Kirby AC CMG will launch Having My Voice Heard on:
Monday 27 August at 5.30pm
at the SMC Conference and Function Centre
66 Goulburn Street, Sydney

To see the full report, go to our [website](#).

For media enquiries please contact Katie Moses on 0425 287 275 or k.moses@unsw.edu.au or Anna Cody on 0466 201 325.

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Kingsford Legal Centre (KLC) has been providing quality legal services to people living in South-Eastern Sydney since 1981. As an accredited legal centre with the National Association of Community Legal Centres and a member of Community Legal Centres NSW, KLC is one of over 35 community legal centres in NSW. As part of the Law Faculty of UNSW, KLC also provides clinical legal education programs to UNSW law students.