



First Peoples data report



**Victorian Equal Opportunity
& Human Rights Commission**

Accurate data about the experiences of First Peoples is critical for ensuring policy decisions and public services meet the needs of First Peoples communities. With a strategic focus on promoting the rights of First Peoples, we are continually working to improve the data we collect from our enquiries and complaints services and how we share it with other organisations serving First Peoples.

Our second First Peoples data report is a result of our [First Peoples data strategy](#) under the [Aboriginal community engagement strategy 2020–22](#). The data strategy is underpinned by principles of privacy and consent, respecting self-determination and data sovereignty, supporting cultural rights, and ensuring transparency and accountability.

We acknowledge that the complaints and enquiries we have received represent just a fraction of the instances of discrimination experienced by First Peoples. This data should not be seen or published as representative of all experiences of discrimination experienced by First Peoples.

Even when people know about our services, there are many barriers that may deter First Peoples from reporting what they have experienced. This includes mistrust of government services and systems due to past government policies, including displacement and separation of families. This mistrust also results from a history of poor complaint-handling across public services and genuine fear that making a complaint may result in retribution. In addition, First Peoples experience other barriers such as disempowerment and internalised racism. In recent years, we have made changes to ensure we continually improve the cultural safety of our services for First Peoples and actively promote how we practise cultural safety in our reporting pathways to First Peoples communities. However, it will take time and ongoing improvements to our services to ensure First Peoples feel confident reporting their experiences of discrimination, sexual harassment, victimisation and vilification.

We also acknowledge that there are some limitations in the data we have available. While our complaints team started recording whether someone identified as Aboriginal or Torres Strait Islander in 2017–18, we only started asking this question explicitly in 2019–20. Our previous approach was to minimise the number of mandatory questions we ask to avoid over-collection of data, but we recognise that providing a culturally safe way for people to identify as Aboriginal or Torres Strait Islander is important for collecting data and ensuring our service responds to their needs.

We'll continue to publish this data report each year and provide it directly to our key First Peoples stakeholders. In doing so, we hope to help identify emerging issues for First Peoples communities and continue to shape effective policies and services.

Cover artwork: Gorakor Wunbuni Yingurni 'Walk gently today' (Dja Dja Wurrung) by Yorta Yorta, Dja Dja Wurrung and Gamilaroi artist Madison Connors.

Key findings

Since 2017–18, 201 First Peoples have made complaints to the Commission.

Since 2017–18, we've received 249 enquiries from First Peoples, raising 462 issues of discrimination.

Racism and disability discrimination continued to be the most common types of discrimination in the complaints and enquiries we received.

The most common places where First Peoples experienced discrimination continued to be in the provision of goods and services and at work.

Discrimination against First Peoples often occurred in interactions with retail businesses and state government agencies.

In the last 3 reporting years, just over half of First Peoples who made complaints were women.

Complaints about discrimination in accommodation rose significantly in 2023–24, with double the number of complaints from the prior year.

About our complaints process

We can help resolve complaints under two Victorian laws: *the Equal Opportunity Act 2010* and *the Racial and Religious Tolerance Act 2001*. We also have a separate process to receive reports under the *Change or Suppression (Conversion) Practices Prohibition Act 2021*.

Under these laws, anyone (of any age – usually those under 18 are supported by a parent or carer) can make a complaint if they believe they have experienced discrimination, sexual harassment, racial or religious vilification or victimisation.

Complaints are normally about individual experiences. We can also accept representative complaints which are issues affecting a lot of people, but these are less common.

Generally, we may receive up to two of these a year but are yet to receive any representative complaints from First Peoples.

By making a complaint, First Peoples can seek a positive outcome for themselves and show others in their community how to speak up and seek a positive outcome too.

Read more about our complaints process.

Sometimes we become aware of systemic issues, where laws, policies or practices discriminate against a group of people because of their personal attributes. In those situations, we may use our investigation function to look at whether the organisation involved is fulfilling its obligations under the EOA and recommend changes to ensure they are treating people fairly.

Read more about our investigations.

About our complaints data

When a person makes a complaint about discrimination, we record some key details including:

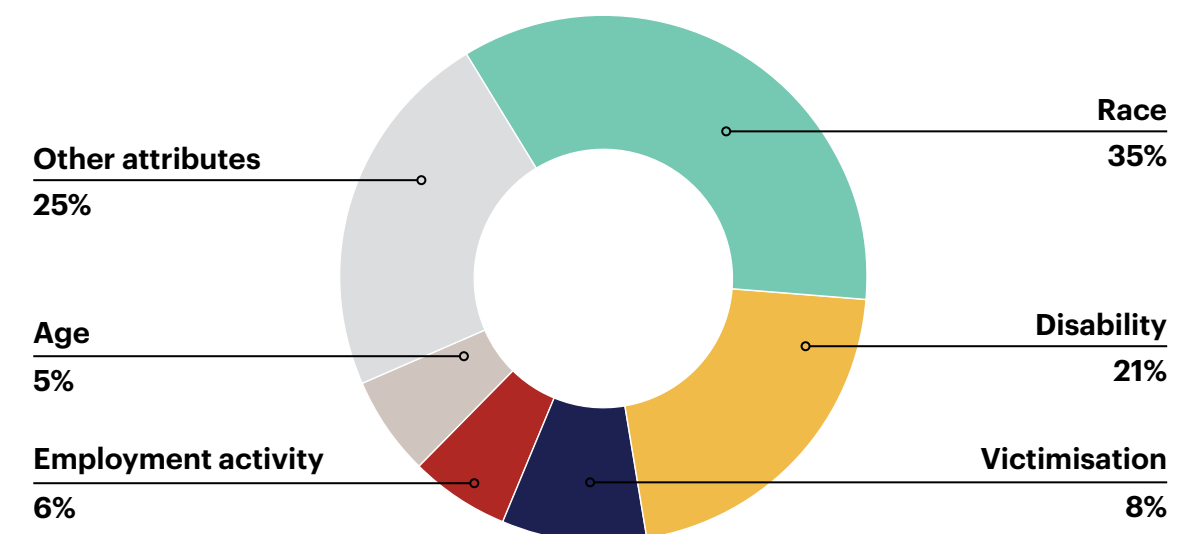
- what type of discrimination the person experienced – for example, discrimination based on race, sex, disability, age or sexual orientation (these characteristics are known as protected attributes)
- where the discrimination occurred – for example, in employment, in education or in the provision of goods and services (these places are known as areas of public life).

A single complaint can include more than one type of discrimination.

What types of discrimination did First Peoples experience?

In 2023–24, race discrimination (32% of issues raised in complaints) and disability discrimination (19%) were the most common issues First Peoples reported in complaints. The results for this year were broadly consistent with issues raised in complaints since 2017–18 (below).

Figure 2. Most common issues raised in complaints from First Peoples, 2017–18 to 2023–24



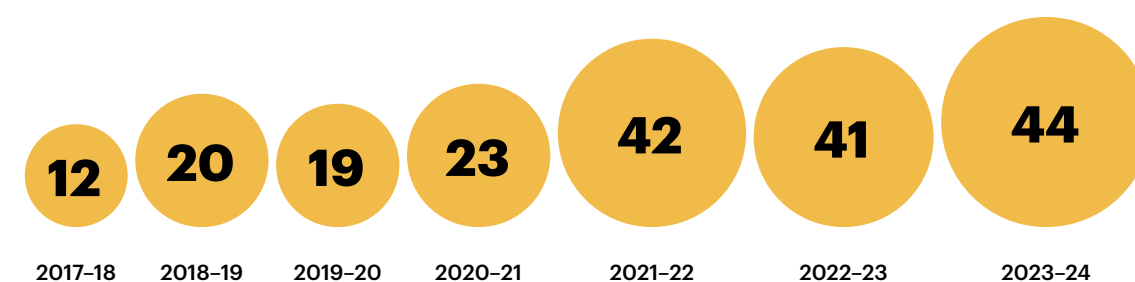
While we receive anecdotal reports that racial vilification and discrimination on the basis of spent convictions are common experiences, we only receive a small number of complaints raising these issues – typically 1 or 2 complaints each year.

Complaints

How many First Peoples made complaints to the Commission?

Since 2017–18, 201 First Peoples have made complaints of discrimination, sexual harassment, victimisation and vilification to the Commission. This includes 44 people who made complaints in 2023–24. The number of complaints received from First Peoples has continued to rise over the last 7 years. The Commission will continue to raise awareness of this service within the community.

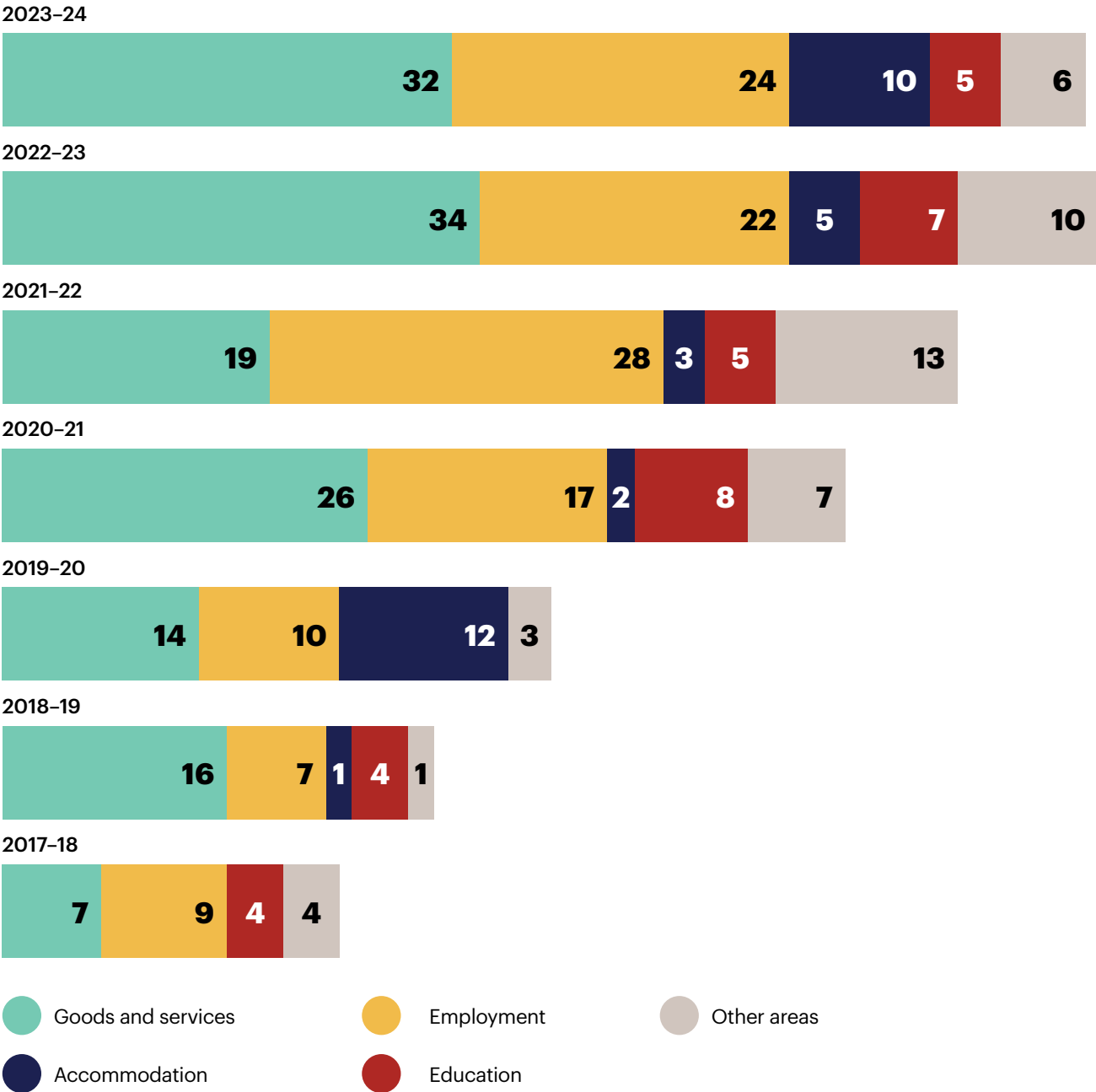
Figure 1. Complaints from First Peoples, 2017–18 to 2023–24



Where did First Peoples experience discrimination?

In 2023–24, employment and provision of goods and services were the most common places where First Peoples experienced discrimination, consistent with previous years. There was an increase in the number of complaints related to accommodation, doubling from last year.

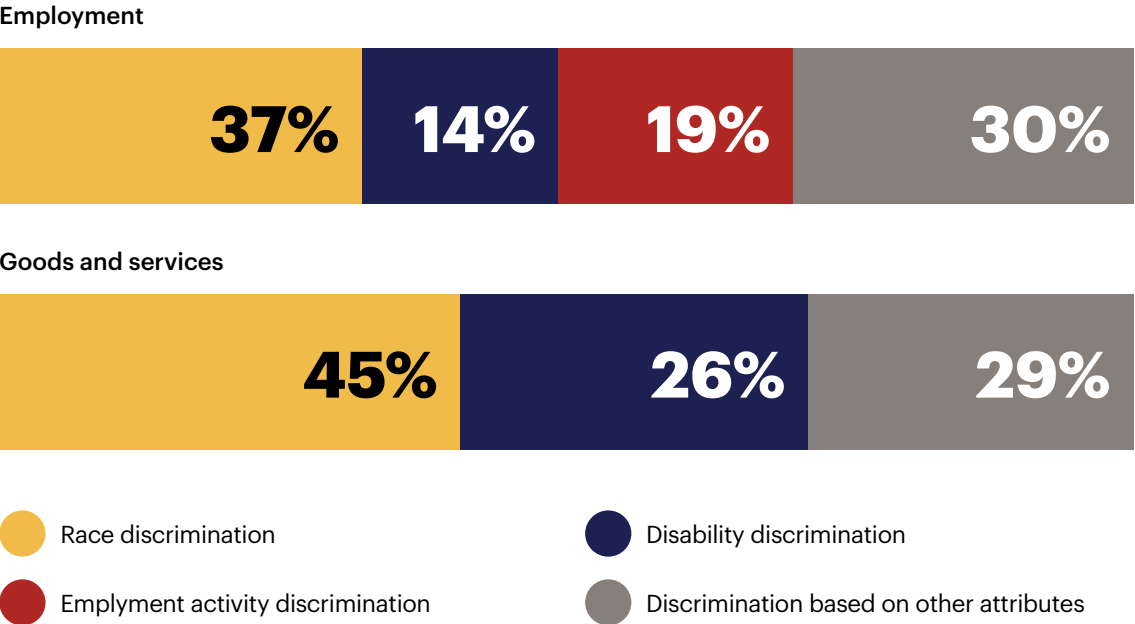
Figure 3. Most common areas of public life where First Peoples experienced discrimination, 2017–18 to 2023–24



While we hear anecdotally that sports clubs are a common place for people to experience discrimination, we have received very few complaints related to that area of public life over the last 7 years.

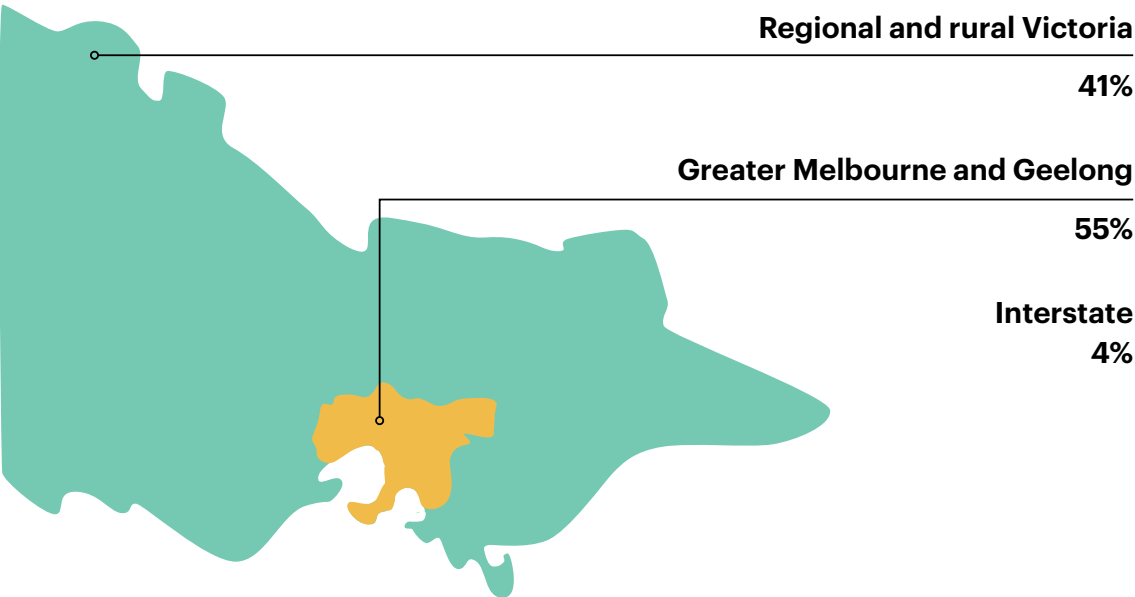
Focusing on goods and services, and employment as the areas of public life where First Peoples most commonly experienced discrimination, we can see that race discrimination and disability discrimination accounted for a significant proportion of complaints in these areas.

Figure 4. Race discrimination and disability discrimination as a proportion of all employment and goods and services complaints, 2017–18 to 2023–24



Nearly 60 per cent of complaints from First Peoples related to the metropolitan region and Geelong over the last 3 years.

Figure 5. Where First Peoples made complaints across the state, 2021–22 to 2023–24



What organisations did First Peoples make complaints about?

Over the last 3 years, retail businesses, state government organisations, First Peoples organisations, real estate providers and health/medical services were the most common organisations that First Peoples made complaints about.

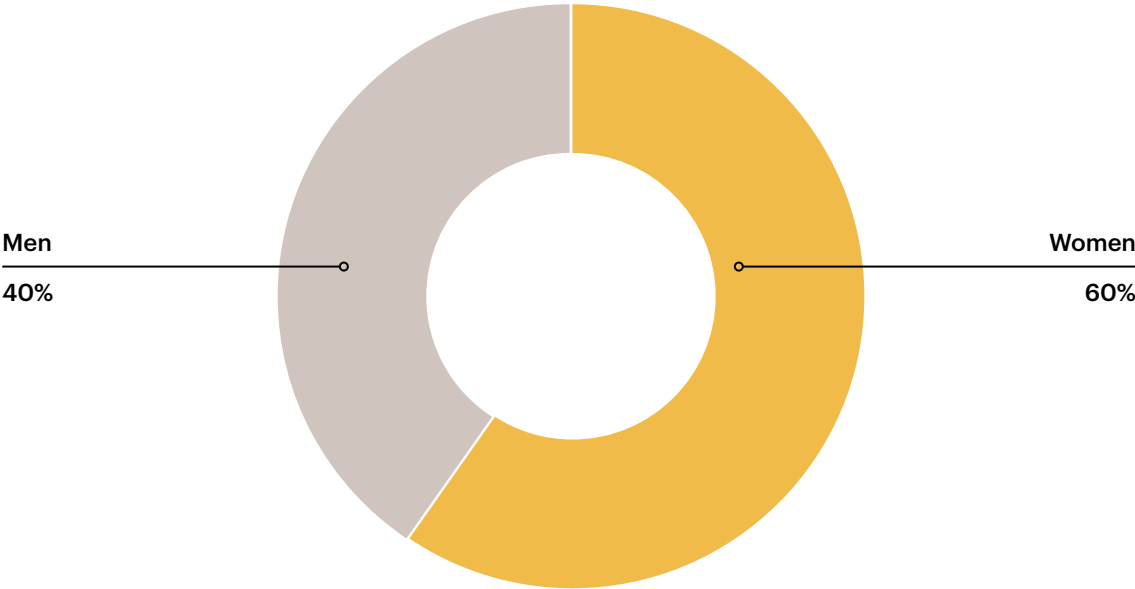
Figure 6. The most common organisations First Peoples made complaints about, 2021-22 to 2023-24



Who made complaints to the Commission?

Over the last 3 years, 60 per cent of First Peoples who made a complaint were women.

Figure 7. Gender of First Peoples who made a complaint, 2021-22 to 2023-24



What outcomes do people seek from complaints?

When someone makes a complaint to the Commission, they may seek a range of different outcomes important to them and their community. Some common outcomes people seek include:

- an acknowledgement of their experience
- an apology to them or their community
- a promise to change or stop the behaviour
- compensation
- being given their job back
- a statement of service or reference from an employer
- accessing a service where access was denied
- cultural awareness or cultural safety training
- training in equal opportunity laws so the respondent is educated about their legal obligations
- reviewing and updating equal opportunity and diversity policies.



Enquiries

About our enquiries data

When someone makes an enquiry, we record the issue they are enquiring about. Our list includes around 30 issues such as human rights, discrimination, sexual harassment and victimisation. A single enquiry can raise multiple issues.

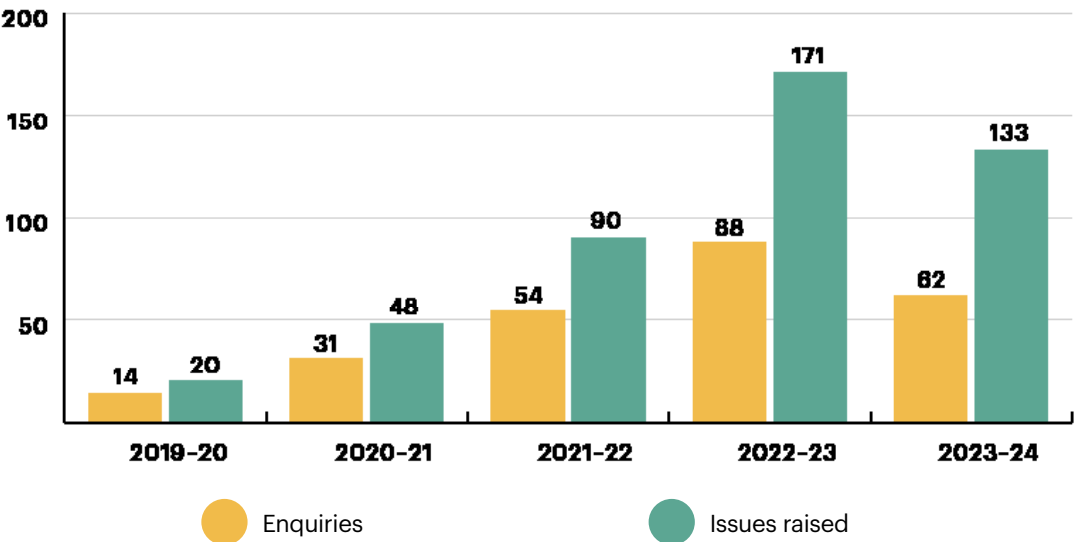
Enquiries, and issues raised in them, have continued to increase over the last 5 years.

We will continue to promote this service to First Peoples and increase awareness of how we employ culturally safe practices to receive enquiries.

How many enquiries did we receive from First Peoples?

In 2023–24, First Peoples made 62 enquiries, raising 133 issues.

Figure 8. Enquiries and issues raised by First Peoples



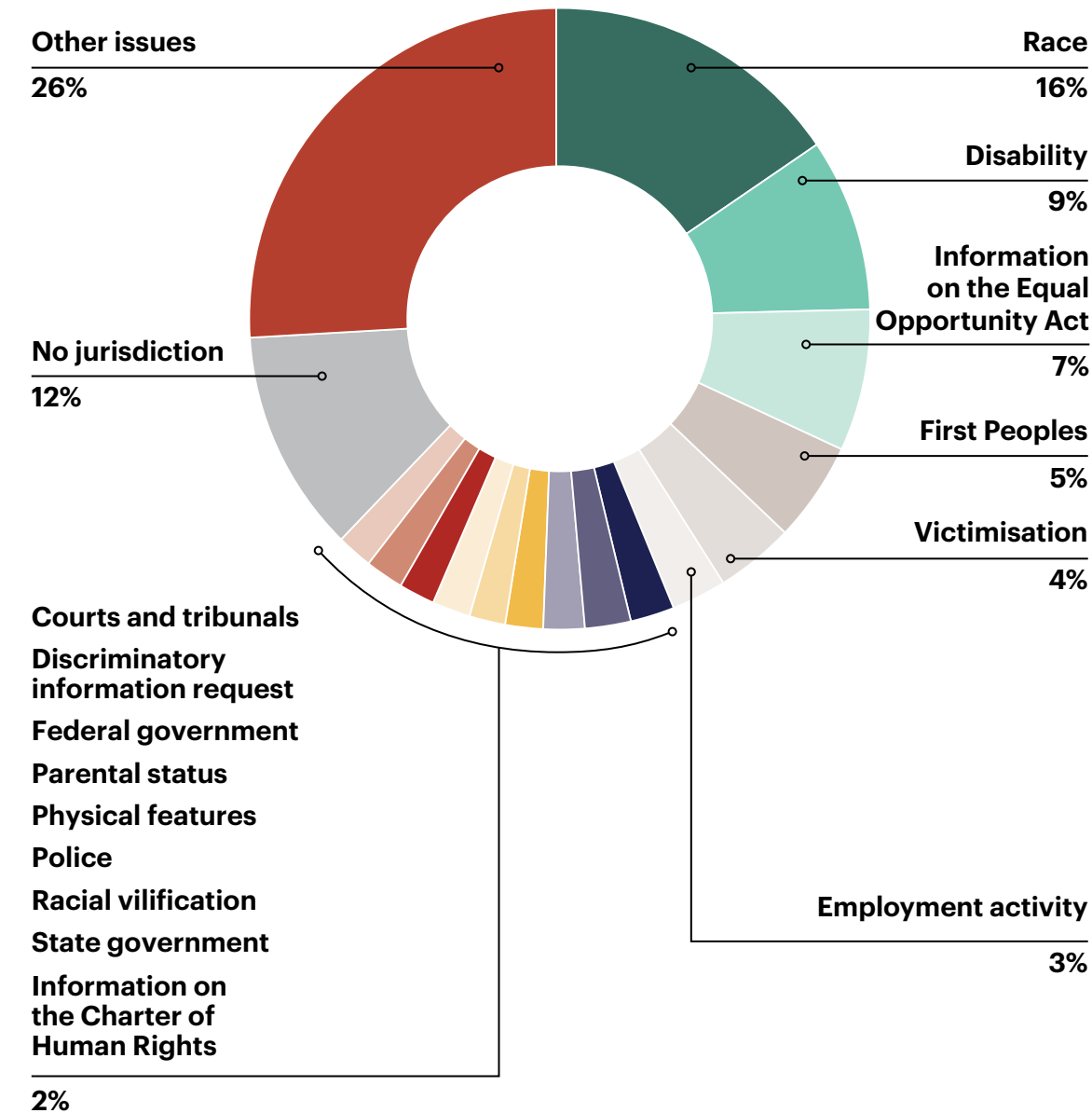
Improving the data we collect from enquiries

While we have traditionally minimised the number of questions we ask people when they make an enquiry to avoid over-collecting data, we recognised that this limited the data we collected about particular cohorts and our ability to tailor our enquiry service to their needs. In late 2020, we began asking enquirers the 'optional to answer' question of whether they identify as Aboriginal and/or Torres Strait Islander. People can opt not to answer and remain anonymous.

What types of discrimination did First Peoples enquire about?

Since 2019–20, race discrimination and disability discrimination have been the most common issues raised in enquiries. This continued in 2023–24.

Figure 9. Most common issues raised in enquiries from First Peoples, 2020–21 to 2023–24



Making our services more accessible for First Peoples

In recent years, we have been working to make our services more accessible and culturally safe for First Peoples – by fast-tracking complaints from First Peoples and providing additional support to start the process. Since these improvements, we have seen a significant increase in the number of complaints we have received from First Peoples. Streamlining our services in this way has made the process more flexible and removed some barriers to making a complaint.

We've also focused on making it easier for First Peoples to make a complaint to us by establishing pathways for warm referrals to the Commission from relevant stakeholders including:

- Aboriginal Housing Victoria
- Dispute Settlement Centre
- Fair Work Ombudsman
- JobWatch
- Victorian Aboriginal Legal Service
- Victorian Ombudsman
- Disability Discrimination Legal Service
- E-Safety Commissioner
- Health Complaints Commissioner
- Mental Health Complaints Commissioner
- Victoria Legal Aid
- WorkSafe Victoria

Further data

First Peoples organisations: More data detailing the types and number of issues raised from each complaint may be available, email us to discuss further.



Contact us

Enquiry line	1300 292 153
Fax	1300 891 858
NRS voice relay	1300 555 727 then quote 1300 292 153
Interpreters	1300 152 494
Email	enquiries@veohrc.vic.gov.au
Find us on Facebook	facebook.com/veohrc
Follow us on Instagram	instagram.com/veohrc
Follow us on X	x.com/veohrc
Web	humanrights.vic.gov.au