

Media Release
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HIGH COURT DECISION DRIVES DOWN INDIVIDUAL RIGHTS

Today's High Court decision extending Commonwealth Government powers over Australian workers will erode individual rights, the Australian Lawyers' Alliance warned today.

Bob Whyburn of the ALA said the decision opens the door on the federal government to use its constitutional power over corporations to encroach into more areas of daily life.

"This decision expands the use of Corporations Power in a way that puts the interests of big business ahead of the rights of individuals," Mr Whyburn said.

"The ALA is concerned the decision will embolden the Commonwealth to take more power away from the states, particularly in areas like workers compensation and Occupational Health and Safety where state laws offer greater protections for individuals.

The ALA endorsed the views of dissenting Justice Michael Kirby who accused majority of the Court of ignoring the "repeated negative voice" of the Australian people who, through repeated referendums, voted against extending the power of the federal government with respect to industrial disputes.

"The balance between the powers of the Commonwealth and the States is an important protection for citizens from excessive use of power from one tier of government," Mr Whyburn said.

"This decision seriously erodes those checks on power and means the Commonwealth can act with virtual impunity."

The Australian Lawyers Alliance is the leading advocate of the rights of individual litigants in the justice system.

For media comment call Bob Whyburn on 0418474370 or Gemma Swart on 0414 873291