

DISCRIMINATION, HARASSMENT AND VILIFICATION FACTSHEET

swinburne.edu.au/safercommunity

MADE BY THE SAFER COMMUNITY TEAM

Creating a safe and respectful Swinburne community.

What is discrimination, harassment and vilification?

Discrimination occurs when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics protected by law. Personal characteristics protected by law include race, sex, pregnancy, marital status, breastfeeding, age, disability, sexual orientation, gender identity and intersex status.

There are dedicated discrimination acts for disability, sex, race and age, and the Australian Human Rights Commission Act 1986 protects people from several other types of discrimination.

Harassment is a form of discrimination. It includes behaviour that causes offence, such as sexual harassment.

Examples of harassment:

- Sending of explicit or sexually suggestive emails or text messages.
- Making offensive comments or jokes about a person's race.
- Asking intrusive questions about a person's private life.
- Displaying racially offensive or pornographic posters or screen savers.
- Making derogatory comments or taunts about a person's disability.

Vilification is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people based on certain personal characteristics (e.g. race, religion, sexuality or gender identity).

The Racial and Religious Tolerance Act 2001 makes it against the law in Victoria to vilify a person or group of people because of their race or religion.

Examples of racial and religious vilification:

- Publishing claims that a racial or religious group is involved in serious crimes without any proof.
- Spoken or physical abuse about the race or religion of another person.
- Encouraging violence against people who belong to a particular race or religion.
- Encouraging people to hate a racial or religious group using flyers, posters or a website.

Discrimination, harassment and racial and religious vilification are unlawful in areas of public life in Victoria and are against university policies and procedures.

Vilification based on other characteristics (e.g. sexuality or gender identity), while not protected under a specific Victorian Act, is against university policies and procedures and not tolerated at Swinburne.

What to do about discrimination, harassment or vilification

If you are experiencing discrimination, harassment or vilification, here are some steps you can take.

1 TAKE ACTION TO STOP THE BEHAVIOUR

- If you feel comfortable to do so, tell the person that their behaviour is inappropriate and unwelcomed.
- Ask the person to stop the behaviour using a strong, assertive tone.
- Ignore the behaviour – turn your back and walk away.
- Block the person on social media and ask them to remove any offensive content.
- Do not respond to messages.

2 SEEK ADVICE AND SUPPORT

- Tell trusted people in your support network about the behaviour, e.g. friends, family, neighbours, work mates, or peers/staff at university.
 - Talk about how it's affecting you.
 - Seek their advice on how to respond.
- Seek help from professional support services listed on this factsheet.

3 RECORD AND REPORT THE BEHAVIOUR

- Keep a record of the behaviour you have experienced including date, time, place, names, witnesses, as well what you or others have done to try and stop the behaviour.
- Describe the behaviour that is upsetting you and the impact it has had (e.g. taking time off study).
- Keep any evidence, for example copies of messages, photos, or online conversations.
- Report online harassment and vilification to the social media site.
- Report behaviour to Swinburne e.g. Safer Community, Swinburne Security, teaching or professional staff.
- If you fear for your safety or feel threatened, report the behaviour to police.

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Some statistics (Australia)

Discrimination complaints received by the Australian Human Rights Commission by Act:

- **Disability Discrimination Act:** 39%
- **Sex Discrimination Act:** 24%
- **Racial Discrimination Act:** 21%
- **Age Discrimination Act:** 8%
- **Australian Human Rights Commission Act:** 8%

(Australian Human Rights Commission, 2017)

Help others by being an active bystander

If you witness discrimination, harassment or vilification, you can help by acting as a supportive bystander.

- Talk privately to the person being targeted and ask if they are ok.
- Set an example by making it clear you will not be involved in the behaviour.
- Talk to the person acting inappropriately and call out their behaviour.
- Don't laugh at jokes or comments you feel are racist or sexist.
- Bring the inappropriate behaviour to the attention of others.
- Get help from somebody with authority (e.g. teaching staff or Swinburne Security).
- Do not become violent.
- Call for help (Swinburne Security: 9214 3333 or emergency services: 000).
- Report online harassment, discrimination and vilification to the website on behalf of the target.
- Empower the target to seek help and report the behaviour.

The information contained in this flyer was correct at the time of publication, October 2019. The university reserves the right to alter or amend the material contained in this guide.

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Support on campus

SAFER COMMUNITY

Safer Community offers advice, support, intervention, and risk management for students who experience or witness concerning behaviours on or off campus. These concerning behaviours include stalking, bullying, harassment, family violence, and sexual assault or harassment. To report concerning behaviour email Safer Community or complete the online incident reporting form.

safercommunity@swinburne.edu.au
swinburne.edu.au/incident-reporting-form

SWINBURNE SECURITY

Contact campus security services for emergencies on campus or for a security officer escort.

03 9214 3333

CRISIS LINE – OUT OF HOURS

The Swinburne crisis line is available to help 24 hours a day on weekends and public holidays, and outside business hours on weekdays (before 9am and after 5pm).

Call 1300 854 144

Text 0488 884 145

Support off campus

POLICE

National emergency response and reporting.

In emergencies call 000.

police.vic.gov.au

LIFELINE

24/7 phone crisis support.

13 11 14

lifeline.org.au

VICTORIAN EQUAL OPPORTUNITY & HUMAN RIGHTS COMMISSION

Free service for dispute resolution and information around issues of equal opportunity, racial and religious vilification and the Charter of Human Rights and Responsibilities.

1300 292 153

humanrightscommission.vic.gov.au

INDEPENDENT ADVOCACY SERVICE

Swinburne Student Life provides policy advice, support and guidance in academic issues, and advocates for best outcomes in complaints, grievances, appeals and misconduct hearings.

03 9214 5445

studentlife@swin.edu.au

swinburne.edu.au/advocacy

ACCESSABILITY

Advise students with a disability on what reasonable adjustments can be made to ensure equal opportunity to access and participate in their education at Swinburne.

03 9214 5234

STUDENT COUNSELLING

If you are struggling with a personal, emotional or mental health difficulty, whether related to your studies or your life away from university, counselling may help. Register and make an appointment with Swinburne's counselling services.

03 9214 8483

swinburne.edu.au/counselling

AUSTRALIAN HUMAN RIGHTS COMMISSION

Investigates and resolves complaints of discrimination, harassment and bullying based on a person's sex, disability, race, age and sexuality.

1300 656 419

humanrights.gov.au

EHEADSPACE

A confidential, free and secure space to chat to qualified youth mental health professionals.

eheadspace.org.au

ESAFETY

Advice, strategies and support for cyberbullying, as well as online reporting.

1800 880 176

esafety.gov.au