The *complaint* process

for complaints about sex, race, disability and age discrimination

The Australian Human Rights Commission is an independent body which investigates and resolves complaints about unlawful sex, race, disability and age discrimination.

- *Sex discrimination* includes sexual harassment and discrimination based on pregnancy, marital status, breastfeeding and family responsibilities.
- *Disability discrimination* includes discrimination based on physical, intellectual, sensory, learning and psychiatric disabilities; diseases or illnesses; medical conditions; work related injuries; past, present and future disabilities; and association with a person with a disability.
- •*Race discrimination* includes racial hatred and discrimination based on colour, descent, national or ethnic origin and immigrant status.
- Age discrimination includes discrimination based on being too young or too old.

You can make a complaint no matter where you live in Australia and it doesn't cost anything to make a complaint. The steps in the complaint process are outlined below.

Make an enquiry

- If you are unsure if you can make a complaint about something, you can contact the Commission's Complaint Information Service by phone on 1300 656 419 or by email to complaintsinfo@humanrights.gov.au
- We can send you a complaint form to start the process.
- If we can't help you, we will try to refer you to someone who can.

Make a complaint

- A complaint must be in writing. You can fill in a complaint form and post or fax it back to us or you can lodge a complaint online on our website. (www.humanrights.gov.au)
- You can make a complaint in your preferred language and we can help you write down your complaint if necessary.
- You do not need a lawyer to make a complaint.
- If we cannot deal with your complaint, we will explain why.



Australian Human Rights Commission

everyone, everywhere, everyday

Investigation

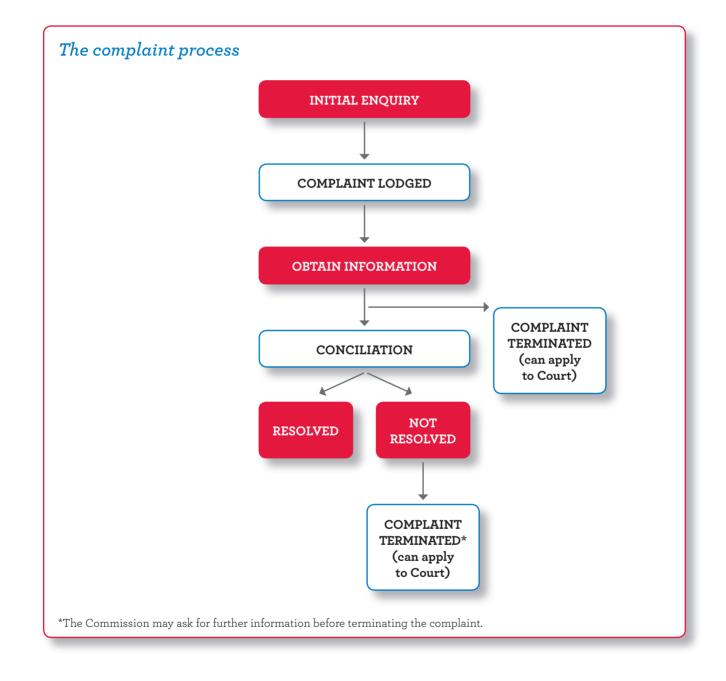
- We will contact you to talk about your complaint and we may ask you to provide more information.
- Generally, the Commission will contact the person or organisation you are complaining about, provide them with a copy of your complaint and ask for their comments and other relevant information. We will let you know what they have said in response to your complaint.
- In some cases we may decide not to continue to deal with your complaint. If this happens, we will explain why.
- We may talk to you about trying to resolve the complaint by conciliation.

Conciliation

- Conciliation means that we try to help you and the person or organisation you are complaining about try to find a way to resolve the matter.
- Conciliation can take place in a face-to-face meeting called a 'conciliation conference' or through a telephone conference. In some cases complaints can be resolved through an exchange of letters or by passing messages by phone or email through the conciliator.
- Complaints can be resolved in many different ways. For example by an apology, a change of policy or compensation.

Possible court action

- The Commission does not have the power to decide if unlawful discrimination has happened.
- If your complaint is not resolved or is discontinued for some other reason, you can take the matter to court. The court can decide if unlawful discrimination has happened.
- You have 60 days from when the Commission finalises the complaint to make an application to the Federal Magistrates Court or the Federal Court of Australia.
- The Commission cannot take the matter to court for you or help you present your case in court.
- You may need to talk with a lawyer or legal service if you want to go to court.





Australian Human Rights Commission

Complaint Information Service

telephone 1300 656 419 or (02) 9284 9888 web www.humanrights.gov.au/complaints_information email complaintsinfo@humanrights.gov.au