

Equal Opportunity Commission

Annual Report

2024-25



 *Equal Opportunity Commission*

Annual Report 2024-25

The Western Australian Equal Opportunity Commission is committed to providing accessible services to Western Australians from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact us on toll free 1800 198 149 and we will arrange an interpreter to effectively communicate the report to you.



This report provides information on the performance of the Equal Opportunity Commission in the 2024-25 financial year.

Disclaimer

The Commission is committed to providing quality services to its customers and makes every attempt to ensure accuracy, currency and reliability of the information contained in this publication.

Feedback

As the Commission is constantly striving to improve services, we welcome any comments, observations or queries relating to the contents of this annual report.

Accessibility

On request, large print or copies of this report in an alternative format can be obtained from the Equal Opportunity Commission.

Further enquiries

Commission staff deal with any general concerns or queries about rights and responsibilities under the Equal Opportunity Act 1984.

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Commission of Western Australia

Acknowledgment of Country

The Commission acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of the land on which we work and live, and recognise their continuing connection to land, water, and community. We pay respect to Elders past, present and emerging.

Contents

Letter of compliance.....	1
Commissioner's foreword	2
About the Commission	3
Our vision	3
Our mission	3
Responsible Minister	3
Enabling legislation	3
Administered legislation	4
Our strategic objectives	5
Our structure	6
Conciliation services	7
Lodgement of complaints	7
Complaint assessment	8
Complaints not accepted	8
Complaints accepted	9
Complaint process	14
Accepted complaint outcomes	15
Enquiries	18
Strategy, engagement and education services	21
Education and training	21
Community engagement	27
Events	27
Legal services	30
Whole of Commission work	33
Speaking engagements	33
Partnerships and networks	33
Submissions	35
Disclosures	36
Appendices	38

Letter of compliance



Dr Tony Buti Attorney General; Minister for
Commerce; International and Tertiary
Education; Citizenship and Multicultural
Interests.



To the Hon Dr Tony Buti MLA
Attorney General

In accordance with section 95 of the *Equal Opportunity Act 1984*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Commissioner for Equal Opportunity for the financial year ending 30 June 2025.

The Report covers the work, functions, and activities of the Equal Opportunity Commission during the reporting period.

A handwritten signature in black ink that reads 'John Byrne'.

Dr John Byrne AM
Western Australian Commissioner for Equal Opportunity

1 September 2025

Commissioner's foreword



Discrimination, harassment and victimisation are constantly present as limiting factors in many people's lives in Western Australia and beyond. This reminds us of the real and practical importance of the *Equal Opportunity Act 1984*. Moreover, it highlights the essential role that the Commission plays in upholding the provisions of the Act and the ability of people to access the rights the Act affords them. This is essential to the development of a society that not only ensures that people have equality of access to fair treatment but that they enjoy equality of outcomes based on fair treatment.

In 2024-25 the Commission has again dedicated itself to supporting people and organisations in their pursuit of equality of access *and* outcomes. It has done this by continuing to deliver reliable, efficient and timely services that respond to the lived experience and needs of the people of Western Australia.

An essential element that makes it possible for the Commission to deliver such a service is the professional and careful work that is provided by staff in each section of the Commission. This is clearly illustrated throughout the sections of this Annual Report.

The Commission can best achieve satisfactory outcomes if complainants and respondents engage positively to resolve their matters in good faith. I offer my sincere thanks to those people who have engaged in our processes this year in such a manner.

Finally, I thank the dedicated staff at the Commission. The role of Commissioner for Equal Opportunity is supported by a staff who are keenly interested in equal opportunity and dedicated to ensuring that people can access it with empathy, impartiality, and integrity. The work done by each Officer of the Commission enables me, as Commissioner, to provide the people of Western Australia with good outcomes.

A handwritten signature in black ink that reads "John Byrne". The signature is written in a cursive, flowing style.

Dr John Byrne AM
Western Australian Commissioner for Equal Opportunity



About the Commission

The Equal Opportunity Commission supports the Commissioner in the administration of the *Equal Opportunity Act 1984* (the Act).

As explained in its foreword, the function of the Act is to “promote equality of opportunity in Western Australia and to provide remedies in respect of discrimination on the grounds of sex, marital status, pregnancy, sexual orientation, family responsibility or family status, race, religious or political conviction, impairment, or age, or involving sexual or racial harassment or, in certain cases, on gender history grounds.”

The Commissioner carries out the role by conducting community education and training, investigating and endeavouring to conciliate complaints of discrimination, and providing information to the community about equal opportunity.

The Commissioner is also involved in several initiatives and projects designed to address the underlying causes of discrimination, harassment and victimisation, often in partnership with other agencies, which are mentioned in this report.

The current Strategic Plan outlines our vision, mission, and strategic objectives.

Our vision

Leading the way towards eliminating unlawful discrimination, harassment, and victimisation in our community.

Our mission

To promote both formal and substantive equality towards achieving an inclusive community, free of discrimination.

Responsible Minister

Dr Tony Buti Attorney General; Minister for Commerce; International and Tertiary Education; Citizenship and Multicultural Interests.

Enabling legislation

The office of the Commissioner for Equal Opportunity was established in 1985 under Part VII, Division I of the *Equal Opportunity Act 1984* (the Act) as amended.

The Commissioner for Equal Opportunity is appointed by the Governor.

The Act promotes equality of opportunity in Western Australia and provides remedies in respect of discrimination on the grounds and areas specified.

Administered legislation

The Commissioner for Equal Opportunity also has functions under specified parts of the following Acts:

- *Historical Homosexual Convictions Expungement Act 2018 – section 17*
- *Industrial Relations Act 1979 – section 29(1)(b)(vii)*
- *Public Interest Disclosure Act 2003 – Part 3 section 15(4)*
- *Spent Convictions Act 1988 – Part 3 Division 3*

Other key legislation impacting on the Equal Opportunity Commission's activities:

State

- *Auditor General Act 2006*
- *Births, Deaths and Marriages Registration Act 1998*
- *Disability Services Act 1993*
- *Financial Management Act 2006*
- *Fines, Penalties and Infringement Notices Enforcement Act 1994*
- *Freedom of Information Act 1992*
- *Gender Reassignment Act 2000*
- *Government Employees Superannuation Act 1987*
- *Minimum Conditions of Employment Act 1993*
- *Privacy and Responsible Information Sharing Act 2024*
- *Public Sector Management Act 1994*
- *Salaries and Allowances Act 1975*
- *State Administrative Tribunal Act 2004*
- *State Records Act 2000*
- *State Supply Commission Act 1991*
- *Work Health and Safety Act 2020*
- *Workers Compensation and Injury Management Act 1981*

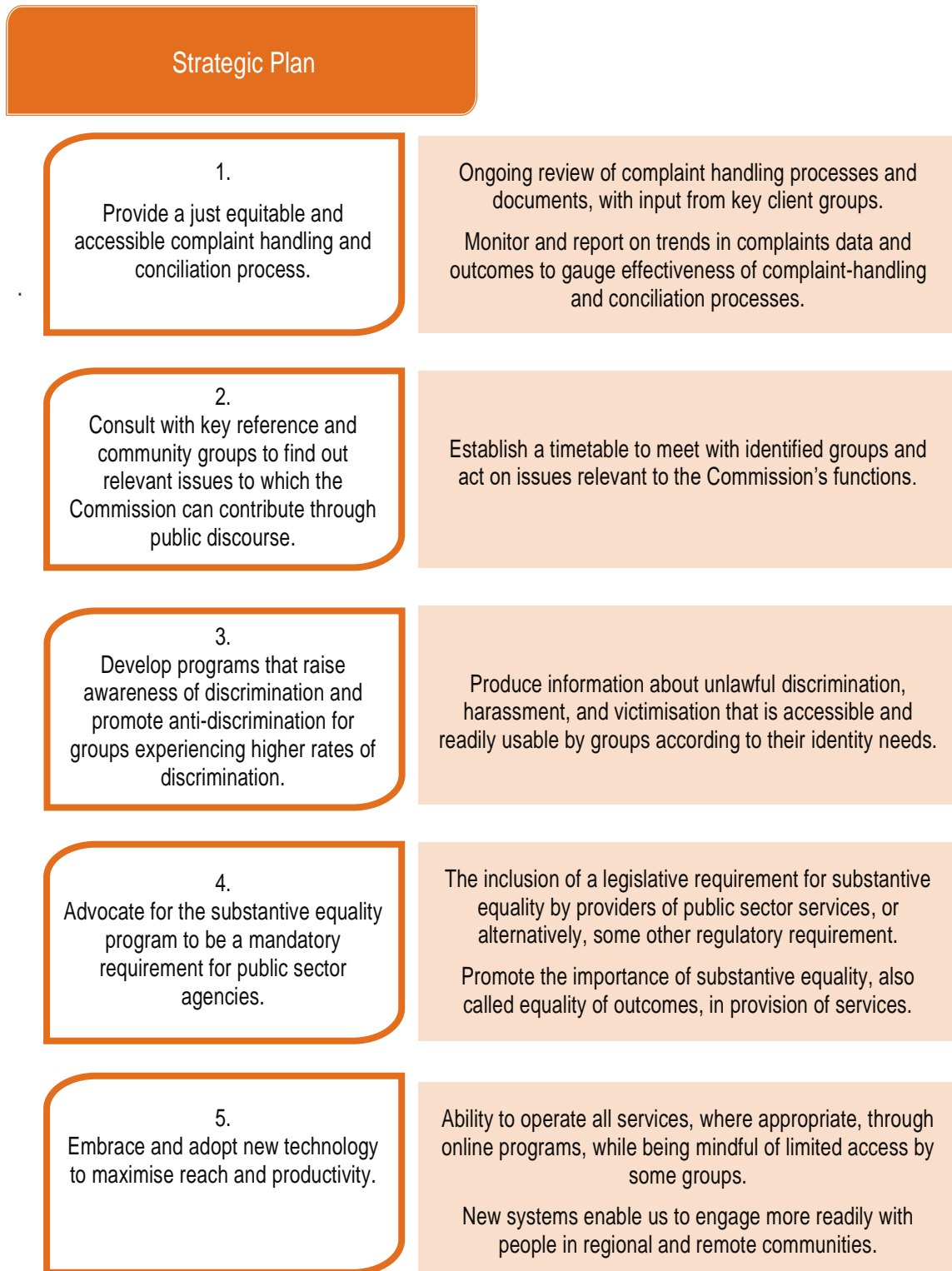
Commonwealth

- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Fair Work Act 2009*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*

Our strategic objectives

The Commission's strategic plan comprises five objectives designed to deliver and improve the Commission's services through engagement with, and response to, the Western Australian community.

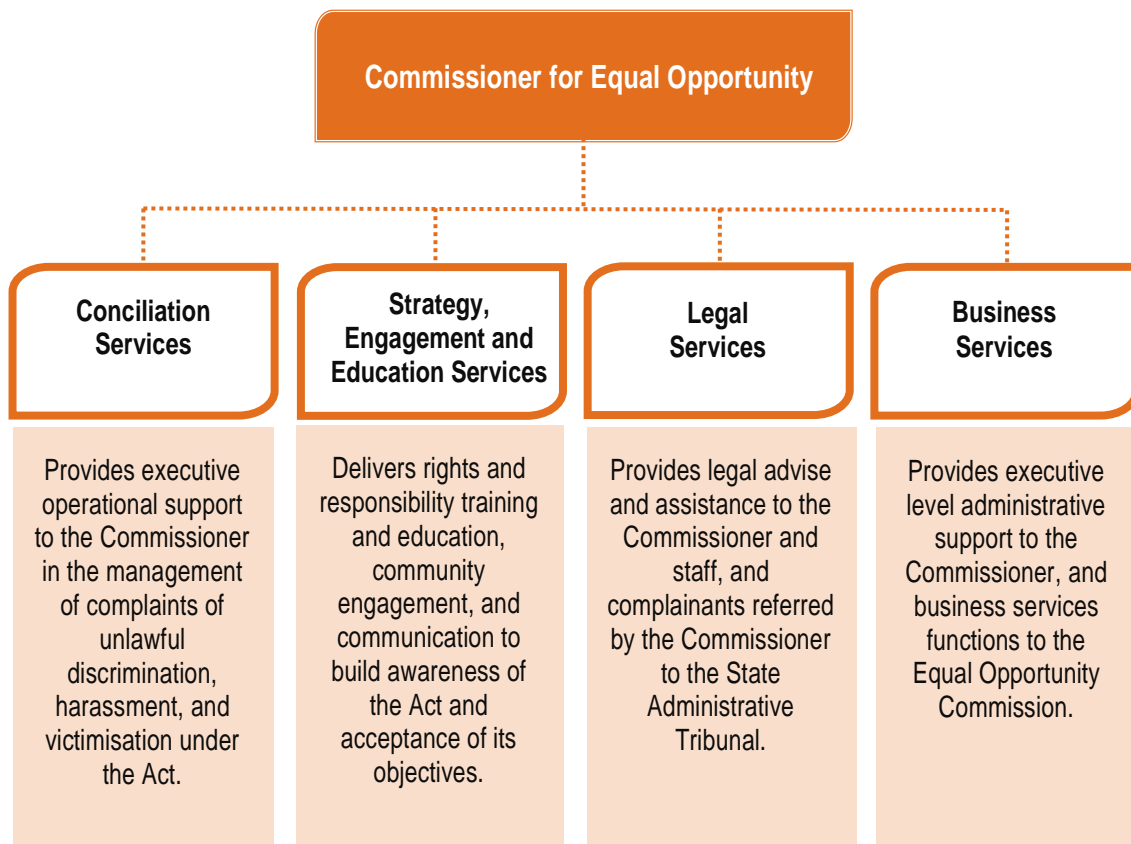
Alongside each objective are specific outcomes to measure its achievement. This focus shapes how we lead the way towards the elimination of discrimination and harassment in Western Australia and promotes formal and substantive equality for its people:



Our structure

The Commission is composed of four sections that provide support to the Commissioner whose statutory task is to administer the Act. These are:

- **Conciliation Services:** Delivers the Commissioner's statutory function of investigation and endeavouring to resolve complaints of alleged unlawful discrimination, harassment, and victimisation.
- **Strategy, Engagement and Education Services:** Fulfils the Commissioner's statutory function to enhance understanding of the principle of equal opportunity, as well as increasing awareness of the provisions contained in the *Equal Opportunity Act 1984* (the Act) by the WA community.
- **Legal Services:** Assists the Commissioner and staff to carry out the statutory responsibilities contained in the Act and other relevant legislation by researching and providing advice on matters of law, jurisdiction, and policy. The Legal Officers also represent complainants referred under s93 of the Act before the State Administrative Tribunal and Supreme Court.
- **Business Services:** Provides business support to the Commission and liaises with the relevant sections of the Department of Justice that provide administrative support to the Commission.



Conciliation services

Conciliation Services delivers the Commissioner's statutory function of endeavouring to resolve complaints of alleged unlawful discrimination, harassment, and victimisation, through a process largely defined by investigation and conciliation.

The Commission's complaint management continues to improve as its Officers use a streamlined Integrated Courts Management System (ICMS) to record the complaint process. Additionally, the ongoing review of standard letters and documents sent to complainants and respondents continues to ensure Commission documentation is as accessible to as wide a client base as possible.

The Annual Report only counts complaints and enquiries that have been finalised in the financial year. This is because it is not until a matter has been finalised that an outcome can be reported on.

Lodgement of complaints

The Equal Opportunity Act (the Act) requires complaints to be in writing and they can be lodged by email, in person, by post or via the Commission's website. Complainants who have difficulty writing may be assisted by the Commission. Complaints may be submitted in any language and their translation to English will be arranged by the Commission as required.

In 2024-25 lodgement of complaints on the Commission's website was 70.8 per cent and by email 17.7 per cent.

The percentages of complaints lodged by post was 11.3 per cent, and lodged by hand was 0.2 per cent.

Of the complaints lodged by post, 85.7 per cent were from prisoners, and the majority did not use a complaint form provided by the Commission.

This illustrates the importance of the Commission offering alternative ways for individuals to lodge complaints, given the lack of access to digital technology and other accessibility issues present within the community.

Complaint assessment

A complaint is an allegation of unlawful discrimination, harassment or victimisation. The Commission refers to and counts complaints using two categories: complaints accepted (346) under the Act, and complaints not accepted (274).

Complaints not accepted

Sometimes people lodge a matter with the Commission which they believe to be discrimination, harassment or victimisation but their matter does not include conduct that is unlawful under the Act. If this is the case, the lodged matter cannot be accepted as a complaint.

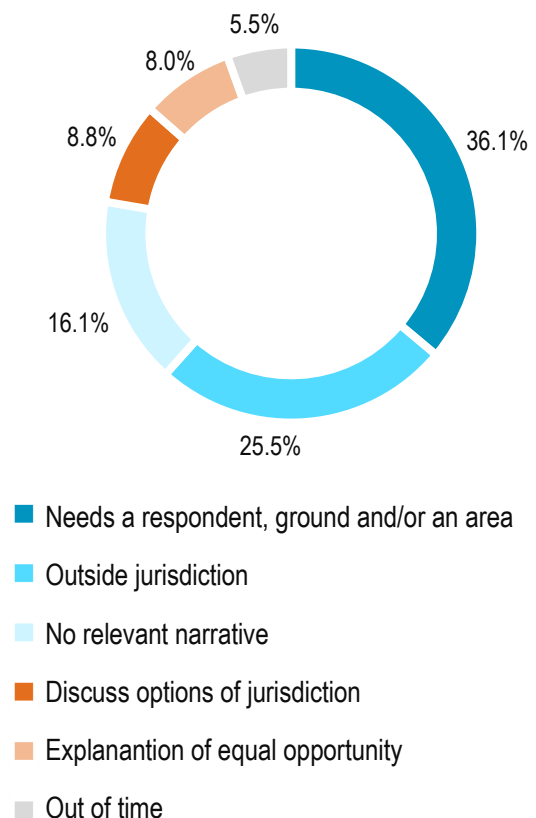
The Commission refers to and counts these lodgements as “complaints not accepted.” In previous financial years, complaints not accepted were counted as enquiries, however, in 2024-25 the Commission commenced counting complaints not accepted as complaints.

This change in practice has been implemented to improve accountability and transparency and to reflect Recommendation 152 and associated discussion of the Review of the Act by the Law Reform Commission of Western Australia, Project 111 Final Report (May 2022).

Figure 1 shows several reasons why some lodged matters were assessed as complaints not accepted. The top three reasons were:

- 36.1 per cent did not include a respondent, ground, and/or an area;
- 25.5 per cent were ‘outside jurisdiction’; and
- 16.1 per cent had no relevant narrative.

Figure 1: Reason complaints were not accepted 2024-25



1. Complaint Not Accepted Summary

Age discrimination in goods, services and facilities

The individual lodging the matter alleged he was not accepted for a promotion because he was too old. However, most of the incidents had taken place more than 12 months prior, and after being asked to provide 'good cause' he decided not to proceed with the matter.

Outcome: To lodge a complaint, the incidents in the complaint must have occurred within 12 months before the date the complaint is lodged. In some circumstances the Commissioner may accept incidents that have occurred more than 12 months before the complaint is lodged if the person lodging the complaint shows 'good cause' for those incidents to be included. As the request for 'good cause' was not received, the complaint was not accepted.

Complaints accepted

Complaints accepted are matters that include conduct that is unlawful under the Act. For the Commissioner to accept a complaint of unlawful discrimination, it must fall within the grounds and areas provided by the Act. The protected grounds and their matching areas of public life are shown in Table 1.

The Commission investigates complaints of unlawful discrimination, harassment, and victimisation by obtaining information and documents relevant to the allegations made by the complainant.

Unlawful discrimination may have occurred where a person alleges that they have been treated less favourably because of one or more of the grounds of unlawful discrimination under the Act, and the treatment occurred in one or more of the areas of public life listed in the Act.

Some grounds do not apply in all areas of public life, therefore, allegations with a ground but without an applicable area cannot be accepted for investigation. The Act specifically covers racial and sexual harassment in the workplace, educational institutions, and related to accommodation.

Victimisation under the Act includes when a person is subjected to adverse treatment for asserting their rights under the Act; lodging a complaint of unlawful discrimination, providing information or documents to the Commission, or agreeing to be a witness in State Administrative Tribunal (the Tribunal) proceedings commenced under the Act.

In addition to discrimination and victimisation, the Commission can investigate any form of advertising or notice indicating an intention to do something that would be unlawful under the Act.

There are two additional grounds of unlawful discrimination arising from other WA statutes, which confer jurisdiction to the Commissioner to investigate, conciliate or refer to the Tribunal for determination. These are:

- i) Victimisation for making a disclosure under the *Public Interest Disclosure Act 2003*; and
- ii) Discrimination in employment on the ground of a spent conviction under the *Spent Convictions Act 1988* including an expunged conviction under the *Historical Homosexual Convictions Expungement Act 2018*.

2. Complaint Accepted Summary

Impairment and age discrimination in employment

An individual lodged a complaint of impairment and age discrimination against an organisation when the offer of a position was withdrawn after completing a requested medical. The individual had disclosed their medical conditions and treatment plans to maintain health and was medically cleared for employment. An external contractor deemed the individual's health conditions as high-risk for the role offered, and subsequently, the organisation withdrew the offer of employment.

Outcome: Although it was an external contractor that considered the health condition high-risk, the organisation held overarching responsibility for ensuring equal opportunity. The complaint was resolved with the individual receiving a formal apology and monetary compensation for loss of earnings due to being denied the position.

Table 1: Protected grounds and matching areas of public life

For a complaint to be accepted, it must relate to at least one of the protected grounds of the Equal Opportunity Act 1984. The grounds in a complaint also need to correspond to a relevant area of public life.

Ground	Employment	Education	Accommodation	Goods, Services and Facilities	Access to Places and Vehicles	Clubs	Land	Superannuation	Sport	Victimisation - Public Interest Disclosure
Age	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Breastfeeding	✓	✓	✓	✓	✓	✓				
Family Responsibility	✓	✓								
Family Status	✓	✓								
Gender History	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Impairment	✓	✓	✓	✓	✓	✓		✓	✓	
Marital Status	✓	✓	✓	✓	✓	✓	✓			
Political Conviction	✓	✓	✓	✓		✓				
Pregnancy	✓	✓	✓	✓	✓	✓	✓			
Publication of Name in Fines Enforcement Registry Website	✓		✓	✓						
Race	✓	✓	✓	✓	✓	✓	✓			
Racial Harassment	✓	✓	✓							
Religious Conviction	✓	✓	✓	✓		✓				
Sex	✓	✓	✓	✓	✓	✓	✓			
Sexual Harassment	✓	✓	✓							
Sexual Orientation	✓	✓	✓	✓	✓	✓	✓			
Spent Conviction	✓									
Victimisation	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Victimisation - Public Interest Disclosure										✓



Equal Opportunity Act applies



Ground or Area not applicable

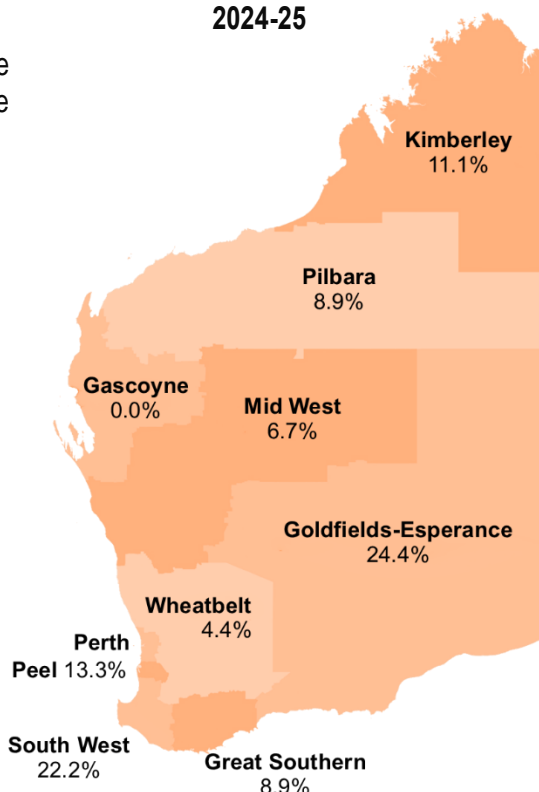
Residence of complainants

Over 79.5 per cent of complainants lived in the metropolitan area. This is an increase from the previous year of 76.2 per cent.

Complainants made by people living outside the metropolitan area and across a number of regions were at 13.0 per cent.

There was a significant increase in the number of complaints accepted from the Goldfields-Esperance region, from 16.5 per cent in 2023-24 to 24.4 per cent in 2024-25. Similarly, the Kimberley region saw an increase from 0.0 per cent in 2023-24 to 11.1 per cent in 2024-25.

Figure 2: Regional complaints accepted 2024-25



3. Complaint Accepted Summary

Religious conviction discrimination in employment

An employee was denied the ability to pursue the requirements of his religion by their employer and alleged religious conviction discrimination.

Outcome: After conciliation, he was allowed the right to pursue his religious observances and was provided with a transfer to another workplace.

4. Complaint Accepted Summary

Impairment discrimination in goods, services and facilities

A deaf woman requested her telecommunications provider contact her via email. On numerous occasions they contacted her by phone and would eventually email only to request her to return their call, despite repeatedly informing them she was deaf.

Outcome: After discussions, the matter was resolved between the parties with a monetary settlement.

Grounds

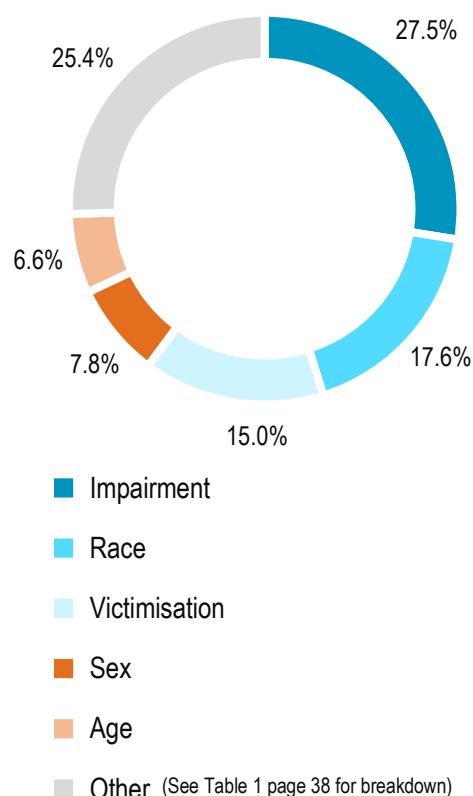
The top grounds of complaint in 2024-25 were impairment at 27.5 per cent; race at 17.6 per cent; victimisation at 15.0 per cent; sex at 7.8 per cent; and age at 6.6 per cent.

Impairment covers complaints lodged by people with physical, psychological, sensory or other impairments, as well as those with a short-term injury.

Of the complaints about impairment, the top three were permanent physical disability at 44.2 per cent; mental health/psychosocial at 28.4 per cent; and intellectual disability at 15.8 per cent.

Of note, there was a decrease in sexual harassment complaints received by the Commission during 2024-25 (5.2%), compared to the 2023-24 financial year (8.4%).

Figure 3: Top five accepted complaints by ground 2024-25



5. Complaint Accepted Summary

Impairment discrimination in access to places and vehicles

A woman visiting a venue for lunch was not able to park in an ACROD bay due to the business allowing other vehicles to block the bays. Although she has an impairment and a permanent ACROD parking permit, she had to park across the road.

Outcome: The matter resolved with an apology and the respondent agreed to ensure the ACROD bays would not be blocked in the future. They also allocated an additional ACROD bay for the venue.

6. Complaint Accepted Summary

Race discrimination in goods, services and facilities

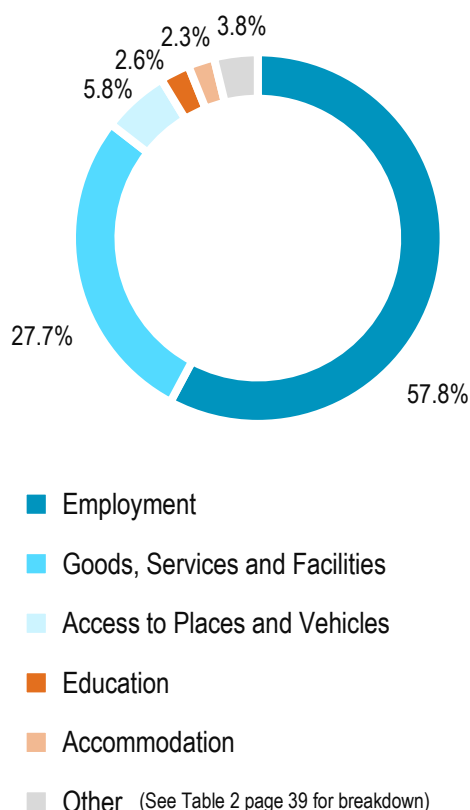
A customer of Māori descent alleged racial discrimination at a retail premises after being asked by security to show the contents of his bag. He stated that other patrons were not subject to the same request.

Outcome: The matter was resolved with an apology and the security guard completing cultural awareness training. The store's policies and procedures were also reviewed.

Areas

When broken down by area, the top five areas were employment at 57.8 per cent; goods, services and facilities at 27.7 per cent; access to places and vehicles at 5.8 per cent; education at 2.6 per cent; and accommodation at 2.3 per cent.

Figure 4: Top five accepted complaints by area 2024-25



Employment

Employment / work covers:

- Employees / applicants
- Contract workers
- Commission agents
- Partnerships

The three highest grounds of employment complaints in 2024-25 were 20.5 per cent about impairment; 18.0 per cent about victimisation; and 11.5 per cent about race.

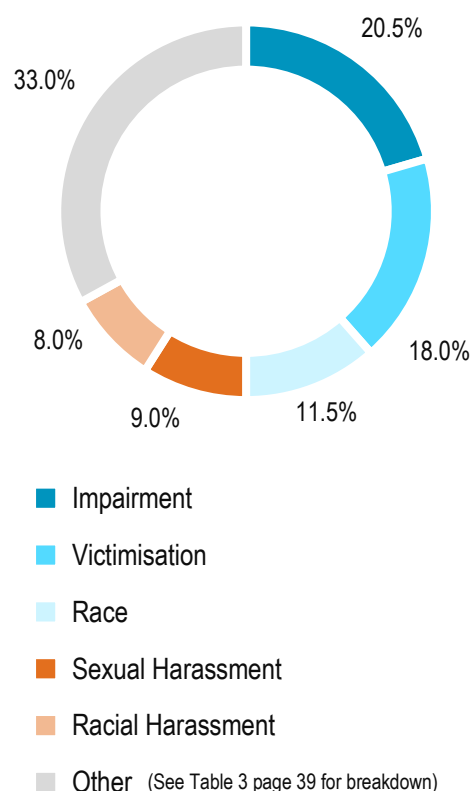
Job Applicants

In 2024-25, 18 per cent of employment discrimination complaints were lodged by people alleging discrimination when they had applied for a job vacancy. Of these complaints, 36.1 per cent alleged discrimination on the ground of impairment; 16.7 per cent on the ground of race; and 13.9 per cent on the ground of victimisation.

Of these complaints, 19.4 per cent were conciliated and 36.1 per cent were dismissed. The remainder were withdrawn or lapsed.

This high rate of dismissed, lapsed, and withdrawn complaints may be due to the difficulty job applicants have in proving that discrimination has occurred. Often, complainants provide some, but not conclusive, evidence that discrimination may have occurred. This may be because it is difficult to prove discrimination when applicants are only provided with limited information as part of the recruitment process, alongside the burden of proof lying with complainants.

Figure 5: Top five accepted employment complaints by ground 2024-25



Complaint process

The Commissioner has the power to compel complainants, respondents, and third parties to provide information, produce documents, and attend conferences. The Commissioner may dismiss a complaint at any stage if satisfied the complaint is misconceived, frivolous or vexatious, lacks substance, or relates to conduct that is not unlawful by reason of a provision of the Act.

Should the Commissioner dismiss the complaint, the complainant has the right to require the matter be referred to the State Administrative Tribunal (the Tribunal).

Where the Commissioner has not dismissed a complaint and is of the opinion the complaint may be resolved, a Conciliation Officer endeavours to resolve the complaint by conciliation. The Conciliation Officer is impartial and does not represent or advocate for either party.

A resolution may be achieved through an exchange of correspondence or by a conciliation conference, which the parties participate in either in person, online via a communications platform or via telephone.

Some of the outcomes the complainant and respondent may agree to include:

- Providing an apology
- Making available something that was previously refused, such as accommodation, admission to a course or access to a venue
- Introducing or improving equal opportunity policies and practices
- Compensation for a specific loss, e.g., income
- Compensation for emotional harm, e.g., pain and suffering

If the complaint is not resolved, the Commissioner will review the complaint file and may request additional information from either or both parties, dismiss the complaint, or refer the matter to the Tribunal. If the complaint is not dismissed, the Commissioner refers the matter to the Tribunal. The Commissioner also provides legal assistance at the request of the complainant.

7. Complaint Accepted Summary

Sexual harassment in employment

A female employee working in a hospitality setting alleged sexual harassment by a co-worker. She described multiple incidents of inappropriate physical contact. After raising the issue with a workplace supervisor and reviewing the CCTV footage, she was informed, via text, that she would no longer be rostered for shifts.

Outcome: Through conciliation, the matter was resolved with a verbal apology and a monetary settlement.

Accepted complaint outcomes

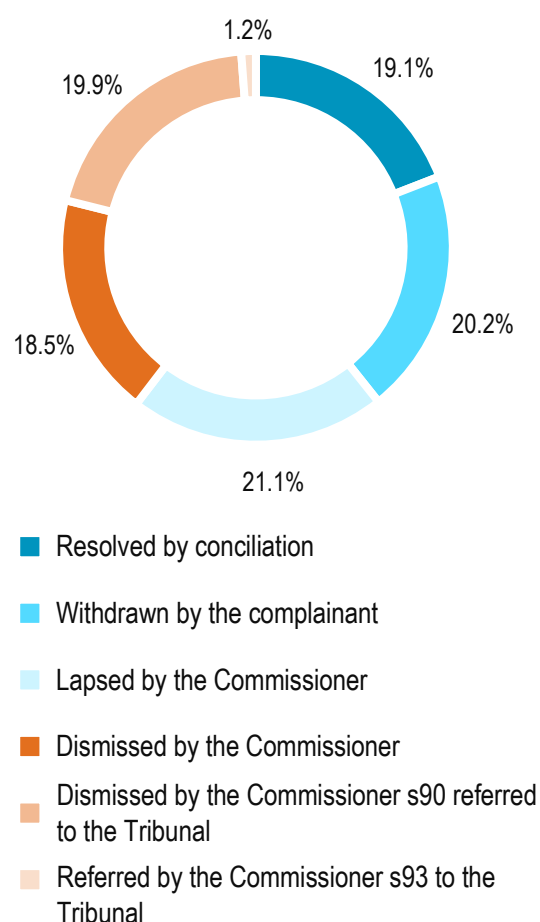
The Act specifies that a complaint can be finalised in one of the following ways:

- **Resolved by conciliation:** When the complainant and respondent achieve a mutually agreed outcome.
- **Withdrawn by the complainant** (at any time): This may occur based on the initial response from the respondent, the complainant's decision to move to another jurisdiction, an inability to provide evidence, or other reasons.
- **Lapsed by the Commissioner:** This occurs when there is no response to attempts to contact the complainant, or when the person does not provide sufficient information to pursue the complaint actively.
- **Dismissed by the Commissioner:** This occurs if the complaint is lacking in substance, or if it is misconceived, vexatious or frivolous.
- **Dismissed by the Commissioner s90 referred:** A complainant can, in writing, require a dismissed complaint be referred to the Tribunal.
- **Referred under s93 to the Tribunal by the Commissioner:** When the complaint cannot be conciliated, and the Commissioner determines there is an arguable case.

The Commission finalised 346 complaints in the 2024-25 financial year.

Of the complaints, 19.1 per cent were conciliated; 20.2 per cent were withdrawn; 21.1 per cent were lapsed; 18.5 per cent were dismissed and required no further action; 19.9 per cent were dismissed and subsequently referred by the complainant to the Tribunal under section 90; and 1.2 per cent were referred to the Tribunal under section 93.

Figure 6: Outcome of complaints accepted 2024-25



8. Complaint Accepted Summary

Family responsibility discrimination in employment

An employee lodged a complaint against her employer on the ground of family responsibility because she was required to start work before a certain time. She was unable to start work before this time due to dropping her child off at school.

Outcome: Employee was offered a flexible work contract for a set amount of time and granted access to parking to assist.

Conciliation

Conciliation encourages complainants and respondents to interact in a non-adversarial environment to determine if a complaint can be resolved. The outcomes of this process vary depending on the parties involved and the situation.

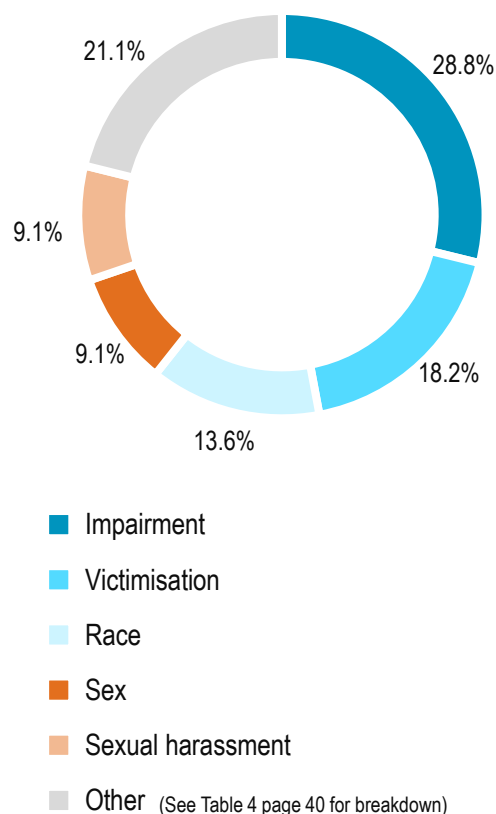
Impairment complaints were the most conciliated complaints at 28.8 per cent, victimisation complaints at 18.2, followed by race at 13.6 per cent, sex at 9.1 per cent, and sexual harassment at 9.1 per cent.

The area of public life with the most conciliated complaints was employment at 66.7 per cent, followed by goods, services and facilities at 18.2 per cent.

Figure 8 shows the outcomes of conciliated complaints. Many of these conciliated complaints were resolved with more than one outcome, for instance, a monetary settlement, a policy change, and an apology.

Conciliated complaints finalised with a monetary settlement were the highest at 36.4 per cent, followed by an apology at 28.8 per cent and private settlement at 19.7 per cent.

Figure 7: Conciliated accepted complaints by ground 2024-25



"We appreciate the time, consideration, and diligence the Commission has shown throughout the process."

– Respondent

"I want to sincerely thank you for your help, wisdom, kindness, and support throughout this process. Your professionalism and impartial guidance have made a significant difference, and I truly appreciate the time and care you've taken in assisting me."

– Complainant

Figure 8: Outcome of complaints accepted 2024-25

Conciliation Outcome	%
Monetary settlement	36.4%
Apology	28.8%
Private settlement	19.7%
Respondent's explanation satisfactory to complainant	12.1%
Provision of goods and services	10.6%
Policy change	9.1%
Provision of conditions and entitlements	7.6%
Equal opportunity training	4.5%
Provision of accommodation	3.0%
Job offer	1.5%

Time taken to resolve complaints

In 2024-25, the average length of time taken to finalise complaints accepted was 5.7 months, compared to the previous year's 4.5 months. This reflects the increase in the complexity of complaints received, and those variables outside the Commission's control during the conciliation process (e.g., parties needing to seek legal advice or falling ill). 2022-23 saw an average time of 6.9 months, while 2021-22 saw an average of 5.1 months. This year's average time falls within the range of previous years.

The Commission aims to finalise complaints in a timely and impartial manner that ensures interested parties are treated fairly and can achieve satisfactory outcomes.

Where the parties have reached an agreement to resolve the complaint and provided the agreement to the Commission, the Commission may decide not to finalise the complaint until all undertakings in the agreement have been met. This enables the complaint to be reactivated if the complainant advises the Commission that the agreement has not been upheld, however, this can increase the time required to resolve the complaint.

Enquiries

We provide a free, accessible and personalised information service to help people understand their rights and responsibilities under the *Equal Opportunity Act 1984* (the Act).

People enquire about discrimination, harassment and victimisation, the Act, and the functions of the Equal Opportunity Commission.

An enquiry roster is staffed by Commission Officers from Monday to Friday between the hours of 9am and 4pm.

Our website contains information that is relevant for many enquiries, and we continuously improve and update the content to make the website a convenient point of contact with the Commission.

Lodgement of enquiries

In the 2024-25 financial year the Commission responded to 863 enquiries via telephone, email, post, and in person.

Most enquiries in the financial year were by telephone at 70.8 per cent; followed by written enquiries at 26.7 per cent; and in person at 2.5 per cent.

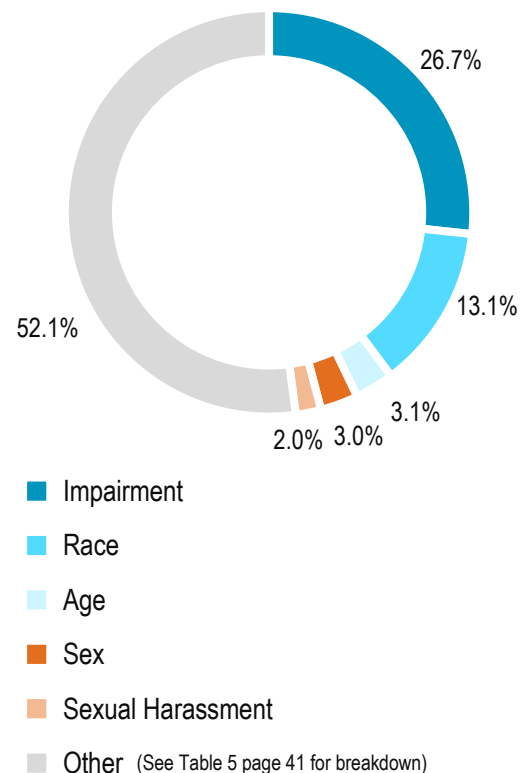
Of the written enquiries, 55.7 per cent were submitted by email; 39.6 per cent were submitted via our webpage; and 4.8 per cent received by post.

Ground and area

In 2024-25, enquiries about impairment were the highest at 26.7 per cent, followed by race at 13.1 per cent.

Most enquirers indicated employment (38.1%) as the area of public life concerning them, followed by goods, services and facilities at 14.8 per cent.

Figure 9: Top five enquiries by ground 2024-25



1. Enquiry Summary

Age discrimination in employment

While completing a job application form, an enquirer was asked to provide their age. They asked if it was unlawful to request someone's age during recruitment.

Outcome: The Enquiry Officer explained that asking for a person's age on a job application form is not in itself unlawful, but if they were to use this information to discriminate against an applicant on the ground of their age, it may be unlawful. The enquirer indicated they would seek an explanation from the prospective employer about the request for their age, before deciding whether to lodge a complaint.

Enquirers

In 2024-25, most of the enquiries responded to were from individuals (84.5%).

A total of 15.5 per cent were from private enterprise, government agencies, and non-government organisations.

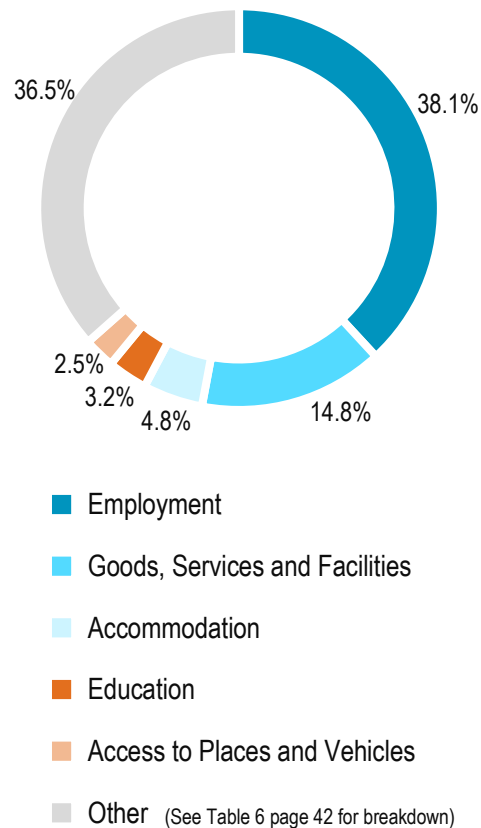
A total of 66.7 per cent of all enquiries were by people reporting general allegations of discrimination or requesting information about potential complaints. Other enquiries included requests for publications (11.2%), an explanation of the Act or other legislative issues (12.9%), and enquiries that are not relevant to the Act, such as bullying and disputes between neighbours.

Where a matter does not relate to unlawful conduct under the Act, the enquirer is provided an explanation about why this is the case and, when appropriate, enquirers are informed about another agency that may be able to assist them.

A total of 4.4 per cent of enquiries were made by employers and potential respondents seeking information about their responsibilities under the Act.

Of those individuals who disclosed their gender, similar to previous years, more women (49.0%) than men (40.9%) made enquiries. Non-binary people, as well as other genders, made up less than one per cent, while organisations made up 8.8 per cent of enquiries.

Figure 10: Top five enquiries by area 2024-25



2. Enquiry Summary

Impairment discrimination in employment

The enquirer stated she felt discriminated against because of her impairment. She stated she had been given a communication plan by her employer and alleged this was due to her PTSD and the behaviours that goes along with it, including anger and frustration. She further explained that another employee behaves similarly but does not have an impairment and is treated differently, with no communication plan in place.

Outcome: The Enquiry Officer provided information on the complaint process.

Residence

In 2024-25, most enquiries were made from the metropolitan area (43.6%). Within the metropolitan area, the highest number of enquiries were from the South Metropolitan area, at 21.3 per cent.

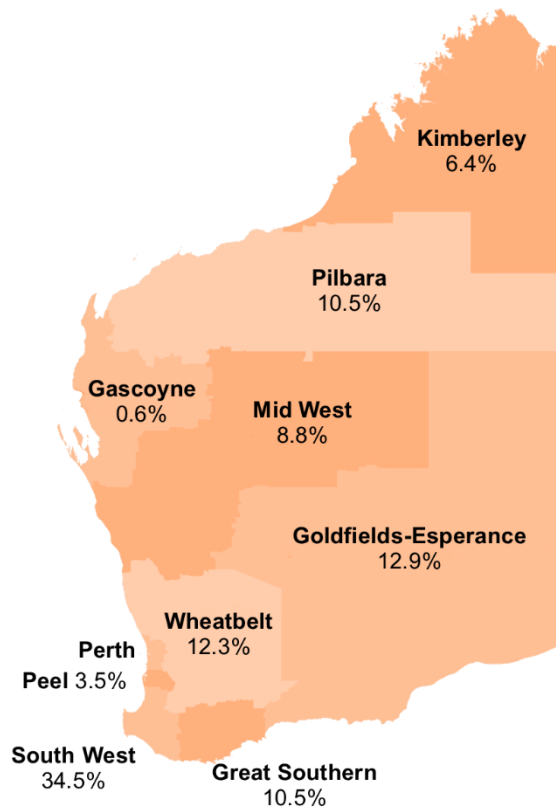
Of all the regions in Western Australia, the South West region recorded the most enquiries, at 34.5 per cent.

Outcomes

The Commission answered 82.9 per cent of enquiries and assisted the other 17.1 per cent of enquiries by referring them to the relevant agency or body. Most referrals were made to non-government organisations or agencies (4.8%), and the Australian Human Rights Commission (3.9%).

The remainder of referrals included agencies such as the Fair Work Commission, Fair Work Ombudsman, Health and Disability Services Complaints Office, Ombudsman WA, relevant unions or employer bodies.

Figure 11: Regional enquiries 2024-25



3. Enquiry Summary

Bullying in employment

The enquirer phoned on behalf of a colleague who had shared with him how she was being treated at work, constituting a potential complainant about bullying, harassment, and victimisation. The enquirer explained that he wanted to inform himself so that he could support his colleague in the best way possible, and for confidentiality purposes, chose not to give a great amount of detail regarding the nature of the potential bullying, harassment, and victimisation.

Outcome: With the limited information, the Enquiry Officer provided information on grounds covered by the Act, highlighting that bullying was not covered within the Act. The Enquiry Officer advised him to contact WorkSafe or Fair Work, and to provide his coworker with resources and contact numbers. The Officer also let the enquirer know that he would not be able to lodge a complaint on behalf of his colleague, as complaints, in most cases, must be lodged by the aggrieved person.

Strategy, engagement and education services

The Commission's Strategy, Engagement and Education Services has a broad range of functions. These are:

- Delivering education and training to businesses, not for profit organisations and government agencies to increase understanding of rights and responsibilities under the *Equal Opportunity Act 1984* (the Act).
- Conducting information and awareness sessions for advocacy organisations, university and TAFE classes, and community groups on rights under the Act.
- Organising public events, such as lectures, to provide dialogue on current issues related to the Act.
- Providing communications on topical issues to the public through the website, bulletins, and social media.
- Participating in community events.

Education and training

We offer education and training on general equal opportunity and anti-discrimination, as well as on specific issues such as sexual harassment or any other ground that relates to equal opportunity. The Education and Engagement Officers deliver most modules in person, with some information sessions delivered virtually.

Businesses and government organisations request training to educate and equip their managers and employees with skills to prevent discrimination, harassment, and victimisation in the workplace.

Educational institutions and community groups also request training to raise awareness about rights and responsibilities. The Commission offers a range of training sessions to suit different organisational and community needs. The modules range from general introductory sessions to more focused training specific to participants' roles or organisations' needs.

Training can be delivered directly to teams in their workplaces or via public training sessions held at the Commission which are open to all members of the public. Training is provided on a moderate fee-for-service basis. Education and training sessions are free to community organisations.

Training is delivered either in a standard or customised format. Standard training courses are designed by the Commission team on set topics such as Equal Opportunity Law, Contact Officer, Equity Grievance Officer, Sexual Harassment - Recognition, Responsibility and Response, and Workplace Culture - Discrimination, Harassment and Bullying. Organisations can also request customised training related to the Act that addresses their specific circumstances.



A Commission Education Officer conducting Contact Officer Training

In 2024-25, the Equal Opportunity Commission delivered 72 fee-for-service sessions to approximately 961 participants, and 76 community education and outreach sessions to 1,202 people.

Figure 12: Education and training participant numbers 2024-25

	No. of participants
Calendar Courses*	59
Organisation Training*	902
Community Education	944
Indian Ocean Territories	98
Guest Speaker	160

* Fee for service

In 2024-25 we delivered **148** education and training sessions to **2,163** participants

Our most attended course in 2024-25 was Workplace Culture - Discrimination, Harassment and Bullying, with 717 participants throughout the year, followed by 142 people attending the Equal Opportunity Law course, and 85 attending the Contact Officer course.

Figure 13: Fee-for-service training courses 2024-25

	No. of participants
Workplace Culture - Discrimination, Harassment & Bullying	717
Equal Opportunity Law	142
Contact Officer Role	85
Equity Grievance Officer Role	13
Equal Opportunity Law/Sexual Harassment	4

Our most attended training course in 2024-25 was **Workplace Culture-Discrimination, Harassment and Bullying** with **717** participants

Where we provided training and outreach in the regions

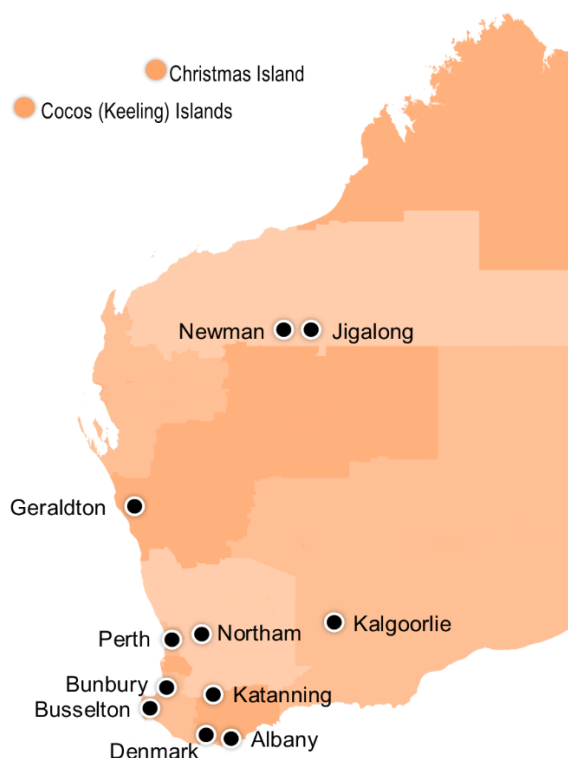
In 2024-25, we provided training and outreach to towns in the Pilbara, Mid-West, Goldfields-Esperance, South West, and Wheatbelt.

The Strategy, Engagement and Education team monitors issues through the complaint handling system, as well as through community organisations, to plan which areas of the State we will visit throughout the year.

Western Australia (WA) is a large state, so careful planning is undertaken to ensure rural and remote areas of WA which need the Commission's services are not missing out on education and outreach.

Generally, when one of the Commission's fee-for-service training courses is booked for a regional area, the team will also try to engage community organisations for rights-based education sessions

Figure 14: Regional visits 2024-25



August 2024 in the Goldfields

In August, members of the Strategy, Engagement and Education team participated in the first of several deliveries of the Regional Awareness and Accessibility Program (RAAP) to be conducted throughout 2024-25.

The RAAP is coordinated by the WA Ombudsman. The program involves several State and Federal agencies travelling together to regional and remote areas in WA, to provide information about the work their agencies do in complaint handling, and to offer services to those areas.

As part of the Goldfields RAAP, Commission Officers provided three community drop-in sessions, delivered an information session to the Prisoner Peer Support Group, and delivered an information session to the Superintendent and senior staff at the Eastern Goldfields Regional Prison.

They also hosted a stall at the Kalgoorlie-Boulder Seniors Connect Session, and visited Bega Garnbirringu Health Service, Aboriginal Family Law Services, and the Aboriginal Legal Service.



Senior Education and Engagement Officer with the RAAP group in the Goldfields.

September 2024 in the Indian Ocean Territories

Between 3 and 13 September, two Officers of the Strategy, Engagement and Education team represented the Commission by visiting the Indian Ocean Territories to fulfil part of its Service Delivery Agreement with the Commonwealth Government. During the visit, the Officers delivered information sessions and outreach events to agencies and community groups operating on Christmas and Cocos (Keeling) Islands.



Education and Engagement Officer in the Indian Ocean Territories

October 2024 in the Great Southern Region

In October, the team conducted training for staff at South Regional TAFE (Albany). One group completed Contact Officer training, and two other groups completed the Workplace Culture: Discrimination, Harassment and Bullying module. In addition to this training, the team provided information sessions on Equal Opportunity Law to members of the public at the Albany Public Library, Great Southern Migrant Services, Anglicare WA, and Albany Pride.



Senior Officer with the members of Albany Pride during a trip to the Great Southern.

November 2024 in the South West Region

Strategy, Engagement and Education Officers delivered training for staff at the South Regional TAFE Bunbury Campus. Those participating completed Contact Officer training and the Workplace Culture - Discrimination, Harassment and Bullying module.

December 2024 in the Great Southern Region

Our Senior Aboriginal Education and Conciliation Officer participated in the RAAP outreach to Albany. During this outreach, the Officer delivered information sessions to community groups, provided an information stall at Seniors Connect Albany, and delivered an information session at Pardelup Prison Farm.



Senior Aboriginal Education and Conciliation Officer in a radio interview on Albany's 88FM

March 2025 in the Mid West Region

Two of our Officers in Strategy, Engagement and Education delivered training to staff working within the City of Greater Geraldton. The training covered the entire week of 9 to 14 March, and totalled 17 sessions of the module, Workplace Culture - Discrimination, Harassment and Bullying.

April, May, and June 2025 in the Great Southern Region

Across these three months, Strategy, Engagement and Education Officers delivered training for staff at the City of Bunbury. The two modules that were delivered as part of the training program were Introduction to Equal Opportunity Law and Workplace Culture – Discrimination, Harassment and Bullying. In May, Officers provided a stall at Seniors Connect Busselton.

June 2025 in the Pilbara Region

Our Senior Aboriginal Education and Conciliation Officer participated in the RAAP outreach to Newman, Jigalong, and Paraburdoo. During this outreach, the Officer engaged with community groups and provided information to key agencies and organisation in the East Pilbara.

Engagement events included yarning with Martumili Artists at the East Pilbara Arts Centre, a Community Connect day and a luncheon at Newman House for visiting community members, and a full day visit to Jigalong Aboriginal community to yarn with the traditional owners, the Martu people.

Evaluations

Participants who undertake fee-for-service training complete a post evaluation questionnaire. The questionnaire asks them to rate their level of knowledge before attending the course and their level of knowledge after having completed the course. The data collected from these questionnaires indicates a shift in participant perception of their knowledge of course content, including their knowledge about the Act. This shift is presented in Figure 15 and Figure 16.

The Figures demonstrate that after attending a training course, participant perceptions of having 'good to excellent' knowledge and understanding about the course topic increased from 39.6 per cent to 92.0 per cent. A substantial proportion of participants (94.2%) felt the training will help them contribute to building a more equitable workplace.

In addition to these statistics, participant feedback indicates the positive experiential impact that attending the courses has for participants, who describe training as interesting, clear, and engaging. A significant percentage of participants (95.3%) felt the facilitation style and delivery were effective.

The following is a sample of participant responses from the 2024-25 training evaluations, when asked what they liked most about the training:

- "Engaging and knowledgeable. Provided a safe learning environment."
- "Very informative and flexible with learners' needs."
- "Delivered content in an interactive and knowledgeable way."
- "Really engaging and you could see the trainer's passions on the matters."
- "Very down to earth and approachable. Fostered good discussions and communications."

Figure 15: Participants' knowledge *before* training for 2024-25

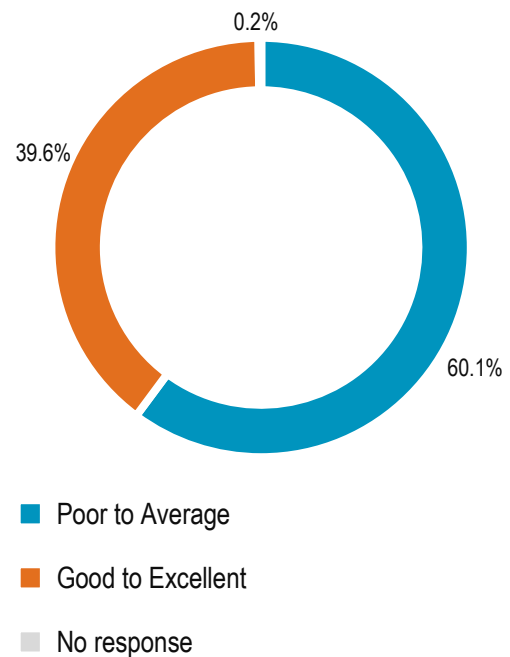
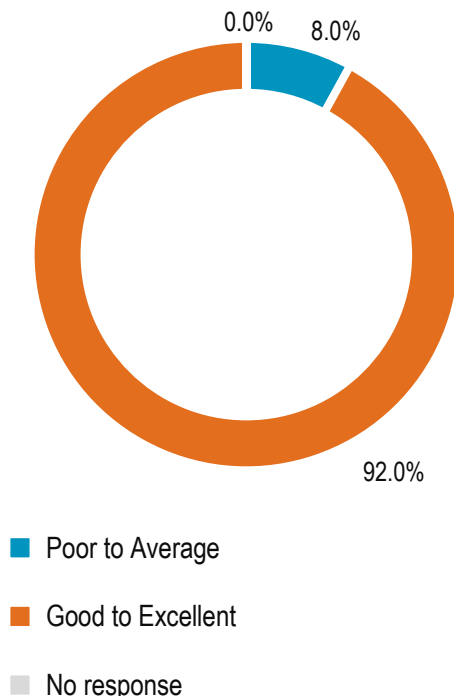


Figure 16: Participants' knowledge *after* training for 2024-25



After attending training, the participants 'good to excellent' knowledge increased from **39.6%** to **92.0%**

Community engagement

We participate in a range of community engagement activities as part of our commitment to increasing public understanding and discussion of equal opportunity principles, how the Act relates to people's experiences of discrimination, harassment, and victimisation, and how they access their rights.

Events

In 2024-25 we continued our recognition of significant equal opportunity topics by marking their associated days and hosting or engaging in events linked to these days. This included the continuation of our series of Commission Stalls.

Commission Stalls Series

In 2024-25, the Commission held stalls in the Murray Street Mall, the Perth metropolitan area, and throughout the regions.



Commission Stall in the Mall to commence 2025

NAIDOC Week

The Commission participated in the Mirrabooka NAIDOC Week event again in the 2024-25 year. This has become a regular community event in the Commission's calendar, and is always well supported by the Mirrabooka community, with plenty of family friendly activities and information.

The Commission provided an information stall for community members wanting to learn more about their rights under the Act, especially with regards to race discrimination and racial harassment. As always, we had plenty of young people taking the opportunity to make their own badges and wear them at the event.



Commission Officers at Mirrabooka NAIDOC event

Pride Fair Day

The Commission celebrated another year of WA Pride Month in November 2024 by attending Pride Fair Day at the Supreme Court Gardens, Perth.

It was a day filled with vibrant interactions, with a steady flow of people eager to know more about the Act, and many keen to get involved with our stall by creating a new logo for the Commission, spinning the wheel, and making equality-themed badges.

Pride Fair Day never fails to facilitate an accessible and inclusive environment, which is perfect for discussing issues related to equality. It continues to be the ideal setting for the Commission to connect with the community and extend our outreach in a meaningful way.

With so many other organisations and community groups represented, Fair Day is also a great opportunity to network and connect over similar interests and share the Commission's upcoming projects and initiatives.



Staff at Pride Fair Day at the Supreme Court Gardens in Perth

The Multicultural Expo

The Commission participated in the first Multicultural Expo hosted by the Department of Local Government, Sport and Cultural Industries Office of Multicultural Interests, held at Perth Cultural Centre.

Intending to bring together WA's Culturally and Linguistically diverse communities to explore different services available across the state, it was an exceptional opportunity for the Commission to educate around the Act and engage with many different communities.

It was a busy day, with over 20 stalls representing state and community service organisations. Many individuals and families interacted with the stall to learn more about their rights and responsibilities concerning sex discrimination, race discrimination, and racial harassment. Many young people were eager to make badges and spin the wheel for a prize.



Staff and stall participants at the Multicultural Expo

Everyday Sexisms Event

The Commission continued its commitment to gender equality by teaming up with Professor Mindy Blaise, co-founder of Feminist Educators Against Sexism (FEAS), to deliver Shining a Light on Everyday Sexisms, a community-led event aimed at tackling sex-based comments and behaviours that often go unnoticed but have lasting impacts.

This initiative came in response to extensive community consultations, which highlighted a clear need for more conversations around sexual harassment and sex-based discrimination.

The event brought together community members, advocates, and professionals from across sectors to unpack the everyday experiences of sexism in workplaces, schools, and public life.

A panel of speakers shared recent research findings, followed by interactive discussions that allowed attendees to reflect on their own experiences and build practical strategies for change. Feedback revealed that everyday sexism is still a common challenge, and participants voiced a strong desire for ongoing education, upskilling, and systemic responses.

The event reinforced the importance of creating space for shared stories and collective action. The Commissioner acknowledged the contribution of all involved. *"This is about naming the behaviours that often get minimised and equipping people with the tools to respond. Events like this help drive change from the ground up,"* he said.



Panel Members at the Everyday Sexisms Event

Katanning Harmony Festival

The Equal Opportunity Commission participated in the Katanning Harmony Festival in March 2025 to provide outreach to this vibrant, diverse community in Western Australia's Great Southern region.

The annual festival celebrates the multicultural diversity of Katanning Shire with activities, food, and information stalls. The Equal Opportunity Commission hosted a stall to provide outreach to the community and rights-based information with a focus on racial harassment, race discrimination, and religious conviction discrimination.

The Officers attending commented on the unique opportunity to speak to diverse communities and connect with the local and statewide organisations working alongside these groups.

"It was a wonderful opportunity to witness the deep pride these communities have in their cultures and the strong bonds they share with one another. It was a true privilege to be a part of the celebration." – Commission Officer



Officer at Katanning Harmony Festival

Legal services

The Legal Officers in Legal Services assess potential complaints of unlawful discrimination, harassment, and victimisation lodged with the Commission; provide assistance to the Commissioner and Conciliation Officers regarding complaints under investigation; assist complainants at the State Administrative Tribunal (the Tribunal) where a complaint is referred under s93 of the *Equal Opportunity Act 1984* (the Act); and prepare responses to state and federal inquiries, and consultations.

Legal Officers also review the Commission's publications, and draft ministerial and other correspondence. Additionally, they provide information and guidance to government agencies regarding the application of the Act to new and existing policies and practices.

Legal Officers deliver presentations to employers, tertiary institutions, community organisations, and government agencies on the application of the Act. They also represent the Commissioner before the Tribunal on exemption applications, parliamentary committees, and other forums as required.

State Administrative Tribunal

Referral of complaints to the Tribunal can occur in one of two ways:

i) If the complaint has not been dismissed, and:

- the complaint cannot be resolved by conciliation; or
- endeavours to resolve the complaint by conciliation have been unsuccessful; or
- the Commissioner is of the opinion the nature of the complaint is such that the matter should be referred to the Tribunal;

the Commissioner must refer the complaint to the Tribunal under s93.

ii) If the complaint has been dismissed, the Commissioner must refer the complaint under s90, if requested by the complainant.

In each case, a report of the complaint investigation is provided to the Tribunal upon referral.

The Commissioner must provide assistance if requested by complainants whose complaints have been referred to the Tribunal under s93 of the Act. This is usually done by assigning one of the Commission's Legal Officers to assist and represent the complainant.

The Commissioner does not provide assistance where a complaint has been dismissed and referred to the Tribunal under s90.

At the Tribunal, complainants can choose to represent themselves or engage representation, regardless of how a complaint is referred to the Tribunal.

When the matter is referred to the Tribunal, the complainant is described as the 'applicant' under the *State Administrative Tribunal Act 2004*.

1. Legal Case Summary: Sexual harassment in employment

Background

A business owner was part of a partnership that meant his company provide services. He alleged that an employee of the partnership made unwelcome sexual comments towards him. After raising the issue with the main partner, the matter was investigated. Within a week, the partners decided to remove him from the partnership.

The business owner lodged a complaint with the Equal Opportunity Commission. On review, the Commission found that most of the issues raised related to a commercial dispute between partners, not discrimination, and as such, these were dismissed by the Commissioner. The Commissioner accepted the complaint of sexual harassment against the alleged harasser as an individual and referred that part of the matter to the State Administrative Tribunal (SAT).

What did we do?

The business owner asked the Commissioner to refer the dismissed parts of the complaint to the SAT under section 90(2) of the *Equal Opportunity Act 1984* (WA). The Commission's lawyer did not assist with the dismissed matters.

Outcome

The Commission provided legal representation at a SAT mediation conference. The matter was resolved when the alleged harasser agreed to apologise to the business owner for the unwelcome sexual comments he made to him, and to pay \$19,000 in general damages. A deed of settlement was signed by the alleged harasser on behalf of himself and his company. The business owner confirmed receipt of the payment, and the matter was recorded as finalised.

2. Legal Case Summary: Sexual harassment in employment

Background

A week after the complainant commenced full-time employment, her supervisor approached her while she was working. After some introductory conversation, the complainant and her supervisor discussed a mutual friend and colleague, whom they had both worked with previously.

The complainant alleged her supervisor then asked her if she had ever had sex with the friend. The complainant replied that she had not; they were just friends. The supervisor asked the complainant if she was in a relationship with the friend, to which she replied she was not. He again asked the complainant if she had had sex with the friend, to which she responded "no" before walking away to continue preparing for patients.

The complainant alleged that a few days later, her supervisor approached her again. He asked her: "Are you sure you've never had sex with [the friend]?" She replied she had not, and they were just friends. He then asked her if she found the friend attractive, to which she responded "no, we are only friends".

A month later, the Complainant alleged the supervisor allocated her rostered duties to another employee without first consulting her. When she questioned this, he addressed her in a condescending manner, accusing her of being inflexible and not thinking before she spoke.

She alleged that, over the next few months, he avoided her, spoke down to her, allocated her duties to other employees and questioned her clinical judgement.

The complainant lodged a formal complaint with her employer about the alleged sexual harassment by her supervisor, and his subsequent behaviour towards her. Her employer commenced an investigation into the allegations. She also lodged a workers compensation claim with her employer, in relation to the stress and anxiety caused by her supervisor's treatment of her.

The employer informed the complainant that it had finished its investigation and found her allegations unsubstantiated. She was advised she needed to find a way to continue working with her supervisor.

The employer terminated her employment, on grounds, the employer said, were unrelated to her sexual harassment complaint against her previous supervisor.

What did we do?

The complainant lodged complaints of sexual harassment in employment against both her previous employer and supervisor. Both denied that the supervisor had sexually harassed the complainant. The supervisor specifically denied he had said anything of a sexual nature to the complainant. The employer said it could not be held vicariously liable for conduct which it had investigated and found not to have occurred.

As the complaints could not be conciliated, the Commissioner referred them to the State Administrative Tribunal under s 93 of the Act, with legal assistance provided to the complainant by the Commission's Senior Legal Officer. The Tribunal referred the complaint to mediation. The complainant was represented by the Senior Legal Officer at the mediation conference.

Outcome

The complainant said she wanted her previous employer and supervisor to apologise in writing for what had happened and the distress it had caused her. She also sought a payment of \$5,000 compensation. She was not seeking compensation for loss of income, and did not care if the apologies were confidential and made 'without admission of liability', provided they were made. Both the employer and the supervisor agreed to the compensation but not the apologies. She responded that, if that were the case, she would drop her demand for compensation if they both apologised. The employer and the supervisor agreed, provided the apologies remained confidential.

The Senior Legal Officer drafted the apologies, the wording of which was agreed to by all parties. The parties signed a deed of settlement a couple of weeks after the conference. After the complainant received the signed apologies, she discontinued her complaint in the SAT.

Whole of Commission work

There is some work the Commission engages in that requires cross-sectional and collaborative engagement by Commission Officers.

One way that this occurs is when the Commission is approached to make submissions to parliamentary inquiries at both state and federal levels, as well as the development of legislation that might impact the *Equal Opportunity Act 1984* (the Act).

Commission Officers also engage in external projects and reference groups within the public and private sectors that work to examine, review, and develop policies and practices relating to equality and substantive equality.



Senior Commission Officer presenting the 2024 Media, Entertainment and Arts Alliance award (MEAA) on behalf of the Commission.

Speaking engagements

The Commissioner and other Commission staff members regularly accept invitations to speak to students, community groups, lawyers, employee and employer groups, and at community events. Speaking topics range from specific issues in human rights and anti-discrimination law to broader topics of diversity and inclusion.

This year, the Commissioner spoke at:

- The Industrial Relations Society of WA on the Workplace Disability Discrimination discussion panel.
- The International Day of People with Disability discussion hosted by the Department of Justice.
- The People with Disability WA State Conference 2025 as a keynote speaker.

Partnerships and networks

The Commission is involved in a range of issues and location-based advisory groups and networks. These include multicultural and multi-faith networks, disability networks, access and inclusion advisory groups, and public sector interagency networks. Additionally, we have initiated or contributed to various consultation groups and cross-agency collaboration networks, including:

- **New and Emerging Communities Reference Group:** This reference group is hosted by the Equal Opportunity Commission and meets three times each year. It includes representatives from migrant and refugee advocacy groups as well as representatives from State Government agencies who focus on providing a service to these cohorts. The group meets to discuss issues that impact migrants and refugees based in WA, and advocates to address these issues.

- **Northern Suburbs Community Legal Centre (NSCLC):** The Commission continues to maintain its memorandum of understanding (MoU) with the NSCLC via bi-annual review meetings. The MoU enables the Commission to provide education and engagement activities to community organisations that are associated with the NSCLC.
- **Mental Awareness, Respect and Safety (MARS) program:** The MARS program is a whole-of-government initiative that aims to improve the health, safety, and wellbeing of workers and others in the mining industry. The Commission is a member of the MARS Program Working Group.
- **Sexual Violence Prevention and Response Strategy:** The Commission is part of the Strategy project as a member of the Sexual Violence Steering and Implementation Group. The Strategy is a whole-of-government initiative aimed at preventing and addressing the impact of sexual violence in the community. It considers the full continuum of sexual violence, including sexual harassment, abuse and threats.
- **Sponsorship of WA MEAA Awards:** Each year, the Commission provides \$2,500 sponsorship of the Social Equity Reporting category at the WA Media, Entertainment and Arts Alliance Awards. In 2024-25, the award was won by a team of ABC journalists, led by Kathryn Diss, and including Keane Bourke, Daryna Zadvirna, and Jake Sturmer. The award recognised the team's excellence in investigative journalism, focusing on WA's youth detention system, culminating in the report 'An Avoidable Tragedy: The Death of Cleveland Dodd.'
- **Play by the Rules (PBTR):** This national interactive education and information initiative promotes inclusivity in sport free from discrimination, harassment, bullying and inappropriate spectator behaviour. The Commission works in the PBTR partnership to help promote its campaigns and provides \$2,000 annual sponsorship.
- **University intern partnerships:** In 2024-25, the Commission set up its partnership with the McCusker Centre for Citizenship. This partnership will provide the Commission with a structured internship program that will commence next year.
- **CEOs for Gender Equity:** The Equal Opportunity Commission formed the inaugural group of CEOs in 2012 and is now one of the 100 members from the corporate, not-for-profit and government sectors.
- **Australian Council of Human Rights Authorities:** The Commission is one of nine anti-discrimination and human rights authorities which meet to discuss issues and strategies impacting Australia's human rights obligations. Each year, one meeting is conducted face-to-face with, several other meetings held on-line.
- **LGBTIQA+ Inclusion Strategy and Action Plan:** As a whole-of-government initiative, the Strategy aims to drive inclusion and promote the well-being and full social and economic participation of all LGBTIQA+ people in WA, through identifying priority areas and associated actions to foster long-term change. In addition to the Commission being a member of the Strategy Steering Group, it formally proposed actions to be included in the Action Plan of the Strategy.
- **Patricia Giles and Modified Service Delivery Cross-Sector Reference Group:** The program helps link the disability sector with the family and domestic violence sector. This year, the Commission participated in meetings, including presenting to members on Equal Opportunity law. The Commission also hosted two training events to aid in community education and the sharing of information between agencies to support community members.

Submissions

In 2024-25, the Commission made submissions on issues related to its functions under the *Equal Opportunity Act 1984*.

Examining Racism Prevention and Protection Measures in Western Australia:

The Commission contributed to this survey by the Department of Local Government, Sport and Cultural Industries (DLGSC) Office of Multicultural Interests (OMI), which mapped anti-racism prevention and protection measures across WA to identify strategies that could work to make them more effective.

Review of the *School Education Act 1999*:

The Commission supplied a submission to the review of the *School Education Act 1999* and met with the team conducting the review.

Disclosures

Reference by the Minister

Section 81(1) of the *Equal Opportunity Act 1984* (the Act) states:

- (1) The Minister may refer to the Commissioner for report any matter relating to –
 - a) a law or a proposed law; or
 - b) a practice, an alleged practice or a proposed practice of any person or class of persons, which conflicts with or may give rise to conflict with this Act.

In 2024-25, no referrals were made by the Minister to the Commissioner for Equal Opportunity pursuant to s81(1) of the Act, and no referrals were outstanding.

Historical Homosexual Convictions Expungement Act 2018

The *Historical Homosexual Convictions Expungement Act 2018* provides at section 17 that the *Spent Convictions Act 1988* Part 3 Division 3 applies to and in respect of expunged convictions in the same manner as it applies to and in respect of spent convictions and, for that purpose, a reference in that Division to a spent conviction is to be taken to be a reference to an expunged conviction.

In 2024-25, no expunged conviction complaints were finalised, and no expunged conviction complaints were outstanding.

Industrial Relations Act 1979

Section 29(1)(b)(vii) of the *Industrial Relations Act 1979* provides that the Commissioner for Equal Opportunity may refer certain industrial matters to the Industrial Relations Commission. In 2024-25, no matters were referred to the Industrial Relations Commission by the Commissioner for Equal Opportunity, and no referrals were outstanding.

Public Interest Disclosure Act 2003

Section 15 of the *Public Interest Disclosure Act 2003* states:

- (4) An act of victimisation under this Act may be dealt with under the *Equal Opportunity Act 1984* as if it were an act that was unlawful under s67 of that Act but, if the victim commences proceedings in a court under subsection (1), he or she cannot subsequently lodge a complaint under the *Equal Opportunity Act 1984* because of the act and, conversely, if the victim lodges a complaint under that Act because of the act, he or she cannot subsequently commence proceedings under subsection (1) because of the act.
- (5) If a complaint alleging an act of victimisation under this Act has been lodged with the Commissioner for Equal Opportunity and the Commissioner is of the opinion that the subject matter of the complaint has already been adequately dealt with by a competent authority, the Commissioner may decline to act on the complaint or to proceed further with action on the complaint.

In the financial year the Commissioner for Equal Opportunity finalised three Public Interest Disclosure (PID) victimisation complaints. The complaints were withdrawn. At the end of 2024-25 no PID victimisation complaints remained outstanding.

Spent Conviction Act 1988

Part 3 Division 3 of the *Spent Convictions Act 1988* provides that a person may lodge a complaint in the area of employment in relation to alleged discrimination on the ground of a spent conviction or the charge to which it relates, as if such discrimination were a form of discrimination to which the Equal Opportunity Act applies.

In the financial year the Commissioner for Equal Opportunity finalised one spent conviction complaint. The complaint lapsed. At the end of 2024-25, one spent conviction complaint remains outstanding.

Other reporting matters

The Equal Opportunity Commission is part of the Department of Justice while remaining independent in the performance of its statutory functions under the Act. The Department of Justice 2024-25 Annual Report integrates various matters and information relating to the Equal Opportunity Commission that do not relate to its statutory functions under the Act.

Freedom of information

Although part of the Department of Justice, the Equal Opportunity Commission independently manages Freedom of Information applications related to its statutory functions under the Equal Opportunity Act.

The following information relates to the financial year for 2024-25.

Summary of FOI applications	No.
Applications received	2
Applications processed	2
Personal information requests	2
Non-personal information requests	0
Amendment of personal information	0
Applications transferred in full	0
Outcomes	No.
Applications withdrawn	0
Internal reviews completed	0
External reviews completed	0
Applications currently being processed	0

At the end of 2024-25, no reviews remain outstanding with the Information Commissioner.

Under s96 of the *Freedom of Information Act 1992*, government agencies are required to prepare and publish an information statement, conveying information to the public about the agency's operations, the kinds of documents it holds, and the procedures for accessing them.

Much of the information about the Equal Opportunity Commission and its operations is set out in this Annual Report. Information about how to request documents and information held by the Commission is published on the Commission's website at:

[OIC Freedom of Information \(FOI\) Request \(jotform.com\)](https://www.jotform.com)

Appendices

Appendix A: Complaint and enquiry tables

Complaint

Table 1: Accepted complaints finalised by ground

Ground	2024-25	%
Age	23	6.6
Breastfeeding	0	0.0
Family responsibility	11	3.2
Family status	2	0.6
Gender history	2	0.6
Impairment	95	27.5
Marital status	3	0.9
Political conviction	5	1.4
Pregnancy	6	1.7
Publication of name in fines enforcement registry website	0	0.0
Race	61	17.6
Racial harassment	16	4.6
Religious conviction	8	2.3
Sex	27	7.8
Sexual harassment	18	5.2
Sexual orientation	13	3.8
Spent conviction	1	0.3
Victimisation	52	15.0
Victimisation PID	3	0.9
Total	346	100

Table 2: Accepted complaints finalised by area

Area	2024-25	%
Access to places and vehicles	20	5.8
Accommodation	8	2.3
Advertising	4	1.2
Application forms	1	0.3
Clubs	5	1.4
Education	9	2.6
Employment	200	57.8
Goods, services and facilities	96	27.7
Sport	3	0.9
Total	346	100

Table 3: Accepted employment complaints finalised by ground

Ground	2024-25	%
Age	13	6.5
Breastfeeding	0	0.0
Family responsibility	11	5.5
Family status	2	1.0
Gender history	0	0.0
Impairment	41	20.5
Marital status	2	1.0
Political conviction	2	1.0
Pregnancy	2	2.5
Publication of name in fines enforcement registry website	0	0.0
Race	23	11.5
Racial harassment	16	8.0
Religious conviction	6	3.0
Sex	13	6.5
Sexual harassment	18	9.0
Sexual orientation	8	4.0
Spent conviction	1	0.5
Victimisation	36	18.0
Victimisation PID	3	1.5
Total	200	100

Table 4: Accepted conciliated complaints finalised by ground

Ground	2024-25	%
Age	3	4.5
Breastfeeding	0	0.0
Family responsibility	4	6.1
Family status	0	0.0
Gender history	0	0.0
Impairment	19	28.8
Marital status	1	1.5
Political conviction	0	0.0
Pregnancy	3	4.5
Publication of name in fines enforcement registry website	0	0.0
Race	9	13.6
Racial harassment	2	3.0
Religious conviction	1	1.5
Sex	6	9.1
Sexual harassment	6	9.1
Sexual orientation	0	0.0
Spent conviction	0	0.0
Victimisation	12	18.2
Victimisation PID	0	0.0
Total	66	100

Enquiry

Table 5: Enquiries responded by ground

Ground	2024-25	%
Age	27	3.1
Breastfeeding	2	0.2
Bullying	16	1.9
Family responsibility	14	1.6
Family status	7	0.8
Gender history	5	0.6
Gender identity	4	0.5
Impairment	230	26.7
Marital status	1	0.1
Political conviction	2	0.2
Pregnancy	11	1.3
Publication of name in fines enforcement registry website	0	0.0
Race	113	13.1
Racial harassment	6	0.7
Religious conviction	10	1.2
Sex	26	3.0
Sexual harassment	17	2.0
Sexual orientation	3	0.3
Spent conviction	11	1.3
Victimisation	7	0.8
Victimisation PID	0	0.0
All grounds	124	14.4
Other	15	1.7
Not applicable	212	24.6
Total	863	100

Table 6: Enquiries responded by area

Area	2024-25	%
Access to places and vehicles	22	2.5
Accommodation	41	4.8
Advertising	2	0.2
Application forms	0	0.0
Clubs	13	1.5
Education	28	3.2
Employment	329	38.1
Goods, services and facilities	128	14.8
Insurance	0	0.0
Land	0	0.0
Public place	1	0.1
Sport	6	0.7
All areas	116	13.4
Other	30	3.5
Not applicable	147	17.0
Total	863	100

Appendix B: Complaints finalised from 1985 to 2025

