

Unlawful discrimination and harassment

If you believe that you have been subject to unlawful discrimination or harassment, you may contact the Student Ombud directly.

Unlawful discrimination means treating a person less favourably because of an attribute such as sex, marital status, pregnancy, family responsibilities, sexuality, race, disability, political or religious belief, or age. It can be either direct or indirect.

- **Direct discrimination** is treating someone less favourably because of one or more of the attributes above and is determined through comparisons with how others have been treated in similar circumstances.
- **Indirect discrimination** happens when there is a policy or a rule or a way of doing things that might appear on the surface to be fair or neutral, but which has an unequal effect on certain groups of people because of their sex, marital status, age, pregnancy, sexuality, impairment, or race.

Harassment comprises any unwelcome, unsolicited, offensive, abusive, belittling or threatening behaviour directed at an individual or group because of some real or perceived attribute such as a person's sex, sexuality, ethnicity or disability in circumstances which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Electronic harassment occurs when University information technology facilities (computers and telephones) are used to display images, or send messages that may cause offence.

Examples of unlawful discrimination may include:

- offensive jokes based on a person's sexual preference, or a person's race, disability, pregnancy, age, religion, marital status, sexuality, or physical appearance
- treating someone who is pregnant less favourably than their colleagues
- treating a person unfavourably because they have a disability, or because of their age
- being told you are too old for promotion
- your supervisor makes constant reference to, and jokes about, your religion

Sexual harassment comprises any behaviour of a sexual nature that you find offensive, humiliating or intimidating.

Examples of sexual harassment include:

- physical contact, such as fondling or touching
- kissing, touching, brushing or being held
- obscene gestures
- suggestive comments on your physical appearance
- sending sexually explicit messages in writing, or by telephone, facsimile, email or the internet
- unwelcome comments about your personal life or your sexual activities
- displaying or sending offensive materials such as pornography.