Berkeley Comparative Equality and Anti-Discrimination Law Study Group
Annual Conference 2018
Melbourne Law School
Monday 11 – Tuesday 12 June 2018

WiFi username: berkeley password: @h3PgR

Sunday 10 June

7:00 pm  Speakers’ dinner at Wokks
607 Swanston St, Carlton VIC 3053 (Pay your own way)

Day 1: Monday 11 June

9:30 am  Registration and welcome tea and coffee
Room 102 Foyer

9:50 am  Welcome to Melbourne Law School / Acknowledgement of country
Room 102

10:00 am  Session 1: Keynote presentation (Chair: Beth Gaze)
Professor Susan Sturm, Columbia Law School
Room 102

11:00 am  Morning tea
Room 102 Foyer
11:30 am  Session 2: Plenary session - Defining equality and discrimination in law: The courts (Chair: Dominique Allen)

Room 102

- Mechanisms for meaning: Exploring ways to make anti-discrimination laws more effective by focussing on prevention rather than breach - Simon Rice and Belinda Smith
- Can you prove it’s discrimination? A comparative review of direct discrimination and the shifting onus of proof - Beth Gaze
- The many purposes of Australian anti-discrimination law - Alice Taylor

1:00 pm  Lunch

Room 102 Foyer

2:00 pm  Session 3: Parallel sessions

A. Defining equality and discrimination in law: Theory (Chair: Shreya Atrey)

Room 102

- The “causation” requirement in direct discrimination - Colin Campbell and Dale Smith
- The place of religion in human rights law: Distinguishing Freedom of Religion from the right against Religious discrimination - Tarun Khaitan and Jane Norton
- On the need to rethink the concept of discrimination in anti-discrimination law: Discrimination as a stigma and the antisubordination paradigm - Maggy (Mª Ángeles) Barrère Unzueta

B. Intersectionality and gender (Chair: Belinda Smith)

Room 920

- Thinking about discrimination and equality through the menstruating body - Beth Goldblatt and Linda Steele
- Gentle women and strong men - The recruitment of supreme court judges in Iceland - Brynhildur G. Flóvenz
- An interdisciplinary approach to equality and discrimination: Business, psychology and law - Greta Bosch

C. Discrimination and the labour market 1 (Chair: David Oppenheimer)

Room 609

- Can anti-discrimination law improve the position of people with intellectual disabilities in the labour market? Learning from experience in the USA – Mark Bell
- Inventions at the work place and discrimination of vulnerable workers: Can intellectual property law prevent the weak from being eaten? – Joelle Nwabueze
- A research on the legal issues related to employment tests – Yun-Hao Hsin
3:30 pm  Afternoon tea
Room 102 Foyer

4:00 pm  Session 4: Plenary session - Intersectionality (Chair: Dale Smith)
Room 102
- Women’s human rights: From progress to transformation: An intersectional response to Nussbaum - Shreya Atrey
- Complex identities in the courtroom: Operationalising equality through an intersectional approach to justice - Puja Kapai
- Rethinking the stress of inequality as an intersectional and intergenerational harm - Isabel Karpin and Karen O’Connell

6:00 pm  Walking tour of Carlton and the University District
7:00 pm  Dinner at University Café
Day 2: Tuesday 12 June

9:00 am  Session 5: Keynote presentation (Chair: Alysia Blackham)

Professor Colm O'Cinneide, University College London
Room 102

10:00 am  Morning tea
Room 102 Foyer

10:45 am  Session 6: Parallel sessions

A. Discrimination and the labour market 2 (Chair: Susanne Burri)
Room 102
- Gender equality in employment in Turkey revisited: One step forward two steps backward in the last decade - Kadriye Bakirci
- Twenty years after Faragher and Ellerth, is it time to re-visit strict vicarious liability for on-the-job sexual harassment? - David Oppenheimer

B. Discrimination in public life (Chair: Robin Banks)
Room 920
- Integrating Marseille: Redevelopment design as a way to accomplish racial integration, equality in housing and avoid gentrification? - Kristen Barnes
- Are African Americans candidates for refugee status? - Susan Banki and Leila Morsy

12.00 pm  Lunch
Room 102 Foyer

1.00 pm  Session 7: Plenary session – Process and enforcement (Chair: Anna Chapman)
Room 102
- Confidentiality and settlement: Uncovering the hidden secrets of the enforcement of equality law in Australia and the UK - Dominique Allen and Alysia Blackham
- The role of equality bodies in enforcing anti-discrimination law in the EU: Combatting gender discrimination in the Netherlands - Susanne Burri
- Access to justice in Sweden from a comparative perspective - Laura Carlson

2:30pm  Short break
2:45 pm  **Session 8: Parallel sessions**

**A. Sexual orientation and gender identity (Chair: Mark Bell)**

Room 102

- Sexual orientation, gender identity and equality in Hong Kong: Rights, resistance and possibilities for reform - Amy Barrow
- An unlikely queer rights advocate? Rethinking the CJEU’s case law on sexual orientation and gender identity equality - Peter Dunne
- Discrimination in sport: Should transgender and intersex athletes be eligible to play AFLW? - Liam Elphick

**B. Education and teaching (Chair: Karen O’Connell)**

Room 920

- Faith based education and equality: Towards an education of prejudice? – The example of faith schools in England - Kyriaki Topidi
- Chinese special university admission policy towards the poor rural areas students: Equal education rights protection or not? - Bin Wang

4:15 pm  **Closing Discussion**

Room 102

4:30 pm  **Afternoon Tea**

Room 102 Foyer

5:00 pm  **Debrief with state and federal equality commissions**

Room 920

6:00 pm  **Keynote lecture**

Lecture Theatre G08

7:00 pm  **Drinks reception**

Ground Floor Foyer