



Victorian Equal Opportunity
& Human Rights Commission

Our impact in 2019

**Making
human
rights real**

Making a real impact in the Victorian community



While our key projects each year vary in scope and reach, underpinning all our work is a vision for a fairer, safer and more inclusive Victoria. I'm pleased to share with you some of the highlights from our work in 2019 and its impact on the lives of Victorians.

One important impact of our work is a greater understanding of human rights in Victoria and how the law protects them. In 2019, our Enquiry Line responded to 8297 enquiries and, through our training programs, we reached almost 7000 individuals across the state. For those who've experienced discrimination, sexual harassment or vilification, successful conciliations from our complaints service have also had a powerful impact – this year, we finalised 910 cases and helped hundreds of individuals seek compensation, reinstatement or a formal apology for the harm they experienced.

Our less visible impact, but that with the greatest potential to improve the lives of many people, results from our work to tackle systemic discrimination. This year, we reported on positive progress towards gender equality within Victoria Police resulting from our independent review, and we advocated for fairer treatment for people with mental health conditions through our first major investigation, looking at mental health discrimination in travel insurance policies.

This work would not have had the same impact without the commitment of our community, government and corporate partners. Your support has played a vital role in our ongoing work to help every Victorian live their life free from discrimination.

Kristen Hilton
Commissioner

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SNAPSHOT

Our impact in 2019

Every Victorian should be able to live their life free from discrimination. At the Commission, we work to protect human rights and promote fair treatment for all Victorians. Here are some key statistics from our work in 2019.

6930

participants in our **training programs** throughout the year, across private sector, government and community organisations

595

complaints about **disability discrimination** – the most common issue raised

365,000

discriminatory policies discovered during our **major investigation** into the travel insurance industry, which resulted in three of Australia's biggest travel insurers removing policy terms that discriminated against people with mental health conditions

96%

satisfaction rating from clients who have been through our **complaints process**

48,929

cinema patrons saw advertisements for our **Close Up video series** in which young African Australians talk about their experiences of racism – part of our Reducing Racism project

9868

issues of **discrimination and harassment** raised in the enquiries we received

700

school staff took part in our innovative education program
A human rights approach to diversity and inclusion

484

complaints about **sexual harassment and sex-related discrimination** related to pregnancy, breastfeeding, carer status and parental status

365

staff from the Department of Justice and Community Safety participated in training on **Aboriginal cultural rights under the Charter**



20%

increase in Victoria Police staff accessing **flexible work arrangements** – one of the areas we focused on in our independent review

Helping Victorians understand and exercise their rights

At the heart of our work is a vision for a fair, safe and inclusive Victoria where every person is respected and treated with dignity. To achieve this, we work with law and policy makers, institutions, communities and individuals to help Victorians understand and exercise their rights.

COMPLAINTS AND ENQUIRIES

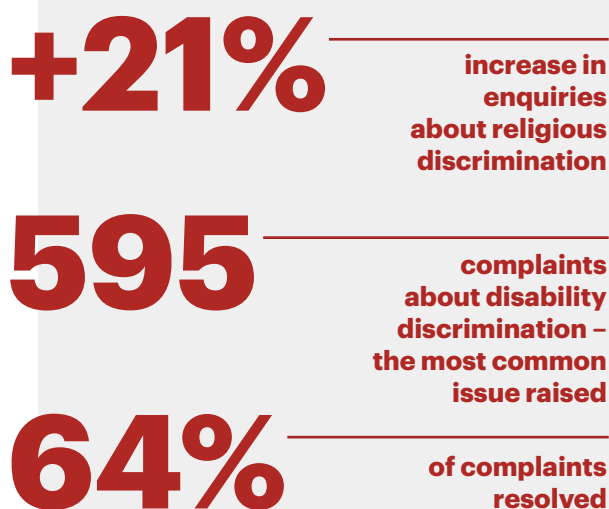
Through our Enquiry Line and complaints service, we help thousands of people each year to better understand their rights. We also help people to make a complaint if they have been discriminated against, sexually harassed, victimised or vilified.

In 2018–19:

- we received enquiries about 9868 issues of discrimination and sexual harassment
- we received complaints about 1877 issues of discrimination and sexual harassment
- we finalised 910 complaint files
- we received a 96 per cent satisfaction rating from clients who had been through our complaints process.

In the complaints we received, disability discrimination was the most common issue raised (595 issues), followed by race discrimination (188), sex discrimination (169), sexual harassment (122) and employment activity discrimination (115).

KEY STATISTICS



EDUCATION AND AWARENESS

Our education programs, consultancy services and resources help the public sector, private employers and individuals to better understand their rights and obligations under Victoria's equal opportunity and human rights laws.

In 2018–19:

- we delivered education and training sessions across the private, government and community sectors reaching 6930 people in Victoria
- we delivered 348 sessions tailored to specific organisations
- Victorians from across the state attended sessions on equal opportunity, creating more inclusive teams and workplaces, and getting the most from the contact officer role
- we continued to build our consulting practice, including working with WorkSafe Victoria on the development of its inaugural Diversity and Inclusion Strategy and Action Plan.

KEY STATISTICS

367 training sessions delivered

6930 participants across private sector, government and community organisations

87% client satisfaction with education sessions

10,213 resources distributed

SHAPING THE CONVERSATION

Throughout the year, we engaged with the media to shape public discourse on equality, discrimination and human rights. We commented on a wide range of topics, including sexual harassment, mental health discrimination, religious exceptions and Aboriginal cultural rights.

In 2018–19:

- our social media posts were viewed 1.6 million times
- we engaged with 13,466 fans across Facebook, Twitter and LinkedIn
- our media engagement reached an audience of 14 million people.



Addressing systemic discrimination

Despite anti-discrimination laws operating in Victoria for decades, some groups within our community still face discrimination at a systemic level. We use our investigations, interventions and submissions to target the underlying causes of inequality and advocate for stronger laws and more inclusive policies.

OUR FIRST INVESTIGATION: FAIR-MINDED COVER

In 2018–19, we released the report from our first investigation, *Fair-minded cover*, which examined the challenges people with mental health conditions face when seeking travel insurance. Travel insurance policies often include a blanket exclusion, which means that people who experience mental health conditions aren't covered. Some travel insurers also don't adequately recognise different types of mental health conditions and their risk or severity.

In the eight-month period we examined, we found that Australian travel insurers sold more than 365,000 policies that contained terms that discriminated against people with mental health conditions.

As a result of our investigation, three of Australia's biggest travel insurers – who together account for 37 per cent of Australia's travel insurance industry – removed, or took steps to remove, blanket mental health exclusions from their travel insurance policies. The travel insurers also agreed to address our recommendations, including changes to the way they offer and indemnify pre-existing mental health conditions.

The investigation has been a catalyst for significant change – an important step in making travel affordable and safe for everyone and reducing discrimination in the community.

9

policy submissions

in 2018–19, advocating for a fairer approach to spent convictions, stronger laws to address sexual harassment, balanced religious protections, and embedding gender equality in Victoria's public sector

58

Charter interventions

over the last 10 years, which have helped Victoria's courts and tribunals to engage with Victoria's Charter of Human Rights and Responsibilities when making their decisions



Victorian Equal Opportunity
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Fair-minded cover

INVESTIGATION INTO MENTAL HEALTH
DISCRIMINATION IN TRAVEL INSURANCE



Embedding human rights culture

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A strong human rights culture within our government and the broader community supports better decision-making and our vision for a fair, safe and inclusive Victoria.

This year, we strengthened the human rights culture within the Victorian public sector and worked with Victorian schools to embed respect for human rights within parts of the school community.

Strengthening the human rights culture in the Victorian public sector

Under the Charter of Human Rights and Responsibilities (the Charter), Victorian public sector (VPS) workers play a central role in ensuring Victorians' human rights are respected. Since 2017, we've been working closely with government departments and agencies to embed a human rights culture within the VPS and help employees understand their obligations to consider human rights in their decision-making.

In 2018–19, our Charter Education Program delivered:

- tailored education sessions and online modules to help workers consider human rights in their everyday work
- a new edition of the Charter Guide for Victorian Public Sector Workers
- support for VPS leaders to help them promote human rights within their agency
- an indicator framework to help measure and report on progress for human rights.

OUR IMPACT

As a result of our Charter Education Program, workers across the VPS better understand the role of human rights in their work and their obligations under the Charter. Our training sessions, online modules and resources helped government departments and agencies to embed human rights in their day-to-day operations, as well as using human rights as an important foundation for their policies and processes. Together, this work has helped equip public sector workers with the skills and knowledge to continue building Victoria's human rights culture.

KEY STATISTICS

108 education sessions delivered

1550 VPS staff received training

87% satisfaction rating with education sessions

+15% increase since 2017 in public sector staff who say they understand how the Charter applies to their work (VPSC's People Matter Survey)



IMPACT STORIES

Applying a human rights approach at Barwon Prison

In closed environments like prisons, human rights are an important foundation for decision-making. Here Anthony Murphy, Operations Manager at Barwon Prison, describes how the Charter Education Program helped his team engage confidently with human rights.

“If we’re not considering human rights, we won’t be making the best decisions. The Charter was helpful in a situation that arose with a Muslim prisoner recently. At a certain time of year, the Muslim prayer times coincided with the prisoner ‘count’. This was a source of tension, because when the guards were doing their count, they would ask the prisoner to stand up so that they could see him and make sure he was OK. We identified that the prisoner had a right

“The biggest message for me is how amazingly simple it is. We need to consider human rights in our decisions and be able to demonstrate we’ve done that.”

— Anthony Murphy, Operations Manager at Barwon Prison

to practice his religion and we needed to be respectful of that. We had discussions with the prisoner and came to an agreement that he could pray at that time, but that when the staff came around to his cell, they would lift the curtain and look in. Working together we came to a solution that worked for us both.”

Embedding a human rights approach to diversity and inclusion in Victorian schools

Engaging the next generation is a vital step in building a community that promotes equality and respects human rights. In partnership with the Department of Education and Training, we've been working with Victorian schools to help them take a human rights approach to diversity and inclusion.

In the first phase of this program, we delivered human rights professional development to 128 staff across 43 participating schools.

Next, we delivered a more comprehensive program to around 700 staff at eight pilot schools, focused on reducing discrimination and human rights breaches in Victorian schools, and building the foundations for school cultures that promote inclusion, respect and dignity for all members of the school community.

The program included a whole-of-school professional learning program, a user-designed toolkit, a coaching program for school leaders and a community forum.

OUR IMPACT

School staff who participated in the program said they now felt better prepared to employ the human rights legal framework as a tool for shifting attitudes, hearts and minds on the way towards a rights-respecting culture within their school. In particular, school staff said the program provided a coherent approach to diversity and inclusion, connecting to existing programs and initiatives. The program helped staff feel more confident using human rights as a foundation for their decisions.

KEY STATISTICS

100% of school leaders in our survey say they prioritise promotion and protection of human rights

80% of school leaders in our survey say the program helped their school better understand rights and responsibilities under the Charter

700 participating staff across eight pilot sites

Willmott Park Primary School participated in our innovative education program 'A human rights approach to diversity and inclusion in schools'. Image: Tim Carrafa.



IMPACT STORIES

Building a rights-respecting culture at Willmott Park Primary School

Willmott Park Primary School was one of the pilot sites in our innovative education program 'A human rights approach to diversity and inclusion in schools'. Here, Carmela Guglielmino, the school's Assistant Principal, reflects on the school's evolving culture.

"This project has been invaluable for all of our stakeholders – community, students and staff. The project gave us further clarity about why it is so important to focus on respect, dignity and inclusion. We now have more help from staff in our wellbeing initiatives and day-to-day work, because they have an understanding of how all

“It's up to us as teachers to ensure that our students – who are our future – understand what it really means to belong and be inclusive of everybody and everything.”

— Carmela Guglielmino, Assistant Principal, Willmott Park Primary School

of this work promotes a safe learning environment, and why we need to think about the unique circumstances of every single student”.

Improving workplace equality

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e

Regardless of industry or role, our working lives play an important part in our identity, financial security and our sense of contribution, but some people still face significant social and structural barriers to inclusion and equality in the workplace.

This year, we worked closely with Victoria Police to improve gender equality for all its employees, and we helped other workplaces open the conversation about sexual harassment and workplace equality through an innovative program called Raise it!.

Making Victoria Police a safer, more inclusive workplace for everyone

When Victoria Police leadership came to recognise an entrenched culture of systemic discrimination and sexual harassment within the force, they took decisive action and engaged the Commission to conduct an independent review examining sexual harassment and sex discrimination within Victoria Police. Since the review began in 2015, it has been a catalyst for transformative change across the organisation.

In 2018–19, we released the third report from our landmark review, which identified the significant progress Victoria Police has

made towards gender equality in the last five years. While the rate of harm within Victoria Police remains unacceptably high, there are now more women in senior leadership roles and women across the organisation are being paid more fairly.

Victoria Police plays a critical role in responding to gendered violence in the community, so addressing gender inequality in its workplaces is not just vital for improving the experience of individual employees, but also for improving the organisation's ability to serve the Victorian community.

OUR IMPACT

Since the first phase of our independent review, 80 per cent of our recommendations have been implemented to a moderate or higher extent. Victoria Police has developed a gender equality strategy and improved the way it collects data so it can better monitor gender equality and workplace harm. This work is underpinned by new governance structures and a standalone unit to oversee work to drive gender equality. One important outcome has been a significant increase in the number of staff – both men and women – making use of flexible work arrangements, and the establishment of new forums to elevate women's voices across the organisation.

KEY STATISTICS

2%

reduction in Victoria Police's gender pay gap between 2016 and 2018, compared to 0.6% nationally

40%

of Command appointments were women

19,000

police staff completed training on discrimination and harassment

Victorian Equal Opportunity and Human Rights Commissioner Kristen Hilton spoke to the media at the launch of the third report from our independent review into Victoria Police.



IMPACT STORIES

Redress and restorative engagement

A key recommendation from Phase 1 of our independent review was the establishment of a redress and restorative engagement scheme for Victoria Police employees who had experienced sex discrimination or sexual harassment.

While this scheme was in development, the Commission worked with Victoria Police to establish an interim restorative engagement scheme. A modified version of our existing dispute resolution service, the scheme offered victims/survivors an immediate restorative engagement pathway. By February 2019, we received 33 complaints through the interim scheme. From these, 14 complainants received compensation, 11 received a statement of regret, four had entitlements reinstated and one was transferred to another work location.

“Despite some of the improvements we have made, the Commission shows us that we need to make a longer-term commitment to deliver lasting change. This final review provides us a roadmap to achieve gender equality by 2030.”

— Graham Ashton AM, Chief Commissioner, Victoria Police

Raising awareness about sexual harassment and workplace equality

It's not always easy to discuss topics like sexual harassment and sex-based discrimination in the workplace.

In 2018–19, we equipped employees and managers with the tools they need to tackle difficult conversations about sexual harassment and workplace equality through our pilot program 'Raise it! Conversations about sexual harassment and workplace equality', funded by the Victorian Office For Women.

To deliver the pilot, we partnered with seven pilot sites – including local councils, cultural institutions, not-for-profits and emergency services – and delivered tailored education programs. We also developed Conversation Starter Kits to increase the confidence of staff to have safe and healthy conversations about their rights at work.

OUR IMPACT

An independent evaluation of the Raise it! pilot found that the pilot increased employees' awareness, knowledge and skills to identify, prevent and respond to sexual harassment and discrimination. The pilot also helped staff to feel more confident talking about sexual harassment and discrimination at work, as well as requesting parental leave and flexible work.

More than 80 per cent of pilot participants said the program had increased their awareness of the types of behaviour that constitute sexual harassment at work, how it impacts the workplace, and what supports are available

Several pilot sites have continued their partnership with us and are rolling out an enhanced version of the program across their organisation.

KEY STATISTICS

440

participants
across the
seven pilot sites

78%

of pilot participants
feel more confident
requesting parental
leave or flexible
work arrangements

85%

of pilot participants
feel more confident
about reporting
sexual harassment

Representatives from the Raise it! pilot sites share their reflections on the program at a showcase event at Melbourne Museum.



IMPACT STORIES

Empowering council staff to tackle difficult conversations about workplace equality

For staff at Yarra City Council, participating in the Raise it! pilot was an opportunity to open up conversations. Here Suzi Hayes, Diversity and Inclusion Officer, reflects on the change.

"The face-to-face education and online tools created a safe space for people to have conversations about difficult matters and, in that space, we were really able to bridge the divide between intent and impact.

"The increased knowledge around sexual harassment in particular – what it is, what it isn't, what we do about it – was a really powerful thing for us. We're a very broad business, but overall the increase in knowledge has been fantastic."

“It’s a wonderful thing when the lived experience of people who have endured discrimination over and over again is valued, recognised and now reflected in programs that are laying the foundations for future generations of women, girls, people of all genders, boys and men.”

— Suzi Hayes, Diversity and Inclusion Officer, Yarra City Council

Protecting human rights in closed environments

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In closed environments like prisons or residential care facilities, people may be more vulnerable to having their human rights abused or denied through poor treatment or neglect.

This year, we helped shape the government's thinking about Aboriginal cultural rights in youth justice, and we supported the implementation of the Optional Protocol to the Convention against Torture (OPCAT) in Victoria.

Highlighting the importance of cultural connection in youth justice

Strong cultural identity and connection to culture, country and community play a critical role in the social and emotional wellbeing of Koori young people. Yet, they are over-represented in the criminal justice system. Protecting the cultural rights of Aboriginal young people in custody is critical for their resilience, self-esteem and sense of self-identification as well as contributing to a reduction in reoffending.

In 2018–19, we partnered with the Commission for Children and Young People to prepare *Aboriginal cultural rights in youth justice centres*. This report found that Aboriginal communities want to see significant improvement in the frequency, quality and evaluation of programs to protect and promote Aboriginal cultural rights in youth justice centres.

OUR IMPACT

The report made recommendations to improve the cultural connection for Aboriginal young people in youth justice centres, and to build the awareness, understanding and use of cultural rights for those involved with youth justice centres. The Victorian Government accepted our recommendations, and the report is informing the development of the government's Aboriginal Youth Justice Strategy.

“**This report found that strong cultural identity and connection to culture, country and community is a protective factor for the social and emotional wellbeing of Koori young people.**”

— *Aboriginal cultural rights in youth justice centres*



Reducing racism

For Victoria's multicultural and multifaith communities, racism can have wide-ranging mental and physical impacts that can leave individuals feeling isolated and vulnerable and can limit their participation in areas of public life.

This year, in line with our new Multicultural and Multifaith Engagement Action Plan, we partnered with Victoria's African and Muslim communities to help them understand and exercise their rights. We also progressed our commitments to the Victorian Aboriginal Justice Agreement and advocated for systemic racism to be considered in coronial inquests.

REDUCING RACISM

Empowering Victorians from diverse communities to exercise their rights and report racism

While discrimination on the basis of race and religion is against the law in Victoria, certain communities continue to experience harmful and persistent racism, religious discrimination and vilification. In 2018–19, we undertook two key projects targeting racism in Victoria.

We progressed our commitments under Burra Lotjpa Dunguludja, Victoria's Aboriginal Justice Agreement. We trained staff at the Department of Justice and Community Safety on their obligations under the Charter, used our intervention

powers to help courts and tribunals consider systemic discrimination, and made a submission on the proposal for a spent convictions scheme.

We also launched Reducing Racism, a project funded by the Department of Premier and Cabinet's Multicultural Affairs and Social Cohesion Division. It combined tailored human rights training for Victoria's African and Muslim communities, an ambassadors program for young leaders, a digital tool to encourage reporting of racism, and a digital storytelling project, Close Up.

OUR IMPACT

Our work to implement the Aboriginal Justice Agreement has helped to ensure that human rights inform government decisions and actions that affect Aboriginal people in the justice system. It's an important foundation for a more equitable justice system, shaped by self-determination and committed to upholding human, civil, legal and cultural rights.

Our African Ambassadors program helped young leaders within the African and Muslim communities better understand Victoria's anti-discrimination laws. At the conclusion of the program, participants rated their understanding at 97 per cent – up 45 per cent from when the program began. The *Close Up* video series helped a broad audience better understand racism – advertisements for the series reached 48,929 cinema patrons across Melbourne.

KEY STATISTICS

16

local councils
hosting the digital
Community
Reporting Tool

540

members of Victoria's
African and Muslim
communities participated
in tailored training about
their rights under anti-
discrimination laws

365

staff from the
Department of Justice
and Community Safety
participated in training
on Aboriginal cultural
rights under the Charter



At the launch of our *Close Up* video series, three African Ambassadors, Barry, Mawa and Titan, shared stories about their experiences of racism.

IMPACT STORIES

Standing up against racism

Sihle Mpofu completed the African Ambassadors program in 2018–19. It helped her understand the important role of bystander action in combating racism.

“Standing up for someone who is unable to stand up for themselves makes a huge difference. A few weeks ago, while I was on a tram, a woman started screaming racist slurs at me. The attack was unprovoked and caught me by surprise. Despite knowing my rights in that kind of situation, I froze. I was voiceless. I looked to other passengers to be my voice. Instead, people looked away and whispered amongst themselves. Don’t be the person who lets people get away with such behaviour. We all have a role to play so let us take it upon ourselves to be agents of change – an Australia that’s free from discrimination is possible.”

“At the beginning I was not so sure what to expect but in the end it really changed me for better. I now know what to do if I face racism, where to go for help and the complaints process. I feel so empowered to go forward and to provide such empowerment for others.”

— Sihle Mpofu, African Ambassador

OUR ORGANISATION

Investing in our people

We know that creating a safe, healthy and productive workplace will allow us to do our best work and create more impact in the Victorian community. This year, we focused on strengthening our organisation to make it a more diverse and inclusive workplace.

EMBEDDING DIVERSITY AND INCLUSION IN OUR ORGANISATION

In 2018–19, we developed:

- a new Diversity and Inclusion Reference Group
- a Diversity and Inclusion Action Plan 2018–20
- a Disability Action Plan 2018–20.

STREAMLINING OUR RECRUITMENT PROCESSES

In 2018–19, we revised our approach to recruitment by:

- developing an internship program and updating our recruitment process to attract and develop diverse students
- developing a paid internship through the Barring Djinang Internship Program.

KEY STATISTICS

81%

of staff think we have a positive culture in relation to diversity and inclusion

98%

of staff think we have a positive culture in relation to LGBTI staff

88%

of staff think we have a positive culture in relation to flexible work

Contact us

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