

HOMELESSNESS AND DISCRIMINATION

Discrimination is the unfair treatment of a person or group on the basis of prejudice. As with most marginalised and disadvantaged groups in the community, homeless people are often victims of unlawful discrimination. This chapter considers the bases upon which unlawful discrimination is exercised, and victims' rights of redress, in both the Commonwealth and Victorian contexts.

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1. What is Discrimination?

1.1 Overview

The right to equality and freedom from all forms of discrimination is an integral component of the international human rights normative framework.¹ The obligation of all Australian governments to guarantee, by law, equal and effective protection against discrimination is set out in the *International Covenant on Civil and Political Rights (the ICCPR)*² and the *International Covenant on Economic, Social and Cultural Rights (the ICESCR)*.³

The term **discrimination** has been authoritatively stated by the United Nations Human Rights Committee (**the HRC**) to imply any distinction, exclusion, restriction or preference that is based on any ground identified in the ICCPR and that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all people, on an equal footing, of all rights and freedoms. The criteria for assessing the lawfulness of any differential treatment are that it must be reasonable and objective and must be in order to achieve a purpose that is legitimate under the ICCPR

However, the HRC's definition is not used in Australian anti-discrimination legislation. Nevertheless, the HRC's definition may be useful in Victoria where, under the *Charter of Human Rights and Responsibilities Act 2006 (Vic) (the Charter)*, international jurisprudence and opinions may be used to interpret Victorian anti-discrimination legislation. Unlawful discrimination is regulated by State and federal legislation. In Victoria, the following anti-discrimination legislation applies:

- the *Equal Opportunity Act 1995 (Vic) (the EO Act)*;
- the *Racial and Religious Tolerance Act 2001 (Vic)*;
- the *Racial Discrimination Act 1975 (Cth)*;
- the *Sex Discrimination Act 1984 (Cth)*;
- the *Disability Discrimination Act 1992 (Cth)*;
- the *Age Discrimination Act 2004 (Cth)*; and
- the *Human Rights and Equal Opportunity Commission Act 1986 (Cth)*.

The Victorian legislation is discussed in section 2 of this chapter and the Commonwealth legislation is discussed in section 3.

Each of these statutes prohibits direct and indirect discrimination based on specific grounds or attributes that are protected by the statute. Other areas of unlawful discrimination include sexual harassment, racial and religious vilification and victimisation.

¹ Committee on Economic, Social and Cultural Rights, *Substantive Issues Arising in the Implementation of the International Covenant in Economic, Social and Cultural Rights: Poverty and the ICESCR*, UN DOC E/C.12/2001/10, 3. Cited in Philip Lynch, 'Homelessness, Poverty And Discrimination: Improving Public Health By Realising Human Rights' (2005) 10(1) *Deakin Law Review* 233, 257.

² *International Covenant on Civil and Political Rights*, 19 December 1966, (1980) ATS (entered into force generally 23 March 1976 and for Australia 13 August 1980).

³ *International Covenant on Economic Social and Cultural Rights*, 19 December 1966 (1976) ATS 5 (entered into force generally 3 January 1976 and entered into force for Australia 10 March 1976).

The statutes create civil remedies for people who have experienced unlawful discrimination.

1.2 'Direct' and 'indirect' discrimination

Direct discrimination takes place when a person is treated less favourably than another person, in the same or similar circumstances, on one or more of the grounds and in one of the areas of public life covered by anti-discrimination legislation.

Example

James applied for a plumbing apprenticeship at the age of 43. At interview, he was told that he was considered 'too old' and that apprenticeships were for 'young people'. James could claim the employers discriminated against him because of his age.

Indirect discrimination happens when an apparently neutral policy, rule or practice has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic, compared to people without that attribute or characteristic, and the policy or practice is unreasonable in the circumstances.

Example

Caroline is in a wheelchair, and works in a public library. The library is fitted with lifts, but also has a set of six steps at the front entrance. Caroline can enter the building only through the back entrance near the industrial bins. Caroline could claim she was discriminated against because of her disability because the design of the building forces her to use the back door, which has a negative effect on disabled people.

Under Victorian and Commonwealth legislation, both direct and indirect discrimination on the basis of attributes identified in the legislation is unlawful.

1.3 Sexual harassment

Sexual harassment occurs when a person makes an unwelcome sexual advance or an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature in relation to another person, in circumstances in which a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated. Sexual harassment is prohibited by both the EO Act and the *Sex Discrimination Act 1984* (Cth).

1.4 Racial and religious vilification

Racial and religious vilification involves conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or class of people on the ground of their race or religious belief or activity. It is prohibited in Victoria by the *Racial and Religious Tolerance Act 2001* (Vic). The *Racial Discrimination Act 1975* (Cth) also prohibits offensive behaviour based on racial hatred.

1.5 Victimisation

Victimisation occurs if a person subjects or threatens to subject another person to any detriment because the other person has made a complaint of unlawful discrimination.

Victimisation for making or supporting a complaint is unlawful under both Victorian and federal anti-discrimination legislation.

1.6 Discrimination against homeless people

Discrimination on the basis of homelessness or social status is currently lawful in Australia. The PILCH Homeless Persons' Legal Clinic (**the Clinic**) has conducted research that indicates discrimination against homeless people is frequent and widespread in Victoria. In particular, in 2006 the Victoria Department of Justice commissioned the Clinic to ask homeless people about their experience of discrimination. The results of this research indicate that legal protection against discrimination on the ground of homelessness and social status is a priority.

The Clinic research shows that discrimination is a major causal factor of homelessness and can systematically exclude people from access to goods, services, the justice system, health care, housing and employment. In addition to contributing to homelessness, discrimination can also diminish a person's wellbeing, cause ill health and exacerbate or maintain homelessness. People experiencing homelessness often report being discriminated against when trying to access accommodation or other services.

Indeed, almost 70% of the people surveyed experienced discrimination on the basis of homelessness or social status at the hands of accommodation providers. People were discriminated against most frequently in private rental or by real estate agents, followed by boarding houses, transitional or crisis accommodation, hotels and public housing. Almost half of those surveyed reported that discrimination on these grounds had prolonged their homelessness and had made it increasingly difficult to find a sustainable pathway out of homelessness.

Example

Not long after a new backpackers hostel opened up in Warrnambool a few years ago, the proprietor personally visited all the welfare providers in town and advised them not to refer anyone to him because he didn't want 'those kind of people' in his place.

Example

Kelvin was released from prison and lived for a short period with his girlfriend. He was referred to a homeless support service by police after his relationship broke down and he became homeless.

Kelvin stayed in the service for six weeks, during which time he investigated private rental with the support of a case worker. Kelvin was apprehensive, as he believed he had no hope of finding private rental. One real estate agent wouldn't even listen to Kelvin's enquiry as he was only able to give them a brief window of the past and his prison story. Kelvin's case worker wrote a letter to the management but received no answer, despite follow up calls.

During his time with the homeless support service, Kelvin was an excellent tenant, rigid in keeping his unit clean and in paying rent. The real issue was discrimination by the real estate agent towards homeless people and ex-prisoners. As Kelvin's case worker says, if one reflects upon a prison existence, many prisoners have pretty good living and house skills which can be carried into civilian life.

A similar picture emerges in relation to goods and services providers, who discriminated against almost 60% of survey respondents on the basis of their homelessness or social status. Discrimination was most often experienced from restaurants, cafés or bars, followed by banks, retail shops, hospitals and telecommunications providers.

Example

Anthony is homeless and has a mental illness. He is often asked to leave services due to his appearance, which is perceived to be threatening and upsetting to other service users. Services that might discriminate against people because of their appearance could include Centrelink, hospitals, police, schools, banks and boarding houses.

Adverse consequences experienced as a result of discrimination include poor physical and mental health, social isolation and family or relationship difficulties. As a result of discrimination, the feelings of victims range from marginalisation and frustration to anger, worthlessness, grief, anxiety and suicidal tendencies. Perhaps unsurprisingly, some survey respondents said that they were simply accustomed to such treatment and had learned to deal with it.

The Clinic will continue to work to protect homeless people from suffering from unlawful discrimination. Recently, the Clinic has advocated for amendments to the *Equal Opportunity Act 1995* (Vic) for social status (such as homelessness, unemployment, receipt of social security and criminal history) to be included as a protected attribute.⁴ The Clinic has also lodged a submission to the Human Rights and Equal Opportunity Commission Inquiry into Discrimination in Employment on the Basis of Criminal Record⁵ and to the Senate Legal and Constitutional Committee Inquiry into the Provisions of the *Disability Discrimination Amendment Bill 2003* (Cth), focusing on addiction as a disability.⁶

Although there is no specific legal protection against discrimination on the ground of homelessness or social status, there are many aspects of anti-discrimination legislation that do provide important protections for homeless people. For example, the prohibition against disability discrimination extends to discrimination on the basis of disabilities such as mental illness or drug addiction. Homeless people are vulnerable to discrimination on grounds such as race, sex and physical features, and to other unlawful conduct such as sexual harassment.

At the time of writing, the Independent Review of the Equal Opportunity Act 1996 (Vic) has been finalised and the final report handed down. In the final report, *An Equality Act for a Fairer Victoria*, it was recommended that 'homelessness' and 'irrelevant criminal record' be incorporated as protected attributes under the proposed Equality Act. The Clinic will continue to lobby the Victorian Government to ensure that these recommendations are adopted and that discrimination on these bases becomes unlawful.

⁴ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb3dfd0a56cddde/PILCHHomelessPersonsLegalClinic.pdf>.

⁵ Available online at http://www.humanrights.gov.au/human_rights/criminalrecord/submissions/sub22_pilch.html.

⁶ Available online at http://www.aph.gov.au/SENATE/COMMITTEE/legcon_ctte/completed_inquiries/2002-04/disability/submissions/sub22.doc. Supplementary submission available online at http://www.aph.gov.au/SENATE/COMMITTEE/legcon_ctte/completed_inquiries/2002-04/disability/submissions/sub22A.doc.

1.7 Homelessness discrimination guidelines

In 2006 the Victorian Department of Justice conducted a project aimed at encouraging business owners and managers to treat all people fairly and equally and to reduce discrimination against homeless people. The project was largely based on the research conducted by the Clinic, which showed that discrimination against people experiencing homelessness was rife in Victoria. The project recognised that discrimination is a problem but, rather than prohibiting this form of conduct, the project developed voluntary Homelessness Guidelines (**the guidelines**) to assist businesses in their dealings with homeless people.

The guidelines provide practical information and tips that will be helpful to business operators in ensuring that they run their businesses in accordance with non-discriminatory principles. For example, the guidelines suggest businesses '[p]rovide all customers with the same level of service' and '[a]ccept all legal forms of payment for [their] service'. The guidelines include:

1. *Equal Service: Guidelines for rooming house operators*;⁷
2. *Equal Service: Guidelines for caravan park operators*;⁸
3. *Equal Service: Guidelines for hospitality providers*;⁹
4. *Equal Service: Guidelines for private rental*;¹⁰
5. *Equal Service: Guidelines for retail outlets*;¹¹ and
6. *Equal Service: Guidelines for responding to challenging behaviours*.¹²

For more information on the Equal Service program, visit

<http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Discrimination/JUSTICE+-+Equal+Service+-+Homelessness+Guidelines+Project>.

2. Victorian Anti-discrimination Legislation

2.1 Overview

Anti-discrimination laws in Victoria are found in the EO Act and the *Racial and Religious Tolerance Act 2001* (Vic).

Of relevance generally in Victoria, the Charter now provides broad rights to freedom from discrimination and to equality before the law, and requires courts and public authorities to

⁷ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16bb4f9ace3f4/Rooming%20Houses.pdf>.

⁸ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16b44f9a9a55d/Caravan%20Parks.pdf>

⁹ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16b54f9a9a582/Hospitality.pdf>

¹⁰ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16b64f9a9a5b3/Private%20Rental.pdf>

¹¹ Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16b74f9a9a5d3/Retail.pdf>

¹² Available online at <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/eb16bc4f9ad728b/Equal%20Service.pdf>

interpret rights and obligations under Victorian legislation compatibly with the rights set out in the Charter. The Charter is discussed in more detail in Chapter 3 of this Manual.

2.2 Equal Opportunity Act

The EO Act is the most comprehensive of the relevant Acts in terms of the grounds of unlawful discrimination it covers. In light of the enactment of the Charter, the Department of Justice is in the process of carrying out two reviews of the EO Act: a general review as to the effectiveness with which it protects and promotes the right to be free from discrimination; and a specific review of the exceptions and exemptions outlined in the EO Act and their compatibility with the Charter. Accordingly, it is likely that the EO Act will be amended in the future. The following section describes the current EO Act and also indicates areas where change is likely.

The EO Act currently defines **discrimination** as direct or indirect discrimination on the basis of an attribute.¹³ Discrimination on the basis of an attribute is unlawful if it occurs in one of the areas covered by the EO Act.

Direct discrimination

Direct discrimination occurs when a person with a particular attribute is treated less favourably than another person without that attribute. **Direct discrimination** is defined¹⁴ to occur if a person treats, or proposes to treat, someone with an attribute less favourably than the person treats or would treat someone without that attribute, or with a different attribute, in the same or similar circumstances.

Indirect discrimination

Indirect discrimination is more subtle and occurs where a requirement, condition or practice is imposed on everyone in a particular situation and it is more difficult for people with a particular attribute to comply than it is for people without the attribute. **Indirect discrimination** is defined¹⁵ to occur if a person imposes, or proposes to impose, a requirement, condition or practice:

- that someone with an attribute does not or cannot comply with; and
- that a higher proportion of people without that attribute, or with a different attribute, do or can comply with; and
- that is not reasonable in all the relevant circumstances of the case.

While the definitions of direct and indirect discrimination under the EO Act may change following the current review, the concept of indirect discrimination is likely to remain an important principle under the EO Act in recognition of the importance of substantive equality.

¹³ EO Act, s 7.

¹⁴ EO Act, s 8.

¹⁵ EO Act, s 8.

Protected attributes

The EO Act makes it unlawful to discriminate against someone on the basis of any of the following protected attributes:¹⁶

- age;
- breastfeeding;
- gender identity;
- impairment;
- industrial activity;
- employment activity;
- lawful sexual activity;
- marital status;
- parental status or status as a carer;
- physical features;
- political belief or activity;
- pregnancy;
- race;
- religious belief or activity;
- sex; and
- sexual orientation.

Areas where discrimination is expressly prohibited

The areas covered by the EO Act where discrimination is expressly prohibited, subject to the EO Act's exceptions, include the following:

- **employment** — employers have obligations under the EO Act in regards to hiring,¹⁷ terms and conditions of employment and dismissal;¹⁸
- **education** — schools, colleges, universities and other education institutions have obligations under the EO Act in regards to access to all students and facilitating students with different needs;¹⁹
- **goods and services** — credit, finance, insurance, entertainment, hospitality, professional and trader service providers all have obligations under the EO Act in regards to the way in which they provide their services;²⁰

¹⁶ EO Act, s 6.

¹⁷ EO Act, s 13. See also *Dek v PrixCar Services Pty Ltd* [2005] VCAT 738.

¹⁸ EO Act, s 14. See also *Dek v PrixCar Services Pty Ltd* [2005] VCAT 738.

¹⁹ EO Act, s 37. See also *Turner v Department of Education and Training* [2007] VCAT 873; *Beasley v Department of Education and Training* [2006] VCAT 187; *State of Victoria v Bacon* [1998] VSC 292.

²⁰ EO Act, s 42.

- **accommodation** — in the areas of renting flats, houses and units, real estate agents and landlords maintain obligations under the EO Act;²¹ and
- **clubs and club members** — membership and access to facilities must be provided compatibly with the EO Act.²²

The EO Act also prohibits sexual harassment²³ in employment and other work-related situations, in education, in the provision of goods and services and accommodation, in clubs and in local government.²⁴

Prohibition of victimisation for complaining

The EO Act also prohibits victimisation of a person who has made or supported a complaint of discrimination.²⁵

2.3 Racial and Religious Tolerance Act

The *Racial and Religious Tolerance Act* prohibits vilification on the grounds of race²⁶ and religious belief or activity.²⁷ **Vilification** involves engaging in conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or class of people on the ground of their race or religious belief or activity.

There is an exception to the general prohibition for conduct engaged in reasonably and in good faith in relation to artistic works, genuine academic, artistic, religious or scientific publications or discussions, and fair and accurate reporting of matters of public interest.²⁸ There is also an exception for conduct engaged in in private.²⁹

The *Racial and Religious Tolerance Act* also prohibits victimisation for having made a complaint.³⁰

In addition to creating civil remedies for racial and religious vilification, the *Racial and Religious Tolerance Act* creates criminal offences of **serious racial vilification**³¹ and **serious religious vilification**.³²

2.4 Informal complaints

If your client has been the victim of discrimination, sexual harassment or racial or religious vilification, then they should complain first to the person who has discriminated against them.

²¹ EO Act, ss 47, 49-52.

²² EO Act, ss 49-60.

²³ Defined in EO Act, s 85.

²⁴ EO Act, Part 5.

²⁵ EO Act, ss 96-97.

²⁶ Racial and Religious Tolerance Act, s 7.

²⁷ Racial and Religious Tolerance Act, s 8.

²⁸ Racial and Religious Tolerance Act, s 11.

²⁹ Racial and Religious Tolerance Act, s 12.

³⁰ Racial and Religious Tolerance Act, ss 13-14.

³¹ Racial and Religious Tolerance Act, s 24.

³² Racial and Religious Tolerance Act, s 25. Prosecutions for these offences may not be commenced without the written consent of the Director of Public Prosecutions.

Example

Amanda works on a building site. Her co-worker, Dave, often asks Amanda if she 'got lucky' on the weekend. Amanda feels uncomfortable about this behaviour, which is a form of sexual harassment. Amanda finally told Dave that his comments made her uncomfortable and asked him to stop. Dave, who didn't mean to offend Amanda, stopped making these comments immediately and apologised to Amanda.

Your client should talk to the person who is treating them unfairly and ask them to stop. If discrimination, sexual harassment or racial or religious vilification is occurring in the workplace, then your client may prefer to talk to their manager or human resources manager if they are not comfortable speaking directly to the person concerned. Often, workplaces, schools or other organisations will have anti-discrimination policies and procedures, so it would be sensible to follow any policy when making an informal complaint.

Example

Helen is a student at Australia TAFE. She was unable to submit an assignment on time as her son was rushed to hospital. Helen felt that her teacher's refusal to extend her assignment due date was discrimination on the basis of her status as a carer/parent. Under Australia TAFE's *Discrimination Complaints Procedure*, Helen complained to one of the student counsellors. The counsellor assisted Helen to resolve her problem with the teacher and Helen was given a one-week extension for her assignment.

2.5 Complaints to VEOHRC

If your client doesn't want to make an informal complaint (as outlined in section 2.4 above), or the informal complaint is not acted upon, then you may wish to lodge a complaint with the Victorian Equal Opportunity and Human Rights Commission (VEOHRC).

VEOHRC receives complaints for breaches of the EO Act and the *Racial and Religious Tolerance Act*. VEOHRC advises complainants to adopt the following steps:

- **Step 1 — try to resolve the matter informally:** See section 2.4 above for further information.
- **Step 2 — get advice:** VEOHRC provides free and confidential advice. If the complaint is covered by Victoria's equal opportunity law, then VEOHRC will discuss the issue with you and/or your client and describe the process for making a formal complaint. If the issue falls outside equal opportunity law, then VEOHRC will refer your client to another service.

- **Step 3 — make a complaint:**
 - A complaint must be in writing. VEOHRC's education and complaints officer can provide you with advice about the necessary content for the complaint. VEOHRC provides a form on which you should make the complaint.
 - The complaint is formally lodged when VEOHRC receives a signed complaint. The complaint can be withdrawn at any time and VEOHRC will then let the respondent (the person who is treating your client unfairly or discriminating against them) know.
 - If the issue is creating particular difficulties and concerns, then the parties can apply to VEOHRC to have the complaint handled more quickly. VEOHRC will fast track a complaint if it involves an emergency health matter, an ongoing sexual harassment or an allegedly discriminatory policy decision by the respondent.
 - Importantly, complainants should be aware that legal representation is not necessary. They should try to keep the complaint confidential and should be aware that it can be withdrawn at any time.
- **Step 4 — investigation:** Once a complaint is lodged, an investigator with VEOHRC will gather information and report to VEOHRC. The investigator may require the respondent to provide information addressing the complaint and may visit the site of the alleged discrimination. Following the investigation, VEOHRC will refer the matter to conciliation or decline the complaint.
- **Step 5 — conciliation:** VEOHRC provides a conciliation forum where the respondent and complainant can meet and attempt to resolve the complaint. VEOHRC has no power to make orders or grant compensation. Rather, outcomes of a conciliated settlement may include an apology, financial compensation, a job reference or reinstatement, access to a previously denied job opportunity or service, an agreement to change or stop behaviour and equal opportunity training.
- **Step 6 — take your complaint to the Victorian Civil and Administrative Tribunal's dedicated Anti-discrimination List:** If VEOHRC has declined your client's complaint, or your client is dissatisfied with the outcomes of VEOHRC's conciliation, then the complaint can be referred to the Victorian Civil and Administrative Tribunal (**VCAT**).

2.6 Complaints to VCAT

The Anti-discrimination List of VCAT deals with matters that have come before VEOHRC under the EO Act and the *Racial and Religious Tolerance Act*. For example:

- a complainant may refer a declined complaint to VCAT;
- a respondent may apply to VCAT to strike out the complaint on the ground that it is frivolous, vexatious, misconceived or lacking in substance; and
- a complainant may refer an unresolved complaint to the VCAT.

If it finds a complaint proved, then VCAT may make any of the following orders:

- that the respondent stop committing any further act of discrimination against the complainant;
- that the respondent pay the complainant compensation fixed by VCAT;
- that the respondent perform any act with a view to making good any loss, damage or injury suffered by the complainant; and/or
- find the complaint or any part of it proven but decline to take any further action.

If VCAT finds a complaint or any part of it is not proven, then it may make an order that the complaint or part of it be dismissed.

There is useful information about the procedure in the Anti-discrimination List at VCAT, and about preparing for hearings, on VCAT's website at <http://www.vcat.vic.gov.au>, under the hearing 'Anti-discrimination'. The procedure at VCAT generally involves a directions hearing, exchanging particulars of complaint and defence, mediation, preparing witness statements and then a final hearing. There are some other variations on this, such as strike-out applications and applications for exemptions.

You can obtain further information from VCAT (see section 4 below for contact details).

2.7 Charter of Human Rights and Responsibilities

The Charter entered into force on 1 January 2008. The Charter has the potential to be a significant tool in advocacy. Chapter 3 of this Manual considers the implications of the Charter for people experiencing homelessness and for practitioners working in the area of homelessness. Specifically, Chapter 3 considers the types of rights protected by the Charter (focusing on rights that effect people experiencing homelessness), the responsibilities of public authorities to act in accordance with the Charter and how the Charter can be used to protect the rights of people experiencing homelessness.

3. Discrimination under Commonwealth Legislation

3.1 Overview

The federal Parliament has passed a number of laws that aim to protect people from certain kinds of discrimination in public life and from breaches of their human rights by Commonwealth departments and agencies. The principal Commonwealth anti-discrimination statutes are:

- the *Age Discrimination Act 2004*;
- the *Disability Discrimination Act 1992*;
- the *Racial Discrimination Act 1975*; and
- the *Sex Discrimination Act 1984*.

The Human Rights and Equal Opportunity Commission (**HREOC**) is responsible for administering these laws. Under the *Human Rights and Equal Opportunity Commission Act 1986* (Cth) HREOC is empowered to investigate and conciliate complaints of unlawful discrimination, and the Federal Court and Federal Magistrates' Court have power to hear and determine unresolved complaints.

Unlawful discrimination is defined in section 3 of the *Human Rights and Equal Opportunity Commission Act*. Broadly, it covers direct and indirect discrimination on the grounds protected by each of the *Age Discrimination Act*, the *Disability Discrimination Act*, the *Racial Discrimination Act* and the *Sex Discrimination Act*. It also includes:

- offensive behaviour based on racial hatred;
- sexual harassment;
- harassment in relation to a disability; and
- victimisation for making a complaint of unlawful discrimination.

The particular grounds of unlawful discrimination under the Acts listed above can be summarised as follows:

- age;
- disability;³³
- race, colour, descent or national or ethnic origin;
- sex;
- marital status;
- pregnancy or potential pregnancy; and
- family responsibilities.

HREOC's publication, *Federal Anti-Discrimination Law 2005*, contains a chapter on each of the federal anti-discrimination statutes, with separate chapters on damages and remedies, procedure, evidence and costs awards. The publication, together with regular supplements, is available online at <http://www.hreoc.gov.au/legal>.

3.2 Age Discrimination Act

The *Age Discrimination Act 2004* helps to protect people against direct and indirect discrimination³⁴ on the ground of age in various areas of public life including:

- **work** — getting a job, terms and conditions, training, promotion, dismissal and redundancy (voluntary work and domestic duties in private households are not covered);³⁵
- **education** — enrolling or studying at school, TAFE, university or other educational institutions;³⁶
- **access to premises** — going to public places like entertainment venues, shopping centres, libraries and parks;³⁷

³³ Including use of a palliative or therapeutic device or auxiliary aid, or being accompanied by an interpreter, reader, assistant, carer, guide dog or assistance animal: *Disability Discrimination Act*, ss 7-9.

³⁴ Defined in ss 14 and 15 of the *Age Discrimination Act*. See the discussion of direct and indirect discrimination in section 1.2 above.

³⁵ *Age Discrimination Act*, Part 4, Division 2.

³⁶ *Age Discrimination Act*, s 26.

³⁷ *Age Discrimination Act*, s 27.

- **getting or using services** — at shops, restaurants, banks, theatres, sports and social clubs, public transport, dentists, doctors, superannuation, insurance, credit and government services;³⁸
- **accommodation** — renting or buying an apartment or house;³⁹
- **buying land** – buying a house, a place for a group of people, or drop-in centre;⁴⁰ and
- **Commonwealth laws and programs.**⁴¹

The *Age Discrimination Act* also provides for positive discrimination — that is, actions that assist people of a particular age who experience a disadvantage because of their age.⁴² It also provides for a number of exemptions to what would otherwise be unlawful discrimination.⁴³

3.3 Disability Discrimination Act

The *Disability Discrimination Act 1992* protects individuals across Australia from direct and indirect discrimination on the basis of disability.⁴⁴ **Disability** is defined broadly in section 4. The *Disability Discrimination Act* also protects against discrimination because of use of a palliative or therapeutic device or auxiliary aid, or being accompanied by an interpreter, reader, assistant, carer, guide dog or assistance animal.⁴⁵

The *Disability Discrimination Act* prohibits disability discrimination in many parts of public life, as follows.

- **work** — trying to get a job, equal pay or promotion;⁴⁶
- **education** — when enrolling or studying in a school, TAFE, university or other college;⁴⁷
- **access to premises used by the public** — using libraries, places of worship, government offices, hospitals, restaurants, shops, or other premises used by the public;⁴⁸
- **provision of goods, services and facilities** — when a person wants goods or services from shops, pubs and places of entertainment, cafes, video shops, banks, lawyers, government departments, doctors, hospitals and so on;⁴⁹

³⁸ *Age Discrimination Act*, s 28.

³⁹ *Age Discrimination Act*, s 29.

⁴⁰ *Age Discrimination Act*, s 30.

⁴¹ *Age Discrimination Act*, s 31.

⁴² *Age Discrimination Act*, s 33. See also *HBF Health Fund Inc and Minister for Health and Ageing* [2005] AATA 599.

⁴³ *Age Discrimination Act*, ss 37-43.

⁴⁴ See the definitions in ss 5-9 and the discussion of direct and indirect discrimination in section 1.2 above.

⁴⁵ *Disability Discrimination Act*, ss 7-9.

⁴⁶ *Disability Discrimination Act*, Part 2, Division 1. See eg *Ralph v Pemar Pty Ltd T/A Tuncurry Aluminium Windows* [1999] HREOCA 16.

⁴⁷ *Disability Discrimination Act*, s 22. See eg *Catholic Education Office v Clarke* [2004] FCAFC 197; *Hills Grammar School v Human Rights and Equal Opportunity Commission and Others* [2000] FCA 658; *Kinsela v Queensland University of Technology* [1997] HREOCA 5.

⁴⁸ *Disability Discrimination Act*, s 23. See eg *Forest v Queensland Health* [2007] FCA 936.

⁴⁹ *Disability Discrimination Act*, s 24. See eg *Forest v Queensland Health* [2007] FCA 936; *Adams v Arizona Bay Pty Ltd & Habib and Bunge Pty Ltd* [1997] HREOCA 7.

- **accommodation** — renting or trying to rent a room in a boarding house, a flat, unit or house;⁵⁰
- **buying land** — buying a house, a place for a group of people, or drop-in centre;⁵¹
- **activities of clubs and associations** — wanting to enter or join a registered club (such as a sports club, RSL or fitness centre) or when a person is already a member;⁵²
- **sport** — wanting to play, or playing a sport;⁵³ and
- **Commonwealth laws or programs.**⁵⁴

The Act also prohibits harassment on the basis of disability⁵⁵ and victimisation for having made a complaint.⁵⁶

There are various exemptions specified in sections 45 to 54 of the *Disability Discrimination Act* to what would otherwise be unlawful discrimination.

Under section 31 of the *Disability Discrimination Act*, the Attorney-General has made Disability Standards to specify rights and responsibilities about equal access and opportunity for people with a disability, which provide more detail and certainty than the Act itself. Standards can be made in the areas of employment, education, public transport services, access to premises, accommodation and the administration of Commonwealth laws and programs. The standards are available online at http://www.hreoc.gov.au/disability_rights/standards/standards.html. Compliance with a standard equates to compliance with the *Disability Discrimination Act*.⁵⁷

In April 2008 the Australian Government released a Discussion Paper for the National Mental Health and Disability Employment Strategy. The discussion paper seeks input on how to address the barriers faced by people with disability or mental illness in finding and retaining a job. In light of the development of the strategy, you should be aware of possible changes to practices for the employment of disabled people and people with mental health issues.

3.4 Racial Discrimination Act

The *Racial Discrimination Act 1975* protects individuals across Australia from discrimination on the grounds of race, colour, descent, or national or ethnic origin. In 1995 the *Racial Discrimination Act* was extended to make racial vilification against the law (see section 3.5 below).

⁵⁰ *Disability Discrimination Act*, s 25.

⁵¹ *Disability Discrimination Act*, s 26.

⁵² *Disability Discrimination Act*, s 27. See eg *Marsden v HREOC & Coffs Harbour & District Ex-Servicemen & Women's Memorial Club Ltd* [2000] FCA 1619.

⁵³ *Disability Discrimination Act*, s 28.

⁵⁴ *Disability Discrimination Act*, s 29.

⁵⁵ *Disability Discrimination Act*, ss 35-40.

⁵⁶ *Disability Discrimination Act*, s 42.

⁵⁷ *Disability Discrimination Act*, s 34.

In 1975 the Australian Parliament introduced the *Racial Discrimination Act* and ratified the *International Convention on the Elimination of All Forms of Racial Discrimination*. This means that Australia promises to do the following:

- not to racially discriminate against individuals, groups of people or institutions;
- make sure that Australia's government bodies do not racially discriminate against individuals, groups of people or institutions;
- not sponsor, not defend and not support racial discrimination by any individuals or organisations;
- review government, national and local policies, and to change, or abolish, laws and regulations that create or continue racial discrimination;
- ban and to stop racial discrimination by individuals, groups and organisations;
- ban organisations and propaganda that promote racial superiority, racial hatred, racial violence or racial discrimination;⁵⁸
- provide effective protection and solutions for victims of racial discrimination;
- take any special measures needed to make sure that disadvantaged racial groups have full and equal access to human rights and to basic freedoms; and
- tackle the prejudices that lead to racial discrimination, and to eliminate the barriers between races.

The *Racial Discrimination Act* prohibits direct or indirect discrimination⁵⁹ in the following areas:

- **employment** — trying to get a job, equal pay or promotion⁶⁰ and the right to join a trade union;⁶¹
- **places and facilities** — using libraries, places of worship, government offices, hospitals, restaurants, shops or other premises used by the public;⁶²
- **land, housing and other accommodation** — renting or buying an apartment or house;⁶³
- **provision of goods and services** — at shops, restaurants, banks, theatres, sports and social clubs, public transport, dentists, doctors, superannuation, insurance, credit and government services;⁶⁴ and
- **racial vilification** — see section 3.5 below for further information.⁶⁵

⁵⁹ See the definitions in s 9 and the discussion of direct and indirect discrimination in section 1.2 above.

⁶⁰ *Racial Discrimination Act*, s 15. See eg *Kummler v The Commonwealth of Australia* [1998] HREOCA 34; *Ardeshirian v Robe River Iron Associates* [1990] HREOCA 2.

⁶¹ *Racial Discrimination Act*, s 14.

⁶² *Racial Discrimination Act*, s 11. See eg *Catch the Fire Ministries Inc & Ors v Islamic Council of Victoria Inc* [2006] VSCA 284.

⁶³ *Racial Discrimination Act*, s 12.

⁶⁴ *Racial Discrimination Act*, s 13. See eg *White & White v Gallan* [1990] HREOCA 7; *Whiting v Delacey* [1990] HREOCA 17.

⁶⁵ *Racial Discrimination Act*, s 18(c). See also section 3.5 below.

It is also unlawful to incite another person to discriminate unlawfully⁶⁶ and to victimise a person for having made a complaint of racial discrimination.⁶⁷

3.5 Racial Discrimination Act – racial hatred

The *Racial Hatred Act 1995* (Cth) extends the coverage of the *Racial Discrimination Act* so that people can complain to HREOC about racially offensive or abusive behaviour. It aims to strike a balance between the right to communicate freely and the right to live free from vilification.

As a result, the *Racial Discrimination Act* now covers public acts⁶⁸ that are:

- done, in whole or in part, because of the race, colour, or national or ethnic origin of a person or group; and
- reasonably likely in all the circumstances to offend, insult, humiliate or intimidate⁶⁹ that person or group.

The *Racial Discrimination Act* makes these acts unlawful unless one of the exceptions applies. The statute provides that the following acts are not unlawful if 'done reasonably'⁷⁰ and 'in good faith'⁷¹:

- an artistic work or performance (for example, a play where racist attitudes are expressed by a character);⁷²
- an academic publication, discussion or debate (for example, discussing and debating public policy such as immigration, multiculturalism or affirmative action for migrants);
- a fair and accurate report on a matter of public interest (for example, a fair report in the media of an act of racial incitement or racially offensive conduct); and
- a fair comment if the comment is an expression of a person's genuine belief.

If your client has been the victim of an unlawful act under the racial hatred provisions of the *Racial Discrimination Act*, then you may lodge a complaint with HREOC. For further information on lodging a complaint, see section 3.8 below.

You may also complain to other organisations such as:

- the Australian Advertising Standards Council about advertisements ((02) 9233 8874); and
- the Australian Broadcasting Authority about material on TV, radio or the Internet ((02) 9334 7700).

⁶⁶ *Racial Discrimination Act*, s 17.

⁶⁷ *Racial Discrimination Act*, s 27(2).

⁶⁸ See eg *McMahon v Bowman* [2000] FMC 3.

⁶⁹ See eg *Jacobs v Fardig* [1999] HREOCA 9.

⁷⁰ See eg *Walsh et al v Hanson and One Nation*, HREOC Inquiry Commissioner Nader, 2 March 2000, unreported.

⁷¹ See eg *Jones v Toben* [2002] FCA 1150.

⁷² See eg *Bryl & Kovacevic v Nowra and Melbourne Theatre Company* [1999] HREOCA 11.

3.6 Sex Discrimination Act

The *Sex Discrimination Act 1984* protects individuals across Australia from direct and indirect discrimination⁷³ on the basis of sex, marital status or pregnancy and, in relation to employment, family responsibilities. The *Sex Discrimination Act* also makes sexual harassment against the law.

The *Sex Discrimination Act* gives effect to Australia's obligations under the *Convention on the Elimination of All Forms of Discrimination Against Women*, which the Australian Government ratified in July 1983.

The *Sex Discrimination Act* makes it unlawful to discriminate in many public areas of public life. The most common include:

- **employment** — trying to get a job, equal pay or promotion;⁷⁴
- **education** — when enrolling or studying in a school, TAFE, university or other college;⁷⁵
- **goods, services or facilities** — when a person wants goods or services from shops, pubs and places of entertainment, cafes, video shops, banks, lawyers, government departments, doctors, hospitals and so on;⁷⁶
- **accommodation and housing** — renting or trying to rent a room in a boarding house, a flat, unit or house;⁷⁷
- **buying or selling land** — buying a house, a place for a group of people, or drop-in centre;⁷⁸
- **clubs** — wanting to enter or join a registered club (such as a sports club, RSL or fitness centre) or when a person is already a member;⁷⁹ and
- **Commonwealth laws and programs.**⁸⁰

Sexual harassment is a type of sex discrimination and is specifically prohibited by the Act.⁸¹ **Sexual harassment** is any unwanted or unwelcome sexual behaviour that makes a person feel offended or humiliated and that reaction is reasonable in the circumstances.

The *Sex Discrimination Act* also prohibits victimisation for having made a complaint.⁸²

⁷³ See the definitions in ss 5-7B, and the discussion of direct and indirect discrimination in section 1.2 above.

⁷⁴ *Sex Discrimination Act*, Part II, Div 1. See eg *Robertson v Lofitis t/a Ray White Real Estate Dulwich Hill* [1999] HREOCA 6; *Librizzi v Flower Power Pty Ltd* [1999] HREOCA 5.

⁷⁵ *Sex Discrimination Act*, s 21.

⁷⁶ *Sex Discrimination Act*, s 22. See eg *Mw, Dd, Ta & Ab v Royal Women's Hospital, Freemasons Hospital and Victoria* [1997] HREOCA 6.

⁷⁷ *Sex Discrimination Act*, s 23.

⁷⁸ *Sex Discrimination Act*, s 24.

⁷⁹ *Sex Discrimination Act*, s 25. See eg *Umina Beach Bowling Club Ltd v Ryan* [1984] 2 NSWLR 61; *Ciemcioch v Echuca-Moama RSL & Citizen Club* [1994] HREOCA 2.

⁸⁰ *Sex Discrimination Act*, s 26. See eg *Re Tom Harris v Quentin Bryce, Sex Discrimination Commissioner and Human Rights and Equal Opportunity Commission* [1993] FCA 115.

⁸¹ See *Sex Discrimination Act*, Part II, Div 3. See eg *Elliot v Nanda* [1999] HREOCA 10; *Phillips v Leisure Coast Removals Pty Ltd and Caunt* [1997] HREOCA 21.

⁸² *Sex Discrimination Act*, s 94.

Division 4 of Part II of the *Sex Discrimination Act* exempts certain acts that would otherwise be unlawful discrimination.

3.7 Informal complaints

At first instance, you should raise your client's complaint with the person that has discriminated against them. See section 2.4 above for further information.

3.8 Complaints to HREOC

Complaints under the *Age Discrimination Act*, *Disability Discrimination Act*, *Racial Discrimination Act* or *Sex Discrimination Act* should be made to HREOC.

The complaint should be in writing and include the following information:

- your client's name, address and telephone number;
- who your client is complaining about and their contact details;
- what happened to your client, when it happened and who was involved;
- what law you think has been breached and how; and
- whether you have made a complaint anywhere else and, if so, what happened.

There are a number of ways to lodge a complaint with HREOC:

- **in writing** — post the complaint, along with any relevant documents, to:
Director, Complaint Handling
Human Rights and Equal Opportunity Commission
GPO Box 5218
Sydney NSW 2001
- **on a hard copy complaint form** — available in pdf⁸³ or MS Word⁸⁴ format from the HREOC website <http://www.hreoc.gov.au/complaints>;
- **via the online complaint form** — available on the HREOC website at http://www.hreoc.gov.au/complaints_information/online_form/index.html; and
- **by email** — to newcomplaints@humanrights.gov.au.

HREOC will send a letter acknowledging receipt of the complaint. If you do not receive an acknowledgement of your complaint within seven days, then email HREOC or call 1300 656 419 (local call) or (02) 9284 9888.

After receiving the complaint, an investigation / conciliation officer will be allocated to look into the complaint. The officer will contact you to discuss how the matter will proceed.

The following information, sourced from the HREOC website,⁸⁵ explains how HREOC will go about assessing and resolving your client's complaint.

⁸³ Available at http://www.hreoc.gov.au/complaints_information/download/complaint_form.pdf.

⁸⁴ Available at http://www.hreoc.gov.au/complaints_information/download/complaint_form.doc.

⁸⁵ Available at http://www.hreoc.gov.au/complaints_information/complainants.html.

Does HREOC have the power to investigate your complaint?

HREOC cannot investigate all complaints of unfair treatment. The complaint must be about an issue that is covered by federal anti-discrimination laws. HREOC will look carefully at the complaint to make sure that what you have complained about is covered by these federal laws. HREOC may ask for more information before it makes that decision. If HREOC can investigate the complaint, then an investigation / conciliation officer will contact you to discuss the issue further. If your client has complained about something that is not covered by federal anti-discrimination laws, then HREOC will write to you to explain why it cannot help.

Investigating your complaint

The investigation / conciliation officer, on behalf of HREOC's President, will contact your client to discuss the complaint. HREOC may need more information, and will also discuss what your client expects from the complaint-handling process.

HREOC will contact the person about whom your client is complaining (**the respondent**) and will:

- tell them that your client has made a complaint;
- provide them with a copy of the complaint (without your client's personal contact details); and
- ask them to respond.

HREOC may ask you, your client and/or the respondent to provide any relevant documents and interview witnesses (if required).

If the President thinks there is enough evidence to support the complaint, then HREOC will try to resolve the matter by conciliation.

If there is not enough evidence to support the complaint, then the President will decide to terminate the complaint. HREOC will write to you and explain why. If your client disagrees with the decision, then you can apply to the Federal Court or the Federal Magistrates' Court to have the complaint heard by the court. You must apply to the court within 28 days of the date of the notice of termination advising you of the President's decision.

Conciliation

HREOC will try to help the parties reach an agreement that will resolve the complaint in a fair way. HREOC may do this by bringing the parties together in a 'conciliation conference'.

The investigation / conciliation officer is impartial and will set the standards for the conference. At the conference your client and the respondent will have the chance to talk about the problems and look for solutions. It is not necessary for your client to be represented by a lawyer.

Conciliation processes are flexible and sometimes matters can be settled by an exchange of letters, telephone negotiation through the conciliation officer or by a telephone conciliation conference.

HREOC will discuss with your client what approach they think would work best.

If the parties reach an agreement about the complaint, then HREOC will help the parties to write up the agreement. HREOC will then close the complaint file.

If the parties cannot reach an agreement, then the complaint will be terminated by the President as it is unable to be conciliated. You may then make an application to the Federal Court or the Federal Magistrates' Court to have your client's complaint heard.

The Federal Court / Federal Magistrates' Court

If the complaint is terminated by HREOC's President, then you can apply to either the Federal Court or the Federal Magistrates' Court to have the original allegations heard. You must apply within 28 days of the notice of termination being issued.

A hearing in the court is a formal and public process. Lawyers may be involved to represent one or both sides.

If the court decides your client has a valid complaint, then it may make an order against the respondent, for example:

- to pay money as compensation for what has happened;
- to provide a service to your client; and
- to stop the discrimination.

If the court dismisses the complaint, then your client may be ordered to pay the costs of the respondent.

3.9 Human Rights and Equal Opportunity Commission Act

Under the *Human Rights and Equal Opportunity Commission Act 1986 (HREOC Act)*, HREOC has the power to investigate discrimination in employment on the following bases:

- age;
- sexual preference;
- trade union activity;
- social origin;
- criminal record; and
- other matters.

The HREOC Act also grants HREOC the power to investigate any practice that may be inconsistent with human rights recognised under the following international treaties (which the Australian Government has ratified):

- the *International Covenant on Civil and Political Rights (ICCPR)*;
- the *Convention Concerning Discrimination in Respect of Employment and Occupation*;
- the *Convention on the Rights of the Child*;
- the *Declaration of the Rights of the Child*;

- the *Declaration on the Rights of Disabled Persons*;
- the *Declaration on the Rights of Mentally Retarded Persons*; and
- the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*.

Complaints received under the HREOC Act can be resolved by conciliation between the parties. However, if the matter cannot be conciliated and is not discontinued for other reasons provided for in the law, then HREOC will present a report to federal Parliament outlining the key issues and recommendations to resolve the complaint. HREOC does not have the power to make enforceable orders in relation to these complaints.

3.10 Optional protocol to the ICCPR

In 1991 Australia agreed to the first optional protocol to the ICCPR. Individuals who have exhausted all domestic remedies, and who believe that their civil or political rights protected under the ICCPR have been violated, can complain to the United Nations Human Rights Committee in Geneva. Initial enquiries about complaints under the ICCPR should be directed to HREOC.

4. Disclaimer

This Manual is intended to be used as a resource that introduces different areas of law and provides guidance on how an issue might be addressed. The Manual is not intended to be advice on any particular matter. Readers should not act on the basis of any material in the Manual without obtaining advice relevant to your own particular situations. The authors and publishers expressly disclaim any liability to any person in respect of any action taken or not taken in reliance on the contents of this Manual.

The law in this edition of the Manual is correct as at 30 June 2008

5. Useful Resources and Contacts

5.1 Authorities, tribunals and other government bodies

Equal Service: Homelessness Guidelines Project

Department of Justice

Civil Law Policy

GPO Box 4356

Melbourne VIC 3001

Tel: (03) 8684 0845

Website:

<http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Discrimination/JUSTICE+-+Equal+Service+-+Homelessness+Guidelines+Project>

Victorian Equal Opportunity and Human Rights Commission

Level 3, 380 Lonsdale Street,

Melbourne VIC 3000

Tel: (03) 9281 7111 or 1800 134 142 (toll free)

Fax: (03) 9281 7171
TTY: (03) 9281 7110
Email: information@veohrc.vic.gov.au
Website: <http://www.humanrightscommission.vic.gov.au>

Victorian Civil and Administrative Tribunal

Ground floor, 55 King Street
Melbourne Vic 3000
GPO Box 5408 CC
Melbourne Vic 3001
DX 210576 Melbourne
Tel: (03) 9628 9900
Fax: (03) 9628 9988
Email: vcat@vcat.vic.gov.au
Website: <http://www.vcat.vic.gov.au/>

Human Rights & Equal Opportunity Commission

Level 8, Piccadilly Tower
133 Castlereagh Street
Sydney NSW 2000
GPO Box 5218
Sydney NSW 2001
Tel: (02) 9284 9600
Complaints Infoline: 1300 656 419
General enquiries and publications: 1300 369 711
TTY: 1800 620 241
Fax: (02) 9284 9611
Website: <http://www.hreoc.gov.au/>

Federal Magistrates' Court, Melbourne Registry

Owen Dixon Commonwealth Law Courts Building
305 William St
Melbourne VIC 3000
Tel: (03) 8600 3333
Fax: (03) 8600 3281
Email: vicreg@fedcourt.gov.au
Website: <http://www.fmc.gov.au/>

Federal Court, Victoria District Registry

Owen Dixon Commonwealth Law Courts Building
305 William St
Melbourne VIC 3000
Tel: (03) 8600 3333
Fax: (03) 8600 3281 (general), (03) 8600 3351 (filing of documents)
TTY: (03) 9670 0320
Email: vicreg@fedcourt.gov.au
Website: <http://www.fedcourt.gov.au>

5.2 Specialist community legal centres

Disability Discrimination Legal Service

2nd Floor, 247 Flinders Lane
Melbourne, VIC 3000
Tel: (03) 9654 8644
Fax: (03) 9639 7422
TTY: (03) 9654 6817
Country: 1300 882 872
Email: info@ddls.org.au
Website: www.communitylaw.org.au/ddls/

Jobwatch (Employment Rights Legal Centre)

Tel Advice: (03) 9662 1933
Country: 1800 33 1617
Email: jobwatch@job-watch.org.au
Website: <http://www.job-watch.org.au/>

Mental Health Legal Centre

9th floor, 10-16 Queen Street
Melbourne Vic 3000
Tel: (03) 9629 4422 or 1800 555 887
Fax: (03) 9614 0488
Email: mental_health_vic@clc.net.au
Website: <http://www.communitylaw.org.au/mentalhealth/>

Women's Legal Service Victoria

Level 3, 43 Hardware Lane
Melbourne VIC 3000
Phone Advice and Administration: (03) 9642 0877 or 1800 133 302
Fax: (03) 9642 0232
Email: justice@vicnet.net.au
Website: www.womenslegal.org.au

Youthlaw

19 King Street
Melbourne 3000
Tel: (03) 9611 2412
Fax: (03) 9620 3622
Email: info@youthlaw.asn.au
Website: <http://www.youthlaw.asn.au/>