



VICTIMISATION

Queensland anti-discrimination laws promote fairness by prohibiting discrimination, sexual harassment, victimisation and vilification.

What is victimisation?

Victimisation is being treated badly because you've made, intend to make, or have helped someone else make a complaint, refused to breach the Act or because you've provided information about a complaint. It also includes someone who has agreed to be a witness.

In Queensland, the *Anti-Discrimination Act 1991* says it is against the law to victimise people in certain circumstances. Victimisation can be an offence that can be prosecuted and the offender can sometimes be fined.

Examples:

Your boss says you have a week to withdraw your complaint with the Commission, or you'll lose your overtime.

You work at a nightclub as a security officer. Your supervisor tells you to refuse entry to any Indigenous people. When you object to this direction, you're fired.

You're sexually harassed by a real estate employee, who threatens to evict you from your flat if you lodge a complaint about him.

You are contacted by the complainant and have arranged to be a witness and to give evidence on his behalf. The respondent contacts you and threatens to harm you if you give evidence about the complaint.

If something like this has happened to you, you can make a complaint of victimisation. You can do this even if you've already lodged a complaint of discrimination, sexual harassment or vilification against the same person.

You can still be victimised even if the original complaint is rejected, is dropped or can't be substantiated.

How can I tell if I've been victimised?

First, check whether there's been unfair treatment (involving you or someone else) based on one of the grounds covered by the Act (check our other brochures for a list). This includes unfair treatment that is discrimination, sexual harassment or vilification.

Next, check if you've spoken to someone about it, made a complaint about it, given information to someone else about it or agreed to act as a witness in the complaint.

Then see if because of this, you've been treated unfairly by for example, being sacked, threatened, demoted, evicted, expelled or banned from somewhere.

If you think the answers are yes, you may be able to make a complaint of victimisation.

What happens then?

If you lodge a complaint of victimisation, it will be assessed and dealt with as other complaints are.

Where can I get more information?

See our brochures on 'Making a Complaint' and 'Responding to a Complaint' for more detailed information.

We have a range of brochures on other types of discrimination, vilification and sexual harassment. These are available from the website or by contacting our nearest office.

This brochure is one of a series on particular aspects of the Act. It is available only from the website. Others include vicarious liability, exemptions and direct/indirect discrimination.

The full range of brochures can be read and copied from this website at www.adcq.qld.gov.au