

Media release

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Gillard Bill discriminates on genetics: Australians no longer protected

Whether by accident or design, the Gillard Government is removing the only protection Australians have from genetic discrimination.

"Genetic discrimination occurs where someone treats you so you are worse off because you might have a genetic predisposition towards a certain illness (like cancer), or a condition like sickle cell trait, or a higher risk of becoming an alcoholic or developing a gambling addiction," said Tim Vines, a Director Civil Liberties Australia.

"You may never develop cancer, or a problem with alcohol, but you could still be treated as though you are a potential invalid or risk to the business," he said.

Mr Vines said the issue could be of major importance down the track in relation to life insurance and superannuation.

Civil Liberties Australia is concerned that, in the proposed Human Rights and Anti-Discrimination Bill, the Government no longer refers to disabilities that "may exist in the future" because of a "genetic predisposition".

The proposed Bill also removes existing protection which prohibits an employer unreasonably asking you for genetic information.

"More and more Australians are having genetic tests done, whether in Australia or from overseas companies like 23andMe. We are fast moving into the age of personalized medicine and \$1000 genetic tests – but our genetic discrimination laws seem to be getting weaker," Mr Vines said. "In the USA, there is a specific law which protects people in this regard...but we don't have it in Australia.

"There's no reason for our existing protections to be removed. No-one has explained why it is being dropped from the existing law.

"No-one has debated the reason for this. It looks like a major oversight by the drafters and the proponents of the Bill."

For details: See supplementary submission No 407: <http://bit.ly/V62hoM>

Ends

For further comment:

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