



Victorian Equal Opportunity
& Human Rights Commission

Annual Report

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Victorian Equal Opportunity and Human Rights Commission Annual Report 2015/16

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Letter to the Attorney-General

In accordance with the *Financial Management Act 1994*, I am pleased to provide this report on the operations of the Victorian Equal Opportunity and Human Rights Commission for the year ending 30 June 2016.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Searle', with a stylized, cursive script.

John Searle

Chairperson, Victorian Equal Opportunity and Human Rights Commission

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Chairperson's message



It is my pleasure to present the 2015/16 Annual Report of the Victorian Equal Opportunity and Human Rights Commission on behalf of the Board.

The past year has seen the Commission undertake many pieces of work that respond to the prevalence of discrimination and inequality. In addition to the provision of services, including taking complaints, resolving disputes and providing education and consultancy, we focused on addressing areas of systemic discrimination.

In Australia we have witnessed a growing horror at the prevalence of violence against women. There is a community-wide push for change and an acknowledgement that we all have a role to play in addressing these abhorrent attitudes toward women. We read about gender inequality on sporting fields, in workplaces and in the media. It is inspiring to see major organisations lining up to address this and a push for real change seems underway.

One example of this can be seen in the *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*. This was a major piece of work and came in response to concerns about gender inequality within the organisation. The Commission was enlisted to conduct the review and provide frank and fearless advice. The Phase One Report was released in December 2015 and work continues to assist Victoria Police in implementing the recommendations made in that report. I commend Victoria Police for engaging the Commission in this important work.

I would like to take this opportunity to thank former Commissioner Kate Jenkins for her leadership in undertaking this important work and for her tireless commitment to the aims of the Commission to protect human rights and promote equal opportunity for all Victorians.

I would also like to welcome Kristen Hilton as the new Commissioner. Already under her leadership we have felt a sense of guidance and inspiration and have also seen a second major independent review being announced, this time in the fire services sector, and I look forward to the change to our society that work will instigate.

This is my final Annual Report, as my term of office as Chairperson is due to expire shortly. I have enjoyed my term as Chairperson enormously and have been humbled as I have watched the staff of the Commission go about their work tirelessly, passionately and with unrivalled commitment. I extend to them a debt of gratitude and thanks on behalf of the Board and all Victorians.

I would also like to thank all of my Board members for their constant support, guidance, and ongoing commitment, without which I am certain the demands of office would have been far more stressful.

Finally I wish the Commissioner, the Board and the staff all the best of luck as they continue to provide such an invaluable service to the people of Victoria. It has been an honour and a privilege to serve as Chairperson.

Yours sincerely,



John Searle
Chairperson
Victorian Equal Opportunity
and Human Rights Commission

Commissioner's message



The Victorian Equal Opportunity and Human Rights Commission has continued to be a strong and powerful voice in advocating for the rights of all Victorians.

Since being appointed Commissioner on 1 June 2016, I have frequently been asked what Victorians can expect from their new Commissioner.


Victorians can expect someone who is passionate about promoting and educating people about their rights. I am interested in having meaningful conversations with people across Victoria about the disadvantage, exclusions and vulnerability that people experience – whether that's due to sex discrimination or racism, discrimination because of disability or because of parental or carer status. I also want to understand what impact those experiences have, both to individuals and their families, and how they affect our community more broadly

The Commission does not exist just to educate people on relevant laws. It works across the community and with organisations to try to understand and prevent the root causes of discrimination. The Commission's Report on the *Independent Review into sex discrimination and sexual harassment in Victoria Police* is an example of how transformative this work can be. Victoria Police have shown a tremendous willingness to learn about the drivers of discrimination within their workplace and a commitment to fundamentally changing culture and structures that support inequality. As a continuance of this major organisational work we have begun the Independent Equity and Diversity Review in MFB and CFA and will report on our findings in mid-2017.

As this Annual Report will attest, the work of the Commission is constantly adapting in its focus and breadth, charting new paths and developing new strategies to respond to challenges as they occur. Ensuring every Victorian is aware of their rights and how they can exercise them means listening to community, working with organisations to improve their practices, educating the broader community about the harm of discrimination and the benefits of diversity, and influencing government.

It is a great privilege to join an organisation with a long and proud tradition of serving Victorians. I would like to warmly thank the former Commissioner Kate Jenkins for her leadership in advocating for equality on behalf of all Victorians. I would also like to thank John Searle for his five years of service as our Chair.

I look forward to continuing the innovative and high-impact work underway at the Commission and to furthering the Commission's work in addressing systemic discrimination and in making human rights relevant and accessible for everyone.



Kristen Hilton
Commissioner
Victorian Equal Opportunity
and Human Rights Commission

The Board



John Searle – Chairperson
August 2011–August 2016

John Searle was the President of the Jewish Community Council of Victoria, the peak body of the Victorian Jewish community, and a member of the Executive of the

Zionist Council of Victoria (ZCV) from 2008–11. Immediately prior to that, John served as the Chairman of the B'nai B'rith Anti-Defamation Commission.

John has served as the Deputy President of the Executive Council of Australian Jewry, still sits on that organisation's Committee of Management and also continues to serve as a member of the Executive of the ZCV. He has worked with disadvantaged youth and members of many culturally and linguistically diverse (CALD) communities. He has made a significant contribution to the Victorian community through his work in charitable and community organisations, his work involving interfaith and multicultural affairs, and his work to combat discrimination and vilification. He was recognised by Victoria Police with an award for his community service in 2009 and was appointed as a White Ribbon Ambassador in November 2014. John holds a Bachelor of Economics and a Bachelor of Laws and has been a practising barrister for 26 years, specialising in civil litigation.



Josef Szwarc
August 2012–current

Josef Szwarc is Research and Policy Manager of the Victorian Foundation for Survivors of Torture, which provides a range of services to advance the

health and wellbeing of people from refugee backgrounds who have survived torture and other traumatic events. He has worked in a variety of social and legal policy positions in governmental and civil society agencies in Australia and the UK, including research and advocacy at the International Secretariat of Amnesty International.



Abeselom Nega
August 2012–current

Abeselom Nega is the CEO of iEmpower – a highly respected specialist youth services organisation. Previously, Abeselom was the General

Manager of AMES Employment. He served as the founding Chairperson of the Federation of African Communities Council of Australia and he is currently a Commissioner of the Victorian Multicultural Commission.

He has served as a Board member of the National Accreditation Authority for Translators and Interpreters for nine years, making him the longest serving Board member in the organisation's 40-year history.

Abeselom is also the current Chair of the Melbourne Employment Forum, an organisation working to create employment opportunities to refugees and migrants. He is committed to bringing sustainable human rights outcomes for children and young people. Abeselom is a member of numerous professional bodies.



Colleen Pearce
November 2012–current

Colleen Pearce has nearly 30 years' experience in the community and health sectors. She is Victoria's first female Public Advocate, a position

she has held since September 2007. She is also chair of the Community Visitor boards. Colleen is a fearless advocate for the human rights and interests of people with disabilities and mental illness. In 2003 Colleen received a Commonwealth Centenary Medal for her contribution to community services in Victoria. She is a board member of the Connecting Home, an organisation established in response to the recommendations arising from the Stolen Generations Taskforce Report. Colleen is a member of the Yuin people of the south-east coast of New South Wales.



Megan Boston
August 2014–current

Megan Boston is a chartered accountant with skills and expertise in the areas of finance, audit, risk management and governance. She is a board member of South East Water, AMES and Beyond Medical Education (BME). Megan also chairs the AMES Audit and Risk Committee and the BME Finance, Audit and Risk Committee.



Tim Goodwin
March 2015–current

Tim Goodwin is a barrister, practising primarily in commercial and public law. He has a Master of Laws from Harvard Law School and is a member of the Indigenous Lawyers' Committee, the Commercial Bar Association of the Victorian Bar and a member of the Australian Association of Constitutional Law. He is a board member of the Australian Research Alliance for Children and Youth and a Trustee of the Reichstein Foundation and the Roberta Sykes Indigenous Education Foundation. Tim is a member of the Yuin people of the south-east coast of New South Wales.



Moana Weir
March 2015–current

Moana Weir is an experienced lawyer and board member, with 14 years' experience as company secretary and senior officer of ASX listed entities, as well as serving on the boards for V/Line Corporation and Melbourne Montessori School. At the senior management level, Moana has been responsible for corporate governance, sustainability management, legal and risk management, corporate communications and external reporting. She has a passion for driving real change and better outcomes in equal opportunity and human rights, including the areas of gender diversity and inclusion in the workplace.

Audit and risk committee

Megan Boston (Chair)
Abeselom Nega

Jeff Floyd

Jeff Floyd is the CEO of Strategic Advisory and Facilitation Services, a management and risk consulting business. He is an Adjunct Professor at Victoria University and has had a distinguished career as a CEO in both the public and private sectors; including extensive experience in Board and Audit Committee roles. Jeff is passionate about achieving equality of opportunity for all, and has a particular interest in the quality of public sector and not-for-profit governance.

Sue Madden

Sue Madden is an experienced finance professional with capability spanning commercial operations within the oil and gas industry, the not-for-profit cancer research sector, a publicly listed biotechnology company and recently the start-up of a subsidiary attached to a large water utility. Sue is experienced in the implementation of finance systems and processes as well as corporate governance, fiscal reporting and financial analyses. Sue is also a member of the Finance and Audit Committee of BreastScreen Victoria.

2015/16 highlights

Independent Review into Victoria Police

The Commission conducted an *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*. Phase one of the report was released in December 2015. The Review revealed how the impact of sexual discrimination and harassment has resulted in isolation and exclusion within the workplace for many members. Chronic under-reporting of incidences of sexual discrimination or harassment was also revealed with staff generally fearful of personal or professional repercussions that may stem from making a complaint or seeking support. The Review identifies actions to promote safety and equality, and includes recommendations and an action plan for Victoria Police, which we will independently monitor and report on over three years.

Easy English Guide to Reporting Crime

As part of ongoing work to implement the Commission's recommendations from *Beyond doubt: the experiences of people with disabilities reporting crime*, Victoria Police worked with the Commission to produce an Easy English resource on reporting crime. The resource aims to assist a range of audiences, particularly people with cognitive and communication disabilities, to understand their rights and how to report crime to police. The resource includes information on what a crime is, where a crime can occur, how to report a crime or make a complaint, and where to go for additional help and support. It represents a step forward for communication access and access to justice for all Victorians.

Report Racism

The Report Racism third-party reporting initiative completed its pilot phase on 31 December 2015, and continues to operate as the Commission consults with community members and partner organisations on the next steps for the project. An independent evaluation of the project showed that while the initiative has been well received by community members, significant barriers continue to prevent the Aboriginal community from reporting racism.

“This review demonstrates a very clear commitment to promote gender equality and prevent violence against women in Victoria Police’s ranks.”

– Kate Jenkins,
8 December 2015



Signs for Health: Improving Auslan and communication access in hospitals

Responding to concerns raised by the Commission's Disability Reference Group and other stakeholders, the Commission is developing an online resource, *Signs for Health*, to improve the use of Auslan and communication accessibility in Victorian hospitals. Consultations conducted in hospitals in metropolitan Melbourne and regional Victoria showed varying levels of awareness among hospital staff about their legal obligations to provide Auslan interpreters and the technologies available to assist with people who are deaf, hard of hearing and deafblind.

Disability Access Bench Book

The Commission is developing a *Disability Access Bench Book* with the Judicial College of Victoria (JCV). The book follows a recommendation to the JCV from the Commission's report, *Beyond doubt: the experiences of people with disabilities reporting crime*.

The first of its kind in Victoria, it provides detailed guidance for judges, magistrates and tribunal members on making adjustments for people with disabilities in courts and tribunals to ensure they can participate on an equal basis with others.

Equity and Diversity Review into CFA and MFB

The Commission is undertaking an independent review into equity and diversity within the Country Fire Authority (CFA) and Metropolitan Fire Brigade (MFB).

The Review will look at barriers and opportunities for building safe and respectful environments in both organisations and will consider the extent, nature and impact of discrimination, including bullying, and sexual harassment.

The Review's findings will inform specific recommendations for each organisation that take into account the different experiences of employees and volunteers. The recommendations will also take into account the type of work that people do and function they perform within each organisation. We will publicly report on the findings in mid-2017 and work with both organisations to implement any recommendations.



Photo courtesy of CFA

2015/16 highlights

Pride not Prejudice: LGBTI video series

Fifteen years ago sexual orientation and gender identity were included as protected attributes under the Equal Opportunity Act. In recognition of this, the Commission produced a video series to discuss the progress that has been made and the challenges that remain for LGBTI communities in Victoria. The first film in the series, *Pride not Prejudice: LGBTI and equal opportunity*, featured interviews with prominent members of Victoria's LGBTI communities, reminding us of the efforts to advocate for change and the work that is still to be done. Other films in the series, which was produced in partnership with Master of Media students from RMIT, have dealt with issues regarding Aboriginal members of the LGBTI community, healthcare and expunged homosexual convictions.

Charter Review update

The report on the Eight-Year Review of the Charter of Human Rights and Responsibilities was tabled in September 2015, making 52 recommendations to the Victorian Government. The Commission provided a submission to the review, including recommendations to provide education to public agencies about the Charter.

Following the Government's announcement of support for 42 of the 52 recommendations, the Commission will be working across the public sector to help create positive and enduring changes in organisations. The Commission also welcomes the support for a reference to self determination having a special importance for Aboriginal people of Victoria, as descendants of Australia's first people, in the preamble of the Charter.

More information about the Review is available at humanrightscommission.vic.gov.au/charter-review.

Complaints and Enquiries

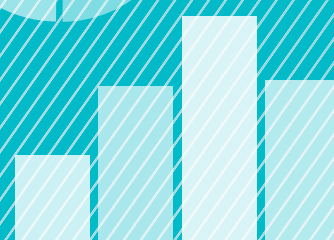
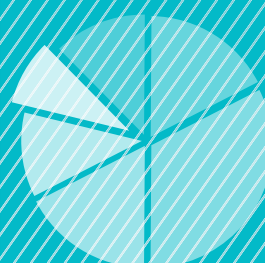
In 2015/2016 the Commission responded to 8170 enquiries made by the community for information and advice. Disability discrimination was the highest area of enquiry followed by race, sex, sexual harassment, age, carer/parental status and employment activity. The Commission accepted 865 complaint files for dispute resolution. The largest area of complaint was employment followed by goods and services, and education. Disability was the most frequent attribute in complaints of discrimination, followed by race, sex, sexual harassment, age, employment activity and physical features.



@VEOHRC

Commission welcomes
Charter Review
recommendations that
strengthen Victoria's
#humanrights culture:
<http://bit.ly/1iyhf9B>
[@Kate_Jenkins_](https://twitter.com/Kate_Jenkins_)

17 September 2015



About the Commission

Our laws

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body that reports to Parliament through the Attorney-General.

The Commission has responsibilities under three laws:

- *Equal Opportunity Act 2010*
- *Racial and Religious Tolerance Act 2001*
- *Charter of Human Rights and Responsibilities Act 2006* (the Charter).

The Equal Opportunity Act makes it against the law to discriminate against people on the basis of a number of personal characteristics or attributes. It also prohibits sexual harassment and victimisation.

The Racial and Religious Tolerance Act makes it against the law to vilify people because of their race or religion.

The Charter identifies 20 human rights applicable to all Victorians, and requires government and public bodies to consider these rights when making laws and providing services.

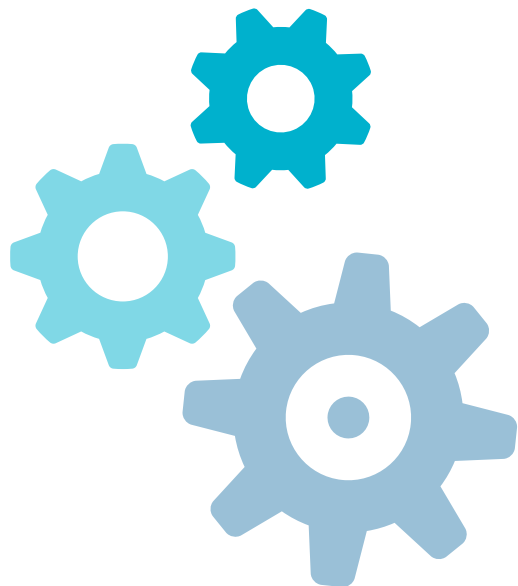


In some ways we are more tolerant, diverse, socially aware and more prepared to confront injustices than we have been. We see that through the royal commissions into family violence and sexual abuse. Victoria will open its first gay pride centre, police are committed to eliminating sexual harassment. Through social media parts of the citizenry are more active than ever. And yet from our vantage point we still see intolerance, unchecked biases, prejudice that manifests in shame, violence and poverty.

– Kristen Hilton,
Human Rights Law Centre Dinner, 2 June 2016

These Acts also allow the Commission to undertake a range of functions, including:

- promoting and advancing the objectives of these Acts and advocating for these laws
- informing and educating people about their rights and responsibilities under these laws
- helping people resolve disputes about discrimination, sexual harassment, victimisation, and racial and religious vilification
- undertaking voluntary reviews of programs and practices to help people and organisations comply with the law
- undertaking research to identify, understand and find solutions to systemic causes of discrimination and human rights breaches
- conducting investigations to identify and eliminate systemic discrimination
- intervening in court and tribunal proceedings that involve equal opportunity and human rights issues
- reporting to government about the operation of the Charter and about the Commission's education and research
- advising government on anything relevant to the Charter or discriminatory provisions of any Act.



Strategic Plan

Our 2014–16 *Strategic Plan* outlines the Commission's key priorities as targeted impact, systemic change and community engagement. Those priorities are defined as follows:

Targeted impact

We will work with people whose rights are being breached and the organisations that work with them.

Our priority groups will be:

- people experiencing racial and religious discrimination and vilification
- people with disabilities
- women.

Systemic change

We will work with employers, government and service providers to equip them to meet their obligations and drive systemic change.

Our priority areas will be:

- employment
- sport
- the justice system
- the public sector.

Community engagement

We will reach a wider audience of Victorians who have had little involvement with human rights and equal opportunity in the past by leading community conversation and empowering all Victorians to act.

We will continually monitor the priority areas and identify new areas of need.

Vision

Inspired by the laws we regulate and our statutory functions, our vision is for a community where every person values, understands and respects human rights and equal opportunity.

Mission

To achieve our vision, we work with others to eliminate inequality and build a community that respects and promotes human rights and equal opportunity.

Services

Commission services include:

- an Enquiry Line service available by telephone, email or webchat
- a free, fair and timely dispute resolution service
- online and printed information and resources about rights and responsibilities under Victoria's equal opportunity and human rights laws
- an education and consultancy service to equip corporate and community organisations and advocates with skills and knowledge to comply with human rights and equal opportunity laws and develop good practice
- reviews of programs and practices for public authorities to assess their compatibility with the Charter
- conducting reviews into the policies and practices of public authorities to promote best practice compliance with human rights and equal opportunity law
- advice on the development of action plans to help people comply with their obligations under the Equal Opportunity Act.



Structure

The Commission has a Board of Governance comprising up to seven members appointed by the Governor-in-Council on the recommendation of the Attorney-General. The Board is responsible for strategic direction and oversight.

The Commissioner is responsible to the Board for the day-to-day operation of the Commission. The Commissioner represents the Commission at significant events and is the primary spokesperson. The Commissioner, supported by the Director, Commissioner's Office, leads six units to deliver the work of the Commission:

Strategic Projects and Policy Unit

Provides policy advice and direction within the Commission and manages key strategic projects that identify and seek to address systemic discrimination and human rights issues. The unit also works in conjunction with the Legal Unit to conduct reviews into the policies and practices of public authorities to promote best practice compliance with human rights and equal opportunity law.

Dispute Resolution Unit

Manages the Commission's Enquiry Line, delivers free community information sessions about our services, coordinates our statewide community liaison program and runs our dispute resolution service, resolving complaints of discrimination, sexual harassment, vilification and victimisation through conciliation.

Legal Unit

Undertakes legal research and provides legal and policy advice (including submissions to government), oversees our intervention function, conducts public legal education seminars, develops legal resources for community use, and participates in legal forums and committees related to equal opportunity and human rights law. The unit also works in conjunction with the Strategic Projects and Policy Unit to conduct reviews into the policies and practices of public authorities to promote best practice compliance with human rights and equal opportunity law.



Education and Consultancy Services

Delivers the Commission's human rights and equal opportunity education through open enrolment programs, tailored workshops and organisational consultancy. Works extensively with community, corporate and government stakeholders to develop practical approaches to good human rights and equal opportunity practice.

Communications Unit

Develops and delivers information and resources through a range of targeted publications, community events and online information, supports our research and policy work, develops social media and communication campaigns to increase awareness and build compliance, and maintains a strong public voice on human rights and equality issues.

Corporate Services Unit

Shared with the Office of the Public Advocate, this unit underpins the Commission's success by providing support for the Commission's finance, human resources, information technology and office administration functions.

Environmentally sustainable workplace

The Commission is committed to minimising its environmental impact, and requires all staff to use office landfill and recycle bins, turn off lights when meetings are finished, turn off desktop computers and monitors at the end of the day, use recycled paper and to use the option of double-sided printing wherever possible. The Commission also provides compost bins for biodegradable waste, collects mobile phones and corks for recycling, and batteries for safe disposal.

Accessible policies, programs and services

The Commission is committed to implementing best practice in providing access to our services for people with disabilities.

Our building is accessible and we make sure people of all abilities can access our resources and events.

With guidance from our Disability Reference Group, some of the work we have done to ensure accessibility includes:

- achieving Communication Access accreditation from Scope
- providing communication boards at our reception and for use during conciliation sessions
- providing all publications in PDF and Word formats online
- ensuring the Commission's website uses W3C's Web Content Accessibility Guidelines with the goal of Triple-A compliance
- catering to clients who are deaf and hard of hearing through the National Relay Service and TTY and ensuring translation services are also available
- making our Enquiry Line service available through a variety of means, including web chat, phone and email
- ensuring Auslan interpreters attend all relevant events and information is provided in Auslan in videos on the website
- providing Braille-embossed business cards of Commission staff.

Disability Action Plan

The Commission's 2015–17 Disability Action Plan was launched in June 2015 and reflects our obligations under the *Disability Act 2006* by:

- reducing barriers to people with disabilities accessing the Commission's goods, services and facilities
- reducing barriers to people with disabilities obtaining and maintaining employment with the Commission
- promoting inclusion and participation in the community of people with disabilities
- achieving tangible changes in attitudes and practices that discriminate against people with disabilities.

The plan will also form part of the Commission's overall strategy of meeting its obligations under the Equal Opportunity Act, including the duty under section 15 of the Act to take steps to prevent and eliminate discrimination.

The Commission updates progress on the Disability Action Plan on the website at humanrightsccommission.vic.gov.au/about-us/disability-action-plan. A report card on the three main objectives can be seen below.

Disability Action Plan Report Card

OBJECTIVE: To reduce barriers to accessing the Commission's goods, services and facilities.

The six actions associated with this objective are all on track to be completed. One of the success measures, to gain Communication Access Accreditation, has been completed.

OBJECTIVE: To reduce barriers to obtaining and maintaining employment with the Commission.

One action associated with this objective, a staff survey, will commence in 2016. The remaining four actions are on track to be completed.

OBJECTIVE: To promote inclusion and participation in the community and achieve tangible changes in attitudes and practices that discriminate against people with disabilities.

One action associated with this objective, to extend the reach and impact of our education programs, will commence in 2016/17. The remaining four actions are on track to be completed.



Eliminating discrimination

The Commission is committed to eliminating unlawful discrimination. Our work is both preventative and responsive; we work across the community to develop systemic responses and also respond to individual complaints of discrimination.

Resolving complaints

Dispute Resolution and information service

The Commission provides a dispute resolution service under the Equal Opportunity Act and Racial and Religious Tolerance Act. We also manage enquiries about the application of the Charter.

The dispute resolution service is central to the Commission's role in protecting and promoting human rights. The Commission continues to adapt its dispute resolution service to ensure all Victorians have the opportunity to easily access information about their rights and obligations under our laws and to participate in dispute resolution.

In 2015/16 8170 people contacted the Commission's Enquiry Line and were provided with information about our laws and services. Approximately 4500 people participated in dispute resolution (complainants, respondents, representatives and support people). Dispute resolution is not just about resolving complaints, it is also an opportunity to educate and ensure outcomes are consistent with our laws.

Contact mode of enquiries by percentage 15/16

How Received	%
Telephone	71.0
Email	10.9
Web Form	10.1
Instant Message	3.5
Letter	3.3
In Person	1.1
Fax	0.1
Total	100.0%

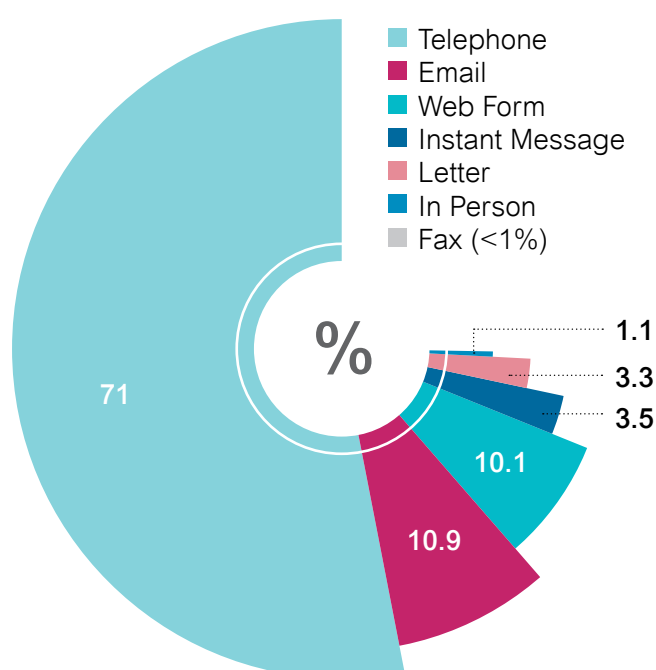
Enquiries

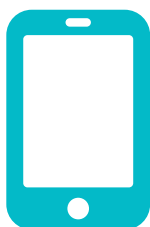
In 2015/16, the Commission received 8170 enquiries from people raising 11,823 issues.

In the past three years, the Commission received:

2013/14	9157 enquiries raising 13,101 issues
2014/15	9175 enquiries raising 13,877 issues
2015/16	8170 enquiries raising 11,823 issues

Disability was the highest area of enquiry, followed by race, sex, sexual harassment, age and carer status.





Enquiries received by contact mode past 3 years

How received	2013/14	2014/15	2015/16
Email	762	886	889
Fax	27	18	12
In person	92	96	88
Instant message	673	501	290
Letter	476	331	270
Phone	6384	6587	5799
Web form	743	756	822
Total	9157	9175	8170



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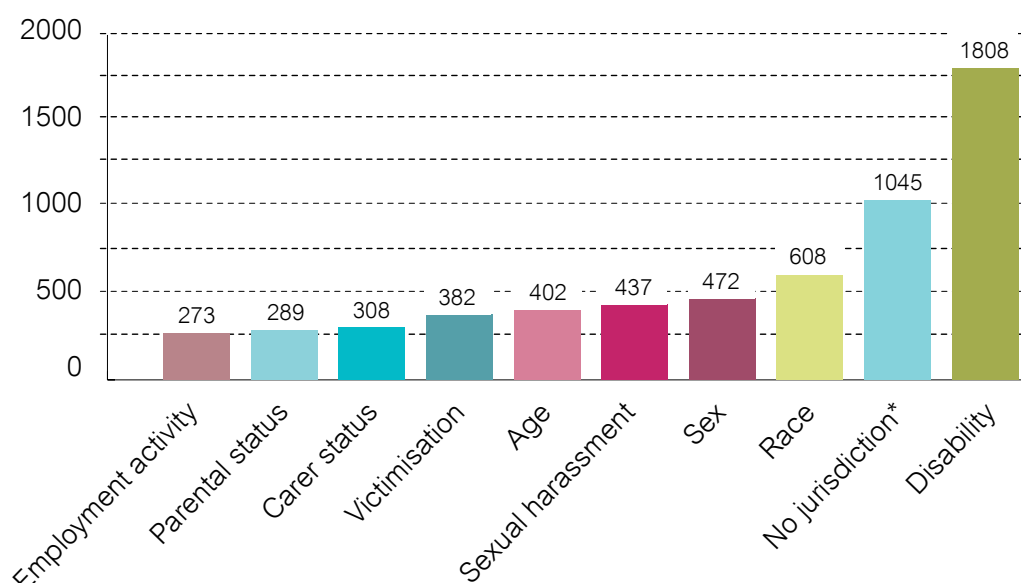
Check out our upcoming education and training public programs for HR, managers and employees:

<http://bit.ly/VEOHRCed>

3 Jul 2015



10 most common issues raised from enquiries for 2015/16



* Refers to issues raised that do not fall within the Commission's jurisdiction.

Issues raised from enquiries for 2013/14, 2014/15 and 2015/16

ISSUE	13/14	14/15	15/16	3 Yr Total
Age	461	500	402	1363
Authorising and assisting	63	63	30	156
Breastfeeding	37	30	27	94
Carer status	370	377	308	1055
Charter of Human Rights	158	264	157	579
Child protection	12	28	14	54
Court	35	86	70	191
Criminal record	55	62	39	156
Disability	2082	2178	1808	6068
Discriminatory Advertisement	24	7	3	34
Discriminatory information request	93	88	56	237
Education	38	46	13	97
Employment activity	533	387	273	1193
Employment Law	324	404	266	994
Family Court	25	28	28	81
Gender identity	59	72	59	190
Government - Federal	49	52	39	140
Government - Local	9	19	8	36
Government - State	25	20	12	57
Homelessness	7	9	4	20
Indigenous	1	20	2	23
Industrial activity	54	72	60	186
Information provided	3460	2779	3359	9598
Involuntary patient	48	42	30	120
Lawful sexual activity	57	26	30	113
Marital status	131	99	76	306
Media	25	37	6	68
No jurisdiction	606	1369	1045	3020
Parental status	333	358	289	980
Personal association	175	144	99	418
Physical features	287	271	243	801
Police	47	74	78	199
Political belief or activity	48	38	59	145
Pregnancy	190	159	140	489
Prisons	29	40	28	97
Privacy	29	27	17	73
Publications - Commission	80	171	81	332
Race	805	850	608	2263
Racial vilification	72	129	66	267
Religious belief or activity	193	233	181	607
Religious vilification	32	93	28	153
Sex	510	590	472	1572
Sexual harassment	540	542	437	1519
Sexual orientation	134	155	139	428
Tenancy	140	204	204	548
Training requests	51	82	42	175
Transport	2	2	0	4
Victimisation	541	518	382	1441
WorkCover	22	33	6	61
Total	13101	13877	11823	38943

Complaints

Complaints received

The Commission accepted 865 complaint files in 2015/16. Within these complaint files 2116 complaints were raised under the Equal Opportunity Act and Racial and Religious Tolerance Act. The complexity of a complaint file is reflected in the number of issues identified by complainants when they make a complaint. A complainant may allege more than one respondent has breached the law and claim one or more attributes are the basis for this unfavourable treatment. One or more areas of public life may apply to a complaint.

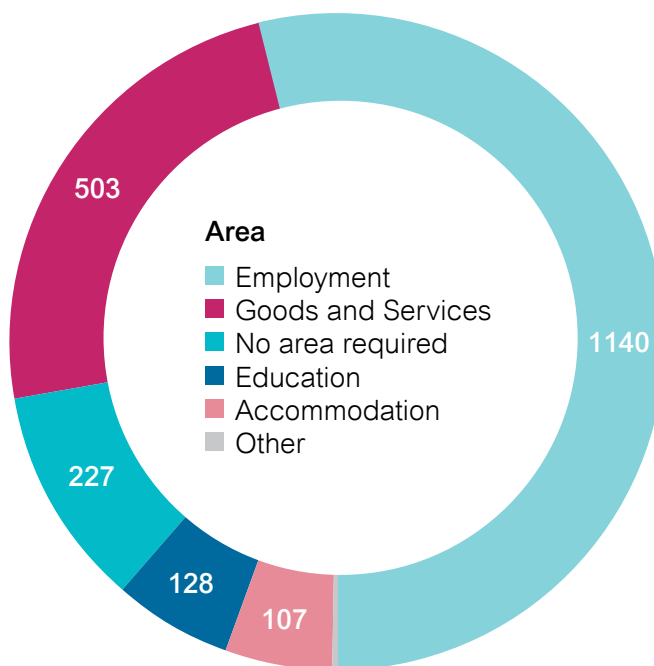
The Commission received the following number of complaint files in the past three years:

2013/14	1053 files raising 2718 complaints
2014/15	1060 files raising 2977 complaints
2015/16	865 files raising 2116 complaints

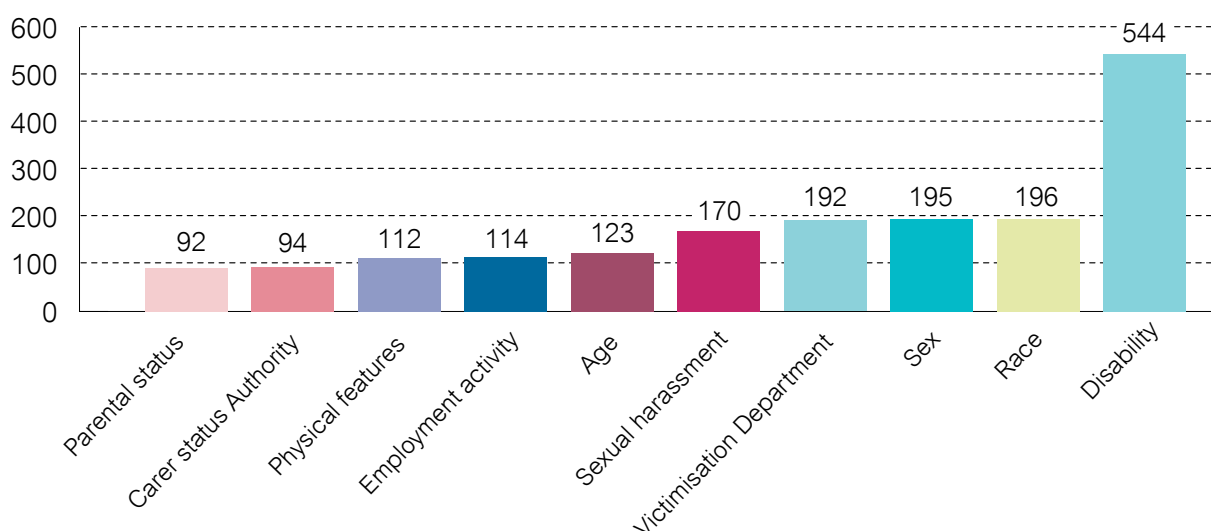
Employment was the most frequent area of complaint followed by goods and services and education. Disability discrimination was the most frequent attribute of complaint followed by race, sex, sexual harassment, age, employment activity, carer and parental status.

In 2015/16 there were 13 complaints received under the Racial and Religious Tolerance Act compared to 106 in 2014/15.

Complaints under the Equal Opportunity Act and Racial and Religious Tolerance Act by area for 2015/16



10 most common attributes of complaint under the Equal Opportunity Act and Racial and Religious Tolerance Act by attribute for 2015/16



Complaints under the Equal Opportunity Act and Racial and Religious Tolerance Act
by area and attribute for 2013/14, 2014/15 and 2015/16

ATTRIBUTE	AREA											
	Accommodation			Clubs			Education			Employment		
	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16
Age	8	15	7				5	2	4	77	90	83
Authorising and assisting												
Breastfeeding									3	6	1	5
Carer status	4	7	12			1	2	5	3	85	99	62
Disability	36	79	38	6	1	2	73	53	47	340	355	258
Discriminatory info. request												
Employment activity										210	188	114
Gender identity		1	1						2	1	9	1
Industrial activity										27	20	17
Lawful sexual activity	3	2								14	3	1
Marital status	6	4	6					1		29	21	10
Parental status	9	4	11			1		5	4	83	93	66
Personal association	2	5	4				3	3	1	19	23	9
Physical features		7					2	3	11	90	100	62
Political belief or activity										9	2	3
Pregnancy		1					1	1	3	43	35	33
Race	12	18	16	1			14	15	20	175	174	100
Racial vilification												
Religious belief or activity		3	1				2	5	16	21	39	22
Religious vilification												
Sex	3	2	7				6	4	8	110	184	130
Sexual harassment		1	3				9	1	1	185	170	138
Sexual orientation	7	3	1				1	1	3	16	61	25
Victimisation												
Total	90	152	107	7	1	4	118	99	126	1540	1667	1139

Complaints finalised

The Commission finalised 1096 complaint files in 2015/16.

The Commission finalised 80 per cent of complaint files within six months of receipt. Of all complaint files finalised 42.5 per cent were resolved. Finalised files also consist of those withdrawn by the complainant or respondent and where dispute resolution was not offered. Where conciliation was attempted 70 per cent of files were resolved. A customer satisfaction rating of 87 per cent was achieved by the Dispute Resolution Unit.

Racial and Religious Tolerance Act complaints by attribute

Attribute	13/14	14/15	15/16
Authorising and assisting	0	20	0
Racial vilification	14	45	9
Religious vilification	10	37	4
Victimisation	1	4	0
Total	25	106	13

AREA														
Goods/Services			Local Gov't			No area required*			Sport			Total		
13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16	13/14	14/15	15/16
45	36	29							5	2		140	145	123
						8	33	22				8	33	22
8												14	1	8
20	12	15									1	111	123	94
223	262	197	1						7	2	2	686	752	544
						16	12	5				16	12	5
2												212	188	114
10	5	6										11	15	10
1												28	20	17
1	1	5										18	6	6
15	5	8										50	31	24
12	9	9									1	104	111	92
35	41	22										59	72	36
22	17	39										114	127	112
7	4	5		1	2							16	7	10
1	6	2										45	43	38
90	98	60	2						2	2		296	307	196
						18	45	9				18	45	9
36	31	15		1						2		59	81	54
						19	37	4				19	37	4
41	31	49							2	14	1	162	235	195
11	10	28										205	182	170
11	9	12		1								35	75	41
						305	329	192				305	329	192
591	577	501	0	3	2	366	456	232	16	22	5	2731	2977	2116

* Complaints that relate to provisions of the Act(s) that do not require an area of public life to be claimed, that is, prohibited conduct that can occur in any context.

Complainant demographics

Complaints by individual complainants (two or more people may jointly bring a dispute to the Commission for dispute resolution) under the Equal Opportunity Act (EOA) and Racial and Religious Tolerance Act (RRTA).

Complainant demographics by Act

Complainant	EOA	RRTA	Total
Female	462	4	466
Intersex	1		1
Male	396	4	400
Total	860	8	867

Complaints by Act, attribute and gender 2015/16

Act	Attribute	Female	Female, Male*	Intersex	Male	No.
Equal Opportunity Act	Age	68			55	123
	Authorising and assisting	14			8	22
	Breastfeeding	8				8
	Carer status	67	2	1	24	94
	Disability	291		1	252	544
	Discriminatory information request	4			1	5
	Employment activity	76	2		36	114
	Gender identity	6		1	3	10
	Industrial activity	5			12	17
	Lawful sexual activity	5			1	6
	Marital status	14			10	24
	Parental status	68	2	1	21	92
	Personal association	24			12	36
	Physical features	61			51	112
	Political belief or activity	6			4	10
	Pregnancy	38				38
	Race	86	2		108	196
	Religious belief or activity	21			33	54
	Sex	131			64	195
	Sexual harassment	137			33	170
	Sexual orientation	5			36	41
	Victimisation	129			63	192
	Equal Opportunity Act Total	1264	8	4	827	2103
RRTA	Racial vilification	5			4	9
	Religious vilification				4	4
	Racial and Religious Tolerance Act Total	5	0	0	8	13
Total		1269	8	4	835	2116

* Related to two or more people who may jointly bring a dispute to the Commission for dispute resolution.

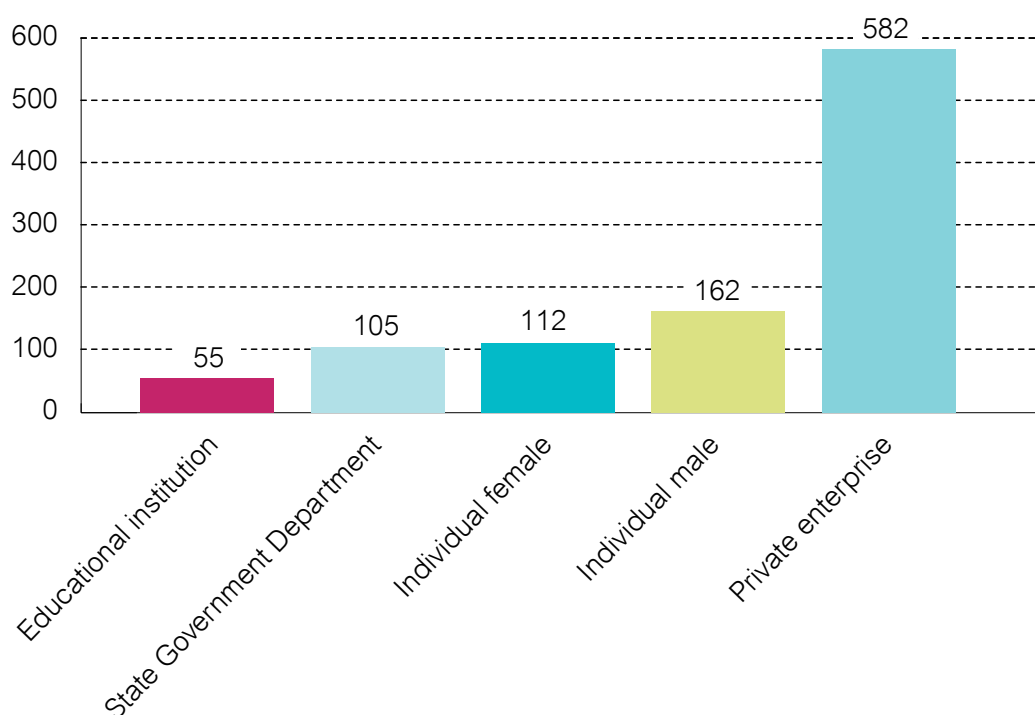
Respondent demographics

Complaints were made against a number of different types of respondents.

Respondent demographics type 2015/16

Respondent Type	EOA	RRTA	Total
Clubs/incorporated associations	5		5
Commonwealth Government Department	3		3
Educational institution	55		55
Government business enterprise	9		9
Individual female	112		112
Individual male	158	4	162
Local government	25		25
Not-for-profit non-govt org./non-educational religious org.	44	1	45
Other	12		12
Private enterprise	577	5	582
State Government Department	105		105
State Government Statutory Authority	9		9
Total	1114	10	1124

Respondent demographics – 5 most common types of respondent



Case studies of matters resolved through conciliation

Disability discrimination in employment

A complainant injured herself outside of work and provided her employer with two medical certificates, one from her own doctor and one from the independent doctor she was referred to by her employer. The medical certificates stated the complainant could return to work on reduced hours. On her return to work she was taken aside by her manager and told she could not return until she was fit for full-time duties, as they did not want to risk a WorkCover claim being made by her. The complainant was told if she did not want to wait the three months to fully heal, she could find other work.

When contacted by the Commission, the respondent denied the allegations but agreed to attend a conciliation conference. The complaint was resolved with an agreement to provide the complainant with a statement of service, undertake equal opportunity training for all managers of the organisation and pay \$25,000 compensation.

Disability discrimination in accommodation – assistance dog

A complainant made an appointment at a medical clinic that she had previously attended, and where staff knew she had an assistance dog. When she attended the appointment she was told she would have to reschedule as one of the medical staff was afraid of dogs. The complainant was upset that she had no opportunity to explain that her dog would not hurt anyone.

When contacted by the Commission, the respondent confirmed the complainant's experience and, while a staff member did have a fear of dogs, it appeared there was little exploration into how this may have been managed without inconveniencing the complainant. The respondent expressed concern at what had occurred and the complaint was resolved with the respondent providing a written apology and equal opportunity training to all staff.

Age discrimination in employment (recruitment)

A 50-year-old complainant sought employment through a recruitment agency. The recruiter told her she was too old for any administration jobs as companies were seeking younger workers. This caused the complainant to be anxious about her job prospects and she changed job providers.

When contacted by the Commission the respondent agreed to negotiate a settlement of this matter. The complaint was resolved for a written apology, equal opportunity training for all staff and \$500 financial compensation.

Sexual harassment in employment

A complainant, who was employed within the fashion industry, alleged her employer subjected her to unwanted sexual comments and frequently made inappropriate physical contact. The complainant left the job after the respondent allegedly said he would like to get her alone and kiss her.

When contacted by the Commission the respondent agreed to attend a conciliation conference. The complaint was resolved with an apology, equal opportunity policies and training for all staff, and \$25,000 financial compensation.





Carer status discrimination in employment

A complainant worked in retail and asked her employer for flexible work arrangements on her return from maternity leave. The complainant alleged she was denied the opportunity to return to her substantive position and that her employer required her to return to a junior role, as her substantive position had been filled. The respondent refused proposals she put forward for her return, so she resigned from her employment.

When contacted by the Commission the respondent agreed to attend a conciliation conference. The complaint was resolved with \$6500 financial compensation.

Race discrimination in employment

A complainant was employed in a restaurant as a kitchen hand and alleged that he was being bullied by co-workers. He also alleged he was verbally abused and physically hit, and that reference to his race was regularly made, accompanied by profanity. He left the workplace and lodged a WorkCover claim.

When contacted by the Commission the respondent agreed to attend a conciliation conference. The complaint was resolved with a statement of regret, equal opportunity training for staff and \$2000 financial compensation.

Pregnancy discrimination in employment

A complainant worked on a casual basis in the hotel industry and had worked for the respondent for two years. When she became aware she was pregnant she informed her manager. The complainant alleged that in the following weeks her manager's demeanour changed and the shifts she was offered were reduced and then ceased.

When contacted by the Commission the respondent agreed to attend a conciliation conference. The complaint was resolved with \$2500 financial compensation.

Disability discrimination in education

A complainant alleged that her son, who has Autism Spectrum Disorder, was being bullied by classmates. While the complainant acknowledged that her son's reactions to the bullying were often inappropriate, it was contended that he was the one being punished and little was done to prevent the bullying.

The complainant claimed the school did not understand her son's disability and that his individual learning plan, which was created when he commenced at the school, was not modified over the years. Her son was expelled from the school and had since enrolled at a new school.

When contacted by the Commission the respondent denied the allegations of discrimination but agreed to attend a conciliation conference. The complaint was resolved with a statement of regret and \$7000 financial compensation.

Systemic discrimination

The Commission uses its research and information powers to identify systemic and institutional practices that create the environment in which discrimination occurs. We focus on areas of work where we can bring a particular human rights and equal opportunity focus to issues affecting members of our community.

To ensure our work is relevant and practical we involve a broad range of community members and stakeholders to contribute to improved outcomes for the Victorian community.

Disability Access Bench Book

The Commission is developing a *Disability Access Bench Book* with the Judicial College of Victoria (JCV). This follows a recommendation to the JCV from the Commission's report *Beyond doubt: the experiences of people with disabilities reporting crime*.

The first of its kind in Victoria, the *Disability Access Bench Book* provides detailed guidance for judges, magistrates and tribunal members on making adjustments for people with disabilities in courts and tribunals, to ensure they can participate on an equal basis with others.

Set to be launched in 2016, the *Disability Access Bench Book* is informed by consultations with a range of stakeholders including people with disabilities, disability organisations, government and legal organisations.

A Steering Committee established at the Judicial College oversees the project, and comprises Judge Elizabeth Gaynor of the County Court, Magistrate Ann Collins, VCAT Deputy President Genevieve Nihill, Charlene Micallef, Office of Public Prosecutions and Phil Grano from the Office of the Public Advocate.

Male Champions of Change Victoria

Established in April 2015, Male Champions of Change Victoria is focused on a strategy of engaging influential men to step up beside women to take action to advance gender equality. In 2015/16 the group led conversations with both male and female employees in their organisations to identify the barriers that need to be tackled to advance women into positions of leadership.

The members are drawn from a wide range of fields including business, government, industry, the media, law enforcement, health and education. Together, they head organisations that make major economic, social and cultural contributions to our state, across Australia and internationally.

The Commission is proud to have been involved in the establishment of Male Champions of Change Victoria. Convened by Federal Sex Discrimination Commissioner Kate Jenkins, the group joined the newly incorporated national Male Champions of Change Institute in July 2016.

For more information visit
malechampionsofchange.com



@VEOHRC

@theheraldsun @Kate_Jenkins_
and Male Champions of
Change explain how we will
get gender equality to work,
<http://bit.ly/2b8wJ2G>

17 October 2015





Report Racism

Report Racism is a third party reporting initiative from the Commission in partnership with Victoria Police and the Victorian Aboriginal Legal Service and was launched in August 2014. Third party reporting allows an individual to report racism to a designated community organisation, known as a Reporting Place, as well as directly to the Commission or police.

The trial has focused on the Aboriginal community because research shows that this group experiences high levels of racism, which is very unlikely to be reported. Although Report Racism was primarily promoted to the Aboriginal community, the initiative accepted and responded to reports about racism toward any person in Victoria.

The Commission worked with the Regional Aboriginal Justice Advisory Committees to select Northern Melbourne (Cities of Yarra, Darebin and Whittlesea) and Shepparton (including Mooroopna) as the two trial sites. Report Racism was launched in Northern Melbourne in August 2014 and in Shepparton in February 2015.

Report Racism received 54 reports during the trial. Of these, 15 were from the trial regions, and the rest were from other parts of Victoria. Twenty-five of the reports were regarding racism toward Aboriginal people, and the remaining 29 reports were about racism toward non-Aboriginal people. Three of the reports resulted in charges being laid.

The Commission contracted an independent consultant, PricewaterhouseCoopers Indigenous Consulting, to evaluate Report Racism. Their findings show that, while the initiative has been well received by community members, significant barriers continue to prevent the Aboriginal community from reporting racism.

The trial phase of the project was completed on 31 December 2015, and the project remains active while the Commission continues to evaluate and consult with stakeholders to inform a sustainable model for Report Racism.

It is concerning to think that young people do not participate in sport because they fear experiencing exclusion, violence or harassment on the basis of their sexual orientation or gender identity, which has implications for their health and wellbeing.

– Kate Jenkins,
The Age, 22 January 2016

Fair go, sport! in schools

Fair go, sport! works to tackle the issue of homophobic and transphobic harassment, discrimination and exclusion in sport. In 2015/16 the Commission worked with three schools – Manor Lakes College, Buckley Park College and Overnewton Anglican Community College – to make them safer and more inclusive for same-sex attracted and sex and gender diverse students, primarily through sport and physical education.

The project was created as a response to research reports such as, *Come out to play: the sport experiences of LGBT communities in Victoria*, *Writing Themselves In 3*, the Equal Play study and the Inclusive Sport survey, which found that:

- 80 per cent of young people surveyed named their own school as the most common location for the abuse
- almost a third (32.3 per cent) of students experienced verbal harassment, with just under 30 per cent experiencing verbal abuse, in school-based sport.

To date seven schools in Victoria – Reservoir High School, Keilor Downs College, Whittlesea College, Castlemaine Secondary College, Buckley Park College, Manor Lakes College and Overnewton Anglican Community College – have used the Fair go, sport! approach of ‘five key principles’ to create safe and more inclusive school environments.

An independent evaluation of the program by La Trobe University found there was high level of engagement from schools and revealed a decrease in homophobic and transphobic language, increased respect of gender and diversity, and increased confidence in challenging homophobic and transphobic behaviour and language.

Signs for Health

Improving Auslan and communication access in hospitals

Signs for Health: Improving Auslan and communication access in hospitals

Signs for Health aims to improve the use of Auslan in Victorian hospitals, in response to concerns raised by the Commission's Disability Reference Group and other stakeholders.

Consultations conducted in hospitals in metropolitan Melbourne and regional Victoria showed varying levels of awareness among hospital staff about their legal obligations to provide Auslan interpreters and the technologies available to assist communication with people who are deaf, hard of hearing or deafblind. The project recommendations included developing online resources for hospital staff and patients, as well as promoting training for hospital staff and amending the Department of Health and Human Services Language Services Policy to provide more information on communication methods for patients who are deaf, hard of hearing and deafblind.

As part of the implementation phase of this project, the Commission is developing the *Signs for Health* website. The website will be launched in 2016 and provides:

- information for staff in Victorian public hospitals about their responsibilities under the Victorian Equal Opportunity Act and the Charter as well as general information about working with patients who are deaf, hard of hearing or deafblind
- information for patients who are deaf, hard of hearing or deafblind about their rights to Auslan interpreters and other communication access when they go to hospital.

The materials on the website will be available in Auslan and there will also be an Easy English resource for patients.

This project is supported by a Project Reference Group, including representatives from the Department of Health and Human Services, Vicdeaf, Deaf Victoria, Bendigo Health and the Royal Women's Hospital.





Increasing compliance and building good practice

We work with duty holders such as employers, service providers and government to equip them to meet their obligations, improve their practice and drive systemic change to eliminate discrimination.

Education and consultancy services

The Education and Consultancy Services unit delivers the Commission's human rights and equal opportunity education and training through open enrolment programs, tailored workshops and organisational consultancy. We work extensively with community, corporate and government stakeholders to develop practical approaches to good human rights and equal opportunity practice.

In 2015/16 the Commission delivered 355 education and training sessions to 5131 participants. This included 28 calendar sessions, and more than 300 tailored sessions and speaking engagements delivered to a range of organisations including private sector (30 per cent), government (47 per cent) and community (22 per cent).

More information, including online resources and a link to the training calendar, can be found at humanrightscmission.vic.gov.au/training, or to join our mailing list for calendar and training updates, please call us on (03) 9032 3415 or email education@veohrc.vic.gov.au.

Empowering the community

The Commission has worked with community leaders and community educators to develop content and resources that meet the specific needs of the vulnerable communities they aim to engage. Training sessions about human rights were delivered to these community leaders. The leaders are now equipped to deliver human rights education to their communities on a consistent and long-term basis.

Our work with rights holders extends to working with disability advocates, CALD communities including refugee and migrant women, community health advocates, and student unions.

Organisational Design

Through our project work with organisations, we facilitate behaviour shifts and changes in practice. This approach incorporates whole-of-organisation or systems-based approaches through planned, systemic, long-range efforts that concentrate on developing and embedding diverse and inclusive organisational processes and culture.

Working with government organisations

The Commission continues to lead Victoria in the provision of human rights and equal opportunity education and training to both duty holders and rights holders in numerous settings.

This year we worked with state government departments providing public housing, youth justice, policing, identity and relationship registration and key complaints handling bodies. We have worked with a range of local governments, from councillors to local laws officers. We provided regular induction programs, introduction and refresher sessions and leadership workshops for senior leaders in council.



Partnerships

Beyond Doubt implementation

The Commission is continuing its work with relevant organisations to implement recommendations from *Beyond doubt: the experiences of people with disabilities reporting crime*. Key activities and projects have included:

- participation in the Victoria Police Disability Portfolio Reference Group, where implementation from *Beyond doubt* report is a core standing agenda item. Victoria Police also continue to progress a range of initiatives under their Accessibility Action Plan, which incorporates the recommendations from *Beyond doubt*
- submissions to the Victorian Parliamentary Inquiry into Abuse in Disability Services, the Victorian Law Reform Commission review of the role of victims in the criminal trial process and to the National Disability Insurance Scheme (NDIS) quality and safeguarding framework
- participation in the advisory group for the Department of Health and Human Services funded project with Scope, 'Speak up to be safe from abuse', involving the development of training and communication tools to strengthen safeguards and protect people with limited communication from abuse in residential and service settings
- work with Victoria Police and the Judicial College of Victoria to produce the Easy English resource *Reporting crime: your rights* and a *Disability Access Bench Book* for judicial officers.



Equitable briefing initiative: achieving equitable representation of Victorian women barristers in commercial litigation

In 2015/16, the Commercial Bar Association of Victoria, the Federal Court of Australia, the Supreme Court of Victoria and the Commission worked with leading law firms, government bodies and private companies to create a groundbreaking initiative aimed at more equitable briefing of commercial barristers in Victoria.

Leading law firms and organisations have signed up to a three-year Charter of Commitment (2016–19) in a collective attempt to achieve gender equitable briefing practices in commercial litigation. The Charter of Commitment has six key actions, which aim to address some of the key barriers to achieving gender equitable briefing practices.

It is anticipated that as more firms and organisations become aware of the initiative, additional signatories will sign up to the Charter of Commitment. The initiative remains open to additional signatories.

ABOVE: Chief Justice of the Federal Court of Australia the Hon James Allsop, then Commissioner Kate Jenkins, Chief Justice of the Supreme Court The Hon Marilyn Warren, and President of the Court of Appeal the Hon Justice Chris Maxwell at the launch of the equitable briefing initiative.



Disability Reference Group

Since 2004 the Disability Reference Group (DRG) has provided guidance to the Commission on systemic discrimination and human rights issues for people with disabilities in Victoria. Co-chaired by the Commissioner and community advocate Liz Wright, the group includes members who have direct experience of disability, parents of children with disabilities, service providers and advocates. The DRG (pictured above at their final meeting) met three times in 2015/16.

The DRG identified travel and employment as priority areas to focus on, noting that access to health services, premises and education were also identified as key issues for people with disabilities in Victoria.

In the area of travel, DRG members provided advice to inform the Commission's submission to the Taxi Services Commission on the *Better Multi-Purpose Taxi Program (MPTP) Discussion Paper: Improving Transport for Victorians with Limited Mobility* (December 2015). In this submission, the Commission called for the MPTP eligibility criteria to be expanded to include people with a diverse range of accessibility needs, welcomed a review of incentives for licence holders of wheelchair accessible taxis, and recommended the introduction of a universal access pass that would enable people with disabilities access to taxis, public transport and disability parking permits.

Under the area of employment, DRG members also provided advice to inform a submission to the Australian Human Rights Commission *Willing to Work Inquiry* focused on the employment of people with disabilities. The DRG identified barriers to employment and

policies and programs to address these. Based on consultations with the DRG, the Commission made a number of recommendations to the inquiry, including:

- all employers should develop recruitment policies and practices that accommodate the needs of people with disabilities, including reasonable adjustments
- governments and peak industry bodies should deliver education programs for employers in government, private and community sectors regarding their legal obligations under anti-discrimination legislation and government initiatives available to support employment of people with disabilities
- both Australian and state governments should show stronger leadership by actively employing people with disabilities within the public service.

DRG members for the 2014–16 term were: Liz Wright (co-Chair), Peter Adams, Denise Allen, Thomas Banks, John Baxter, Trevor Carroll, Julie Debeljak, Dorothy Docherty, Frank Hall-Bentick, Kirrily Hayward, Tyrell Heathcote, Pradeep Hewavitharana, Sam Jackson, Liz Kelly, Suzanne Lau-Gooey, Dennisse Luna, Susan Stork-Finlay and Trudy Ryall.

The 2014–16 term concluded in June 2016, and recruitment is currently under way for the next group.

Consultation across government and community

The Commission participates in a range of consultative committees across government and community services.

There are a number of formal consultation mechanisms with key government departments and agencies. These forums progress action on systemic issues as well as collaborating on guidance, education and complaint handling improvements.

Some of these government and community consultative committees include:

- Aboriginal Justice Forum
- Australian Council of Human Rights Agencies
- Department of Education and Training and Victorian Equal Opportunity and Human Rights Commission Consultative Committee
- Federation of Community Legal Centres, Human Rights Working Group
- Gender and Disability Workforce Development Advisory Group (Women with Disabilities Victoria) – oversees the development of the gender and disability workforce development project
- Koori Women's Diversion Project
- Migrant Workers Campaign Steering Group
- Play by the Rules – a partnership with the Australian Sports Commission and other human rights commissions providing free online resources, training programs and campaigns promoting fair, safe and inclusive sport
- Public Transport Victoria and Victorian Equal Opportunity and Human Rights Commission Consultative Committee
- Safeguarding children in Victorian sport (VicSport) – Advisory Committee for Child Protection Issues In Sport
- Taskforce 1000 Steering Committee – a collaborative committee seeking to improve outcomes for Aboriginal children and young people.
- Taxi Services Commission Consultative Committee

- Victoria Police and Victorian Equal Opportunity and Human Rights Commission Consultative Committee
- Victoria Police External Education Advisory Group
- Victorian Public Sector Network on Disability
- Y Respect Gender (YMCA) – exploring workplace-based pilot interventions to promote equal and respectful relationships between men and women.

Victorian Public Sector Human Rights Network

The Victorian Public Sector (VPS) Human Rights Network aims to provide information, ideas and networking opportunities to public sector employees who are interested in applying human rights in their work. Membership is targeted at public sector workers with an interest in human rights – state government, statutory agencies, local government – or other organisations delivering public services that have obligations under the Charter. The VPS Human Rights Network currently has more than 500 members. The Commission distributes a regular VPS Human Rights Network update by email to members.



@VEOHRC

Work in the Victorian Public Service? Join our VPS Human Rights Network!

Latest issue out now:
<http://bit.ly/1h19bfR>

28 September 2015



Independent Reviews

Under section 151 of the Equal Opportunity Act and section 41(c) of the Charter, the Commission is empowered to conduct compliance reviews of policies and procedures. The Commission conducts reviews on the request of an organisation or public authority, and can agree on the terms and conditions of the review with them as appropriate to their situation. Under both Acts, the compliance review function allows the Commission to determine compliance with the law and to work with organisations to help them understand their obligations, provide guidance and improve their policy and practice accordingly.

Any organisation or public authority wishing to undergo an Equal Opportunity Act and/or Charter review can contact the Commission via email at information@veohrc.vic.gov.au.

Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police

At the request of the Chief Commissioner of Victoria Police, the Commission conducted an *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*. The Phase One Report was released in December 2015.

The Review heard from more than a third of Victoria Police employees, and the survey was undertaken by more than 5000 people, making it one of the largest surveys of workplace sexual harassment ever conducted in the world. The information gathered through the data, including interviews, site visits, workforce and complaints data, written submissions and the survey, informed the development of evidence-based recommendations and an action plan for Victoria Police.

The Review found that both sexual harassment and sex discrimination are widespread and significant across Victoria Police. It also found an entrenched culture of 'everyday sexism' and a high tolerance for sexual harassment and sex discrimination. The lifetime prevalence of sexual

harassment for female survey participants was 40 per cent and one in five reported that their sexual harassment started in Victoria Police in the past five years. The Review also found a heightened risk of harassment and discrimination of gay men and lesbian women.

The recommendations focus on improving safety and equality in Victoria Police through mutually reinforcing strategies and initiatives in recruitment, retention and promotion, education and knowledge development, management and performance, complaints processes, victim safety, in governance, and the external context in which Victoria Police functions.

Victoria Police Chief Commissioner Graham Ashton committed to implementing all of the recommendations and has established a dedicated Command to guide the implementation of the action plan.

The Commission, led by an Expert Panel chaired by the Commissioner, will independently monitor and report on Victoria Police's implementation of the action plan over the next three years.

Following the Phase One Report, both the Commission and Victoria Police were asked to sit on the reference group for the South Australian Equal Opportunity Commission's Review into Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police.



Equity and Diversity Review into CFA and MFB

In July 2015 the Victorian Minister for Emergency Services commissioned Mr David O'Byrne to review and make recommendations concerning the resourcing, operations, management and culture of Victoria's Metropolitan Fire and Emergency Services Board (MFB) and Country Fire Authority (CFA).

The review made 20 recommendations, including:

that the fire services take the lead in advancing the sector's collective effort to increase diversity in the sector, through making a genuine and public commitment to understanding and addressing harassment and discriminatory practices and behaviours in their organisations, and launching a process for doing so. (Recommendation 7).

In March 2016, the Victorian Government responded to the review report, advising that the Victorian Equal Opportunity and Human Rights Commission would undertake an independent review to examine discrimination, including bullying based on a protected attribute, and sexual harassment in the MFB and the CFA.

The review was launched on 26 July 2016 and will be conducted under section 155 of the Equal Opportunity Act. This will include any relevant research under section 157 of the Equal Opportunity Act.

The Review methodology will build on the learnings from the Australian Human Rights Commission's Review into the Australian Defence Force and the Commission's Independent Review into Victoria Police.



Photos courtesy of MFB and CFA



Building community awareness

We reach a wide audience of Victorians who may have had little or no engagement with human rights and equal opportunity by leading community conversations and empowering all Victorians to act.

Resources

The Commission produces resources across a range of different media to equip community members, employees, employers, government, business and service providers with the knowledge to advocate for rights, achieve compliance and develop good practice.

Publications

The Charter of Human Rights and Responsibilities: Local Government and the operation of the Charter in 2013/14

As the level of government most closely connected to the community, councils have a vital role to play in promoting and protecting the human rights of people in Victoria.

The 2014 *Local Government Report* looks at the implementation of human rights in local government planning and decision-making, and the outcomes it helps achieve for communities across the state.

The Commission received 77 survey responses out of 79 councils, which represents 97 per cent of local government in Victoria.

The survey showed that many councils have started to embed human rights into their day-to-day business, and have a deeper understanding than before of how their work affects the human rights of their communities.

However, the survey also identified that a number of councils lack resources and capability to ensure that consistent training is given to councillors and staff to understand and comply with their Charter obligations, and give them skills to build a human rights culture in their day-to-day activities.

The Commission has made a number of recommendations for local and state government which are outlined in the report.

Charter Report

The Commission has prepared its *2015 Report on the operation of the Charter of Human Rights and Responsibilities*. The report examines how the Charter operated in the work of public authorities, the courts and tribunals, in parliament and in the community in the 2015 calendar year.

The 2015 report focuses on the protection and promotion of fundamental Charter rights, including the right to equality, the protection of families and children, cultural rights, and the right to liberty and security. The report will be published in October 2016.





Easy English guide – Reporting crime: your rights

The Commission worked with Victoria Police and Scope to produce an Easy English resource on reporting crime. The resource was developed with input from a range of stakeholders and includes information on what a crime is, where crime can occur, how to report crime, rights when reporting crime and where to go for additional help and support. The resource forms part of Victoria Police's ongoing work to implement the Commission's recommendations from *Beyond doubt: the experiences of people with disabilities reporting crime* to improve communication accessibility and to gain and maintain Communication Access Accreditation according to the advice of Scope.

Online

The Commission's website, humanrightscommission.vic.gov.au, hosts information and tools to equip community members, employees, employers, government, business and service providers with the knowledge to advocate for rights, achieve compliance and develop good practice. In addition to online toolkits, surveys and registrations for workshops and events, the site also provides versions of all Commission publications in accessible formats, including videos of information on discrimination in Auslan.

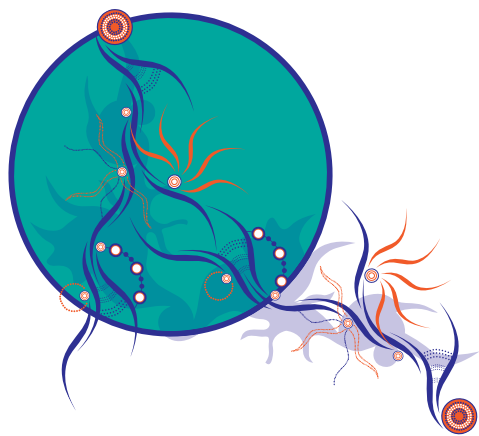
Total visits to the website in 2015/16 were 476,350, which was 22 per cent more than the previous year. The most viewed information was relating to discrimination in the workplace, the Equal Opportunity Act, the Charter, sexual harassment and victimisation.

Anti-Hate

The Commission continues to use the Anti-Hate campaign to renew calls for members of the community to report instances of racism and discrimination, and to empower people with constructive ways of challenging such behaviour when they encounter it.

The Anti-Hate website, antihate.vic.gov.au, has been viewed more than 130,215 times since its launch in September 2012. The public continues to engage with the tools and resources available to help them address racism in their own environments.





Aboriginal Cultural Rights Project

The Commission is developing new online resources to increase the awareness, understanding and use of Aboriginal cultural rights under the Charter.

Although Aboriginal cultural rights are protected under the Charter, preliminary evidence suggests they are rarely raised in courts or tribunals, used as an advocacy tool by Aboriginal people, or used as an engagement tool by public authorities. This project aims to increase awareness and understanding of Aboriginal cultural rights so they are used as part of everyday interactions between public authorities and Aboriginal Victorians.

This resource is currently in development and will be launched in 2016.

Project initiatives

From the initial consultation in 2015 a number of initiatives were identified to raise awareness, understanding and use of Aboriginal cultural rights with both public authorities and the Aboriginal community. The Commission is currently working to develop content that includes:

- a dedicated website on Aboriginal cultural rights in Victoria that aims to be informative, interactive and engaging
- a range of educational resources
- practical case studies that demonstrate the use of Aboriginal cultural rights in practice
- targeted work with organisations where there is an opportunity to engage with key stakeholders to provide guidance or raise awareness of the Charter
- educational content targeted at public authorities.

The Commission will continue to work with key stakeholders to ensure all resources are effective, accessible and meaningful for the intended audiences.

My Work Rights: information for women at work

The My Work Rights project aims to raise awareness of women's rights at work. First launched in 2011, the project is targeted at young women, based on our research which showed that:

- a third have experienced workplace sexual harassment
- more than a third have been discriminated against at work.

We also discovered that young women often don't make a complaint about discrimination or sexual harassment at work. They are more likely to resign.

We relaunched the website on International Women's Day (8 March 2016) and broadened the scope to include all women at work.

The website, myworkrights.com.au, helps people identify discriminatory behaviour, providing mixed media examples of behaviour that is against the law, plus links to more information and resources.

Come In, We're Accessible: improving accessibility in retail and hospitality

In 2014 the Commission launched the Come In, We're Accessible online resource which provides information to businesses – owners, landlords, managers and staff – on how they can improve accessibility to meet their obligations under the Equal Opportunity Act. The resource includes a self-assessment tool that enables businesses to find out how accessible they currently are, as well as a suite of fact sheets for staff and resources for customers with disabilities. Throughout 2015/16 the Commission has continued to meet with local councils and businesses across Melbourne to raise awareness about accessibility for people with disabilities.

The resource is available at accessiblebusiness.com.au.



Play by the Rules

Play by the Rules provides information, resources, tools and free online training to increase the capacity and capability of administrators, coaches, officials, players and spectators to assist them in preventing and dealing with discrimination, harassment, child safety and integrity issues in sport.

The Commission is a partner in this national program and is represented on the management committee and national reference group.

Member Protection Information Officers play an important role in sport. They provide information and guidance on complaints procedures – they are the ‘go-to’ people if you want to discuss problems at your club or association, particularly if you are considering making a formal complaint.

Play by the Rules offers training for Member Protection Information Officers that includes a face-to-face component and online training. With funding from Sport and Recreation Victoria, the Commission provided five face-to-face workshops in 2015/16.

Visit playbytherules.net.au to see the resources we have available to address discrimination, harassment and child protection issues in sport.



Video resources

Pride Not Prejudice

Initiated by the Commission's LGBTI Cross Commission Working Group, the *Pride Not Prejudice* video series was produced as an opportunity to reflect on 15 years since the inclusion of sexual orientation and gender identity as protected attributes under the Equal Opportunity Act.

Interviews were filmed with more than 30 people who were able to speak on different issues affecting the LGBTI community, including law changes, healthcare, different cultural perspectives and the expungement of historical homosexual convictions.

Four films have been released to date. These include:

- LGBTI and Equal Opportunity
- LGBTI and Aboriginal Identities
- LGBTI and Expungement
- LGBTI and Health Care

This project was undertaken in partnership with RMIT Master of Media students, who were invited to create a short film on this topic under guidance from the Commission.

These films are all available on YouTube and have been promoted through social media.

Human rights are ...

Seeking to engage the community on the issue of human rights, the Commission filmed students from Clifton Hill Primary School, Melbourne Girls' College and Fitzroy High School to ask them what human rights mean to them.

The responses of the students showed a varied degree of knowledge about human rights, but also showed that certain principles are almost universally understood. The candid responses proved immensely popular with the community, and to date the short films have been viewed more than 15,000 times on social media platforms.

Engaging with the community

Events

Community engagement is a vital part of the Commission's work, and events and other related activities present valuable opportunities to educate the community about our work and to also form and strengthen connections with stakeholders. In 2015/16, the Commission hosted and staff attended a wide variety of events.

Public events hosted by the Commission

Human Rights Oration

The Human Rights Oration is the Commission's premier event each year, and in 2015 we were honoured to host Dr Anita Heiss as she delivered her speech, *Homelessness, Homelands, Human Rights* on Tuesday 10 December, International Human Rights Day.

Dr Heiss's speech was an in-depth look into how human rights issues relate to the concept of 'home', be it with regard to people who are homeless in urban areas, or in relation to the homelands of Aboriginal and Torres Strait Islanders throughout Australia.

The 2015 Human Rights Oration was the first to be streamed live over the internet, and a transcript of the speech, as well as a video supported with an Auslan interpreter, can be found on the Commission's website at humanrightscormission.vic.gov.au/oration.

Aboriginal Cultural Rights: a human rights framework

A conversation with then Commissioner Kate Jenkins and Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda. Commission board member Tim Goodwin introduced the discussion. This event was held on 21 July 2015 in partnership with the University of Melbourne.

Accelerating Change: reflections on four decades of equal opportunity and human rights issues in Victoria.

A discussion aimed at identifying how agencies and organisations across sectors can work collaboratively and strategically in advocating for equality and recognition of human rights for all Victorians, the Accelerating Change panel was comprised of former Victorian Premier the Hon John Cain, former Chief Commissioner of Victoria Police Ken Lay and Chair of Our Community, Carol Schwartz, in conversation with then Commissioner Kate Jenkins.

International Day of Older Persons Breakfast

In partnership with Council on the Ageing (COTA) Victoria, the Commission organised the 2015 International Day of Older Persons Breakfast, presented under the theme of "60, there's still work to do!"

Moderated by Dr Sally Cockburn, the panel included The Hon John Cain; Chairperson of ABC Advisory Council Andrea Hull; Non-Executive Director at Commonwealth Bank Harrison Young; Principal of Worowa Aboriginal College Lois Peeler; and Chairperson, Adult Parole Board, Peter Couzens.

The breakfast was held on 6 October 2015 and was attended by 300 people.

Pride Not Prejudice Premiere

To launch the *Pride Not Prejudice* film series, the Commission held an event at Treasury Theatre on 28 January 2016 that included a screening of the first film in the series as well as a panel discussion on LGBTI issues. The panel included prominent members of the community who had been interviewed for the project, including Gender and Sexuality Commissioner Rowena Allen, Executive Director of Transgender Victoria Sally Goldner, President of Ygender Sam Lior Lilit, and former co-convenor of the Victorian Gay and Lesbian Rights Lobby Janet Jukes.



CLOCKWISE FROM ABOVE LEFT:

International Day of Older Persons Breakfast; Aboriginal Cultural Rights: a human rights framework; International Day of Older Persons Breakfast; Dr Anita Heiss delivers the Human Rights Oration; some of the Commission's badges and fridge magnets at the Victorian Multicultural Festival; Accelerating Change: reflections on four decades of equal opportunity and human rights issues in Victoria; the launch of the *Pride Not Prejudice* film series.





Public events supported by the Commission

Report Racism Round at Goulburn Valley Football League

The Report Racism-themed round, hosted by the Goulburn Valley Football League in July 2016, included a feature match between Shepparton Swans and Kyabram at Princes Park in Shepparton. The match was introduced with a Welcome to Country from Auntie Ella Anselmi and featured a speech from Victoria Police Superintendent Mick Sayer. Umpires at Princes Park and at five other matches throughout the region wore Report Racism uniforms for the round, in order to promote the initiative and prompt community discussions about racism.

Midsumma Festival and Pride March 2016

The Commission's ongoing attendance at Midsumma Festival in January, including Pride March, again proved a colourful highlight for the year. Staff were kept busy at the Midsumma Carnival, giving information on the Commission's services to many of the 100,000 people in attendance. Once again, the Commission's rainbow Frisbees proved one of the more popular pieces of memorabilia for attendees to take home with them.

A large contingent of Commission staff as well as family and friends again took part in the Pride March, which saw thousands of people lining Fitzroy Street in St Kilda to cheer on and show their support for the LGBTI community.

ABOVE LEFT: Director, Commissioner's Office Catherine Dixon, Commissioner Kate Jenkins and Board members Josef Szwarc and Colleen Pearce at Pride March. **ABOVE RIGHT:** Commission staff join umpires for the Report Racism Round at Princes Park in Shepparton.



Unleashed Festival

Unleashed is the Foundation of Young Australians flagship annual event which was billed as the largest social change festival in Australia that targeted young people. The Commission participated in the Changemaker Marketplace which showcased an array of social ventures and change-making organisations. The Marketplace was held on 26 September 2015.

Multicultural Festival

Once again the Commission participated in Victoria's Multicultural Festival, an event presented by the Victorian Multicultural Commission as part of Cultural Diversity Week, during which hundreds of events were held across the state to celebrate Victoria's cultural, religious and linguistic diversity.

Community events/engagements

- Art of Belonging Conference 2015 organised by Belonging Matters on 27–28 August 2015
- CARE Melton Expo organised by City of Melton on 15 October 2015
- Darebin Seniors Expo organised by City of Darebin on 16 October 2015
- Legal Laneways Breakfast on 3 February 2016
- Our Choice Expo at the Having a Say Conference 2016 organised by Victorian Advocacy League for Individuals with Disability (VALID) on 12 February 2016
- Law Week – panel presentation on 20 May 2016 hosted by the Migrant Resource Centre (North West Region) at the State Library of Victoria
- The Long Walk community event at Federation Square on 28 May 2016

Connecting

Media

The external media remains a key platform for raising public awareness and advocating for a broad range of human rights and discrimination issues that affect Victorians.

Over the past year, we have continued to build the profile of the Commission through proactive media engagement in order to reinforce the Commission's reputation as the leading voice on human rights and equal opportunity issues. Access to the media also extends our reach to as many Victorians as possible to ensure that they are aware of the work of the Commission and how we can help.

Some issues which we have commented on include: the Commission's *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*; issues of racial and religious intolerance in the community; equal opportunity reforms which benefit our LGBTI community; and addressing the systemic discrimination faced by people with disabilities.

Media releases and public comment, including opinion pieces by the Commissioner are available on our website at humanrightscommission.vic.gov.au.



Social media

The Commission continued to build its social media presence in 2015/16, engaging with the community across a number of platforms. With accounts on Facebook, Twitter, LinkedIn and YouTube, we have been able to broaden our reach to the community.

The two most active accounts are Twitter and Facebook. Our Twitter followers increased by 41 per cent over the year, growing to 3981. Facebook page likes grew by 2270 to 3968.

This year saw the Commission take advantage of new opportunities online, including live streaming of the Human Rights Oration. This, in addition to live tweeting and an event hashtag, saw the Oration trending as the number one topic in Australia on Twitter.

The launch of our first *Pride not Prejudice* film series and accompanying panel event in January 2016 attracted significant social media attention and helped us grow the audience for the series of short films, released over subsequent months.

Our most successful post of the year was the first *Human Rights Are ...* video which was viewed more than 15,000 times on Facebook and YouTube.

In addition to using social media to share Commission news and resources, we have found that some people use it as a first point of contact to make complaints or enquiries. Staff monitoring our accounts are then able to direct these people to our enquiries and dispute resolution staff.

The Commission's social media accounts are:

- Facebook facebook.com/veohrc
facebook.com/rvveorhc
- Twitter [@veohrc](https://twitter.com/veohrc)
[@kristenahilton](https://twitter.com/kristenahilton)
- YouTube youtube.com/veohrc
- LinkedIn bit.ly/LI_veohrc

Informing

Commission eNews

The Commission produces a monthly eNews bulletin that provides information on our strategic projects, training services, new developments and resources and news from our community. The eNews currently reaches almost 1000 subscribers across Victoria and new subscribers can join the list by emailing communications@veohrc.vic.gov.au.

Each issue includes a spotlight on a particular area or issue related to the Commission's work and a profile story from a relevant person of interest, as well as news and updates on work from the Commission and in the Victorian community. Interview highlights from 2015/16 include:

- Rowena Allen, Victorian Commissioner for Gender and Sexuality
- Peter Couzens, Chairperson of the Adult Parole Board
- Tina Hosseini, Youth Commissioner for the Victorian Multicultural Commission
- The Hon Tony Pagone, Judge, Federal Court of Australia
- Anna Brown, Director of Advocacy, Human Rights Law Centre
- Helen Kapalos, Chairperson of the Victorian Multicultural Commission
- George Taleporos, Manager of the Youth Disability Advocacy Service
- Antoinette Braybrook, CEO of the Aboriginal Family Violence Prevention and Legal Service

Information on the Commission's eNews and other newsletters can be found on the Commission's website at humanrightscommission.vic.gov.au.



Rights Yarn Up

Rights Yarn Up is the Commission's newsletter focused on key issues in the Victorian Aboriginal community. The resource contains news, interviews, information on events and other resources related to the work of the Commission and Aboriginal community groups.

Training updates

The Commission sends a regular newsletter to subscribers to keep them informed about upcoming training events as well as all the latest news in equal opportunity and human rights education.



Advocating for our laws

The Commission advocates for human rights and equal opportunity by influencing the development and application of the law, reporting on compliance and engaging in government policy processes.

Influencing case law

The Commission's right to intervene

The Charter and the Equal Opportunity Act provide the Commission with a right to intervene in legal proceedings initiated by other parties.

Under the Charter the Commission may intervene in any proceeding that involves the application of the Charter. The Victorian Attorney-General also has the power to intervene in proceedings that involve the application of the Charter.

Under the Equal Opportunity Act the Commission may intervene in proceedings that involve issues of equal opportunity, discrimination, sexual harassment or victimisation, with the permission of the Court or the Victorian Civil and Administrative Tribunal (VCAT). The Equal Opportunity Act requires applicants seeking exemption from the Act to give a copy of the application to the Commission.

The purpose of the Commission's power to intervene is to be an independent advocate in relation to the interpretation and application of the Charter and the Equal Opportunity Act. In its interventions, the Commission aims to promote the protection of human rights and eliminate discrimination, sexual harassment and victimisation to the greatest possible extent.

Interventions under the Charter

In 2015/16 the Commission was notified of 26 proceedings raising questions relating to the application of the Charter.¹ One of these matters was resolved prior to hearing.

The Commission intervened in four proceedings in 2015/16.

***Re Melissa* (An application in the *parens patriae* jurisdiction of the Supreme Court) (July 2015)**

The Commission intervened in an application by the Department of Health and Human Services (DHHS) to lock the residence of a teenage girl in DHHS's care and custody in order to protect her safety. The *Children, Youth and Families Act 2005* regulates when and for how long a young person in state care can be detained. Because it did not authorise the proposed locking of the residence, DHHS had to apply for a court order. The Commission made submissions on the application of the Charter in this case, in particular that the court must consider whether the orders are compatible with the young person's right to liberty and right to protection that is in her best interests as a child.

The impact of the intervention was that these human rights were taken into account by the court, which considered whether the limitations on the young person's right to liberty were reasonable and demonstrably justified and what safeguards should apply to guard against unreasonable interference with her rights.

At a hearing in March 2016, the Supreme Court set aside the orders authorising the locking of the residence, after DHHS communicated that they were no longer necessary nor in the young person's best interests. The Supreme Court will publish a written decision in due course.



¹ This includes formal notification of Supreme Court and County Court proceedings under section 35 of the Charter and informal notification of proceedings in other courts or tribunals.

Review Decision A72/2015 – decision on publication (Police Registration and Services Board) (December 2015)

The Commission was invited to intervene and make written submissions on the application of the Charter in a Police Registration and Services Board proceeding related to the publication of details in a police discipline decision.

An issue arose about the Board's consideration of human rights in making a decision under the *Victoria Police Act 2013* on whether to publish details that could identify a victim or witness to police misconduct of a sexual nature in a police disciplinary decision.

The Commission's written submissions identified human rights that the Board was required to consider in making its decision, including the rights of victims and witnesses to privacy and security, and the right of a person to a fair hearing before the Board. The Commission also referred to its *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police* to highlight the real risk that identifying information can pose to complainants and witnesses of sexual harassment, and how this can deter future complaints.

The impact of the intervention is that the Board took these human rights into account in making its decision not to publish details that could identify the complainant. The decision has significant implications for the future application of the publication provisions in the *Victoria Police Act*.

Department of Health and Human Services v FH & SH & RH (Children's Court) (February 2016)

The Commission intervened in this proceeding in the Children's Court which raises an issue about the interpretation of the word 'parent' in the *Children, Youth and Families Act 2005* in a way that is consistent with the Charter rights to equality and the right of a child to such protection that is in the best interests of the child. There is a question in this case as to whether the definition includes the non-birth mother of a child born to a couple in a same-sex relationship and whether it includes a known sperm donor who is not a spouse or domestic partner of the biological mother.

This proceeding will be heard in late 2016.

Director of Public Prosecutions v Hardwidge (County Court)

The Commission has intervened in this proceeding in the County Court that raises unsettled questions about how a court considers the right of a child to be tried as quickly as possible in an application for a stay of proceedings because of a delay in prosecution.

The outcome of this proceeding may have a significant impact on the rights of children in other proceedings to be tried as quickly as possible, may help clarify the Charter's requirements for the prosecution and the court to consider this right, and what an appropriate remedy should be where the right is breached.

This proceeding will be heard in late 2016.

Year	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16
Notifications	49	44	55	31	30	17	25	26
Interventions	5	7	9	5	6 ²	5	3	4

² One of these interventions related to three Charter notifications received

Ongoing interventions

The Commission intervened in one case that was ongoing from the 2014/15 financial year.

Goode v Common Equity Housing Limited (Human Rights) [2015] VCAT 269

The Commission intervened in this VCAT proceeding because there was a significant Charter question as to whether Common Equity Housing Limited (a registered community housing association) was a public authority bound by the Charter's obligations. The Commission intervened to submit that it was.

The decision confirmed that Common Equity Housing Limited is a public authority under the Charter when it provides affordable social or community housing for low-income tenants and when this provision is regulated under the *Housing Act 1983*.

The decision will have a broad impact on the human rights of Victorians, because other community housing associations regulated under the Housing Act will need to consider their Charter obligations, as they are likely to be public authorities under the Charter when they provide social housing.

Interventions under the Equal Opportunity Act

Under sections 159 and 160 of the Equal Opportunity Act, the Commission may seek leave to intervene or appear as *amicus curiae* in proceedings before a court or tribunal in cases that raise issues of equality, discrimination, sexual harassment or victimisation. This function is an integral part of the Commission's role to advocate for the objectives of the Act and to be of assistance to the court or tribunal.

Equal Opportunity Act exemption applications

Under certain circumstances an organisation or entity will be allowed an exemption to undertake otherwise discriminatory conduct, for a period of up to five years.³ Exemption applications will only be granted by VCAT where:

- the exemption is necessary because the conduct would amount to unlawful discrimination, and no other exception or exemption applies to the conduct
- the proposed conduct is a reasonable limitation on the right to equality in the Charter.⁴

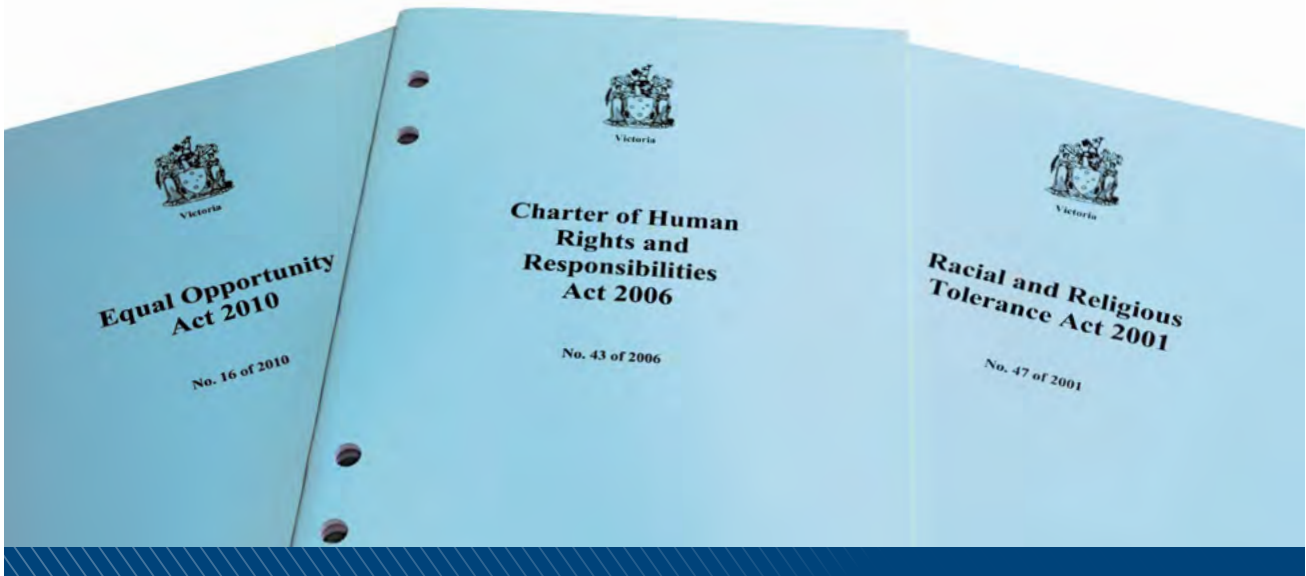
The Act states that the Commission must be notified of all applications for exemption (including renewals and revocation).

In 2015/16 the Commission was notified of 30 exemption applications to VCAT under the Equal Opportunity Act and has intervened in two exemption applications:

- **Judo Federation of Victoria:** On the interpretation of the provisions relating to discrimination in sporting activities and whether judo gradings that have age-based criteria are a 'competitive sporting activity' for the purposes of section 72(2)(b) allowing discrimination by restricting participation on the basis of age.
- **Waite Group Pty Ltd:** On the interpretation of section 12 of the Act relating to special measures and the criteria required to show that specific conduct, in this case relating to the recruitment of women into executive and leadership positions, is indeed a special measure under the Act. A decision in this case was handed down on 28 July 2016, and more information on this can be found on the Commission's website, humanrightscommission.vic.gov.au.

³ *Equal Opportunity Act 2010* (Vic), s 89.

⁴ *Equal Opportunity Act 2010* (Vic), s 90.



The Commission also had two ongoing interventions in exemption matters from the previous financial year:

- **Bowls Victoria, Albert Park Bowls Club Inc:** On the interpretation of the provisions relating to discrimination in sporting activities, specifically the exception relating to the exclusion of competitors on the basis of sex because it is necessary for progression to an elite level competition, or because the restriction intends to facilitate participation in the sporting activity by people of a particular sex. This matter is still ongoing.
- **Harkaway Hall:** On the issue of age discrimination in provision of services, and particularly on the issue of the conditions that VCAT could impose in granting an exemption allowing age restrictions on the use of a community hall. The exemption in this application was granted, but with conditions.

Substantive Equal Opportunity Act proceedings

In 2015/16 the Commission intervened in *Collins v Smith* (Human Rights) [2015] VCAT 1992. The Tribunal had already made a determination that the applicant's complaints of sexual harassment were proven, and that the respondent had breached sections 92 and 93 of the Act. VCAT allowed the parties to provide submissions on how much compensation should be awarded, and whether costs ought to be awarded.

The Commission made submissions addressing two issues: the principles for calculating compensation; and the issue of whether the workers' compensation laws fetter the power of VCAT to make an award of damages under the Equal Opportunity Act.

The respondent argued that workers' compensation laws fettered the ability of VCAT to award compensation under the Act and that it could only make an award in relation to hurt, humiliation and distress (but not in relation to financial loss caused by the sexual harassment). The Commission disagreed and submitted that the Act was capable of operating harmoniously with workers' compensation laws. It argued that it covered a different field to those laws and that it should be used by the applicant to seek remedies for her sexual harassment within the scope provided by the Act, including financial loss.

The matter was determined 'on the papers' (that is, without a hearing and based only on the written submissions provided by the parties). Judge Jenkins agreed with the Commission's submissions and applied them, in relation to the interaction of the Act and workers' compensation legislation. The judge was also guided by the Commission's submissions in respect of damages which included that VCAT ought to have regard to contemporary community standards when determining the amount of compensation payable.

The applicant was awarded \$332,280. This is was the highest award of general damages by VCAT in the past 15 years for a claim under the Act. The award of aggravated damages was also significant, as this type of compensation is not often awarded.

Submissions

The Commission has a role in commenting on proposed amendments to and the development of law and policy to ensure the principles of equality and human rights are prioritised. In 2015/16 the Commission made submissions to the following inquiries, reviews and committees:

- Submission to the Inquiry into the Human Rights Amendment Bill 2015 (ACT) (July 2015)
- Submission to the Expert Advisory Group on discrimination, bullying and sexual harassment Advising the Royal Australasian College of Surgeons (August 2015)
- Submission to the Scrutiny of Acts and Regulations Committee on the Public Health and Wellbeing Amendment (Safe Access) Bill 2015 (August 2015)
- The Commission led a submission to the Senate Committee Inquiry into current levels of access and attainment for students with disability in the school system on behalf of the Australian Council of Human Rights Agencies (August 2015)
- Submission to the Victorian Law Reform Commission review on the role of victims of crime in the criminal trial process (September 2015)
- Willing to Work: Submission to the National Inquiry into Employment Discrimination against Older Australians and Australians with Disability – Older people (December 2015)
- Willing to Work: Submission to the National Inquiry into Employment Discrimination against Older Australians and Australians with Disability – People with disabilities (December 2015)
- Submission to Improving transport for Victorians with limited mobility: A better Multi Purpose Taxi Program Discussion Paper (December 2015)
- Submission to the Queensland Legal Affairs and Community Safety Committee's inquiry into a Human Rights Act in Queensland (April 2016)
- Submission to the Victorian Government Gender Equality Strategy Consultation (April 2016)
- Submission to Victorian Government Gender Equality Strategy (April 2016)



Financial notes and statements

Comprehensive operating statement

for the financial year ended 30 June 2016

	Notes	2016 \$	2015 \$
Continuing operations			
Income from transactions			
Government grants		8,360,828	7,985,054
Other income	2	860,245	504,422
Total income from transactions		9,221,073	8,489,476
Expenses from transactions			
Employee expenses	3(a)	(7,018,197)	(6,746,254)
Depreciation and amortisation	3(b)	(432,995)	(433,676)
Interest expense	3(c)	(2,822)	(3,538)
Other operating expenses	3(d)	(1,978,250)	(1,903,148)
Total expenses from transactions		(9,432,264)	(9,086,616)
Net result from transactions (net operating balance)		(211,191)	(597,140)
Other economic flows included in net result			
Other gains/(losses) from other economic flows	4(a)	(15,041)	(33,449)
Total other economic flows included in net result		(15,041)	(33,449)
Net result		(226,232)	(630,589)
Comprehensive result		(226,232)	(630,589)

The above comprehensive operating statement should be read in conjunction with the accompanying notes.

Balance Sheet

as at 30 June 2016

	Notes	2016 \$	2015 \$
Assets			
Financial assets			
Cash and deposits ⁽ⁱ⁾	20	440,155	731,942
Receivables	5	1,968,951	1,403,649
Total financial assets		2,409,106	2,135,591
Non-financial assets			
Plant and equipment	6	229,933	561,385
Intangible assets	7	496,771	566,904
Total non-financial assets		726,704	1,128,289
Total assets		3,135,810	3,263,880
Liabilities			
Payables	8	175,577	173,464
Borrowings	9	66,911	53,749
Provisions	10	1,428,347	1,345,459
Total liabilities		1,670,835	1,572,672
Net assets		1,464,977	1,691,209
Equity			
Accumulated surplus/(deficit)		(1,145,522)	(919,290)
Contributed capital		2,610,498	2,610,498
Net worth		1,464,977	1,691,209
Commitments for expenditure	16		
Contingent assets and contingent liabilities	17		

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of changes in equity

for the financial year ended 30 June 2016

	<i>Accumulated surplus/(deficit)</i>	<i>Contributions by owner</i>	<i>Total</i>
	\$	\$	\$
Balance at 1 July 2014	(288,700)	2,610,498	2,321,798
Net result for the year	(630,589)	-	(630,589)
Balance at 30 June 2015	(919,290)	2,610,498	1,691,209
Net result for the year	(226,232)	-	(226,232)
Balance at 30 June 2016	(1,145,523)	2,610,498	1,464,977

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of cash flows

for the financial year ended 30 June 2016

	Notes	2016 \$	2015 \$
Cash flows from operating activities			
Receipts			
Receipts from Department of Justice and Regulation		7,795,526	7,925,890
Other receipts		860,245	504,422
Total receipts		8,655,771	8,430,312
Payments			
Payments to suppliers and employees		(8,926,132)	(8,452,527)
Interest and other costs of finance paid		(3,177)	(3,855)
Total payments		(8,929,309)	(8,456,382)
Net cash flows from / (used in) operating activities	20(b)	(273,538)	(26,070)
Cash flows from investing activities			
Purchases of non-financial assets		(51,448)	(27,952)
Sales of non-financial assets		20,038	10,039
Net cash flows from / (used in) investing activities		(31,410)	(17,914)
Cash flows from financing activities			
Owner contributions by State Government		-	-
Proceeds from borrowings		13,162	1,137
Repayment of borrowings and finance leases			
Net cash flows from / (used in) financing activities		13,162	1,137
Net increase / (decrease) in cash and cash equivalents		(291,786)	(42,847)
Cash and cash equivalents at the beginning of the financial year		731,942	774,789
Cash and cash equivalents at the end of the financial year	20(a)	440,155	731,942

The above cash flow statement should be read in conjunction with the accompanying notes.

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Notes to the financial statements

for the financial year ended 30 June 2016

Note 1: Summary of significant accounting policies

These annual financial statements represent the audited general purpose financial statements for the Victorian Equal Opportunity and Human Rights Commission (the Commission) for the period ended 30 June 2016. The purpose of the report is to provide users with information about the Commission's stewardship of resources entrusted to it.

(A) Statement of compliance

These general purpose financial statements have been prepared in accordance with the *Financial Management Act 1994* (FMA) and applicable Australian Accounting Standards (AAS) which include Interpretations, issued by the Australian Accounting Standards Board (AASB). In particular they are presented in a manner consistent with the requirements of the AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Where appropriate, those AAS paragraphs applicable to not-for-profit entities have been applied.

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

To gain a better understanding of the terminology used in this report, a glossary of terms can be found in Note 23.

These annual financial statements were authorised for issue by the Commissioner on 4 October 2016.

(B) Basis of accounting preparation and measurement

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision.

Judgements and assumptions made by management in the application of AASs that have significant effects on the financial statements and estimates relate to:

- the fair value of plant and equipment, (refer to Note 1 (J));
- superannuation expense, (refer to Note 1 (F)); and
- actuarial assumptions for employee benefit provisions based on likely tenure of existing staff, patterns of leave claims, future salary movements and future discount rates (refer to Note 1 (K)).

These financial statements are presented in Australian dollars, and prepared in accordance with the historical cost convention except for:

- non-financial physical assets, which subsequent to acquisition, are measured at a revalued amount being their fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent impairment losses. Revaluations are made with sufficient regularity to ensure that the carrying amounts do not materially differ from their fair value;
- the fair value of an asset other than land is generally based on its depreciated replacement value.

Consistent with AASB 13 Fair Value Measurement, the Commission determines the policies and procedures for both recurring fair value measurements such as property, plant and equipment and financial instruments in accordance with the requirements of AASB 13 and the relevant Financial Reporting Directions.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within the fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 - Quoted (unadjusted) market prices in active markets for identical assets and liabilities;
- Level 2 - Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 - Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, the Commission has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, the Commission determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

The Valuer-General Victoria (VGV) is the Commission's independent valuation agency.

The Commission in conjunction with VGV, monitors changes in the fair value of each asset and liability through relevant data sources to determine whether revaluation is required.

(C) Reporting entity

The Commission is an independent statutory authority created under the *Equal Opportunity Act 2010* (and previous versions of this legislation). The Commission has functions under Parts 8-12 of the *Equal Opportunity Act*, ss 40-42 of the *Charter of Human Rights & Responsibilities Act 2006*, and Part 3 of the *Racial and Religious Tolerance Act 2001*.

Its principal address is:

Victorian Equal Opportunity and Human Rights Commission
Level 3, 204 Lygon Street
Carlton VIC 3053

Objectives and funding

The Commission works with others to eliminate discrimination and build a community that respects and promotes human rights and equal opportunity. We do this through:

- a free telephone enquiry line to provide information on the Commission's services and laws administered by the Commission
- a free, fair and timely dispute resolution service for complaints under the *Equal Opportunity Act*, and the *Racial and Religious Tolerance Act*
- information and education about equal opportunity, racial and religious vilification, and human rights
- undertaking research on discrimination and equal opportunity issues and advising Government on discriminatory legislation
- monitoring the operation of the Charter and presenting the Attorney-General with an annual Charter report
- intervening in court or tribunal proceedings that involve interpretation or application of the Charter or raise equal opportunity issues
- reviewing a public authority's programs and practices to determine their compatibility with human rights when requested
- reviewing activities for compliance with the *Equal Opportunity Act*, on request
- reviewing the effect of statutory provisions and the common law on human rights and providing a report to the Attorney-General, when requested; and
- assisting the Attorney-General with the four and eight year reviews of the Charter.

The Commission is predominantly funded by grants from the Department of Justice and Regulation (DJR) for the provision of outputs. The Commission provides, on a fee for service basis, education and training. The fees charged for these services are determined by prevailing market forces.

(D) Scope and presentation of financial statements

Comprehensive operating statement

The comprehensive operating statement comprises three components, being 'net result from transactions' (or termed as 'net operating balance'), 'other economic flows included in net result', as well as 'other economic flows - other comprehensive income'. The sum of the former two, together with the net result from discontinued operations, represents the net result.

The net result is equivalent to profit or loss derived in accordance with AASs.

Other economic flows' are changes arising from market remeasurements. They include:

- gains and losses from disposals of non-financial assets;
- revaluations and impairments of non-financial physical and intangible assets;
- fair value changes of financial instruments.

This classification is consistent with the whole of government reporting format and is allowed under AASB 101 *Presentation of Financial Statements*.

Balance sheet

Assets and liabilities are presented in liquidity order with assets aggregated into financial assets and non-financial assets.

Current and non-current assets and liabilities (non-current being those assets or liabilities expected to be recovered or settled more than 12 months after the reporting period) are disclosed in the notes, where relevant.

Cash flow statement

Cash flows are classified according to whether or not they arise from operating, investing, or financing activities. This classification is consistent with requirements under AASB 107 *Statement of Cash Flows*.

Statement of changes in equity

The statement of changes in equity presents reconciliations of non-owner and owner changes in equity from opening balance at the beginning of the reporting period to the closing balance at the end of the reporting period. It also shows separately changes due to amounts recognised in the 'Comprehensive result' and amounts recognised in 'Other economic flows - other movements in equity' related to 'Transactions with owner in its capacity as owner'.

Rounding

Amounts in the financial statements (including the notes) have been rounded to the nearest dollar. Figures in the financial statements may not equate due to rounding.

(E) Income from transactions

Government grants

Income from the outputs the Commission provides to Government is recognised when those outputs have been delivered and the relevant Minister has certified delivery of those outputs in accordance with specified performance criteria.

Additionally, the Commission is permitted under section 29 of the *Financial Management Act 1994* to have certain income annotated to the annual grant. The income which forms part of a section 29 agreement is recognised by the Commission and the receipts paid into the Consolidated Fund as an administered item. At the point of income recognition, section 29 provides for an equivalent amount to be added to the annual grant.

Fair value of assets and services received free of charge or for nominal consideration

Contributions of resources received free of charge or for nominal consideration are recognised at fair value when control is obtained over them, irrespective of whether these contributions are subject to restrictions or conditions over their use. Contributions in the form of services are only recognised when a fair value can be reliably determined and the services would have been purchased if not received as a donation.

The Department of Justice and Regulation provides certain governance, executive and support services and resources to the Commission. The value of these services which includes the use of the Department's financial and payroll systems is not recognised in the financial statements of the Commission, as the Department is centrally funded to provide these services, and the fair value of such services cannot be reliably determined.

Other income

Other income from third parties are recognised as income in the reporting period in which the Commission gains control over the underlying assets. The income is for collaborative work with external stakeholders with the objective of eliminating inequality and sexual harassment, and promoting equal opportunity and human rights.

(F) Expenses from transactions

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Employee expenses

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered to the reporting date.

These expenses include all costs related to employment (other than superannuation which is accounted for separately) including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments and WorkCover premiums.

Superannuation

The amount recognised in the comprehensive operating statement is the employer contributions for members of both defined benefit and defined contribution superannuation plans that are paid or payable during the reporting period. The Department of Treasury and Finance (DTF) in their Annual Financial Statements, disclose on behalf of the State as the sponsoring employer, the net defined benefit cost related to the members of these plans as an administered liability. Refer to DTF's Annual Financial Statements for more detailed disclosures in relation to these plans.

Depreciation

Plant and equipment and computer and communications equipment that have a finite useful life are depreciated. Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life.

Leasehold improvements are depreciated over the period of the lease or estimated useful life, whichever is the shorter, using the straight-line method. The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments made where appropriate.

The following estimated useful lives are used in the calculation of depreciation:

Asset	Useful Life
Computers and communication equipment	4 years
Motor Vehicles	5 years
Plant and equipment	10 years
Leasehold improvements	4-10 years
Capitalised software development costs	10 years

Grants and other transfers

Grants and other transfers to third parties (other than contribution to owners) are recognised as an expense in the reporting period in which they are paid or payable. Refer to Note 22 for an explanation of grants and other transfers.

Interest expense

Interest expense is recognised in the period in which it is incurred.

Other operating expenses

Other operating expenses generally represent the day to day running costs incurred in normal operations and include:

Supplies and services

Supplies and services costs are recognised as an expense in the reporting period in which they are incurred.

Bad and doubtful debts

Refer to Note 1 (I) Financial assets - Impairment of financial assets.

(G) Other economic flows included in the net result

Other economic flows measure the change in volume or value of assets or liabilities that do not result from transactions.

Other gains/(losses) from other economic flows

Other gains/(losses) from other economic flows is the gain or loss from the revaluation of the present value of the long service leave liability due to changes in the bond interest rates.

(H) Financial Instruments

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the Commission's activities, certain financial assets and financial liabilities arise under statute rather than a contract. Such financial assets and financial liabilities do not meet the definition of financial instruments in AASB 132 *Financial Instruments: Presentation*. For example statutory receivables arising from taxes, fines and penalties do not meet the definition of financial instruments as they do not arise under contract. However, guarantees issued by the Treasurer on behalf of the Commission are financial instruments because, although authorised under statute, the terms and conditions for each financial guarantee may vary and are subject to an agreement.

The following refers to financial instruments unless otherwise stated.

*Categories of non-derivative financial instruments***Loans and receivables**

Loans and receivables are financial instrument assets with fixed and determinable payments that are not quoted on an active market. These assets are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, loans and receivables are measured at amortised cost using the effective interest method, less any impairment.

Loans and receivables category includes cash and deposits (refer to Note 1 (I)), and trade receivables, but not statutory receivables.

Financial liabilities at amortised cost

Financial instrument liabilities are initially recognised on the date they are originated. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit or loss over the period of the interest-bearing liability, using the effective interest rate method.

Financial instrument liabilities measured at amortised cost include all of the Commission's contractual payables.

(I) Financial assets**Cash and deposits**

Cash and deposits recognised on the balance sheet comprise cash on hand and funds held in trust.

Receivables

Receivables consist of:

- contractual receivables, which include debtors in relation to goods and services; and
- statutory receivables, which include predominantly amounts owing from the DJR.

Contractual receivables are classified as financial instruments. They are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, receivables are measured at amortised cost. Statutory receivables are not classified as financial instruments because they do not arise from a contract.

Receivables are subject to impairment testing as described below. A provision for doubtful receivables is recognised when there is objective evidence that the debts may not be collected, and bad debts are written off when identified.

Impairment of financial assets

At the end of each reporting period, the Commission assesses whether there is objective evidence that a financial asset or group of financial assets is impaired. All financial instrument assets, except those measured at fair value through profit or loss, are subject to annual review for impairment.

Receivables are assessed for bad and doubtful debts on a regular basis. Those bad debts considered as written off by mutual consent are classified as a transaction expense. Those written off unilaterally and the allowance for doubtful receivables, are classified as other economic flows' in the net result. The amount of the allowance is the difference between the financial asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate.

(J) Non-financial assets*Plant and equipment*

All non-financial physical assets are measured initially at cost and subsequently revalued at fair value less accumulated depreciation and impairment.

The fair value of plant, equipment and vehicles, is normally determined by reference to the asset's depreciated replacement cost. For plant, equipment and vehicles, existing depreciated historical cost is generally a reasonable proxy for depreciated replacement cost because of the short lives of the assets concerned.

Leasehold improvements

The cost of a leasehold improvement is capitalised as an asset and depreciated over the remaining term of the lease or the estimated useful life of the improvements, whichever is the shorter.

Revaluation of non-financial physical assets

Non-financial physical assets are measured at fair value on a cyclical basis, in accordance with the Financial Reporting Directions (FRDs) issued by the Minister for Finance. A full revaluation normally occurs every five years, based on the asset's government purpose classification, but may occur more frequently if fair value assessments indicate material changes in values. Independent valuers are generally used to conduct these scheduled revaluations. Any interim revaluations are determined in accordance with the requirements of the FRDs.

Revaluation increases or decreases arise from differences between an asset's carrying value and fair value.

Net revaluation increases (where the carrying amount of a class of assets is increased as a result of a revaluation) are recognised in 'Other economic flows - other movements in equity' and accumulated in equity under the asset revaluation surplus. However, the net revaluation increase is recognised in the net result to the extent that it reverses a net revaluation decrease in respect of the same class of property, plant and equipment previously recognised as an expense (other economic flows) in the net result.

Net revaluation decreases are recognised in 'Other economic flows - other movements in equity' to the extent that a credit balance exists in the asset revaluation surplus in respect of the same class of property, plant and equipment. Otherwise, the net revaluation decreases are recognised immediately as other economic flows in the net result. The net revaluation decrease recognised in 'Other economic flows - other movements in equity' reduces the amount accumulated in equity under the asset revaluation surplus.

Revaluation increases and decreases relating to individual assets within a class of property, plant and equipment, are offset against one another within that class but are not offset in respect of assets in different classes. Any asset revaluation surplus is not normally transferred to accumulated funds on de-recognition of the relevant asset.

Intangible assets

Intangible assets are initially recognised at cost. Subsequently, intangible assets with finite useful lives are carried at cost less accumulated depreciation/amortisation and accumulated impairment losses. Costs incurred subsequent to initial acquisition are capitalised when it is expected that additional future economic benefits will flow to the Commission.

Prepayments

Prepayments represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

(K) Liabilities

Payables consist of:

- contractual payables such as accounts payable and other sundry liabilities. They represent liabilities for goods and services provided to the Commission prior to the end of the financial year that are unpaid, and arise when the Commission becomes obliged to make future payments in respect of the purchase of those goods and services; and
- statutory payables, such as fringe benefits tax payable.

Contractual payables are classified as financial instruments and categorised as financial liabilities at amortised cost (refer Note 1 (H)). Statutory payables are recognised and measured similarly to contractual payables, but are not classified as financial instruments and not included in the category of financial liabilities at amortised cost, because they do not arise from a contract.

Provisions

Provisions are recognised when the Commission has a present obligation, the future sacrifice of economic benefits is probable, and the amount of the provision can be measured reliably. The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at the end of the reporting period, taking into account the risks and uncertainties surrounding the obligation. Where a provision is measured using the cashflows estimated to settle the present obligation, its carrying amount is the present value of those cashflows, using a discount rate that reflects the time value of money and risks specific to the provision. Details of provisions are set out in Note 10.

Employee benefits

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered to the reporting date.

(i) Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits and annual leave are all recognised in the provision for employee benefits, as 'current liabilities' because the Commission does not have an unconditional right to defer settlements of these liabilities.

Depending on the expectation of the timing of settlement, liabilities for wages and salaries and annual leave are measured at:

- undiscounted value - if the Commission expects to wholly settle within twelve months; or
- present value - if the Commission does not expect to wholly settle within twelve months.

(ii) Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits.

Unconditional LSL is disclosed in the notes to the financial statements as a current liability, even where the Commission does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months.

The components of this current LSL liability are measured at:

- nominal value - if the Commission expects to wholly settle within twelve months; or
- present value - if the Commission does not expect to wholly settle within twelve months.

Conditional LSL is disclosed as a non-current liability. There is an unconditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current LSL liability is measured at present value.

Any gain or loss following revaluation of the present value of non-current LSL liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an 'other economic flow' (refer to Note 1 (G)).

(iii) Termination benefits

Termination benefits are paid when employment is terminated before the normal retirement date, or when an employee decides to accept an offer of benefits in exchange for the termination of employment. The Commission recognises termination benefits when it is demonstrably committed to either terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Employee benefits on-costs

Employee benefits on-costs such as payroll tax, workers compensation, and superannuation are recognised separately from the provision for employee benefits.

(L) Leases

A lease is a right to use an asset for an agreed period of time in exchange for payment.

Leases are classified at their inception as either operating or finance leases based on the economic substance of the agreement so as to reflect the risks and rewards incidental to ownership. Leases of infrastructure, property, plant and equipment are classified as finance leases whenever the terms of the lease transfer substantially all the risks and rewards of ownership from the lessor to the lessee. All other leases are classified as operating leases.

Finance leases

Commission as lessee

At the commencement of the lease term finance leases are initially recognised as assets and liabilities at amounts equal to the fair value of the leased property or, if lower, the present value of the minimum lease payment, each determined at the inception of the lease. The lease asset is accounted for as a non-financial physical asset. If there is certainty that the Commission will obtain the ownership of the lease asset by the end of the lease term, the asset shall be depreciated over the useful life of the asset. If there is no reasonable certainty that the lessee will obtain ownership by the end of the lease term, the asset shall be fully depreciated over the shorter of the lease term and its useful life.

Minimum finance lease payments are apportioned between reduction of the outstanding lease liability and the periodic finance expense which is calculated using the interest rate implicit in the lease and charged directly to the comprehensive operating statement.

Operating leases

Commission as lessee

Operating lease payments are recognised as an expense in the comprehensive operating statement on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset. The leased asset is not recognised in the balance sheet.

(M) Equity

Contributions by owners

Additions to net assets which have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions or distributions have also been designated as contributions by owners.

(N) Commitments

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are disclosed by way of a note (refer to Note 16) at their nominal value and exclusive of the goods and services tax (GST) payable.

(O) Contingent assets and contingent liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet, but are disclosed by way of a note (refer to Note 17) and, if quantifiable, are measured at nominal value exclusive of GST receivable and payable respectively.

(P) Accounting for the Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense. DJR manages the GST transactions on behalf of the Commission and the net amount of GST recoverable from or payable to the taxation authority is recognised in the DJR's financial statements.

(Q) Events after the reporting period

Assets, liabilities, income or expenses arise from past transactions or other past events. Where the transactions result from an agreement between the Commission and other parties, the transactions are only recognised when the agreement is irrevocable at or before the end of the reporting period. Adjustments are made to amounts recognised in the financial statements for events which occur after the reporting period and before the date the financial statements are authorised for issue, where those events provide information about conditions which existed in the reporting period. Note disclosure is made about events between the end of the reporting period and the date the financial statements are authorised for issue where the events relate to conditions which arose after the end of the reporting period and which may have a material impact on the results of subsequent years.

(R) Australian Accounting Standards issued that are not yet effective

Certain new accounting standards (AAS) have been published that are not mandatory for the 30 June 2016 reporting period. DTF assesses the impact of all these new standards and advises the Commission of their applicability and early adoption where applicable.

Standard / Interpretation	Summary	Applicable for annual reporting periods beginning on	Impact on Commission financial statements
<i>AASB 9 Financial instruments</i>	The key changes include the simplified requirements for the classification and measurement of financial assets, a new hedging accounting model and a revised impairment loss model to recognise impairment losses earlier, as opposed to the current approach that recognises impairment only when incurred.	1 Jan 2018	<p>The assessment has identified that the financial impact of available for sale (AFS) assets will now be reported through other comprehensive income (OCI) and no longer recycled to the profit and loss.</p> <p>While the preliminary assessment has not identified any material impact arising from AASB 9, it will continue to be monitored and assessed.</p>
<i>AASB 16 Leases</i>	The key changes introduced by AASB 16 include the recognition of most operating leases (which are currently not recognised) on balance sheet.	1 Jan 2019	<p>The assessment has indicated that as most operating leases will come on balance sheet, recognition of lease assets and lease liabilities will cause net debt to increase. Depreciation of lease assets and interest on lease liabilities will be recognised in the income statement with marginal impact on the operating surplus.</p> <p>The amounts of cash paid for the principal portion of the lease liability will be presented within financing activities and the amounts paid for the interest portion will be presented within operating activities in the cash flow statement.</p> <p>No change for lessors.</p>
AASB 2010 - 7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19 & 127]	<p>The requirements for classifying and measuring financial liabilities were added to AASB 9. The existing requirements for the classification of financial liabilities and the ability to use the fair value option have been retained. However, where the fair value option is used for financial liabilities the change in fair value is accounted for as follows:</p> <ul style="list-style-type: none"> the change in fair value attributable to changes in credit risk is presented in other comprehensive income (OCI); and other fair value changes are presented in profit or loss. If this approach creates or enlarges an accounting mismatch in the profit or loss, the effect of the changes in credit risk are also presented in profit or loss. 	1 Jan 2016	<p>The assessment has identified that the amendments are likely to result in earlier recognition of impairment losses and at more regular intervals.</p> <p>Changes in own credit risk in respect of liabilities designated at fair value through profit and loss will now be presented within other comprehensive income (OCI).</p> <p>Hedge accounting will be more closely aligned with common risk management practices making it easier to have an effective hedge.</p> <p>For entities with significant lending activities, an overhaul of related systems and processes may be needed.</p>
<i>AASB 2014 - 1 Amendments to Australian Accounting Standards [Part E Financial Instruments]</i>	Amends various AASs to reflect the AASB's decision to defer the mandatory application date of AASB 9 to annual reporting periods beginning on or after 1 January 2018; as a consequence of Chapter 6; and to amend reduced disclosure requirements.	1 Jan 2018	This amending standard will defer the application period of AASB 9 to the 2018-19 reporting period in accordance with the transition requirements.

Standard / Interpretation	Summary	Applicable for annual reporting periods beginning on	Impact on Commission financial statements
" AASB 2014 - 4 Amendments to Australian Accounting Standards - Clarification of Acceptable Methods of Depreciation and Amortisation [AASB 116 & AASB 138]	<p>AASB 2014 4 amends AASB 116 Property, Plant and Equipment and AASB 138 Intangible Assets to:</p> <ul style="list-style-type: none"> • establish the principle for the basis of depreciation and amortisation as being the expected pattern of consumption of the future economic benefits of an asset; • clarify that the use of revenue based methods to calculate the depreciation of an asset is not appropriate because revenue generated by an activity that includes the use of an asset generally reflects factors other than the consumption of the economic benefits embodied in the asset; and • clarify that revenue is generally presumed to be an inappropriate basis for measuring the consumption of the economic benefits embodied in an intangible asset. This presumption, however, can be rebutted in certain limited circumstances. 	1 Jan 2016	The assessment has indicated that there is no expected impact as the revenue-based method is not used for depreciation and amortisation.
AASB 2014 - 5 Amendments to Australian Accounting Standards arising from AASB 15	Amends the measurement of trade receivables and the recognition of dividends.	1 January 2017, except amendments to AASB 9 (December 2009) and AASB 9 (December 2010) apply 1 January 2018	The assessment has indicated that there will be no significant impact for the public sector.
AASB 2014 - 7 Amendments to Australian Accounting Standards arising from AASB 9	Amends various AASs to incorporate the consequential amendments arising from the issuance of AASB 9.	1 Jan 2018	The assessment has indicated that there will be no significant impact for the public sector.
AASB 2015 - 6 Amendments to Australian Accounting Standards - Extending Related Party Disclosures to Not for Profit Public Sector Entities [AASB 10, AASB 124 & AASB 1049]	AASB 2015 6 extends the scope of AASB 124 Related Party Disclosures to not for profit public sector entities. Guidance has been included to assist the application of the Standard by not for profit public sector entities.	1 Jan 2016	The amending standard will result in extended disclosures on the entity's key management personnel (KMP), and the related party transactions.

Note 2. Income from transactions

	2016	2015
	\$	\$
Victorian male champions of change	590,000	
Sex discrimination and harassment in Victoria Police	270,245	384,422
Other income	-	120,000
Total other income	860,245	504,422

Note 3. Expenses from transactions

(a) Employee expenses		
Post employment benefits		
Defined contribution superannuation expense	(538,660)	(508,993)
Defined benefit superannuation expense	(29,955)	(25,227)
Salary, annual leave and long service leave	(6,077,411)	(5,834,887)
Other on-costs (fringe benefits tax, payroll tax and workcover levy)	(372,171)	(377,147)
Total employee expenses	(7,018,197)	(6,746,254)
(b) Depreciation and amortisation		
Plant and equipment	(2,595)	(2,595)
Software	(70,132)	(70,132)
Amortisation expense ⁽ⁱ⁾	(360,268)	(360,949)
Total depreciation and amortisation	(432,995)	(433,676)
(c) Interest expense		
Interest on finance leases	(2,822)	(3,538)
Total interest expense	(2,822)	(3,538)
(d) Other operating expenses		
Supplies and services		
Travel, personal and entertainment	(73,878)	(84,782)
Printing, stationery and office expenses	(227,476)	(281,934)
Postage, communication and couriers	(105,415)	(104,502)
Contractors, consultants and professional services	(492,027)	(334,889)
Rent, utilities and property services	(658,123)	(773,195)
Information technology	(96,677)	(84,823)
Repairs and maintenance	(24,356)	(22,005)
Training and development	(65,519)	(86,202)
Total supplies and services	(1,743,471)	(1,772,332)
Grants paid	(13,077)	(35,818)
Vehicles	3,369	(9,007)
Insurance premiums (non-MV)	(3,092)	(3,429)
Honorarium payments	(116)	(390)
Display costs - events/shows	(3,072)	(11,317)
Interpreter/translation services	(22,782)	(28,041)
Police/hospital records search	(327)	(1,458)
Application/lodgement/licensing Fees	(659)	(2,158)
Membership subscriptions to professional bodies	(11,063)	(17,209)
Medical/vaccination costs	-	(1,484)
Operating expense recoup ⁽ⁱⁱ⁾	(163,306)	-
Assets given free of charge	(199)	(1,088)
Audit services	(20,100)	(19,100)
Bank fees and finance charges	(355)	(317)
Total other operating expenses	(1,978,250)	(1,903,148)

Note:

(i) This is the amortisation of building leasehold improvements and leased motor vehicles.

(ii) This relates to trust fund adjustments and the net effect of transfers between trust and appropriation.

Note 4. Other economic flows included in net result

	2016	2015
	\$	\$
(a) Other gains/(losses) from other economic flows		
Net gain/(loss) arising from revaluation of long service leave liability ⁽ⁱ⁾	(15,041)	(33,449)
Total other gains/(losses) from other economic flows	(15,041)	(33,449)

(i) Revaluation gain/(loss) due to changes in bond rates.

Note 5. Receivables

	2016	2015
	\$	\$
Current receivables		
Contractual		
Receivables	45,563	1,874
	45,563	1,874
Statutory		
Amount owing from Department of Justice and Regulation ⁽ⁱ⁾	1,617,528	1,091,928
	1,617,528	1,091,928
Total current receivables	1,663,091	1,093,802
Non-current receivables		
Statutory		
Amount owing from Department of Justice and Regulation ⁽ⁱ⁾	305,860	309,847
Total non-current receivables	305,860	309,847
Total receivables	1,968,951	1,403,649

(i) The amounts recognised from Department of Justice and Regulation represent funding for commitments incurred through the appropriations and are drawn as the commitments fall due

(a) Ageing analysis of contractual receivables

Please refer to Note 11 for the ageing analysis of contractual receivables.

(b) Nature and extent of risk arising from contractual receivables

Please refer to Note 11 for the nature and extent of risks arising from contractual receivables..

Note 6. Plant and equipment

Classification by 'Public Safety and Environment' Purpose Group - carrying amounts ⁽ⁱ⁾

	2016	2015
	\$	\$
Leasehold improvements:		
Leasehold improvements at fair value	152,569	495,850
Plant and equipment:		
Plant and equipment at fair value	10,824	12,498
Motor vehicles under lease:		
Motor vehicles under lease at fair value	66,540	53,037
Net carrying amount of plant and equipment	229,933	561,385

(i) Plant and equipment are classified primarily by the 'purpose group' for which the assets are used, according to one of six purpose groups based upon government purpose classifications. All assets in a purpose group are further sub categorised according to the asset's 'nature' (i.e. buildings, plant and equipment, etc) with each sub category being classified as a separate class of asset for financial reporting purposes.

Classification by 'Public Safety and Environment' Purpose Group - Movements in carrying amounts ⁽ⁱ⁾

	Leasehold Improvements at fair value		Plant & equipment at fair value		Motor vehicles under lease		Total	
	\$	\$	\$	\$	\$	\$	\$	\$
	2016	2015	2016	2015	2016	2015	2016	2015
Opening balance	495,850	839,131	12,496	16,012	53,037	51,870	561,385	907,013
Additions	-	-	-	-	51,448	27,952	51,448	27,952
Disposals	-	-	-	-	(20,959)	(9,118)	(20,959)	(9,118)
Fair value of transfer free of charge	-	-	921	(921)	-	-	921	(921)
Transfer in/out of assets under construction	-	-	-	-	-	-	-	-
Depreciation/amortisation expense ⁽ⁱⁱ⁾	(343,281)	(343,281)	(2,595)	(2,595)	(16,987)	(17,668)	(362,863)	(363,544)
Closing Balance	152,569	495,850	10,822	12,496	66,539	53,037	229,933	561,385

Notes:

(i) Fair value assessments have been performed for all classes of assets in this purpose group and the decision was made that movements were not material (less than or equal to 10%) for a full revaluation.

(ii) Aggregate depreciation allocated during the year is recognised as an expense and disclosed in Note 3 to the financial statements.

Fair value measurement hierarchy for assets as at 30 June 2016

	Carrying amount as at 30 June 2016	Fair value measurement at end of reporting period using:			Carrying amount as at 30 June 2015	Fair value measurement at end of reporting period using:		
		Level 1 ⁽ⁱ⁾	Level 2 ⁽ⁱ⁾	Level 3 ⁽ⁱ⁾		Level 1 ⁽ⁱ⁾	Level 2 ⁽ⁱ⁾	Level 3 ⁽ⁱ⁾
	\$	\$	\$	\$	\$	\$	\$	\$
Leasehold improvements at fair value:	152,569			152,569	495,850			839,131
Total of leasehold improvements at fair value	152,569			152,569	495,850			495,850
Plant and equipment at fair value	10,822			10,822	12,496			12,496
Total of plant and equipment at fair value	10,822			10,822	12,496			12,496

Notes:

(i) Classified in accordance with the fair value hierarchy, see Note 1 (B)

There have been no transfers between levels during the period.

Vehicles

Vehicles are valued using the depreciated replacement cost method. The DJR acquires new vehicles on behalf of the Commission and at times disposes of them before the end of their economic life. The process of acquisition, use and disposal in the market is managed by experienced fleet managers in the DJR who set relevant depreciation rates during use to reflect the utilisation of the vehicles.

Plant and equipment

Plant and equipment is held at fair value. When plant and equipment is specialised in use, such that it is rarely sold other than as part of a going concern, fair value is determined using the depreciated replacement cost method.

There were no changes in valuation techniques throughout the period to 30 June 2016.

For all assets measured at fair value, the current use is considered the highest and best use.

Leasehold improvements

Leasehold improvements are held at fair value being depreciated cost. As there is no evidence of a reliable market-based fair value (or other relevant fair value indicators) for leasehold improvements (or any such evidence does not indicate a fair value significantly different from depreciated cost), depreciated cost is the fair value for these types of assets. The valuation of leasehold improvements is based on significant unobservable inputs and accordingly is classified as Level 3 assets.

There were no changes in valuation techniques throughout the period to 30 June 2016.

For all assets measured at fair value, the current use is considered the highest and best use.

Reconciliation of Level 3 fair value for 2016

	<i>Leasehold improvement</i>	<i>Plant and equipment</i>
Opening balance at 1 July 2015	495,850	12,496
Purchases (sales)	-	-
Transfers in (out) of Level 3	-	921
Gains or losses recognised in net result	-	-
Depreciation	(343,281)	(2,595)
Impairment loss	-	-
Subtotal	(343,281)	(1,674)
Gains or losses recognised in other economic flows - other comprehensive income		
Revaluation		
Subtotal		
Closing balance	152,569	10,822
Unrealised gains/(losses) on non-financial assets		

Reconciliation of Level 3 fair value for 2015

	<i>Leasehold improvement</i>	<i>Plant and equipment</i>
Opening balance at 1 July 2014	839,131	16,012
Purchases (sales)	-	-
Transfers in (out) of Level 3	-	(921)
Gains or losses recognised in net result	-	-
Depreciation	(343,281)	(2,595)
Impairment loss	-	-
Subtotal	(343,281)	(3,516)
Gains or losses recognised in other economic flows - other comprehensive income		
Revaluation		
Subtotal		
Closing balance	495,850	12,496
Unrealised gains/(losses) on non-financial assets		

Description of significant unobservable inputs to Level 3 valuations

	<i>Valuation technique ⁽ⁱ⁾</i>	<i>Significant unobservable inputs ⁽ⁱ⁾</i>
Plant and equipment	Depreciated replacement cost	cost per unit
		Useful life of plant and equipment
Leasehold improvements	Depreciated replacement cost	cost per unit
		Useful life of leasehold improvements

The significant unobservable inputs have remained unchanged from 2015.

Note 7. Intangible assets

	Computer Software	Computer Software
	2016	2015
	\$	\$
Gross carrying amount		
Opening Balance	701,324	701,324
Additions to work-in-progress	-	-
Closing balance	701,324	701,324
Accumulated depreciation, amortisation and impairment		
Opening balance	134,420	64,288
Amortisation expense ⁽ⁱⁱ⁾	70,132	70,132
Disposals or classified as held for sale	-	-
Closing balance	204,552	134,420
Net book value at end of financial year	496,772	566,904

Notes:

(ii) The consumption of intangible produced assets is included in the 'depreciation and amortisation expense' in Note 3 and the comprehensive operating statement.

Significant intangible assets

The Commission has capitalised software development expenditure in respect of its Case Management System. The carrying amount of the capitalised software development expenditure is \$566,904. Its useful life is 10 years and will be fully amortised in 2023. It is designed to capture complaint data to identify trends and areas of systemic discrimination. The system has a training module that manages all training sessions and speaking engagements provided by the Commission. It also manages the Commission's stakeholders and has the ability to generate mail merge letters and emails to all contacts.

Note 8. Payables

	2016	2015
	\$	\$
Current payables		
Contractual		
Supplies and services ⁽ⁱ⁾	63,609	44,345
Accruals - expenses ⁽ⁱ⁾	19,919	56,336
Accruals - salaries ⁽ⁱ⁾	89,416	72,227
Total contractual payables	172,944	172,908
Statutory		
Accruals - Fringe Benefits Tax ⁽ⁱ⁾	2,633	556
Total statutory payables	2,633	556
Total payables	175,577	173,464

Note:

(i) Creditors and accruals represent liabilities for goods and services provided to the Commission, prior to the end of the financial year, which are unpaid. Amounts are normally settled within 30 days and are carried at nominal value.

(a) Maturity analysis of payables

Please refer to Note 11 for the ageing analysis of payables.

(b) Nature and extent of risk arising from payables

Please refer to Note 11 for the nature and extent of risks arising from contractual payables.

Note 9. Borrowings

	2016	2015
	\$	\$
Current borrowings		
Finance lease liabilities ⁽ⁱ⁾ (Note 18)	14,670	35,307
Total current borrowings	14,670	35,307
Non-current borrowings		
Finance lease liabilities ⁽ⁱ⁾ (Note 18)	52,241	18,442
Total non-current borrowings	52,241	18,442
Total borrowings	66,911	53,749

Note:

(i) Secured by the assets leased. Finance leases are effectively secured as the rights to the leased assets revert to the lessor in the event of default.

(a) Maturity analysis of borrowings

Please refer to Note 11 for the ageing analysis of borrowings.

(b) Nature and extent of risk arising from borrowings

Please refer to Note 11 for the nature and extent of risks arising from borrowings.

Note 10. Provisions

	2016 \$	2015 \$
Current provisions		
Employee Benefits ⁽ⁱ⁾ (Note 10(a)) - annual leave:		
Unconditional and expected to settle within 12 months ⁽ⁱⁱ⁾	274,407	300,352
Unconditional and expected to settle after 12 months ⁽ⁱⁱⁱ⁾	36,821	35,176
Long service leave (Note 10(a)):		
Unconditional and expected to settle within 12 months ⁽ⁱⁱ⁾	286,997	299,298
Unconditional and expected to settle after 12 months ⁽ⁱⁱⁱ⁾	286,572	178,993
	884,797	813,819
Provisions for on-costs (Note 10(a))		
Unconditional and expected to settle within 12 months ⁽ⁱⁱ⁾	135,942	132,774
Unconditional and expected to settle after 12 months ⁽ⁱⁱⁱ⁾	54,773	39,294
	190,715	172,068
Total current provisions	1,075,512	985,887
Non-current provisions		
Employee Benefits (Note 10(a))	305,860	309,847
On-costs	46,975	49,725
Total non-current provisions	352,835	359,572
Total provisions ^(iv)	1,428,347	1,345,459

Notes:

(i) Employee benefits consist of annual leave and long service leave accrued by employees. On-costs such as payroll tax and workers' compensation insurance are not employee benefits and are recognised as a separate provision.

(ii) The amounts disclosed are nominal amounts.

(iii) The amounts disclosed are discounted to present values.

(iv) Increase from previous year due to entitlements of new staff, and performance pay increases.

(a) Employee benefits and on-costs ⁽ⁱ⁾

	2016 \$	2015 \$
Current employee benefits:		
Annual leave	311,228	335,528
Long service leave	573,569	478,290
Non-current employee benefits:		
Long Service leave	305,860	309,847
Total employee benefits	1,190,658	1,123,666
Current on-costs	190,715	172,068
Non-current on-costs	46,975	49,725
Total on-costs	237,690	221,793
Total employee benefits and on-costs	1,428,347	1,345,459

Note:

(i) Employee benefits consist of annual leave and long service leave accrued by employees. On-costs such as payroll tax and workers' compensation insurance are not employee benefits and are recognised as a separate provision.

(b) Movement in provisions

	On-costs 2016 \$	On-costs 2015 \$
Opening balance	221,793	183,692
Additional provisions recognised	164,628	146,142
Reductions arising from payments etc.	(148,731)	(108,041)
Closing balance	237,690	221,793
Current	190,715	172,068
Non-current	46,975	49,725
	237,690	221,793

Note 11. Financial instruments

(a) Financial risk management objectives and policies

The Commission's principal financial instruments comprise of:

- cash and deposits;
- receivables (excluding statutory receivables);
- payables (excluding statutory payables); and
- finance lease payables.

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, with respect to each class of financial asset, financial liability and equity instrument are disclosed in Note 1 to the financial statements.

The main purpose in holding financial instruments is to prudentially manage the Commission's financial risks within the government policy parameters.

The Commission's main financial risks include credit risk, liquidity risk and interest rate risk.

The carrying amounts of the Commission's contractual financial assets and financial liabilities by category are shown below.

Categorisation of financial instruments

2016	Contractual financial liabilities at amortised cost	Contractual financial assets, loans and receivables	Total
		\$	\$
Contractual financial assets			
Cash and deposits	-	440,155	440,155
Receivables ⁽ⁱ⁾	-	45,563	45,563
Total contractual financial assets	-	485,718	485,718
Contractual financial liabilities			
Payables ⁽ⁱⁱ⁾	172,944	-	172,944
Finance lease liabilities	66,911	-	66,911
Total contractual financial liabilities	239,855	-	239,855
2015	Contractual financial liabilities at amortised cost	Contractual financial assets, loans and receivables	Total
		\$	\$
Contractual financial assets			
Cash and deposits	-	731,942	731,942
Receivables ⁽ⁱ⁾	-	1,874	1,874
Total contractual financial assets	-	733,816	733,816
Contractual financial liabilities			
Payables ⁽ⁱⁱ⁾	172,908	-	172,908
Finance lease liabilities	53,749	-	53,749
Total contractual financial liabilities	226,657	-	226,657

Notes:

(i) The carrying amount disclosed here excludes statutory receivables (i.e. amounts owing from Victorian Government)

(ii) The carrying amount disclosed here excludes statutory payables (i.e. taxes payable).

(b) Credit risk

Credit risk arises from the contractual financial assets of the Commission, which comprise cash and trade and other receivables. The exposure to credit risk arises from the potential default of a counter party on their contractual obligations resulting in financial loss to the Commission. Credit risk is measured at fair value and is monitored on a regular basis.

Credit risk associated with the Commission's financial assets is minimal because the main debtor is the Victorian Government.

Provision of impairment for contractual financial assets is recognised when there is objective evidence that the Commission will not be able to collect a receivable. Objective evidence includes financial difficulties of the debtor, default payments, debts which are more than 60 days overdue, and changes in debtor credit ratings.

The carrying amount of contractual financial assets recorded in the financial statements, net of any allowances for losses, represents the Commission's maximum exposure to credit risk without taking account of the value of any collateral obtained.

Contractual financial assets that are either past due or impaired

There are no material financial assets which are individually determined to be impaired. Currently the Commission does not hold any collateral as security nor credit enhancements relating to any of its financial assets.

There are no financial assets that have had their terms renegotiated so as to prevent them from being past due or impaired, and they are stated at their carrying amounts as indicated. The ageing analysis table on the next page discloses the ageing only of contractual financial assets that are past due but not impaired.

Ageing analysis of contractual financial assets

2016	Carrying amount	Not past due and not impaired	Past due but not impaired				Impaired financial assets
			Less than 1 month	1 month - 3 months	3 months - 1 year	1 - 5 years	
	\$	\$	\$	\$	\$	\$	\$
Cash and deposits	440,155	440,155					
Receivables ⁽ⁱ⁾	45,563	45,563	-	-	-	-	-
Total	485,718	485,718	-	-	-	-	-
2015							
Cash and deposits	731,942	731,942					
Receivables ⁽ⁱ⁾	1,874	1,874	-	-	-	-	-
Total	733,816	733,816	-	-	-	-	-

Note:

(i) The carrying amounts disclosed here exclude statutory amounts (e.g. amounts owing from Victorian Government)

(c) Liquidity risk

Liquidity risk is the risk that the Commission would be unable to meet its financial obligations as and when they fall due.

The Commission operates under the Government fair payments policy of settling financial obligations within 30 days and in the event of a dispute, make payments within 30 days from the date of resolution.

The Commission's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed in the face of the balance sheet.

The Commission's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The table below discloses the contractual maturity analysis for the Commission's contractual financial liabilities.

Maturity analysis of contractual financial liabilities ⁽ⁱ⁾

2016	Maturity dates						
	Carrying amount	Nominal amount	Less than 1 month	1 - 3 months	3 months - 1 year	1 - 5 years	5+ years
	\$	\$	\$	\$	\$	\$	\$
Payables: ⁽ⁱⁱ⁾							
Supplies and services	172,944	172,944	172,944	-	-	-	-
Interest bearing liabilities:							
Lease liabilities	66,911	71,343	1,429	2,859	12,865	54,189	-
Total	239,855	244,287	174,373	2,859	12,865	54,189	-
2015							
Payables: ⁽ⁱⁱ⁾							
Supplies and services	172,908	172,908	172,908	-	-	-	-
Interest bearing liabilities:							
Lease liabilities	53,749	56,440	1,767	3,534	31,961	19,178	-
Total	226,657	229,348	174,675	3,534	31,961	19,178	-

Notes:

(i) Maturity analysis is presented using the contractual undiscounted cash flows

(ii) The carrying amounts disclosed exclude statutory amounts (e.g. GST payable).

(d) Market risk

The Commission's exposure to market risk is primarily through interest rate risk. The exposure to interest rate risk is insignificant and arises primarily through the Commission's interest bearing liabilities (3 motor vehicles leased through VicFleet).

The carrying amounts of financial assets and financial liabilities that are exposed to interest rates are set out below.

Interest rate exposure of financial instruments

2016	Weighted average effective interest rate	Carrying amount	Interest rate exposure		
			Fixed interest rate	Variable interest rate	Non- interest bearing
	%	\$	\$	\$	\$
Financial Assets					
Cash and deposits		440,155			440,155
Receivables: ⁽ⁱ⁾					
Sale of goods and services		45,563			45,563
Total financial assets		485,718			485,718
Financial Liabilities					
Payables ⁽ⁱ⁾ :					
Supplies and services		172,944	-	-	172,944
Lease liabilities	4.16%	66,911	66,911	-	-
Total financial liabilities		239,855	66,911	-	172,944
2015					
Financial Assets					
Cash and deposits		731,942			731,942
Receivables: ⁽ⁱ⁾					
Sale of goods and services		1,874			1,874
Total financial assets		733,816			733,816
Financial Liabilities					
Payables ⁽ⁱ⁾ :					
Supplies and services		172,908	-	-	172,908
Lease liabilities	5.95%	53,749	53,749	-	-
Total financial liabilities		226,657	53,749	-	172,908

Note:

(i) The carrying amounts disclosed here exclude statutory amounts (e.g. amounts owing from Victorian Government, and GST payables)

(e) Fair value

The fair values and net fair values of financial instrument assets and liabilities are determined as follows:

Level 1 - the fair value of financial instrument with standard terms and conditions and traded in active liquid markets are determined with reference to quoted market prices;

Level 2 - the fair value is determined using inputs other than quoted prices that are observable for the financial asset or liability, either directly or indirectly; and

Level 3 - the fair value is determined in accordance with generally accepted pricing models based on discounted cash flow analysis using unobservable market inputs.

The Commission considers that the carrying amount of financial instrument assets and financial liabilities recorded in the financial statements to be a fair approximation of their fair values, because of the short term nature of the financial instruments and the expectation that they will be paid in full.

All financial assets and liabilities are at Level 1 fair value hierarchy.

Note 12. Responsible persons

In accordance with the Ministerial Directions issued by the Minister for Finance under the *Financial Management Act 1994*, the following disclosures are made regarding responsible persons for the reporting period.

Names

The persons who held the positions of Ministers and Accountable Officers in the Department of Justice and Regulation are as follows:

Attorney-General	The Hon. Martin Pakula, MP	1 July 2015–30 June 2016
Acting Attorney-General	The Hon. Jill Hennessy, MP The Hon. Jane Garrett, MP	23 September 2015–2 October 2015 24 December 2015–10 January 2016
Secretary to the Department of Justice and Regulation	Greg Wilson	1 July 2015–30 June 2016
Acting Secretary to the Department of Justice and Regulation	Julia Griffith Donald Speagle	24 February 2016–17 March 2016 18 March 2016–28 March 2016

The Director, Commissioner's Office, Commissioner and people who held positions as Board Members are as follows:

Commissioner	Ms Kate Jenkins	1 July 2015–15 April 2016
Commissioner	Ms Clare Morton	18 April 2016–31 May 2016
Commissioner	Ms Kristen Hilton	1 June 2016–30 June 2016
Director, Commissioner's Office	Ms Catherine Dixon	1 July 2015–30 June 2016
Board Member, Chair	Mr John Searle	1 July 2015–30 June 2016
Board Member	Mr Josef Szwarc	1 July 2015–30 June 2016
Board Member	Mr Abeselom Nega	1 July 2015–30 June 2016
Board Member	Ms Colleen Pearce	1 July 2015–30 June 2016
Board Member	Ms Moana Weir	1 July 2015–30 June 2016
Board Member	Mr Timothy Goodwin	1 July 2015–30 June 2016
Board Member	Ms Megan Boston	1 July 2015–30 June 2016

Remuneration

Remuneration received or receivable by each Board Member, the Director, Commissioner's Office and Commissioner in connection with the management of the Commission during the reporting period was in the range shown below.

Income Band	Total Remuneration	
	2016	2015
\$0 – \$9,999	6	6
\$10,000 – \$19,999	1	1
\$20,000 – \$29,999	2	-
\$30,000 – \$39,999	-	-
\$70,000 – \$79,999	-	-
\$90,000 – \$99,999	-	-
\$100,000 – \$109,999	-	1
\$160,000 – \$169,999	1	-
\$250,000 – \$259,999	1	-
\$330,000 – \$339,999	-	1
Total numbers	11	9
Total amount	499,241	444,619

Remuneration received or receivable by Ministers is reported in the financial statements of the Department of Premier and Cabinet. For information regarding related party transaction of ministers, the register of member's interests is publicly available from: www.parliament.vic.gov.au/publications/register-of-interests.

Remuneration received or receivable by the Secretary to the Department of Justice and Regulation is reported in the financial statements of the Department of Justice and Regulation.

Note 13. Remuneration of executives

The accountable officer is also the Commissioner whose remuneration has been disclosed under Note 12 as part of the responsible persons disclosure. The remuneration of the Director, Commissioner's Office is also included in Note 12.

Note 14. Related parties

During the financial year, the Commission, the Office of the Public Advocate and the Department of Justice and Regulation conducted business transactions at arms length and at normal commercial terms.

Other transactions

Other related transactions requiring disclosure under the Directions of the Minister for Finance have been considered and there are no matters to report.

Note 15. Remuneration of auditors

	2016	2015
	\$	\$
Victorian Auditor - General's Office		
Audit of the financial statements	20,100	19,100
	20,100	19,100

Note 16. Commitments for expenditure

(a) Capital expenditure

There are no capital expenditure commitments as at 30 June 2016 (2015:\$Nil)

(b) Lease commitments

Finance lease liabilities and non-cancellable operating lease commitments are disclosed in Note 18 to the financial statements.

Note 17. Contingent assets and contingent liabilities

There are no contingent liabilities or contingent assets as at 30 June 2016 (2015:\$Nil).

Note 18. Leases

Leasing arrangements

The finance lease entered into by the Commission relates to motor vehicles with maximum lease terms of 3 years.

Finance lease liabilities

	Minimum future lease payments ⁽ⁱ⁾		Present value of minimum future lease payments	
	2016	2015	2016	2015
	\$	\$	\$	\$
Not longer than 1 year	17,153	37,262	14,670	35,307
Longer than 1 year and not longer than 5 years	54,189	19,178	52,241	18,442
Minimum future lease payments	71,343	56,440	66,911	53,749
less: Future finance charges	(4,432)	(2,691)	-	-
Present value of minimum lease payments	66,911	53,749	66,911	53,749
Included in the financial statements as:				
Current interest bearing liabilities (Note 9)			14,670	35,307
Non-current interest bearing liabilities (Note 9)			52,241	18,442
			66,911	53,749

The weighted average interest rate implicit in the leases is 4.16% (2015:5.95%)

Note:

(i) Minimum lease payments include the aggregate of all lease payments and any guaranteed residual.

Leasing arrangements

Operating leases relate to buildings.

	2016	2015
	\$	\$
Non-cancellable operating leases		
Not longer than 1 year	652,833	560,682
Longer than 1 year and not longer than 5 years	1,668,283	810,415
	2,321,116	1,371,097

Note 19. Superannuation

Employees of the Commission are entitled to receive superannuation benefits and the Commission contributes to both defined benefit and defined contribution plans. The defined benefit plan(s) provides benefits based on years of service and final average salary.

The Commission does not recognise any defined benefit liability in respect of the plan(s) because the entity has no legal or constructive obligation to pay future benefits relating to its employees; its only obligation is to pay superannuation contributions as they fall due. The Department of Treasury and Finance recognises and discloses the State's defined benefit liabilities in its disclosure for administered items.

However, superannuation contributions paid or payable for the reporting period are included as part of employee benefits in the comprehensive operating statement of the Commission.

The name, details and amounts expensed in relation to the major employee superannuation funds and contributions made by the Commission are as follows:

Fund	Paid contribution for the year	Paid contribution for the year	Contribution outstanding at year end	Contribution outstanding at year end
	2016	2015	2016	2015
	\$	\$	\$	\$
Defined benefit plans:				
State Superannuation Fund - revised and new	29,458	25,227	497	-
Defined contribution plans:				
Victorian Superannuation Fund - Accumulation	284,683	310,473	3,351	-
Other	247,339	198,520	3,287	-
Total	561,480	534,220	7,135	-

Note:

(i) The bases for determining the level of contributions is determined by the various actuaries of the defined benefit superannuation plans.

Note 20. Cash flow information

	2016 \$	2015 \$
(a) Reconciliation of cash and cash deposits		
Total cash and cash deposits disclosed in the balance sheet	440,155	731,942
Balance as per cash flow statement	440,155	731,942
(b) Reconciliation of net result for the period.		
	2016 \$	2015 \$
Net result for the period	(226,232)	(630,589)
Non-cash movements:		
Depreciation and amortisation	432,995	433,676
Resources provided free of charge	-	-
Gain on disposal of non-financial assets	-	-
Movements in assets and liabilities		
(Increase)/decrease in receivables	(565,302)	(59,164)
(Increase)/decrease in prepayments	-	-
Increase/(decrease) in payables	2,113	(33,211)
Increase/(decrease) in provisions	82,888	233,218
Net cash flows from/(used in) operating activities	(273,538)	(56,070)

Note 21. Trust account balances

The trust account was created for the purpose of engaging in specific collaborative work with the Commission's external stakeholders with the objective of eliminating inequality and promoting equal opportunity and human rights.

Payments from the trust fund during 2015/16 amounted to \$1,152,031 (2014/15:\$547,269).

	2016				2015			
	<i>Opening balance as at 1 July 2015</i>	<i>Total receipts</i>	<i>Total payment</i>	<i>Closing balance as at 30 June 2016</i>	<i>Opening balance as at 1 July 2014</i>	<i>Total receipts</i>	<i>Total payment</i>	<i>Closing balance as at 30 June 2015</i>
	\$	\$	\$	\$	\$			\$
Controlled trust fund								
For collaborative work with external stakeholders	731,442	860,245	(1,152,031)	439,655	774,289	504,422	(547,269)	731,442
Total controlled trust	731,442	860,245	(1,152,031)	439,655	774,289	504,422	(547,269)	731,442

Note 22 - Subsequent Events

In 2015, the Commission undertook an internal review of its organisational structure. As a result of the review, a new organisational structure was developed. Subsequent to the reporting date, the Commission commenced its implementation of the new organisational structure.

The financial effect of the change cannot be determined at this stage.

Note 23. Glossary of terms and style conventions

Amortisation

Depreciation is the expense which results from the consumption, extraction or use over time of a non-produced physical or intangible asset. This expense is classified as an other economic flow.

Borrowings

Borrowings refers to interest-bearing liabilities mainly raised from public borrowings raised through the Treasury Corporation of Victoria, finance leases and other interest-bearing arrangements. Borrowings also includes non-interest-bearing advances from government that are acquired for policy purposes.

Comprehensive result

The net result of all items of income and expense recognised for the period. It is the aggregate of operating result and other comprehensive income.

Commitments

Commitments include those operating, capital and other outsourcing commitments arising from non-cancellable contractual or statutory sources.

Depreciation

Depreciation is an expense that arises from the consumption through wear or time of a produced physical or intangible asset. This expense is classified as a 'transaction' and so reduces the 'net result from transaction'.

Employee benefits expenses

Employee benefits expenses include all costs related to employment including wages and salaries, leave entitlements, redundancy payments and superannuation contributions.

Financial asset

A financial asset is any asset that is:

- (a) cash;
- (b) an equity instrument of another entity;
- (c) a contractual right:

to receive cash or another financial asset from another entity; or to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity; or

- (d) a contract that will or may be settled in the entity's own equity instruments and is:

a non-derivative for which the entity is or may be obliged to receive a variable number of the entity's own equity instruments; or a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments.

Financial instrument

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity.

Financial assets or liabilities that are not contractual (such as statutory receivables or payables that arise as a result of statutory requirements imposed by governments) are not financial instruments.

Financial liability

A financial liability is any liability that is:

- (a) A contractual obligation:
 - (i) to deliver cash or another financial asset to another entity; or
 - (ii) to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity; or
- (b) A contract that will or may be settled in the entity's own equity instruments and is:
 - (i) a non-derivative for which the entity is or may be obliged to deliver a variable number of the entity's own equity instruments; or
 - (ii) a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments. For this purpose the entity's own equity instruments do not include instruments that are themselves contracts for the future receipt or delivery of the entity's own equity instruments.

Financial statements

A complete set of financial statements comprises:

- (a) a balance sheet as at the end of the period;
- (b) a comprehensive operating statement for the period;
- (c) a statement of changes in equity for the period;
- (d) a statement of cash flows for the period;
- (e) notes, comprising a summary of significant accounting policies and other explanatory information;
- (f) comparative information in respect of the preceding period as specified in paragraphs 38 of AASB 101 Presentation of Financial Statements; and
- (g) a statement of financial position as at the beginning of the preceding period when an entity applies an accounting policy retrospectively or makes a retrospective restatement of items in its financial statements, or when it reclassifies items in its financial statements in accordance with paragraphs 41 of AASB 101.

Grants and other transfers

Transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operational or capital in nature. While grants to government may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive benefits of approximately equal value. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods and services, to particular taxpayers in return for their taxes. For this reason, grants are referred to by the AASB as involuntary transfers and are termed non-reciprocal transfers.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

Intangible assets

Intangible assets represent identifiable non-monetary assets without physical substance, e.g. software.

Interest expense

Costs incurred in connection with the borrowing of funds. Interest expenses include interest on bank overdrafts and short-term and long-term borrowings, amortisation of discounts or premiums relating to borrowings, interest component of finance lease repayments, and the increase in financial liabilities and non-employee provisions due to the unwinding of discounts to reflect the passage of time.

Net result

Net result is a measure of financial performance of the operations for the period. It is the net result of items of income, gains and expenses (including losses) recognised for the period, excluding those that are classified as ‘other economic flows - other comprehensive income’.

Net result from transactions/net operating balance

Net result from transactions or net operating balance is a key fiscal aggregate and is revenue from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains and losses resulting from changes in price levels and other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

Net worth

Assets less liabilities, which is an economic measure of wealth.

Non-financial assets

Non-financial assets are all assets that are not ‘financial assets’.

Other economic flows included in net result

Other economic flows are changes in the volume or value of an asset or liability that do not result from transactions. It includes: gains and losses from disposals, revaluations and impairments of non-financial physical and intangible assets; fair value changes of financial instruments and agricultural assets; and depletion of natural assets (non-produced) from their use or removal.

Payables

Includes short and long term trade debt and accounts payable, grants, taxes and interest payable.

Receivables

Includes amounts owing from government through appropriation receivable, short and long term trade credit and accounts receivable, accrued investment income, grants, taxes and interest receivable.

Supplies and services

Supplies and services generally represent cost of goods sold and the day-to-day running costs, including maintenance costs, incurred in the normal operations of the Commission.

Transactions

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows within an entity such as depreciation where the owner is simultaneously acting as the owner of the depreciated asset and as the consumer of the service provided by the asset. Transactions can be in kind e.g. assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms transactions arise from the policy decisions of the Commission.

Style conventions

Figures in the tables and in the text have been rounded. Discrepancies in tables between totals and sums of components reflect rounding. Percentage variations in all tables are based on the underlying unrounded amounts.

The notation used in the tables is as follows:

-	zero, or rounded to zero
(xxx.x)	negative numbers
201x	year period
201x/0x	year period

Chairperson, accountable officer, and chief finance and accounting officer's declaration

The attached financial statements for the Victorian Equal Opportunity and Human Rights Commission have been prepared in accordance with Standing Direction 4.2 of the *Financial Management Act 1994*, applicable Financial Reporting Directions, Australian Accounting Standards including Interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement, and accompanying notes forming part of the financial statements, presents fairly the financial transactions during the year ended 30 June 2016 and financial position of the Commission as at 30 June 2016.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 5 October 2016.



Kristen Hilton
Commissioner
Victorian Equal Opportunity
and Human Rights Commission
5 October 2016



Yamusa Alhassan
Chief Finance and Accounting Officer
Victorian Equal Opportunity
and Human Rights Commission
5 October 2016



Moana Weir
Chairperson of the Board
Victorian Equal Opportunity
and Human Rights Commission
5 October 2016

INDEPENDENT AUDITOR'S REPORT

To the Board Members, Victorian Equal Opportunity and Human Rights Commission

The Financial Report

I have audited the accompanying financial report for the year ended 30 June 2016 of the Victorian Equal Opportunity and Human Rights Commission which comprises the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement, notes comprising a summary of significant accounting policies and other explanatory information, and the chairperson, accountable officer and chief finance and accounting officer's declaration.

The Board Members' Responsibility for the Financial Report

The Board Members of the Victorian Equal Opportunity and Human Rights Commission are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, and the financial reporting requirements of the *Financial Management Act 1994*, and for such internal control as the Board Members determine is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit, which has been conducted in accordance with Australian Auditing Standards. Those standards require compliance with relevant ethical requirements relating to audit engagements and that the audit be planned and performed to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The audit procedures selected depend on judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, consideration is given to the internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Board Members, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independent Auditor's Report (continued)

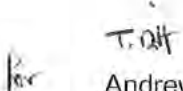
Independence

The Auditor-General's independence is established by the *Constitution Act 1975*. The Auditor-General is not subject to direction by any person about the way in which his powers and responsibilities are to be exercised. In conducting the audit, I and my staff and delegates complied with all applicable independence requirements of the Australian Auditing Standards and relevant ethical pronouncements.

Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of the Victorian Equal Opportunity and Human Rights Commission as at 30 June 2016 and of its financial performance and its cash flows for the year then ended in accordance with applicable Australian Accounting Standards, and the financial reporting requirements of the *Financial Management Act 1994*.

MELBOURNE
11 October 2016


for Andrew Greaves
Auditor-General

Appendix

Disclosure index

The Annual Report of the Commission is prepared in accordance with all relevant Victorian legislations.

This index has been prepared to facilitate identification of the Commission's compliance with statutory disclosure requirements.

Legislation	Requirement	Page Number
Ministerial Directions		
Report of Operations		
<i>Charter and purpose</i>		
FRD 22E	Manner of establishment and the relevant Ministers	9
FRD 22E	Objectives, functions, powers and duties	9–10
FRD 22E	Nature and range of services provided	10
<i>Management & structure</i>		
FRD 22E	Organisational structure	11
<i>Financial and other information</i>		
FRD 10	Disclosure index	92
FRD 22E	Occupational health and safety	-
FRD 22E	<i>Application and operation of Freedom of Information Act 1982</i>	94
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SD 4.5.5	Risk management compliance attestation	94
SD 4.5.5.1	Ministerial Standing Direction 4.5.5.1 compliance attestation	94
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SD 4.2(b)	Balance Sheet	53
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Workforce data trends

	Ongoing		Fixed Term		Casual		Total	
	Number (Headcount)	FTE	Number (Headcount)	FTE	Number (Headcount)	FTE	Number (Headcount)	FTE
Jun 2016	47	43.40	11	8.60	1	0.70	59	52.70

Active staff in last pay period June 2016

	Ongoing		Fixed term and Casual	
	Headcount	FTE	Headcount	FTE
Gender				
Male	13	12.60	1	1.00
Female	34	30.80	11	8.30
Age				
Under 25	0	0.00	0	0.00
25–34	12	11.40	2	1.60
35–44	19	16.40	3	3.00
45–54	8	7.60	6	3.70
55–64	8	8.00	1	1.00
Over 64	0	0.00	0	0.00
Classification				
Executive Officers 3	1	1.00	0	0.00
Principal Solicitor	1	0.80	0	0.00
Senior Solicitor	4	3.30	0	0.00
Solicitor 3	1	0.60	0	0.00
VPS Grade 2	3	3.00	1	1.00
VPS Grade 3	6	6.00	1	1.00
VPS Grade 4	13	11.80	2	1.30
VPS Grade 5	13	12.00	5	4.00
VPS Grade 6	5	4.90	3	2.00

Compliance reporting

Attestation of compliance with the Ministerial Standing Direction 4.5.5 – Risk Management Framework and Processes

I, Kristen Hilton, Commissioner of the Victorian Equal Opportunity and Human Rights Commission, certify that the Commission has complied with the *Ministerial Standing Direction 4.5.5 – Risk Management Framework and Processes*.



Kristen Hilton
Commissioner
Victorian Equal Opportunity
and Human Rights Commission
5 October 2016

Audit and risk management committee report

The primary role of the Audit and Risk Management Committee is to provide independent oversight of the Commission's financial and business processes. The Committee considers reports from the Commission and auditors that provide assurance about the integrity of the financial processes, systems and reporting of the Commission. The Audit and Risk Management Committee oversees and advises the Commission on matters of accountability, risk management and internal controls affecting operations.

The Audit and Risk Management Committee consists of three board members and two independent representatives. 2015/16 members were as follows: Megan Boston (Chair), John Searle and Abeselom Nega. Independent representatives: Jeff Floyd and Sue Madden. External audits of the Commission are undertaken by the Victorian Auditor-General's Office.

Application and operation of the Freedom of Information Act 1982

Victoria's *Freedom of Information Act 1982* (FOI Act) gives members of the public the right to apply for access to information held by ministers, state government departments, local councils, public hospitals, most semi-government agencies and statutory authorities.

The FOI Act allows people to apply for access to documents held by an agency, including documents containing their personal information, irrespective of how the documentation is stored. This includes paper and electronic documents. The two main categories of requests the Commission receives under the FOI Act are individuals asking for documents containing their own personal information, or documents relating to the activities of the Commission.

The Commission maintains a filing system in paper form and on an electronic document management system. Files stored by the Commission can be broadly categorised as personnel files, procedure and policy, project files, operational and administrative responsibilities, and general correspondence files. Certain documents are destroyed or transferred to the Public Records Office in accordance with the *Public Records Act 1973*.

The Commission has published a statement on its website described as a "Part II Information Statement" which is a snapshot of the types of documents held by the Commission, an outline of what the Commission does and how a person can access the information they require. For example, most of the Commission's documents relating to its activities and decision-making are publicly available on our website.

However, a person may make a request to the Commission under section 17 of the FOI Act for access to documents which are not publicly available.

What happens when I make a request under section 17 of the FOI Act?

When a document request is received, the Commission's FOI Officer completes an assessment of the request to ascertain if the request is for information that can be released to the person administratively without requiring a valid FOI request. Where possible, the Commission provides information administratively without requiring an FOI request or fee.

If it is not appropriate to release a document or documents administratively, the FOI Officer will assess whether the FOI request is valid under section 17 of the FOI Act. If so, the FOI Officer will conduct a search for documents requested and if they exist, assess whether they are suitable for release or whether any material requested is exempt from release under the FOI Act.

The FOI Act outlines general categories of information that are exempt. They include, among others, information relating to the personal or business affairs of third parties, information provided in confidence, documents affecting legal proceedings, information which if released might endanger the lives or physical safety of individuals, cabinet documents and internal working documents, the release of which would be contrary to the public interest.

The Commission is also subject to a secrecy provision in the *Equal Opportunity Act 2010* which is an exemption under the FOI Act. This means, broadly speaking, that the Commission cannot release information relating to the affairs of any person without their consent, where that information was obtained by the Commission in the course of performing its functions under the Equal Opportunity Act.

Lodging an FOI Request with the Commission

A request must be made in writing and should be addressed to the Freedom of Information Officer either by post or email:

Victorian Equal Opportunity and Human Rights Commission
Level 3, 204 Lygon Street
Carlton, Vic 3053
foi@veohrc.vic.gov.au

An FOI request must be specific enough to allow an agency to identify documents considered relevant to a request. Where the terms of a request are vague, assistance will be provided to applicants to help determine the type of documentation being sought.

All FOI requests are subject to an application fee. For the period 1 July 2015 to 30 June 2016, the fee was \$27.20. The application fee may be waived in cases where payment would cause an applicant financial hardship. Where an applicant seeks a waiver of this fee, the request should indicate the grounds on which a waiver is being sought (for example, low income or holder of Commonwealth Health Care Card).

Further information on current charges (including access charges) is available online at www.foi.vic.gov.au. It should be noted that, under certain circumstances, some of these charges can be waived.

Further information on making a request to the Commission can be found on our website humanrightscommission.vic.gov.au/index.php/about-us/freedom-of-information.

FOI Requests for the period 1 July 2015 to 30 June 2016

The Commission received two formal FOI requests and finalised two formal FOI requests (one of which was received in the previous financial year).

The Commission received a further two requests under the FOI Act which did not proceed: one applicant did not pay the application fee, and the other did not clarify the terms of the FOI request as required by section 17(2) of the FOI Act.

The Commission received and finalised nine administrative requests for information. We have one further administrative request still awaiting finalisation.

There were two requests for consultation under the FOI Act.

There were no complaints to the FOI Commissioner about a FOI decision, no applications for review by the FOI Commissioner and no applications to the Victorian Civil and Administrative Tribunal.

Compliance with the Protected Disclosure Act 2012 (Vic)

The *Protected Disclosure Act 2012* encourages and assists people in making disclosures of improper conduct by public officers and public bodies. The Act provides protection to people who make disclosures in accordance with the Act and establishes a system for the matters disclosed to be investigated and rectifying action to be taken. The Commission does not tolerate improper conduct by employees, nor the taking of reprisals against those who come forward to disclose such conduct. We are committed to ensuring transparency and accountability in administrative and management practices. We support the making of disclosures that reveal:

- corrupt conduct
- conduct involving a substantial mismanagement of public resources
- conduct involving a substantial risk to public
- health and safety or the environment.

We will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. We will also afford natural justice to the person who is the subject of the disclosure to the extent it is legally possible.

Disclosures about the Commission or any of its employees can be made to the Independent Broadbased Anti-corruption Commission. See ibac.vic.gov.au.

For the Commission's protected disclosure procedures and more information about reporting improper conduct go to humanrightscommission.vic.gov.au.

Further information

In accordance with Part 9 of the Protected Disclosure Act, the Commission has established Protected Disclosure Procedures, which are available on the Commission's website at humanrightscommission.vic.gov.au.

The Protected Disclosure Procedures outline the system for reporting disclosures of improper conduct or detrimental action by the Commission or any of its employees and/or officers and the welfare management of those who make or cooperate with protected disclosures. This includes procedures for the protection of persons from detrimental action taken by the Commission or members, officers or employees of the Commission.

Compliance with the Carers Recognition Act 2012

The Commission has taken all practical measures to comply with its obligations under the *Carers Recognition Act 2012*. These include:

- promoting the principles of the Act to people in care relationships who receive our services, and to the wider community, by distributing printed information about the Act on our website for the benefit of members of the public; by continuing to educate the community about the rights of carers under the Equal Opportunity Act through our social media campaigns, project initiatives and training workshops; by providing a publicly available Enquiry Line for members of the public to make complaints about discrimination, including on the basis of their status as carer, as well as the opportunity to participate in dispute resolution at the Commission

- ensuring our staff have an awareness and understanding of the care relationship principles set out in the Act by developing and implementing a staff awareness strategy about the principles and objects of the Act and what they mean for staff; by offering a presentation at a general staff meeting about the objects and principles of the Act; by forwarding an email to all staff following the presentation to reiterate the principles of the Act; by posting information on the internal staff intranet and by placing informative posters in communal staff areas; by nominating and alerting all staff to a contact person within the Commission who can provide further information about the Act
- considering the carer relationships principles set out in the Act when setting policies and providing services by continuing employment policies that include flexible working arrangements and leave provisions that comply with the principles of the Act; by offering a dispute resolution service that is flexible and takes account of the specific needs of parties involved in conciliation including those in care relationships. The Commission received 111 complaints for dispute resolution relating specifically to carer status as an attribute under the Equal Opportunity Act.

Compliance with building and maintenance provisions of the Building Act 1993

The Commission does not own or control any government buildings and is therefore exempt from notifying its compliance with the building and maintenance provisions of the *Building Act 1993*.



Contact us

Enquiry Line	1300 292 153 or (03) 9032 3583
Fax	1300 891 858
Hearing impaired (TTY)	1300 289 621
Interpreters	1300 152 494
Email	information@veohrc.vic.gov.au
Website	humanrightscommission.vic.gov.au