

DISCRIMINATION

Discrimination is against the law.

Discrimination means treating a person or group of people less favourably than others because of a personal characteristic they have.

It's also against the law to discriminate against a person because you think they have a particular personal characteristic, even if they actually don't. And it's against the law to encourage other people to discriminate against a person because of a real or perceived personal characteristic.

The personal characteristics that are protected by law include:

AGE

RACE, RELIGIOUS BELIEF & RELIGIOUS ACTIVITY

GENDER IDENTITY, SEXUAL ORIENTATION & LAWFUL SEXUAL ACTIVITY

PHYSICAL FEATURES & IMPAIRMENT

MARITAL STATUS

PARENTAL OR CARER STATUS, PREGNANCY & BREASTFEEDING

POLITICAL BELIEF OR ACTIVITY & INDUSTRIAL ACTIVITY

The laws against discrimination apply in a wide range of contexts.

Education

Employment

Housing or other accommodation

Access to public places or facilities

The provision of goods and services

Access to clubs or sporting facilities

If a policy or procedure in any of these contexts is more difficult for a person or group of people to comply with because they have a particular characteristic, and that policy or procedure isn't reasonable, it's discrimination.

Even if the policy or procedure isn't intended to discriminate against anyone, it's still discrimination. This is called indirect discrimination.

Anyone who's the victim of discrimination can make a formal complaint.

The complaint is lodged with either the Victorian Equal Opportunity and Human Rights Commission or the Australian Human Rights Commission. It doesn't cost anything to make a complaint and a lawyer can help.

The complaint will be investigated by the Commission. If the complaint is proven the Commission will try to settle it through conciliation.

Conciliation means that an independent person helps the victim and the perpetrator talk through the issues and try to agree on a settlement. Settlement can include things like an apology by the perpetrator or an agreement to stop the discrimination.