**Penelope Scott**

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I am currently studying at the University of Melbourne. I am undertaking Master of Employment and Labour Law. After being accepted in to the general masters program, I decided to specialise in employment law. I have written research essays for various subjects, including Human Rights Litigation and Advocacy and Principles of Employment Law. Summaries are below. Interested persons can contact me on [penny.scott@hotmail.com](mailto:penny.scott@hotmail.com)

**Junior Wages: The Final Frontier**

Very little has been written on the subject of junior wages. Ever since the Australian Industrial Relations Commission handed down its report on junior wages, it has been taken for granted of junior wages is good public policy. The Rudd/Gillard Government allowed for the use of junior wages when it introduced the Fair Work Act 2009 (Cth). This was done without much fanfare. Conservative politicians have argued junior wages help minimise youth employment. But I argue empirical evidence is actually inconclusive as to whether junior wages shore up youth employment, and junior wages are really an explication of the social norm young people should be paid less. I also argue that the use of junior wages lacks integrity as they are discriminatory. Junior wages could be discriminatory under international law. The AIRC failed to reconcile labour law protections with human right protections. It did not examine the differential impact of the policy on other groups in society. It did not evaluate social attitudes and behaviours. I also argue junior wages are unfair. Young workers lack pay equity vis-à-vis older workers. Junior wages seem inconsistent with the developing concept of decent work. And it seems the leading authority is inconsistent with current community standards. The issue is not closed. There needs to be more debate on whether junior wages is good public policy in a modern society like Australia.

**Human Rights at Home: A New Approach to Residential Tenancy Laws**

Very little has been written about the operation of Australia’s residential tenancy laws. No one has attempted to reconcile residential tenancy laws with our human right obligations. The states and territories have been responsive to the concerns of landlords – but not of tenants. Change has occurred slowly without much rhyme or reason. One reason might be the cultural emphasis on the rights of property owners. Another reason might be the archaic dependence on the public and private distinction. A further reason might be the power imbalance between landlords on one hand, and tenants on the other. Whatever the reason might be, it is apparent the consumerist approach is not working for tenants. The consumerist approach came out of the 1975 Poverty Report. But it is doubtful that a consumerist approach is the most suitable model. The emphasis on freedom of contract is still manifest – there is no security of tenure. There is no recognition of the home as having a special significance to members of the community. Attention is focused on information and education rather than strong substantive protection. The human rights paradigm offers a better conceptual framework. It is likely that residential tenancy laws are not in compliance with key human rights obligations under international law. Areas of concern include open houses and inspections, repairs and safety, alterations and additions, as well as pet ownership. The states and territories need to reconsider their approach to policy development. There is a need for further research in this area – and not only in the human rights space. Another concern is that tenants are not accessing justice on an equal basis.