

# 2018 – 2019 COMPLAINT STATISTICS

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## OVERVIEW

### Enquiries and complaints received

In 2018-19, the Commission received 13,989 enquiries. The majority of enquiries (53%) were received via the Commission's National Information Hotline. The main issues raised by enquirers in this reporting year related to:

- disability discrimination (22%)
- discrimination on grounds covered by the Sex Discrimination Act (12%)
- general employment matters including harassment and bullying (12%)
- racial discrimination including racial hatred (9%)
- human rights related issues including immigration and immigration detention (5%)

In 2018-19 the Commission received 2,037 complaints. One complaint may raise a number of grounds and areas of discrimination and be against one or more respondents. If the Commission counted complaints by respondents, the number of complaints received in 2018-19 would increase to 2,665. If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 4,354 and 2,486 respectively.

Consistent with previous years, the main areas of public life raised by complaints were employment and the provision of goods, services and facilities.

In 2018-19:

- 44% of complaints were lodged under the Disability Discrimination Act
- 25% of complaints were lodged under the Sex Discrimination Act
- 16% of complaints were lodged under the Racial Discrimination Act
- 7% of complaints were lodged under the Age Discrimination Act
- 8% of complaints were lodged under the Australian Human Rights Commission Act

In terms of employment, this made up:

- 36% of complaints under the Disability Discrimination Act
- 73% of complaints under the Sex Discrimination Act
- 35% of complaints under the Racial Discrimination Act
- 61% of complaints under the Age Discrimination Act

In terms of goods and services, this made up:

- 47% of complaints under the Disability Discrimination Act
- 23% of complaints under the Sex Discrimination Act
- 38% of complaints under the Racial Discrimination Act
- 38% of complaints under the Age Discrimination Act

## **Outcomes of complaints**

The Commission finalised 2,202 complaints during 2018-19. The Commission conducted approximately 1,396 conciliation processes of which 1010 complaints (72%) were successfully resolved. This represents successful dispute resolution for more than 2,020 people and organisations involved in complaints before the Commission.

Information on the outcomes of conciliated complaints under federal anti-discrimination law indicates that 30% of outcomes included terms which will have benefits for people beyond the individual complainant. For example, agreements to introduce anti-discrimination policies and provide anti-discrimination training in workplaces and agreements to undertake modifications to buildings and services to address potential discriminatory factors.

Commission survey data also highlights the educative effect of the Commission's complaint process. For example, in relation to conciliated complaints, 80% of surveyed participants indicated that involvement in the complaint process had assisted them to better understand their rights and responsibilities under federal human rights and anti-discrimination law.

Data provided to the Commission indicates that in 2018-19, 2% of finalised complaints regarding unlawful discrimination proceeded to court.

## **Finalisation of complaints without inquiry**

Upon receipt and acceptance of a complaint, the President (or her delegate) must consider whether a complaint should be terminated without inquiry, having regard to the grounds of termination in section 46PH of the *Australian Human Rights Commission Act 1986 Cth* (AHRCA).

In the 2018-19 reporting year, of the 2,037 complaints received by the Commission, 111 (5.4% of total complaints received) were assessed as potentially being appropriate for pre-inquiry termination under subsection 46PF(1) of the AHRCA.

These constituted:

- 44 complaints under the Disability Discrimination Act
- 31 complaints under the Sex Discrimination Act
- 27 complaints under the Racial Discrimination Act
- 9 complaints under the Age Discrimination Act

In the 2018-19 reporting year, 106 complaints assessed as appropriate for pre-inquiry termination were finalised. Of the finalised complaints, 63 were terminated under section 46PH of the AHRCA. The remaining 43 complaints were finalised on a number of different grounds including being withdrawn, finalised on the basis that the President's delegate was satisfied that the complainant no longer wished to proceed with the complaint, resolved or administratively closed.

### **Timeliness of the complaint process**

In 2018-19, the average complain handling timeframe was approximately 4.3 months. A breakdown by periods indicates that of the 2,202 complaints finalised in 2018-19, 36% were finalised within 3 months, 77% were finalised within 6 months, 93% were finalised within 9 months and 98% were finalised within 12 months.

### **Demographic data**

Information on the geographical location and national origin of complainants is provided in the Tables 8, 11 and 12.

The available demographic data indicates that in 2018-19:

- 48% of complaints were lodged by individual females
- 46% of complaints were lodged by individual males
- 6% of complaints were lodged by other categories (other categories include intersex, sex not specified, joint/multiple complainants, organisations and unknown).

When asked about a referral source, 28% of complainants reported that they knew about the Commission prior to lodging their complaint. The other main identified referral sources were private lawyers (12%), family members (9%), the internet (5%), community legal centres (3%), and specialist advocacy agencies such as advocacy agencies for people with disabilities, women, migrants or Aboriginal and Torres Strait Islander peoples (3%).

Where an income source was identified, a majority of complainants (67%) indicated that their main source of income at the time of the alleged act was from a form of employment. Of the complainants who identified a form of employment as their income source, 77% indicated they were in full or part-time permanent employment, 19% were engaged in casual, contract or outwork and 4% were self-employed.

Approximately 35% of complainants said they were represented during the complaint process. Of the represented complainants, 42% said they were represented by privately funded solicitors. Other identified forms of representation were family members or friends (33%), community legal centres, including Aboriginal or disability legal services (12%), other advocacy groups such as working women's centres or disability advocacy services (10%) and trade unions or professional associations (2%).

In 2018-19, the main respondent organisation categories were private enterprise (55%), State departments/statutory authorities (13%) and Commonwealth departments/statutory authorities (10%). These are consistently the main respondent organisation categories.

### **Satisfaction with the complaint service**

We seek feedback on aspects of the service from people lodging complaints (complainants) and people responding to complaints (respondents). The survey can be completed online or in other formats. Feedback is sought regardless of the outcome of the complaint and includes feedback from parties where the complaint was terminated, withdrawn or discontinued.

In 2018-19, 260 complainants and 230 respondents agreed to participate in the survey. Details of survey feedback is provided below.

- 94% of participants (90% of complainants and 98% of respondents) reported that they were satisfied with the service provided and 71% of complainants and 79% of respondents rated the service as 'very good' or 'excellent'. Where complaints were conciliated, these figures increased with 98% of participants reporting they were satisfied with the service and 83% rating the service as 'very good' or 'excellent'.
- 95.5% of participants (94% of complainants and 97% of respondents) felt that Commission staff explained things in a way that was easy for them to understand.

- 96% of participants (93% of complainants and 98% of respondents) felt that forms and correspondence from the Commission were easy to understand.
- 76% of participants (70% of complainants and 83% of respondents) felt that the Commission dealt with the complaint in a timely manner.
- 90% of participants (83% of complainants and 97% of respondents) felt they were treated fairly.

Our Charter of Service provides an avenue through which complainants and respondents can understand the nature and standard of service they can expect, as well as contribute to continual improvement of our service. All complainants are provided with a copy of the Charter when their complaint is accepted by the Commission. Respondents receive a copy when notified of a complaint. Our Charter of Service is available at <http://www.humanrights.gov.au/complaints-charter-service>.

In 2018-19 the Commission did not receive any complaint about its service under the complaint process provided in the Charter.

## ENQUIRIES - OVERVIEW

**Table 1: Website enquiries**

<b>Webpage views</b>	<b>235,515</b>
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**Table 2: Enquiries received by mode of contact**

<b>Enquiry type</b>	<b>Number</b>	<b>Percentage</b>
Telephone	7,438	53%
Written	6,413	46%
In-person	125	<1%
TTY/NRS	13	<1%
<b>Total</b>	<b>13,989</b>	

**Table 3: Enquiries received by State/Territory of enquirer**

<b>State of origin</b>	<b>Number</b>	<b>Percentage</b>
New South Wales	3831	27%
Victoria	2132	15%
South Australia	683	5%
Western Australia	1073	8%
Queensland	1792	13%
Australian Capital Territory	293	2%
Tasmania	161	1%
Northern Territory	166	1%
Unknown/overseas	3858	28%
<b>Total</b>	<b>13,989</b>	

## COMPLAINTS - OVERVIEW

**Table 4: Complaints received in 2018-19**

Counted by complaints*	2,037
Counted by complainants (including co-complainants and on behalf of)	2,147
Counted by respondents	2,665
Counted by grounds of discrimination raised in the complaint	4,354
Counted by areas of discrimination raised in the complaint	2,486

\* The Commission counts complaints by complainants. Other State and Territory anti-discrimination bodies may count complaints by respondents and/or by grounds of discrimination and/or by areas of discrimination raised in a complaint.

**Table 5: Complaints received and finalised over the past five years**

	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Received	2,388	2,013	1,939	2,046	2,037
Finalised	2,251	1,982	1,987	2,111	2,202

**Table 6: Outcomes of finalised complaints over the past five years**

	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Terminated/declined	23%	19%	19%	21%	24%
Conciliated	51%	52%	45%	47%	47%
Withdrawn*	16%	17%	18%	14%	10%
Discontinued**	9%	9%	15%	18%	18%
Referred for potential reporting (AHRCA only)	1%	3%	3%	<1%	<1%

\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

\*\* A complaint may be discontinued where a complainant does not respond to the Commission's attempts to contact them. This may occur after they have received information from the respondent or been provided with information and/or a preliminary assessment of the complaint.

**Table 7: Complaints resolved by conciliation over the past five years**

	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Complaints successfully resolved	72%	76%	75%	74%	72%
Complaints unable to be resolved	28%	24%	25%	26%	28%

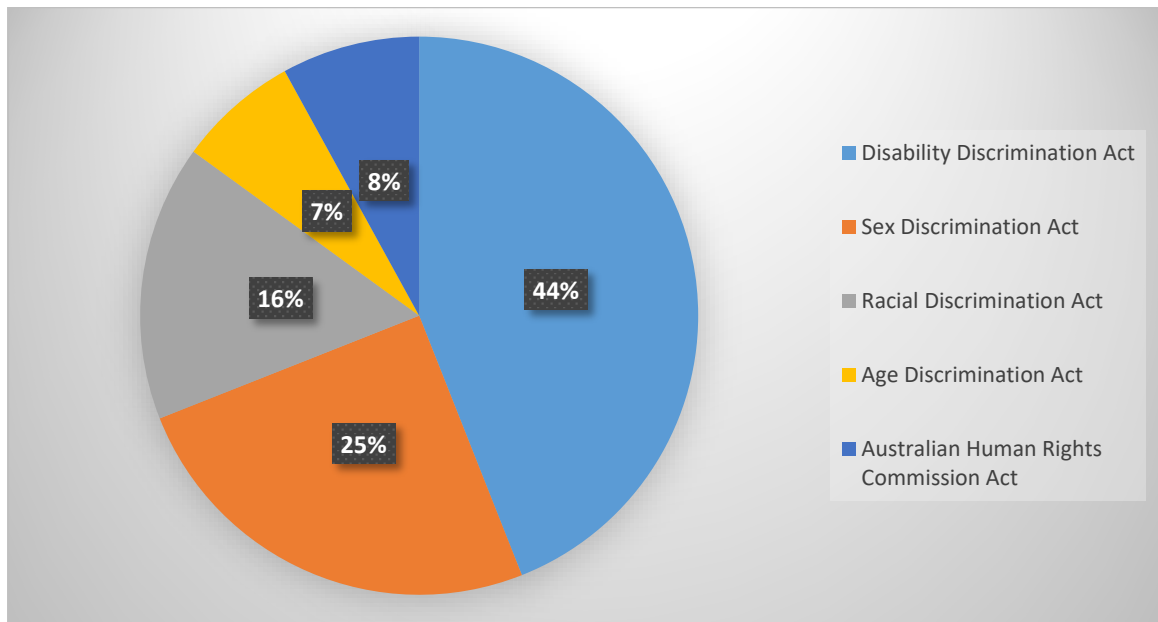
**Table 8: Complaints received by State/Territory of complainant**

<b>State of origin</b>	<b>Number</b>	<b>Percentage</b>
New South Wales	712	35%
Victoria	470	23%
South Australia	137	7%
Western Australia	237	12%
Queensland	336	16%
Australian Capital Territory	66	3%
Tasmania	15	1%
Northern Territory	28	1%
Unknown/overseas	36	2%
<b>Total</b>	<b>2,037</b>	

**Table 9: Complaints received and finalised by Act**

<b>Act</b>	<b>Received</b>	<b>Finalised</b>
Disability Discrimination Act (DDA)	891	930
Sex Discrimination Act (SDA)	520	558
Racial Discrimination Act (RDA)	332	371
Age Discrimination Act (ADA)	137	160
Australian Human Rights Commission Act (AHRCA)	157	183
<b>Total</b>	<b>2,037</b>	<b>2,202</b>

**Chart 1: Complaints received by Act**



Disability Discrimination Act	44%
Sex Discrimination Act	25%
Racial Discrimination Act	16%
Age Discrimination Act	7%
Australian Human Rights Commission Act	8%

**Table 10: Complaints received by Act over the past five years**

	2014-15	2015-16	2016-17	2017-18	2018-19
Disability Discrimination Act	740	750	755	869	891
Sex Discrimination Act	453	409	465	552	520
Racial Discrimination Act	561	429	409	290	332
Age Discrimination Act	149	152	154	172	137
Australian Human Rights Commission Act	485	273	156	163	157
<b>Total</b>	<b>2,388</b>	<b>2,013</b>	<b>1,939</b>	<b>2,046</b>	<b>2,037</b>

**Table 11: Country of birth of complainants**

	<b>DDA (%)</b>	<b>SDA (%)</b>	<b>RDA (%)</b>	<b>ADA (%)</b>	<b>AHRCA (%)</b>	<b>Total (%)</b>
Born in Australia	29%	21%	27%	27%	15%	<b>25%</b>
Born outside of Australia	9%	13%	61%	10%	25%	<b>20%</b>
Unknown or unspecified	62%	66%	12%	63%	60.5%	<b>55%</b>

**Table 12: Indigenous status of complainants**

	<b>DDA (%)</b>	<b>SDA (%)</b>	<b>RDA (%)</b>	<b>ADA (%)</b>	<b>AHRCA (%)</b>	<b>Total (%)</b>
Aboriginal	2%	1%	21%		4%	<b>5%</b>
Torres Strait Islander			<1%		<1%	<b>&lt;1%</b>
Both of the above	<1%	<1%	<1%			<b>&lt;1%</b>
None of the above/ Unknown	97.5%	98.5%	78%	100%	95.5%	<b>95%</b>

**Table 13: Time from receipt to finalisation for finalised complaints**

	<b>DDA (%)</b>	<b>SDA (%)</b>	<b>RDA (%)</b>	<b>ADA (%)</b>	<b>AHRCA (%)</b>	<b>Cumulative Total (%)</b>
0 - 3 months	34%	38%	44%	39%	28%	<b>36%</b>
0 - 6 months	74%	80%	81%	82%	71%	<b>77%</b>
0 - 9 months	93%	95%	94%	94%	88%	<b>93%</b>
0 - 12 months	98%	98%	98%	97.5%	93%	<b>97.5%</b>

## DISABILITY DISCRIMINATION ACT

**Table 14: Disability Discrimination Act – Complaints received and finalised**

<b>Disability Discrimination Act</b>	<b>Total</b>
Received	891
Finalised	930

**Table 15: Disability Discrimination Act – Nature of complainant’s disability**

<b>Disability Discrimination Act – Complainant’s disability *</b>	<b>Number</b>	<b>Percentage</b>
Physical disability	223	18%
A mobility aid is used (e.g. walking frame or wheelchair)	80	7%
Assistance animal	46	4%
Carer/Associate	12	1%
Physical disfigurement	3	<1%
Presence in the body of organisms causing disease (e.g. HIV/AIDS)	4	<1%
Presence in the body of organisms causing disease (other)	9	<1%
Mental health/psychosocial	393	32%
Neurological disability (e.g. epilepsy)	77	6%
Intellectual disability	60	5%
Learning disability	53	4%
Sensory disability (hearing impaired)	31	2.5%
Sensory disability (deaf)	17	1%
Sensory disability (vision impaired)	34	3%

Sensory disability (blind)	28	2%
Work-related injury	16	1%
Medical condition (e.g. diabetes)	124	10%
Other	11	<1%
<b>Total</b>	<b>1221</b>	

\* One complainant may have multiple disabilities.

**Table 16: Disability Discrimination Act – Complaints received by ground**

<b>Disability Discrimination Act – Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Disability of person(s) aggrieved	1609	78%
Associate	70	3%
Disability – person assisted by a trained animal	70	3%
Disability – accompanied by a carer or assistant	2	<1%
Disability – aid	47	2%
Harassment	13	<1%
Victimisation	67	3%
Causes, instructs, induces, aids or permits an unlawful act	25	1%
Incites unlawful act		
Advertisements		
Unlawful to contravene disability standard	162	8%
<b>Total</b>	<b>2065</b>	

\* One complaint may raise multiple grounds and may include claims of both direct and indirect discrimination.

**Table 17: Disability Discrimination Act – Complaints received by area**

<b>Disability Discrimination Act – Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	317	27%
Goods, services and facilities	417	35%
Access to premises	69	6%
Land		
Accommodation	38	3%
Superannuation, insurance	21	2%
Education	155	13%
Clubs, incorporated associations	14	1%
Administration of Commonwealth laws and programs	33	3%
Sport	4	<1%
Requests for information	1	<1%
Qualifying bodies	4	<1%
Registered organisations		
Disability standards	115	10%
<b>Total</b>	<b>1188</b>	

\* One complaint may relate to more than one area.

**Table 18: Disability Discrimination Act – Outcomes of finalised complaints**

<b>Disability Discrimination Act – Outcomes of finalised complaints</b>	<b>Number</b>
<b>Terminated without inquiry under section 46PF*</b>	<b>19</b>
<b>Terminated after inquiry</b>	<b>221</b>
Not unlawful	1
More than 6 months old	2
Trivial, vexatious, frivolous, misconceived, lacking in substance	25
Adequately dealt with already	1
No reasonable prospect of conciliation	190
Inquiry not warranted	2
<b>Discontinued**</b>	<b>128</b>
<b>Withdrawn***</b>	<b>88</b>
<b>Conciliated</b>	<b>455</b>
<b>Administrative closure****</b>	<b>19</b>
<b>Total</b>	<b>930</b>

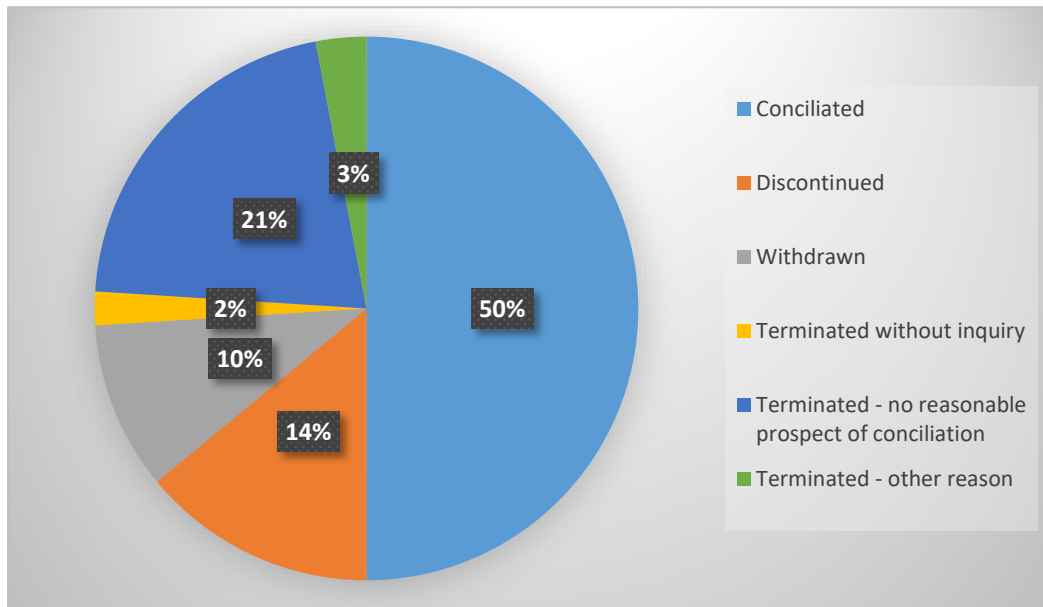
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary assessment of the complaint.

\*\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

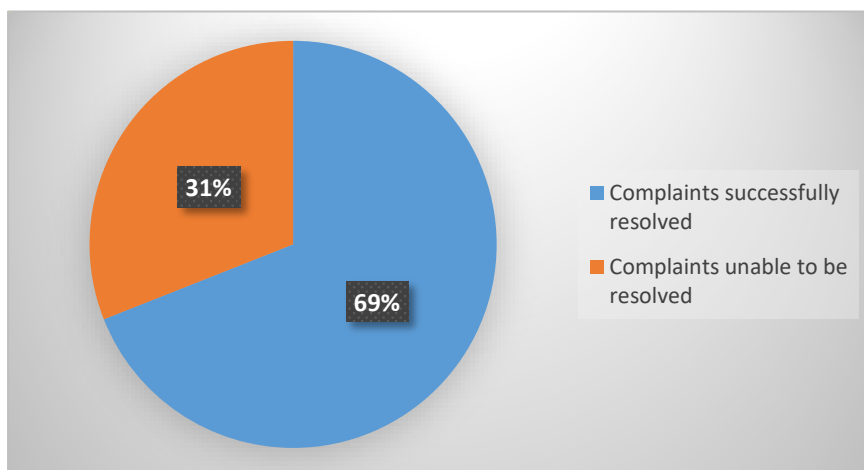
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 2: Disability Discrimination Act – Outcomes of finalised complaints**



Conciliated	50%	
Discontinued	14%	
Withdrawn	10%	
Terminated without inquiry	2%	
Terminated - no reasonable prospect of conciliation	21%	
Terminated - other reason	3%	

**Chart 3: Disability Discrimination Act – Complaints resolved by conciliation**



Complaints successfully resolved	69%
Complaints unable to be resolved	31%

## SEX DISCRIMINATION ACT

**Table 19: Sex Discrimination Act – Complaints received and finalised**

<b>Sex Discrimination Act</b>	<b>Total</b>
Received	520
Finalised	558

**Table 20: Sex Discrimination Act – Complaints received by complainant category**

<b>Sex Discrimination Act – Complainant category</b>	<b>Number</b>	<b>Percentage</b>
Female	405	78%
Male	107	21%
Intersex	3	<1%
Other category*	5	1%
<b>Total</b>	<b>520</b>	

\* Includes sex not specified, joint/multiple, or organisation

**Table 21: Sex Discrimination Act – Complaints received by ground**

<b>Sex Discrimination Act – Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Sex discrimination	382	37%
Marital or relationship status	27	3%
Pregnancy	104	10%
Sexual harassment	252	24%
Family responsibilities	56	5%
Breastfeeding	12	1%

**Australian Human Rights Commission  
2018-19 Complaint statistics**

Gender identity	56	5%
Intersex	8	<1%
Sexual orientation	38	4%
Victimisation	92	9%
Causes, instructs, induces, aids or permits an unlawful act	10	<1%
Advertisements		
<b>Total</b>	<b>1037</b>	

\* One complaint may raise multiple grounds and may include claims of both direct and indirect discrimination.

**Table 22: Sex Discrimination Act – Complaints received by area**

<b>Sex Discrimination Act – Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	379	69%
Goods, services and facilities	120	22%
Land		
Accommodation	6	1%
Superannuation & insurance	3	<1%
Education	17	3%
Clubs	5	<1%
Administration of Commonwealth laws and programs	14	3%
Requests for information	1	<1%
Registered organisations		
Qualifying bodies	2	<1%
<b>Total</b>	<b>547</b>	

\* One complaint may relate to more than one area.

**Table 23: Sex Discrimination Act – Outcomes of finalised complaints**

<b>Sex Discrimination Act - Outcomes</b>	<b>Number</b>
<b>Terminated without inquiry under section 46PF*</b>	<b>10</b>
<b>Terminated after inquiry</b>	<b>117</b>
More than 6 months old	2
Trivial, vexatious, frivolous, misconceived, lacking in substance	4
No reasonable prospect of conciliation	110
Inquiry not warranted	1
<b>Discontinued**</b>	<b>85</b>
<b>Withdrawn***</b>	<b>50</b>
<b>Conciliated</b>	<b>259</b>
<b>Administrative closure****</b>	<b>37</b>
<b>Total</b>	<b>558</b>

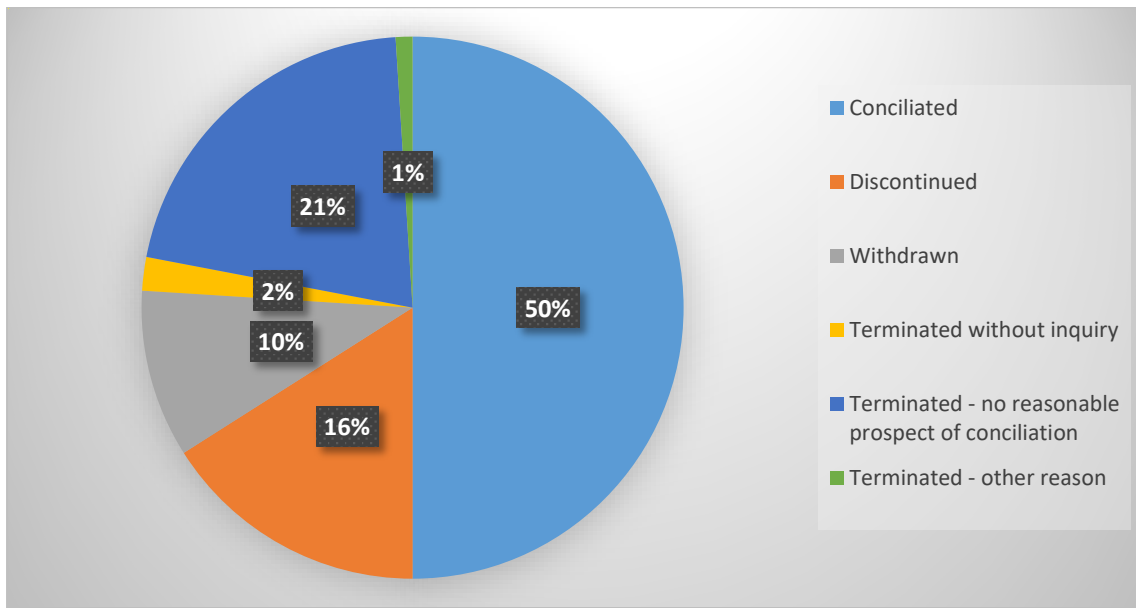
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary assessment of the complaint.

\*\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

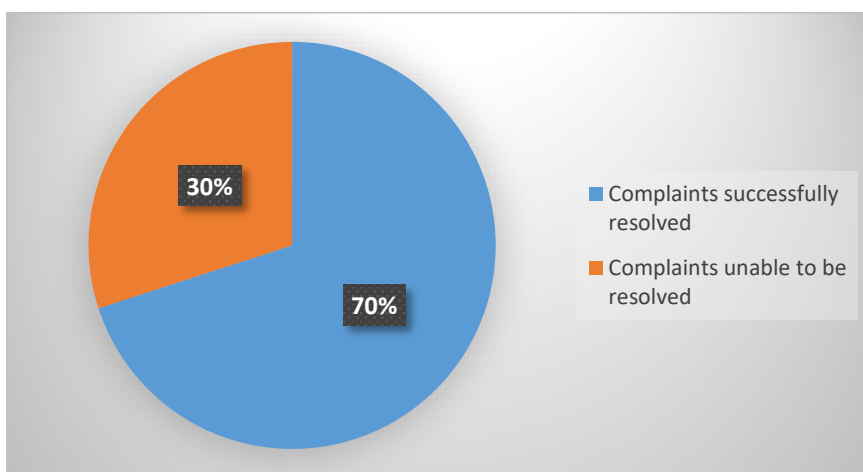
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 4: Sex Discrimination Act – Outcomes of finalised complaints**



Conciliated	50%
Discontinued	16%
Withdrawn	10%
Terminated without inquiry	2%
Terminated – no reasonable prospect of conciliation	21%
Terminated – other reason	1%

**Chart 5: Sex Discrimination Act – Complaints resolved by conciliation**



Complaints successfully resolved	70%
Complaints unable to be resolved	30%

## RACIAL DISCRIMINATION ACT

**Table 24: Racial Discrimination Act – Complaints received and finalised**

<b>Racial Discrimination Act</b>	<b>Total</b>
Received	332
Finalised	371

**Table 25: Racial Discrimination Act – Complaints received by ground**

<b>Racial Discrimination Act - Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Colour	91	10.5%
National origin	117	13.5%
Ethnic origin	159	18%
Descent	56	6%
Race	320	37%
Racial hatred	97	11%
Immigrant status	8	<1%
Association		
Victimisation	18	2%
Incite unlawful act	1	<1%
Advertisements		
<b>Total</b>	<b>867</b>	

\* One complaint may raise multiple grounds and may include claims of both direct and indirect discrimination.

**Table 26: Racial Discrimination Act – Complaints received by area**

<b>Racial Discrimination Act - Areas*</b>	<b>Number</b>	<b>Percentage</b>
Rights to equality before the law		
Access to places and facilities	3	<1%
Land, housing and other accommodation	6	1%
Provision of goods and services	126	29%
Superannuation	1	<1%
Right to join trade union		
Employment	118	27%
Education	12	3%
Other - section 9	75	17%
Racial hatred	97	22%
<b>Total</b>	<b>438</b>	

\* One complaint may relate to more than one area.

**Table 27: Racial hatred complaints received by sub-area**

<b>Racial hatred sub-areas</b>	<b>Number</b>	<b>Percentage</b>
Media – press/TV/radio	27	28%
Disputes between neighbours	14	14%
Personal conflict	11	11%
Employment	17	18%
Internet - e-mail/webpage/chat room	7	7%
Sport	1	1%
Public debate	2	2%
Provision of goods and services	14	14%

Education	2	2%
Other	2	2%
<b>Total</b>	<b>97</b>	

**Table 28: Racial Discrimination Act – Outcomes of finalised complaints**

<b>Racial Discrimination Act - Outcomes</b>	<b>Number</b>
<b>Terminated without inquiry under section 46PF*</b>	<b>13</b>
<b>Terminated after inquiry</b>	<b>72</b>
Not unlawful	1
More than 6 months old	1
Trivial, vexatious, frivolous, misconceived, lacking in substance	14
No reasonable prospect of conciliation	56
<b>Discontinued**</b>	<b>68</b>
<b>Withdrawn***</b>	<b>43</b>
<b>Conciliated</b>	<b>165</b>
<b>Administrative closure****</b>	<b>10</b>
<b>Total</b>	<b>371</b>

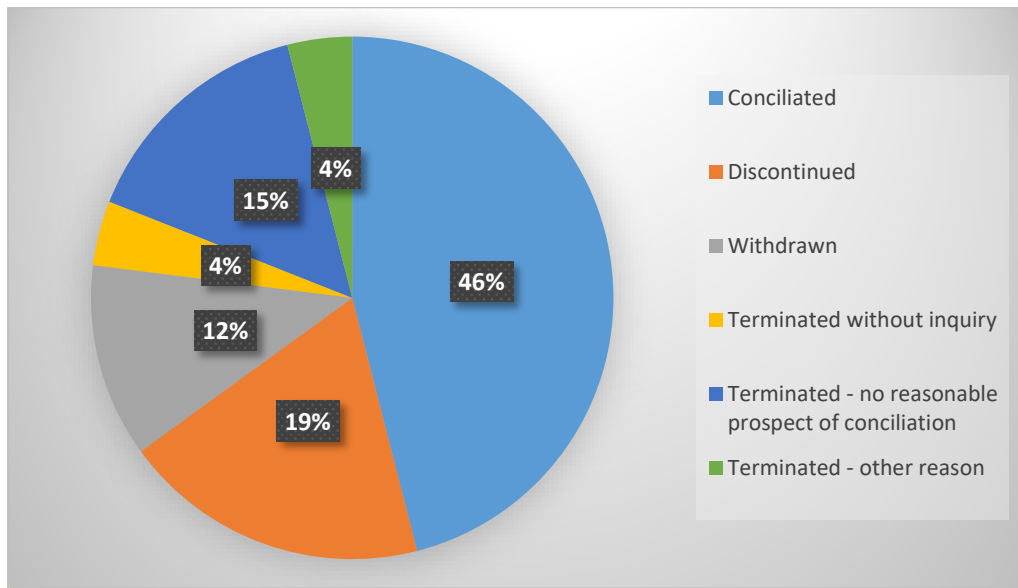
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary assessment of the complaint.

\*\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

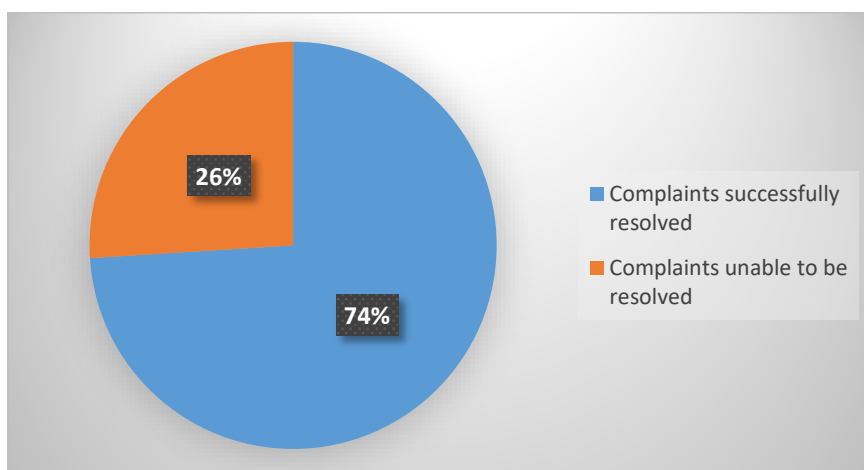
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 6: Racial Discrimination Act – Outcomes of finalised complaints**



Conciliated	46%	
Discontinued	19%	
Withdrawn	12%	
Terminated without inquiry	4%	
Terminated - no reasonable prospect of conciliation	15%	
Terminated - other reason	4%	

**Chart 7: Racial Discrimination Act – Complaints resolved by conciliation**



Complaints successfully resolved	74%
Complaints unable to be resolved	26%

## AGE DISCRIMINATION ACT

**Table 29: Age Discrimination Act – Complaints received and finalised**

<b>Age Discrimination Act</b>	<b>Total</b>
Received	137
Finalised	160

**Table 30: Age Discrimination Act – Age group of complainant**

<b>Age Discrimination Act – Complainant age group</b>	<b>Number</b>	<b>Percentage</b>
0 – 12 years	3	2%
13 – 17 years	2	1.5%
18 – 24 years	8	6%
25 – 34 years	4	3%
35 – 44 years	13	9.5%
45 – 54 years	28	20%
55 – 64 years	26	19%
65 – 74 years	31	23%
>75 years	18	13%
Unknown	4	3%
<b>Total</b>	<b>137</b>	

**Table 31: Age Discrimination Act – Complaints received by ground**

<b>Age Discrimination Act - Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Age	217	97%

Causes, instructs, induces, aids or permits an unlawful act	1	<1%
Victimisation	4	2%
Advertisements	1	<1%
<b>Total</b>	<b>223</b>	

\* One complaint may raise multiple grounds and may include claims of both direct and indirect discrimination.

**Table 32: Age Discrimination Act – Complaints received by area**

<b>Age Discrimination Act - Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	83	53%
Goods, services and facilities	52	33%
Access to premises	2	1%
Land		
Accommodation	3	2%
Advertisements		
Superannuation, insurance	6	4%
Education	1	<1%
Administration of Commonwealth laws and programs	8	5%
Sport		
Requests for information	1	<1%
Victimisation		
<b>Total</b>	<b>156</b>	

\* One complaint may relate to more than one area.

**Table 33: Age Discrimination Act – Outcomes of finalised complaints**

<b>Age Discrimination Act – Outcomes</b>	<b>Number</b>
<b>Terminated without inquiry under section 46PF*</b>	<b>3</b>
<b>Terminated after inquiry</b>	<b>22</b>
Not unlawful	1
Trivial, vexatious, frivolous, misconceived, lacking in substance	7
No reasonable prospect of conciliation	14
<b>Discontinued**</b>	<b>38</b>
<b>Withdrawn***</b>	<b>24</b>
<b>Conciliated</b>	<b>71</b>
<b>Administrative closure****</b>	<b>2</b>
<b>Total</b>	<b>160</b>

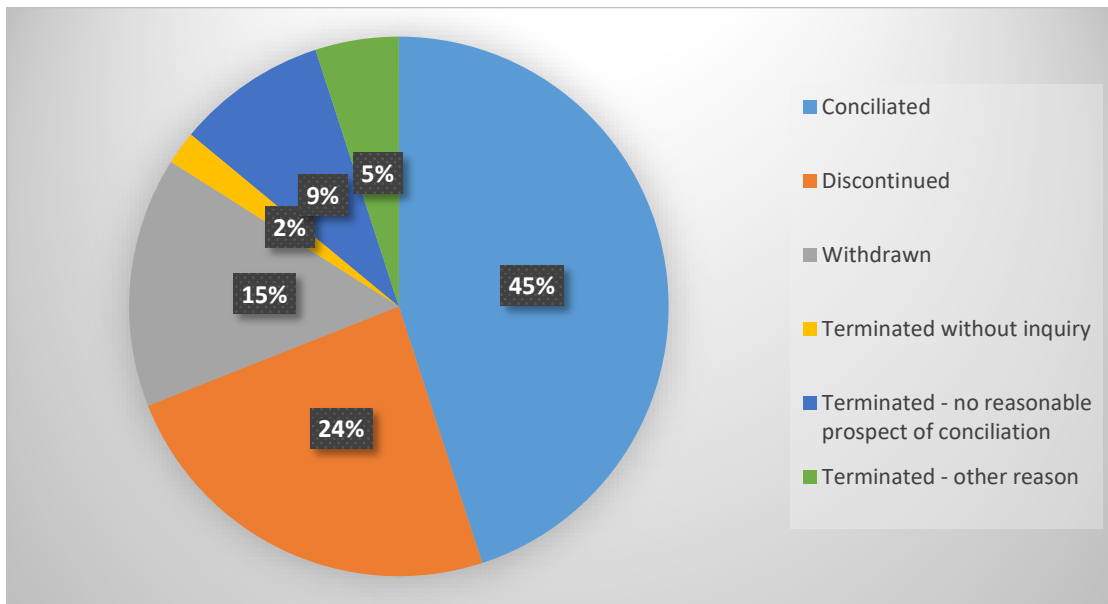
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary assessment of the complaint.

\*\*\* This category includes where a complainant withdraws due to personal circumstances or where they decide not to proceed after reviewing information from the respondent or being provided with information about the law and/or a preliminary assessment of the complaint.

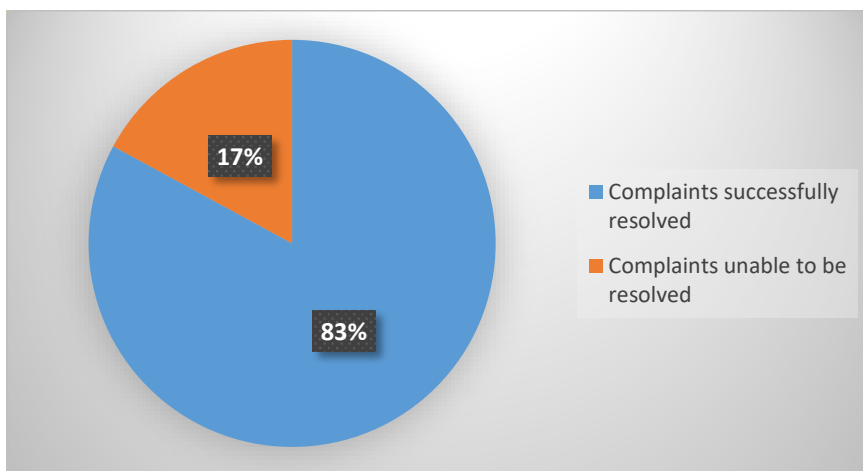
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

**Chart 8: Age Discrimination Act – Outcomes of finalised complaints**



Conciliated	45%
Discontinued	24%
Withdrawn	15%
Terminated without inquiry	2%
Terminated - no reasonable prospect of conciliation	9%
Terminated - other reason	5%

**Chart 9: Age Discrimination Act – Complaints resolved by conciliation**



Complaints successfully resolved	83%
Complaints unable to be resolved	17%

## AUSTRALIAN HUMAN RIGHTS COMMISSION ACT (AHRCA)

**Table 34: AHRCA – Complaints received and finalised**

<b>Australian Human Rights Commission Act</b>	<b>Total</b>
Received	157
Finalised	183

**Table 35: AHRCA – Complaints received by ground**

<b>Australian Human Rights Commission Act - Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Age (ILO111)		
Religion (ILO 111)	15	9%
Political opinion (ILO 111)	1	<1%
Social origin (ILO 111)		
Disability (ILO 111)	2	1%
Medical record (ILO 111)		
Criminal record (ILO 111)	90	56%
Sexual preference (ILO 111)	1	<1%
Trade union activity (ILO 111)	3	2%
International Covenant on Civil and Political Rights	46	28%
Convention on the Rights of the Child	3	2%
Victimisation	1	<1%
<b>Total</b>	<b>162</b>	

\* One complaint may raise multiple grounds.

**Table 36: AHRCA – Complaints received by area**

<b>Australian Human Rights Commission Act - Areas*</b>	<b>Number</b>	<b>Percentage</b>
Acts or practices of the Commonwealth	46	29%
Employment	111	71%
<b>Total</b>	<b>157</b>	

\* One complaint may relate to more than one area.

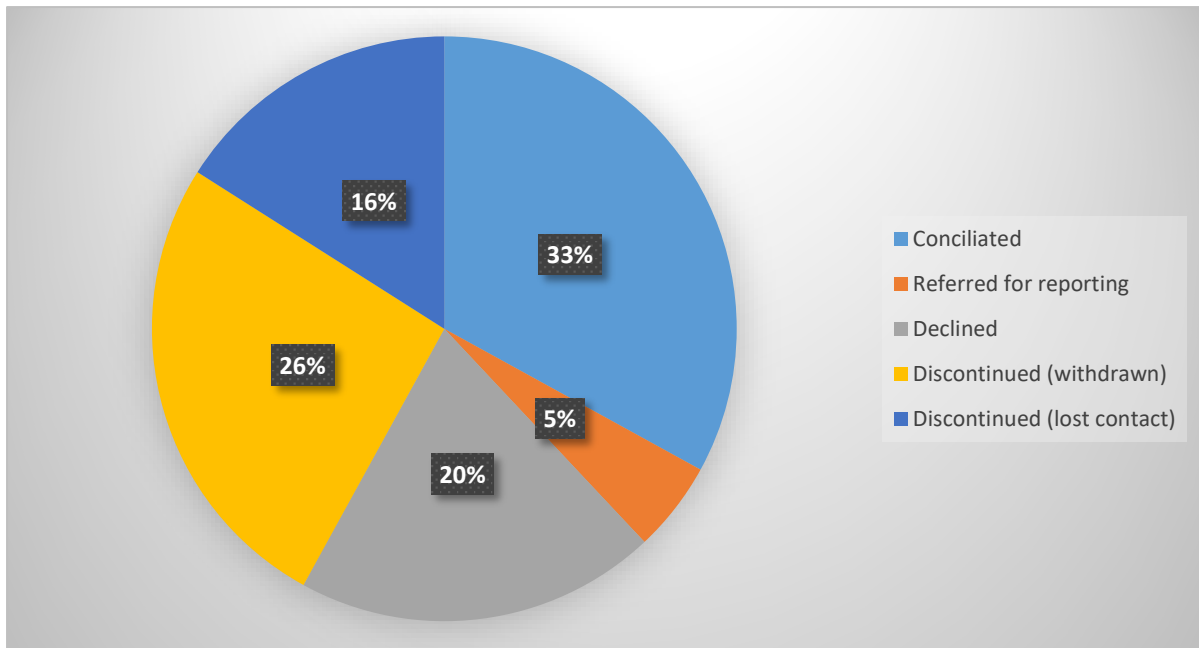
**Table 37: AHRCA – Outcomes of finalised complaints**

<b>Australian Human Rights Commission Act - Outcomes</b>	<b>Number</b>
<b>Declined</b>	<b>36</b>
Does not constitute discrimination	2
Human rights breach, not inconsistent or contrary to any human right	1
More than 12 months old	
Trivial, vexatious, frivolous, misconceived, lacking in substance	11
Adequately dealt with already	1
More appropriate remedy available	1
More effective or convenient remedy	2
No reasonable prospect of conciliation	14
Inquiry not warranted	4
<b>Discontinued - withdrawn</b>	<b>47</b>
<b>Discontinued - lost contact</b>	<b>29</b>
<b>Conciliated</b>	<b>60</b>
<b>Referred for reporting**</b>	<b>10</b>
<b>Administrative closure</b>	<b>1</b>

<b>Total</b>	<b>183</b>
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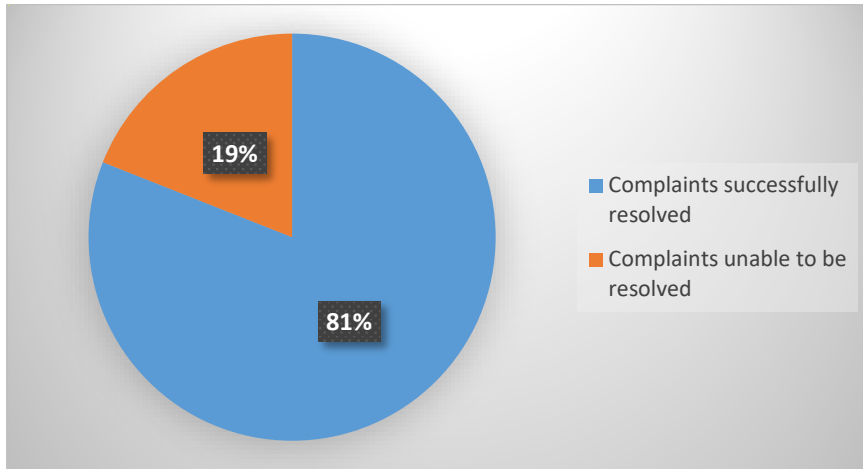
\* Complaints in this category could not be conciliated and were transferred from the Commission's Investigation and Conciliation Section to the Legal Section for further inquiry and possible reporting.

**Chart 10: AHRCA - Outcomes of finalised complaints**



Conciliated	33%
Referred for reporting	5%
Declined	20%
Discontinued (withdrawn)	26%
Discontinued (lost contact)	16%

**Chart 11: AHRCA – Complaints resolved by conciliation**



Complaints successfully resolved	81%
Complaints unable to be resolved	19%