

## 412020-21 COMPLAINT STATISTICS

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## OVERVIEW

### Enquiries and complaints received

In 2020-21, the Commission received 15,746 enquiries. In contrast with previous years, a majority of enquiries were received in writing. The main issues related to:

- disability discrimination (17%)
- human rights related issues including immigration and immigration detention (15%)
- racial discrimination including racial hatred (10%)
- COVID-19 pandemic enquiries (10%)
- discrimination on grounds covered by the Sex Discrimination Act (8.5%)
- general employment matters including harassment and bullying (6%)

In 2020-21, the Commission received 3,113 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 2020-21 would increase to 4,120. If the Commission counted complaints received by grounds and areas of discrimination, the number of complaints received would increase to 6,212 and 3,773 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 2020-21:

- 37% of complaints were lodged under the Disability Discrimination Act
- 17% of complaints were lodged under the Racial Discrimination Act
- 16% of complaints were lodged under the Sex Discrimination Act
- 6% of complaints were lodged under the Age Discrimination Act
- 24% of complaints were lodged under the Australian Human Rights Commission Act

In terms of employment, this made up:

- 29% of complaints under the Disability Discrimination Act
- 72% of complaints under the Sex Discrimination Act
- 31% of complaints under the Racial Discrimination Act
- 50% of complaints under the Age Discrimination Act

In terms of goods and services, this made up:

- 55% of complaints under the Disability Discrimination Act
- 20% of complaints under the Sex Discrimination Act
- 41% of complaints under the Racial Discrimination Act
- 32% of complaints under the Age Discrimination Act

## **Outcomes of complaints**

The Commission finalised 2,624 complaints during 2020-21. The Commission conducted approximately 1,517 conciliation processes of which 1,054 complaints (70%) were successfully resolved. This represents successful dispute resolution for more than 2,500 people and organisations involved in complaints before the Commission.

Information on the outcomes of conciliated complaints under federal anti-discrimination law indicates that 38% 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, 79% 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 2020-21, approximately 2% of finalised complaints regarding unlawful discrimination proceeded to court.

## **COVID-19 pandemic related matters**

The Commission received approximately 2,059 COVID-19 pandemic related enquiries in 2020-21. The main areas of concern were:

- Lockdown and state/territory border restrictions
- Quarantine
- Travel ban and passenger arrival caps
- Mask wearing requirements

In 2020-21, the Commission received 885 COVID-19 pandemic related complaints. These constituted:

- 288 complaints under the Disability Discrimination Act
- 34 complaints under the Sex Discrimination Act
- 59 complaints under the Racial Discrimination Act
- 46 complaints under the Age Discrimination Act
- 458 complaints under the Australian Human Rights Commission Act

In 2020-21, the Commission finalised 561 COVID-19 pandemic related complaints. These constituted:

- 179 complaints under the Disability Discrimination Act
- 23 complaints under the Sex Discrimination Act
- 69 complaints under the Racial Discrimination Act
- 31 complaints under the Age Discrimination Act
- 259 complaints under the Australian Human Rights Commission Act

### **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 2020-21, of the 3,113 complaints received by the Commission, 116 (5% of total complaints received) were assessed as potentially being appropriate for pre-inquiry termination under subsection 46PF(1) of the AHRCA.

These constituted:

- 58 complaints under the Disability Discrimination Act
- 35 complaints under the Racial Discrimination Act
- 9 complaints under the Sex Discrimination Act
- 14 complaints under the Age Discrimination Act

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

In 2020-21, the average active complaint handling timeframe was approximately 4.1 months. A breakdown by periods indicates that of the 2,624 complaints finalised in 2020-21:

- 32% were finalised within 3 months
- 79% were finalised within 6 months
- 95% were finalised within 9 months
- 98% were finalised within 12 months

## Demographic data

The available demographic data indicates that in 2020-21:

- 45% of complaints were lodged by individual females
- 48% of complaints were lodged by individual males
- 7% 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, 21% of complainants reported that they knew about the Commission prior to lodging their complaint. The other main identified referral sources were private lawyers (11%), family members (6%), the internet (4%), community legal centres (2.5%), and specialist advocacy agencies such as advocacy agencies for people with disabilities, women, migrants or Aboriginal and Torres Strait Islander peoples (1%).

Where an income source was identified, a majority of complainants indicated that their main source of income at the time of the alleged act was from a form of employment. Of the 1,137 complainants who identified a form of employment as their income source, 78% indicated they were in full or part-time permanent employment, 18% were engaged in casual, contract or outwork and 4% were self-employed.

Approximately 940 (30%) of complainants said they were represented during the complaint process. Of the represented complainants, 44% said they were represented by privately funded solicitors. Other identified forms of representation were family members or friends (35%), community legal centres, including Aboriginal or disability legal services (12%), other advocacy groups such as working women's centres or disability advocacy services (7%) and trade unions or professional associations (2%).

In 2020-21, the main respondent organisation categories were private enterprises (47%), Commonwealth departments/statutory authorities (27%) and state/territory 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 2020-21, 232 complainants and 231 respondents agreed to participate in the survey. Details of survey feedback is provided below.

- 90% of participants (82% of complainants and 98% of respondents) reported that they were satisfied with the service provided and 73% of participants (63% of complainants and 82% of respondents) rated the service as 'very good' or 'excellent'. Where complaints were conciliated, these figures increased with 96% of participants reporting they were satisfied with the service and 84% rating the service as 'very good' or 'excellent'.
- 92% of participants (86% of complainants and 98% of respondents) felt that Commission staff explained things in a way that was easy for them to understand.
- 92% of participants (86% of complainants and 98% of respondents) felt that forms and correspondence from the Commission were easy to understand.
- 74% of participants (63% of complainants and 86% of respondents) felt that the Commission dealt with the complaint in a timely manner.
- 88% of participants (78% 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 2020-21, 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>219,545</b>
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**Table 2: Enquiries received by mode of contact**

<b>Enquiry type</b>	<b>Number</b>	<b>Percentage</b>
Telephone	5,704	36%
Written	10,032	64%
In-person		
TTY/NRS	10	<1%
<b>Total</b>	<b>15,746</b>	<b>100%</b>

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

<b>State of origin</b>	<b>Number</b>	<b>Percentage</b>
New South Wales	3,652	23%
Victoria	2,674	17%
South Australia	656	4%
Western Australia	1,223	8%
Queensland	1,857	12%
Australian Capital Territory	332	2%
Tasmania	153	>1%
Northern Territory	176	1%
Unknown/overseas	5,023	32%
<b>Total</b>	<b>15,746</b>	<b>100%</b>

## COMPLAINTS - OVERVIEW

**Table 4: Complaints received in 2020-21**

Counted by complaints*	3,113
Counted by complainants (including co-complainants and on behalf of)	3,482
Counted by respondents	4,120
Counted by grounds of discrimination raised in the complaint	6,212
Counted by areas of discrimination raised in the complaint	3,773

\* 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>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Received	1,939	2,046	2,037	2,307	3,113
Finalised	1,987	2,111	2,202	2,237	2,624



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

	2016-17	2017-18	2018-19	2019-20	2020-21
Terminated/declined	19%	21%	24%	27%	26%
Conciliated	45%	47%	47%	46%	41%
Withdrawn*	18%	14%	10%	6%	6%
Discontinued**	15%	18%	18%	20%	26%
Referred for potential reporting (AHRCA only)	3%	<1%	<1%	<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**

	2016-17	2017-18	2018-19	2019-20	2020-21
Complaints successfully resolved	75%	74%	72%	70%	70%
Complaints unable to be resolved	25%	26%	28%	30%	30%

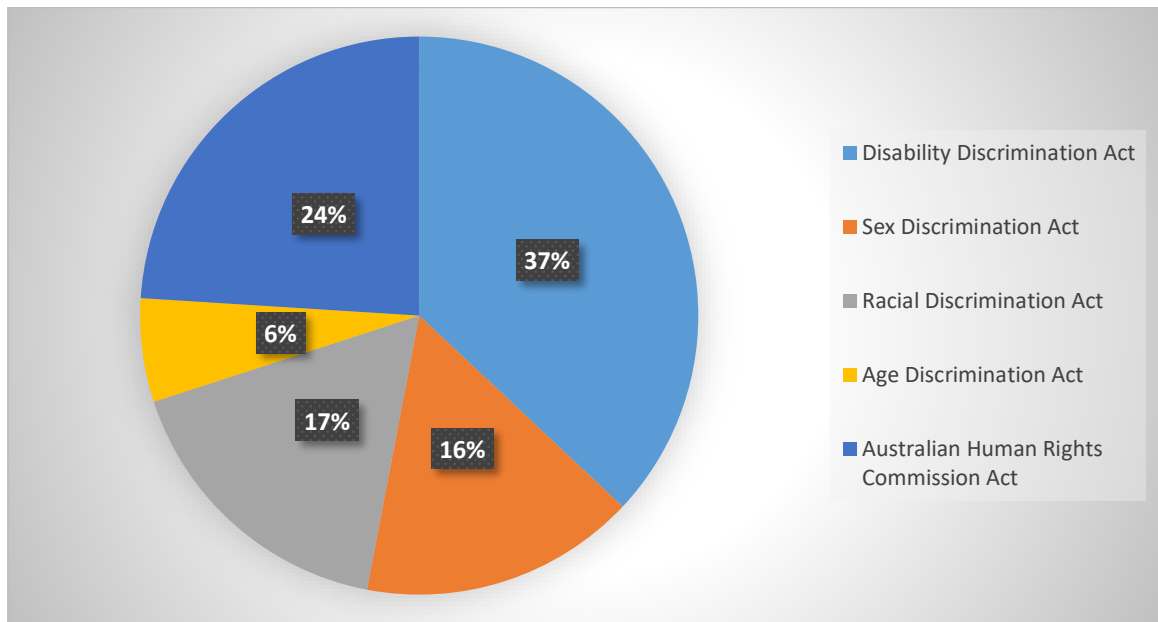
**Table 8: Complaints received by State/Territory of complainant**

<b>State of origin</b>	<b>Number</b>	<b>Percentage</b>
New South Wales	1,077	35%
Victoria	690	22%
South Australia	162	5%
Western Australia	344	11%
Queensland	489	16%
Australian Capital Territory	77	3%
Tasmania	27	<1%
Northern Territory	53	2%
Unknown/overseas	194	6%
<b>Total</b>	<b>3,113</b>	<b>100</b>

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

<b>Act</b>	<b>Received</b>	<b>Finalised</b>
Disability Discrimination Act (DDA)	1,163	1,053
Sex Discrimination Act (SDA)	504	437
Racial Discrimination Act (RDA)	523	441
Age Discrimination Act (ADA)	191	201
Australian Human Rights Commission Act (AHRCA)	732	492
<b>Total</b>	<b>3,113</b>	<b>2,624</b>

**Chart 1: Complaints received by Act**



Disability Discrimination Act	37%
Australian Human Rights Commission Act	24%
Racial Discrimination Act	17%
Sex Discrimination Act	16%
Age Discrimination Act	6%

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

	2016-17	2017-18	2018-19	2019-20	2020-21
Disability Discrimination Act	755	869	891	1,006	1,163
Sex Discrimination Act	465	552	520	479	504
Racial Discrimination Act	409	290	332	403	523
Age Discrimination Act	154	172	137	168	191
Australian Human Rights Commission Act	156	163	157	251	732
<b>Total</b>	<b>1,939</b>	<b>2,046</b>	<b>2,037</b>	<b>2,307</b>	<b>3,113</b>

**Table 11: Indigenous status of complainants**

	<b>DDA (%)</b>	<b>SDA (%)</b>	<b>RDA (%)</b>	<b>ADA (%)</b>	<b>AHRCA (%)</b>	<b>Total (%)</b>
Aboriginal	2%	3%	20%	4%	1%	<b>5%</b>
Torres Strait Islander	<1%		<1%		<1%	<b>&lt;1%</b>
Both of the above	<1%	<1%	1%	<1%	<1%	<b>&lt;1%</b>
None of the above/Unknown	97%	97%	79%	96%	99%	<b>94%</b>

**Table 12: 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	31%	31%	27%	32%	41%	<b>32%</b>
0 - 6 months	79%	76%	79%	85%	80%	<b>79%</b>
0 - 9 months	95%	95%	96%	98.5%	93%	<b>95%</b>
0 - 12 months	99%	99%	98%	99.5%	97%	<b>98%</b>

## DISABILITY DISCRIMINATION ACT

**Table 13: Disability Discrimination Act – Complaints received and finalised**

<b>Disability Discrimination Act</b>	<b>Total</b>
Received	1,163
Finalised	1,053

**Table 14: Disability Discrimination Act – Nature of complainant’s disability**

<b>Disability Discrimination Act – Complainant’s disability *</b>	<b>Number</b>	<b>Percentage</b>
Physical disability	263	16%
A mobility aid is used (e.g. walking frame or wheelchair)	80	5%
Assistance animal	105	6%
Carer/Associate	27	2%
Physical disfigurement	8	<1%
Presence in the body of organisms causing disease (e.g. HIV/AIDS)	1	<1%
Presence in the body of organisms causing disease (other)	5	<1%
Mental health/psychosocial	506	31%
Neurological disability (e.g. epilepsy)	82	5%
Intellectual disability	28	2%
Learning disability	46	3%
Sensory disability (hearing impaired)	32	2%
Sensory disability (deaf)	26	2%
Sensory disability (vision impaired)	47	3%

Sensory disability (blind)	14	<1%
Work-related injury	33	2%
Medical condition (e.g. diabetes)	289	18%
Other	56	3%
<b>Total</b>	<b>1,648</b>	

\* One complainant may have multiple disabilities.

**Table 15: Disability Discrimination Act – Complaints received by ground**

<b>Disability Discrimination Act – Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Disability of person(s) aggrieved	2,076	81%
Associate	68	3%
Disability – person assisted by a trained animal	122	5%
Disability – accompanied by a carer or assistant	10	<1%
Disability – aid	55	2%
Harassment	4	<1%
Victimisation	84	3%
Causes, instructs, induces, aids or permits an unlawful act	15	<1%
Incites unlawful act		
Advertisements		
Unlawful to contravene disability standard	137	5%
<b>Total</b>	<b>2,571</b>	<b>100</b>

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

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

<b>Disability Discrimination Act – Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	337	22%
Goods, services and facilities	634	42%
Access to premises	89	6%
Land		
Accommodation	59	4%
Superannuation, insurance	13	<1%
Education	138	9%
Clubs, incorporated associations	21	1%
Administration of Commonwealth laws and programs	68	4.5%
Sport	5	<1%
Requests for information	3	<1%
Qualifying bodies	9	<1%
Registered organisations		
Disability standards	137	9%
<b>Total</b>	<b>1,513</b>	

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

**Table 17: 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>29</b>
<b>Terminated after inquiry</b>	<b>231</b>
Not unlawful	2
More than 6 months old	1
Trivial, vexatious, frivolous, misconceived, lacking in substance	13
More effective or convenient remedy	
No reasonable prospect of conciliation	193
Inquiry not warranted	21
Issue of public importance	1
<b>Discontinued**</b>	<b>206</b>
<b>Withdrawn***</b>	<b>70</b>
<b>Conciliated</b>	<b>495</b>
<b>Administrative closure****</b>	<b>22</b>
<b>Total</b>	<b>1,053</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.

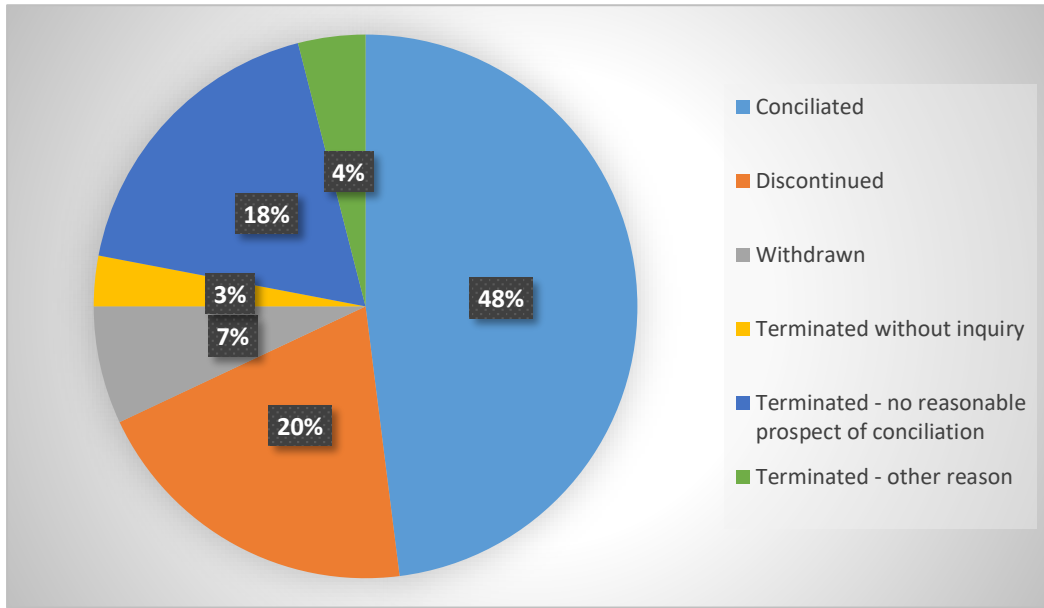
\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary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

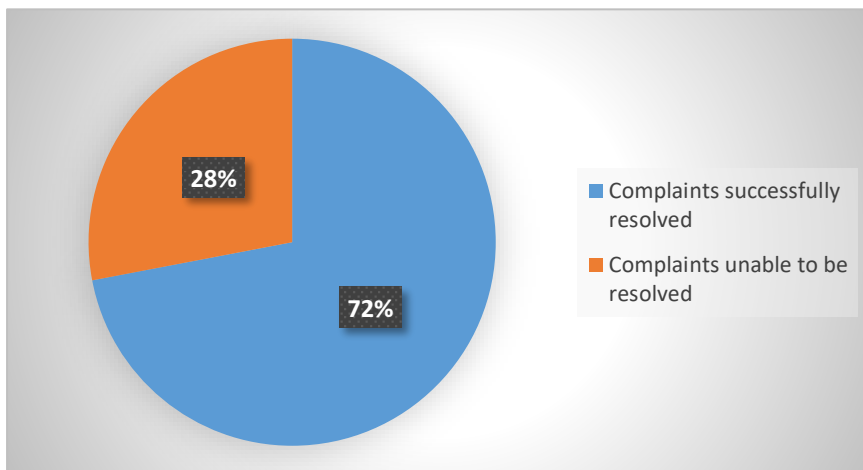


**Chart 2: Disability Discrimination Act – Outcomes of finalised complaints**



Conciliated	48%	
Discontinued	20%	
Withdrawn	7%	
Terminated without inquiry	3%	
Terminated - no reasonable prospect of conciliation	18%	
Terminated - other reason	4%	

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



Complaints successfully resolved	72%
Complaints unable to be resolved	28%

## SEX DISCRIMINATION ACT

**Table 18: Sex Discrimination Act – Complaints received and finalised**

<b>Sex Discrimination Act</b>	<b>Total</b>
Received	504
Finalised	437

**Table 19: Sex Discrimination Act – Complaints received by complainant category**

<b>Sex Discrimination Act – Complainant category</b>	<b>Number</b>	<b>Percentage</b>
Female	369	73%
Male	119	24%
Intersex		
Other category*	16	3%
<b>Total</b>	<b>504</b>	<b>100</b>

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

**Table 20: Sex Discrimination Act – Complaints received by ground**

<b>Sex Discrimination Act – Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Sex discrimination	351	36%
Marital or relationship status	55	6%
Pregnancy	79	8%
Sexual harassment	252	26%
Family responsibilities	50	5%
Breastfeeding	5	<1%
Gender identity	69	7%

**Australian Human Rights Commission  
2020-21 Complaint statistics**

Intersex	2	<1%
Sexual orientation	30	3%
Victimisation	83	8%
Causes, instructs, induces, aids or permits an unlawful act	12	1%
Advertisements	0	
<b>Total</b>	<b>988</b>	

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

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

<b>Sex Discrimination Act – Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	362	67%
Goods, services and facilities	103	19%
Land		
Accommodation	11	2%
Superannuation & insurance	2	<1%
Education	16	3%
Clubs	11	2%
Administration of Commonwealth laws and programs	28	5%
Requests for information		
Registered organisations		
Qualifying bodies	4	1%
<b>Total</b>	<b>537</b>	<b>100</b>

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

**Table 22: 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>4</b>
<b>Terminated after inquiry</b>	<b>130</b>
Trivial, vexatious, frivolous, misconceived, lacking in substance	10
No reasonable prospect of conciliation	115
Inquiry not warranted	3
Adequately dealt with	1
Out of time	1
<b>Discontinued**</b>	<b>65</b>
<b>Withdrawn***</b>	<b>31</b>
<b>Conciliated</b>	<b>183</b>
<b>Administrative closure****</b>	<b>24</b>
<b>Total</b>	<b>437</b>

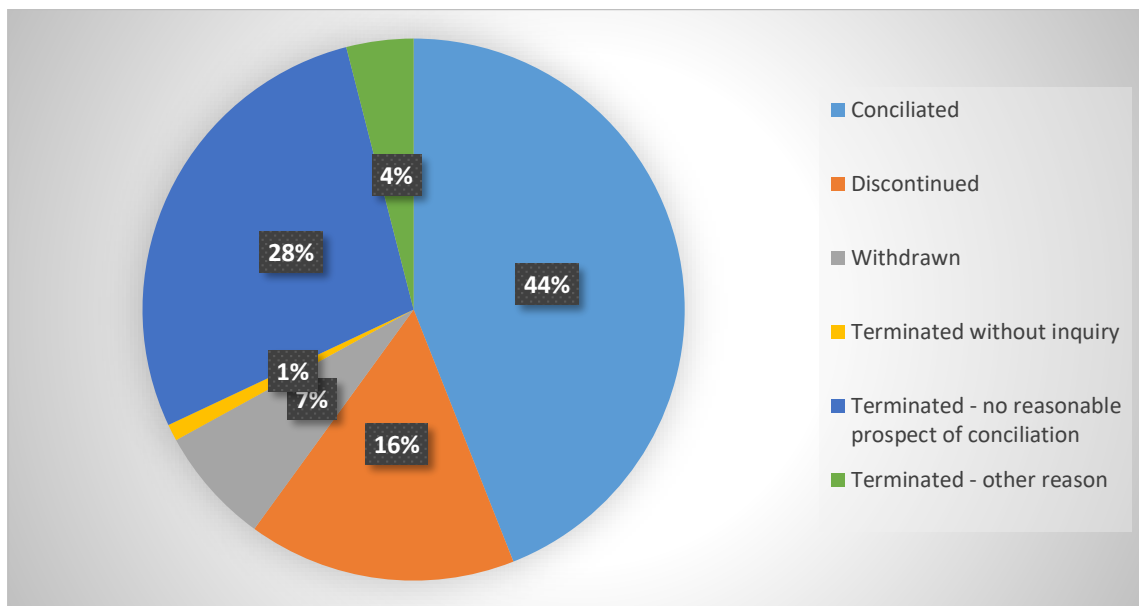
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* 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.

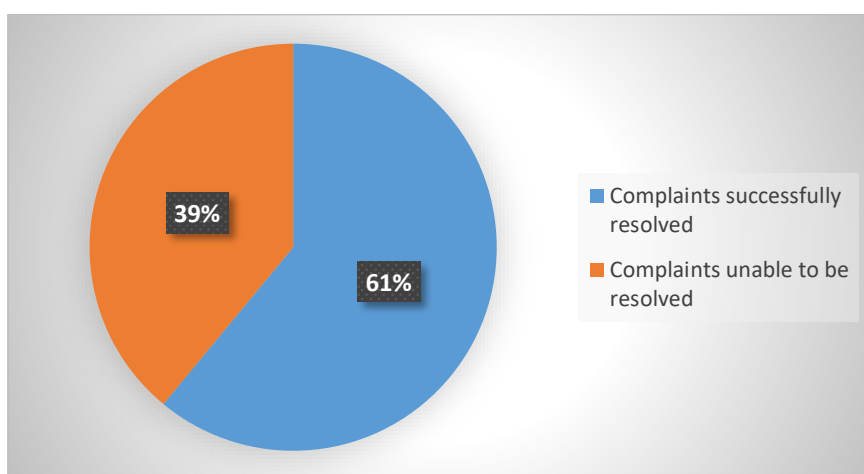
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

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



Conciliated	44%
Discontinued	16%
Withdrawn	7%
Terminated without inquiry	1%
Terminated – no reasonable prospect of conciliation	28%
Terminated – other reason	4%

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



Complaints successfully resolved	61%
Complaints unable to be resolved	39%

## RACIAL DISCRIMINATION ACT

**Table 23: Racial Discrimination Act – Complaints received and finalised**

<b>Racial Discrimination Act</b>	<b>Total</b>
Received	523
Finalised	441

**Table 24: Racial Discrimination Act – Complaints received by ground**

<b>Racial Discrimination Act - Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Colour	127	8%
National origin	215	14%
Ethnic origin	308	21%
Descent	154	10 %
Race	496	33%
Racial hatred	174	12%
Immigrant status	9	<1%
Association	12	1%
Victimisation	8	<1%
Incite unlawful act		
Advertisements		
<b>Total</b>	<b>1,503</b>	

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

**Table 25: 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	4	<1%
Land, housing and other accommodation	13	2%
Provision of goods and services	214	27%
Superannuation and insurance	3	<1%
Right to join trade union	1	<1%
Employment	164	21%
Education	20	3%
Other - section 9	190	24%
Racial hatred	174	22%
<b>Total</b>	<b>783</b>	

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

**Table 26: Racial hatred complaints received by sub-area**

<b>Racial hatred sub-areas</b>	<b>Number</b>	<b>Percentage</b>
Media – press/TV/radio	18	10%
Disputes between neighbours	21	12%
Personal conflict	18	10%
Employment	61	35%
Internet - e-mail/webpage/chat room	13	7%
Sport		
Public debate	3	2%
Provision of goods and services	29	17%

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2020-21 Complaint statistics**

Education	4	2%
Racist propaganda	1	>1%
Other	6	3%
<b>Total</b>	<b>174</b>	

**Table 27: 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>28</b>
<b>Terminated after inquiry</b>	<b>105</b>
Adequately dealt with by the Commission	
Inquiry not warranted	8
Trivial, vexatious, frivolous, misconceived, lacking in substance	8
No reasonable prospect of conciliation	88
Not unlawful discrimination	
Out of time	1
<b>Discontinued**</b>	<b>105</b>
<b>Withdrawn***</b>	<b>25</b>
<b>Conciliated</b>	<b>163</b>
<b>Administrative closure****</b>	<b>15</b>
<b>Total</b>	<b>441</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.

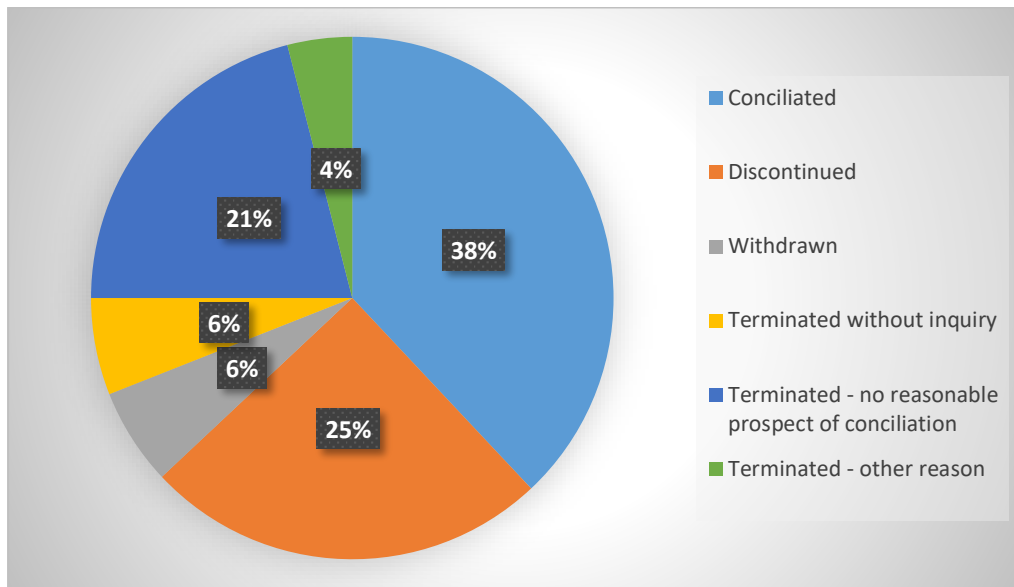
\*\* A complaint may be discontinued in circumstances where the President's delegate is satisfied the complainant no longer wishes the Commission to continue its inquiry. This may occur after the complainant has received information from the respondent or been provided with information and/or a preliminary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

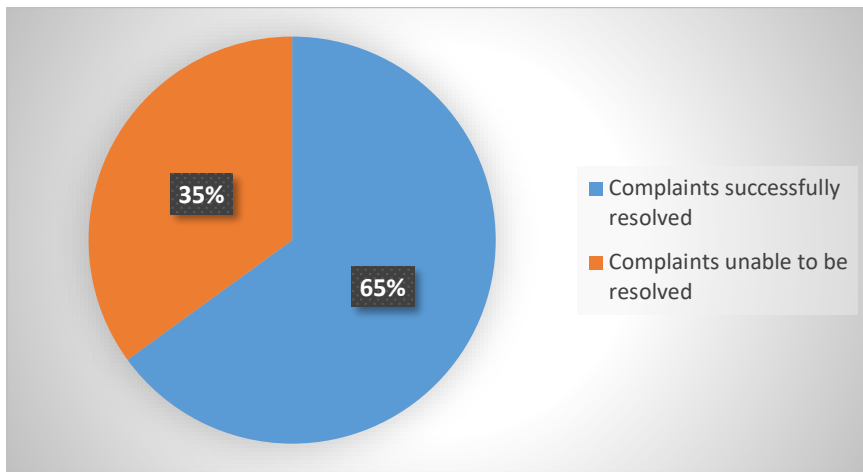
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

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



Conciliated	38%	
Discontinued	25%	
Withdrawn	6%	
Terminated without inquiry	6%	
Terminated - no reasonable prospect of conciliation		21%
Terminated - other reason	4%	

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



Complaints successfully resolved	65%
Complaints unable to be resolved	35%

## AGE DISCRIMINATION ACT

**Table 28: Age Discrimination Act – Complaints received and finalised**

<b>Age Discrimination Act</b>	<b>Total</b>
Received	191
Finalised	201

**Table 29: Age Discrimination Act – Age group of complainants**

<b>Age Discrimination Act – Complainant age group</b>	<b>Number</b>	<b>Percentage</b>
0 – 12 years	1	0.5%
13 – 17 years	4	2%
18 – 24 years	12	6%
25 – 34 years	10	5%
35 – 44 years	10	5%
45 – 54 years	31	16%
55 – 64 years	57	30%
65 – 74 years	44	23%
>75 years	22	11.5%
<b>Total</b>	<b>191</b>	

**Table 30: Age Discrimination Act – Complaints received by ground**

<b>Age Discrimination Act - Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Age	313	94%
Causes, instructs, induces, aids or permits an unlawful act	5	2%
Victimisation	8	2%
Advertisements		
<b>Total</b>	<b>326</b>	

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

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

<b>Age Discrimination Act - Areas*</b>	<b>Number</b>	<b>Percentage</b>
Employment	96	46%
Goods, services and facilities	62	30%
Access to premises	1	<1%
Land		
Accommodation	7	3%
Advertisements		
Superannuation, insurance	5	2%
Education	5	2%
Administration of Commonwealth laws and programs	31	15%
Sport		
Qualifying bodies	1	<1%
Requests for information		

Victimisation		
<b>Total</b>	<b>208</b>	

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

**Table 32: 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>9</b>
<b>Terminated after inquiry</b>	<b>32</b>
Not unlawful	
Trivial, vexatious, frivolous, misconceived, lacking in substance	4
No reasonable prospect of conciliation	25
More effective or convenient remedy	
Inquiry not warranted	3
<b>Discontinued**</b>	<b>49</b>
<b>Withdrawn***</b>	<b>23</b>
<b>Conciliated</b>	<b>84</b>
<b>Administrative closure****</b>	<b>4</b>
<b>Total</b>	<b>201</b>

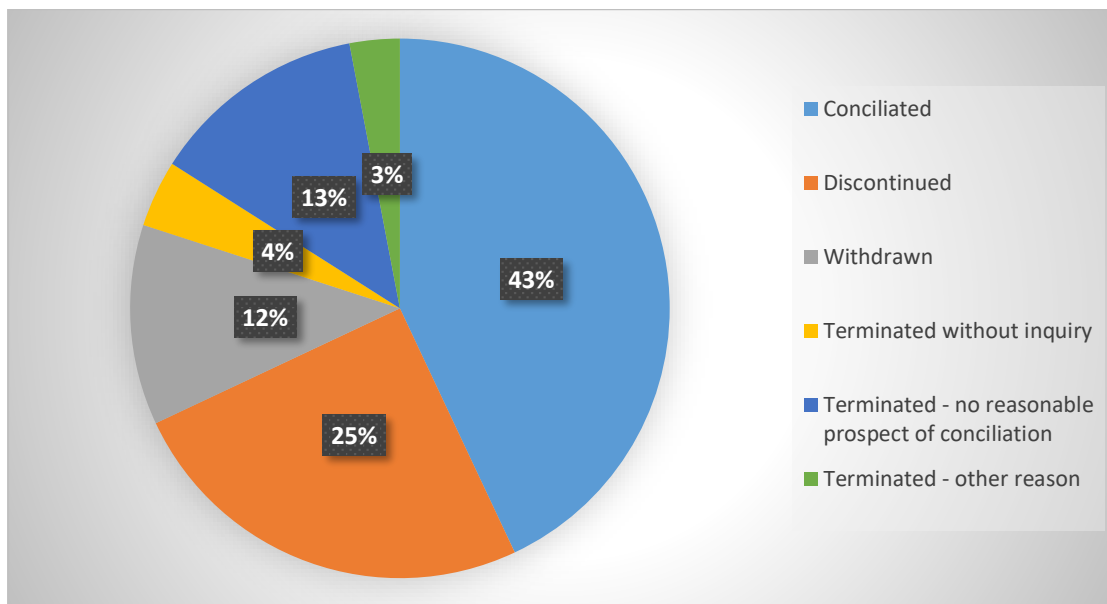
\* A complaint may be terminated without inquiry if the President's delegate is satisfied, having regard to the matters referred to in section 46PH of the AHRCA, that the complaint should be terminated without inquiry.

\*\* 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.

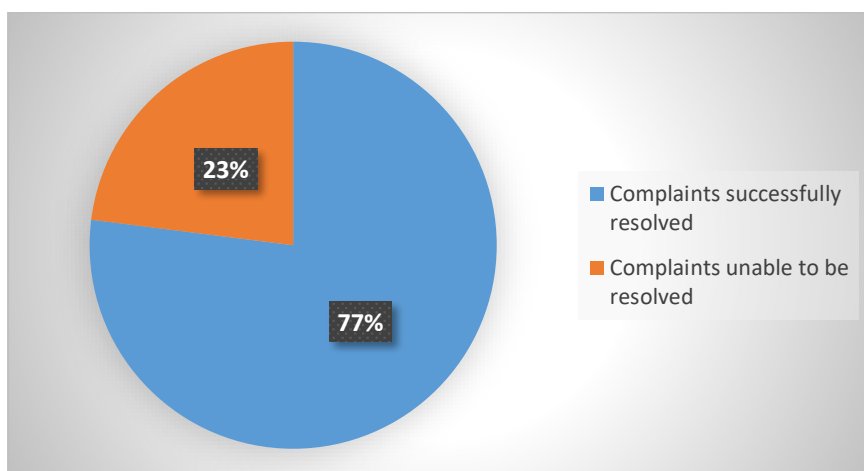
\*\*\*\* Includes where a complaint has not been lodged by or on behalf of an aggrieved person and where a complaint has also been lodged under State or Territory anti-discrimination law.

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



Conciliated	43%
Discontinued	25%
Withdrawn	12%
Terminated without inquiry	4%
Terminated - no reasonable prospect of conciliation	13%
Terminated - other reason	3%

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



Complaints successfully resolved	77%
Complaints unable to be resolved	23%

**AUSTRALIAN HUMAN RIGHTS COMMISSION ACT (AHRCA)**

**Table 33: AHRCA – Complaints received and finalised**

<b>Australian Human Rights Commission Act</b>	<b>Total</b>
Received	732
Finalised	492

**Table 34: AHRCA – Complaints received by ground**

<b>Australian Human Rights Commission Act – Grounds*</b>	<b>Number</b>	<b>Percentage</b>
Age (ILO111)		
Religion (ILO 111)	24	3%
Political opinion (ILO 111)	3	<1%
Social origin (ILO 111)		
Disability (ILO 111)		
Medical record (ILO 111)		
Criminal record (ILO 111)	105	13%
Sexual preference (ILO 111)		
Trade union activity (ILO 111)	4	<1%
International Covenant on Civil and Political Rights	588	71%
Convention on the Rights of the Child	88	11%
Convention on the Rights of Persons with Disabilities	10	1%
Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief	1	<1%

Victimisation	1	<1%
<b>Total</b>	<b>824</b>	

\* One complaint may raise multiple grounds.

**Table 35: 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	591	81%
No acts or practices of the Commonwealth	5	1%
Employment	136	19%
<b>Total</b>	<b>732</b>	

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

**Table 36: AHRCA – Outcomes of finalised complaints**

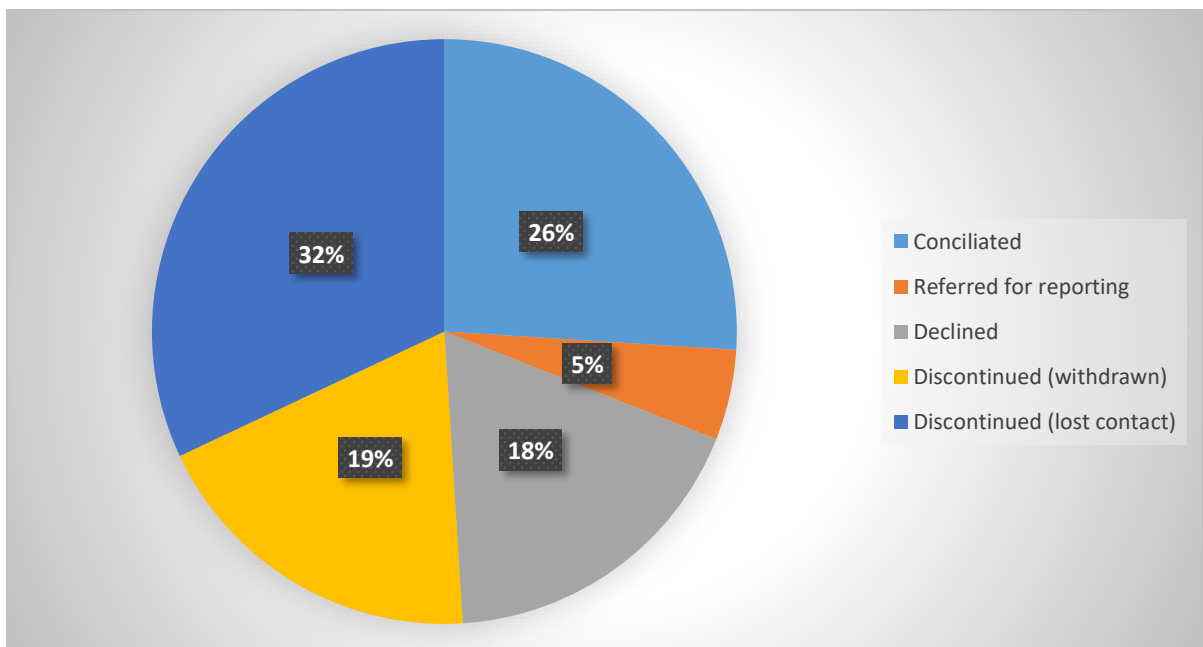
<b>Australian Human Rights Commission Act - Outcomes</b>	<b>Number</b>
<b>Declined</b>	<b>87</b>
Does not constitute discrimination	2
Human rights breach, not inconsistent or contrary to any human right	0
More than 12 months old	1
Trivial, vexatious, frivolous, misconceived, lacking in substance	18
Adequately dealt with already	
More appropriate remedy available	
More effective or convenient remedy	1
No reasonable prospect of conciliation	42
Inquiry not warranted	23
<b>Discontinued - withdrawn</b>	<b>93</b>



<b>Discontinued - lost contact</b>	<b>156</b>
<b>Conciliated</b>	<b>129</b>
<b>Referred for reporting**</b>	<b>24</b>
<b>Administrative closure</b>	<b>3</b>
<b>Total</b>	<b>492</b>

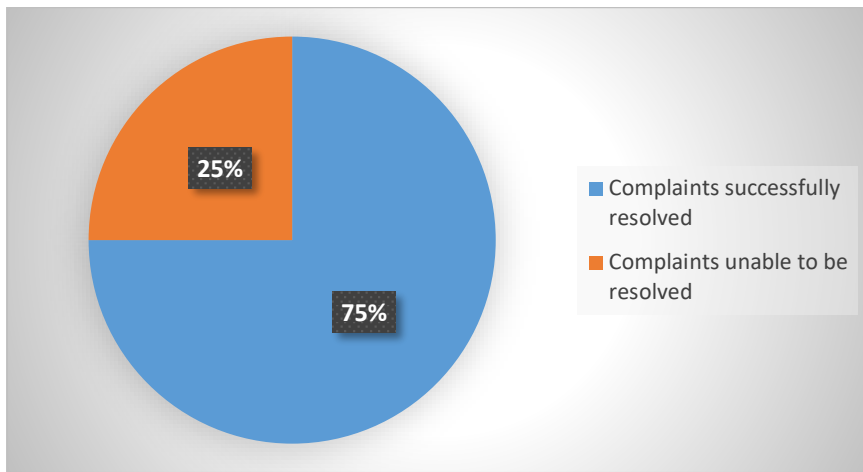
\* Complaints in this category could not be conciliated and were transferred from the Commission's Investigation and Conciliation Section to the Legal Section for further inquiry and possible reporting.

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



Conciliated	26%
Referred for reporting	5%
Declined	18%
Discontinued (withdrawn)	19%
Discontinued (lost contact)	32%

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



Complaints successfully resolved	75%
Complaints unable to be resolved	25%