

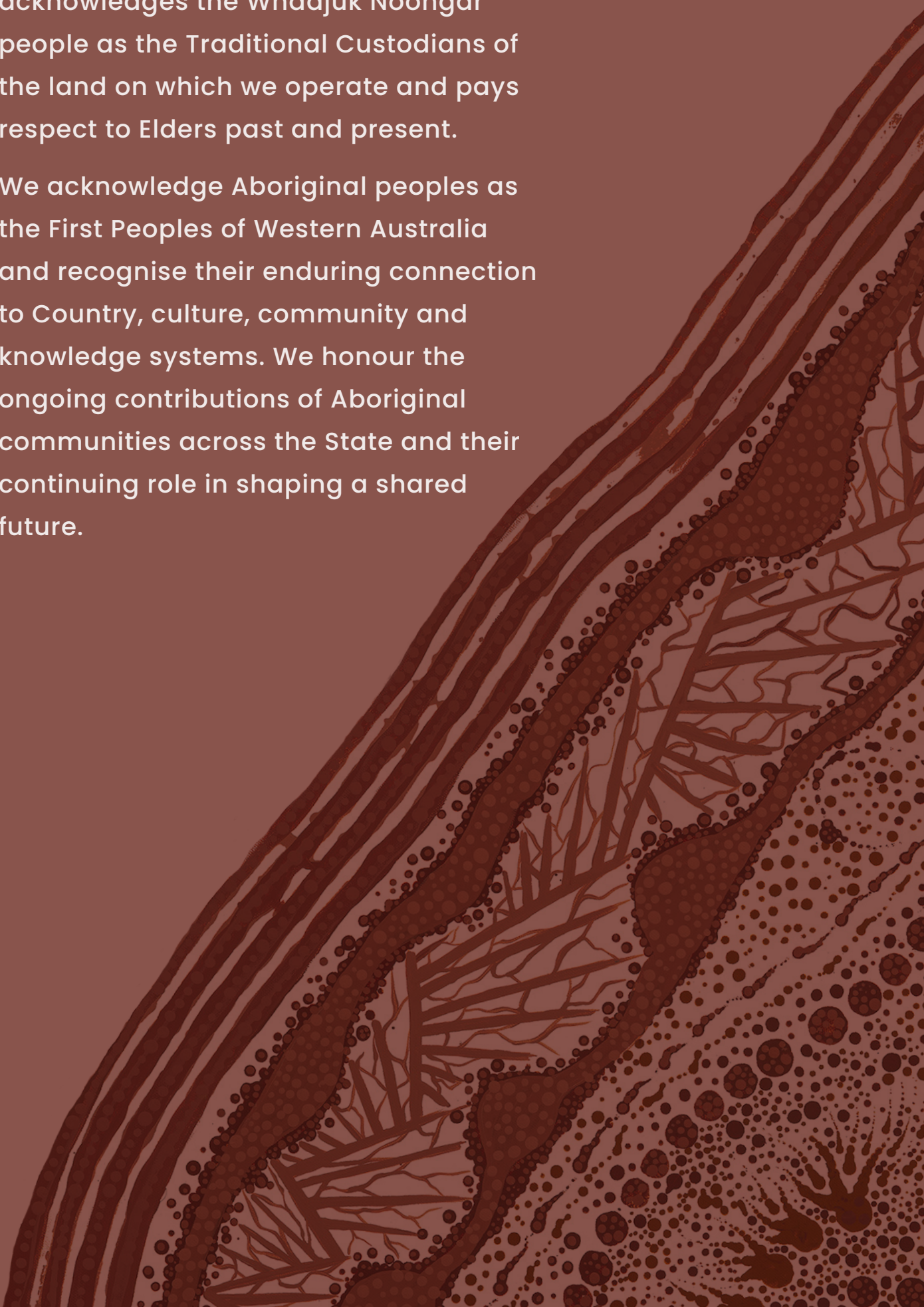
# 2025 – 26

## EQUAL OPPORTUNITY COMMISSION ANNUAL REPORT



The Equal Opportunity Commission acknowledges the Whadjuk Noongar people as the Traditional Custodians of the land on which we operate and pays respect to Elders past and present.

We acknowledge Aboriginal peoples as the First Peoples of Western Australia and recognise their enduring connection to Country, culture, community and knowledge systems. We honour the ongoing contributions of Aboriginal communities across the State and their continuing role in shaping a shared future.



# 2025-26

## ANNUAL REPORT

The Western Australian Equal Opportunity Commission is committed to providing accessible services to all Western Australians, including people from culturally and linguistically diverse backgrounds. If you have difficulty understanding this annual report, please contact us on our toll-free number, 1800 198 149, and we will arrange an interpreter to assist you.

This report provides information on the performance of the Equal Opportunity Commission during the 2025-26 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.

For information on how the Equal Opportunity Commission collects, uses, discloses, stores, and manages personal information, please refer to our Privacy Statement and Information Collection Notice on our website.

### Feedback

We continuously seek to improve our services and welcome comments, feedback and enquiries about 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.

### Enquiries

If you have questions or concerns about matters relating to discrimination, harassment or victimisation under the *Equal Opportunity Act 1984*, you can contact the Commission's free enquiry line between 9am and 4pm on week days. Alternatively, you can visit our website or email us using the details below.



#### Equal Opportunity Commission

Albert Facey House  
469 Wellington Street  
PERTH WA 6000



Telephone: (08) 9216 3900

Toll Free: Free call from landline non-metro areas 1800 198 149



Website: [www.eoc.wa.gov.au](http://www.eoc.wa.gov.au)



Email: [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)



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# Letter of Compliance



Attorney General; Minister  
for Corrective Services;  
Commerce; Tertiary and  
International Education

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 2026.

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 2026

# Commissioner's Foreword



The 2025–26 financial year was a significant year for equal opportunity law and policy in Western Australia. While discrimination, harassment and victimisation continue to affect the daily lives of many people in our community, this year has also provided grounds for optimism. Important legislative reform has moved closer to reality, and our community has continued to demonstrate a strong commitment to fairness, inclusion and respect.

The Commission's work remains focused on advancing the objects of the *Equal Opportunity Act 1984*, including the elimination, as far as practicable, of unlawful discrimination in Western Australia. Throughout the year, the Commission continued to provide complaint handling, education and community engagement services that assist individuals to understand and exercise their rights, while supporting organisations to meet their legal obligations. Through this work, the Commission contributes to a Western Australian community in which all people are treated fairly, can participate fully in public life, and have equal access to opportunities regardless of their personal attributes or circumstances.

During 2025–26, the Commission finalised 430 accepted complaints. Employment remained the area generating the highest number of complaints, accounting for more than half of all accepted complaints. Impairment, race and victimisation were among the most commonly raised grounds. These figures are a reminder that unlawful discrimination continues to have a real impact on the lives of Western Australians and that accessible, effective complaint resolution mechanisms remain essential.

One of the most significant developments during the year was the continued work of the Western Australian Parliament on a new Equal Opportunity Bill. This reform process follows the recommendations of the Law Reform Commission of Western Australia's review of the *Equal Opportunity Act 1984*, which identified opportunities to modernise the State's anti-discrimination framework and better align it with contemporary approaches adopted elsewhere in Australia.

The Commission welcomes the progress being made towards implementing many of the review's recommendations. The proposed reforms represent the most substantial review of Western Australia's equal opportunity legislation in decades and seek to bring the State's laws more closely into line with contemporary Commonwealth, State and Territory anti-discrimination legislation.

These reforms have the potential to strengthen protections against discrimination, expand the range of protected attributes and areas of public life covered by the legislation, and introduce contemporary approaches to complaint handling and resolution.

While legislative reform is ultimately a matter for Parliament, the Commission is encouraged by the opportunity to help shape a legal framework that better reflects the diversity and lived experiences of Western Australians.

We remain hopeful that a new Equal Opportunity Act will provide a stronger foundation for pursuing our ongoing objective of eliminating, as far as practicable, unlawful discrimination and promoting the full and equal participation of all Western Australians in community life.

Another important milestone during the year was the commencement of reforms to Western Australia's births, deaths and marriages legislation, which simplify the process through which transgender and gender-diverse people may seek recognition of their affirmed gender. These reforms recognise the importance of dignity, inclusion and personal autonomy, and help remove barriers that have historically affected members of the transgender community. The Commission welcomes measures that improve access to legal recognition and support the equal participation of all people in Western Australian society.

The achievements of the Commission during the year would not have been possible without the professionalism, expertise and dedication of its staff.

Across all areas of the organisation, officers have continued to serve the community with integrity, impartiality and care. Their commitment helps ensure that individuals and organisations engaging with the Commission receive a service that is fair, accessible and responsive.

I also thank the many complainants, respondents and representatives who engaged constructively with the Commission throughout the year. Meaningful participation in our processes remains essential to achieving fair and lasting outcomes.

As Western Australia enters a period of significant legislative change, the Commission looks forward to continuing its work with government, stakeholders and the broader community to advance equal opportunity, remove barriers to participation, and support a more inclusive society for all Western Australians.

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

# About the Commission

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

The Act promotes equality of opportunity in Western Australia and provides remedies for unlawful discrimination, harassment and victimisation on grounds protected under the Act. Some of these protected grounds are sex, marital status, pregnancy, sexual orientation, family responsibility, family status, race, religious or political conviction, impairment and age.

The Commission helps Western Australians understand their rights and responsibilities under the Act by providing information, investigating complaints, and facilitating impartial conciliation processes aimed at achieving fair and lawful outcomes.

As part of its statutory functions, the Commission undertakes community engagement, education and partnership initiatives that seek to address the underlying causes of discrimination, harassment and victimisation. This work is often undertaken in collaboration with government, community and industry stakeholders and is highlighted throughout this report.

The Commission's Strategic Plan sets out its vision, mission and strategic objectives.

## Our Vision

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

## Our Mission

To promote formal and substantive equality and contribute to an inclusive Western Australian community that is free from discrimination, harassment and victimisation.

## Responsible Minister

### Hon Dr Tony Buti MLA

Attorney General; Minister for Corrective Services; Commerce; Tertiary and International Education.

## Enabling Legislation

The office of the Commissioner for Equal Opportunity was established in 1985 under Part VII, Division 1 of the *Equal Opportunity Act 1984*.

The Commissioner for Equal Opportunity is appointed by the Governor of Western Australia.

## 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*
- *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 2023*

### 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

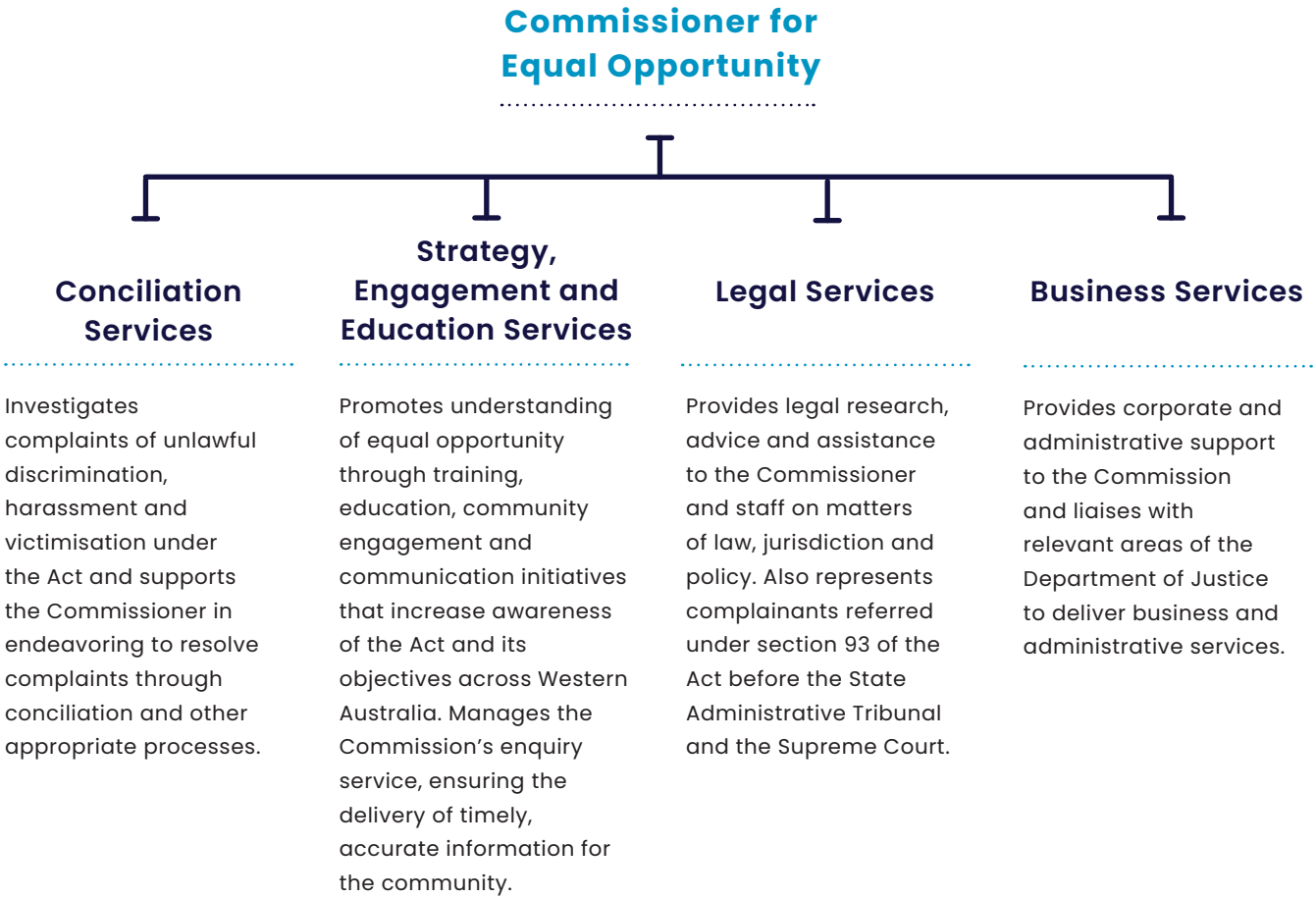
The Commission's Strategic Plan sets out five strategic objectives that guide our work and drive continuous improvement in the services we provide to the Western Australian community.

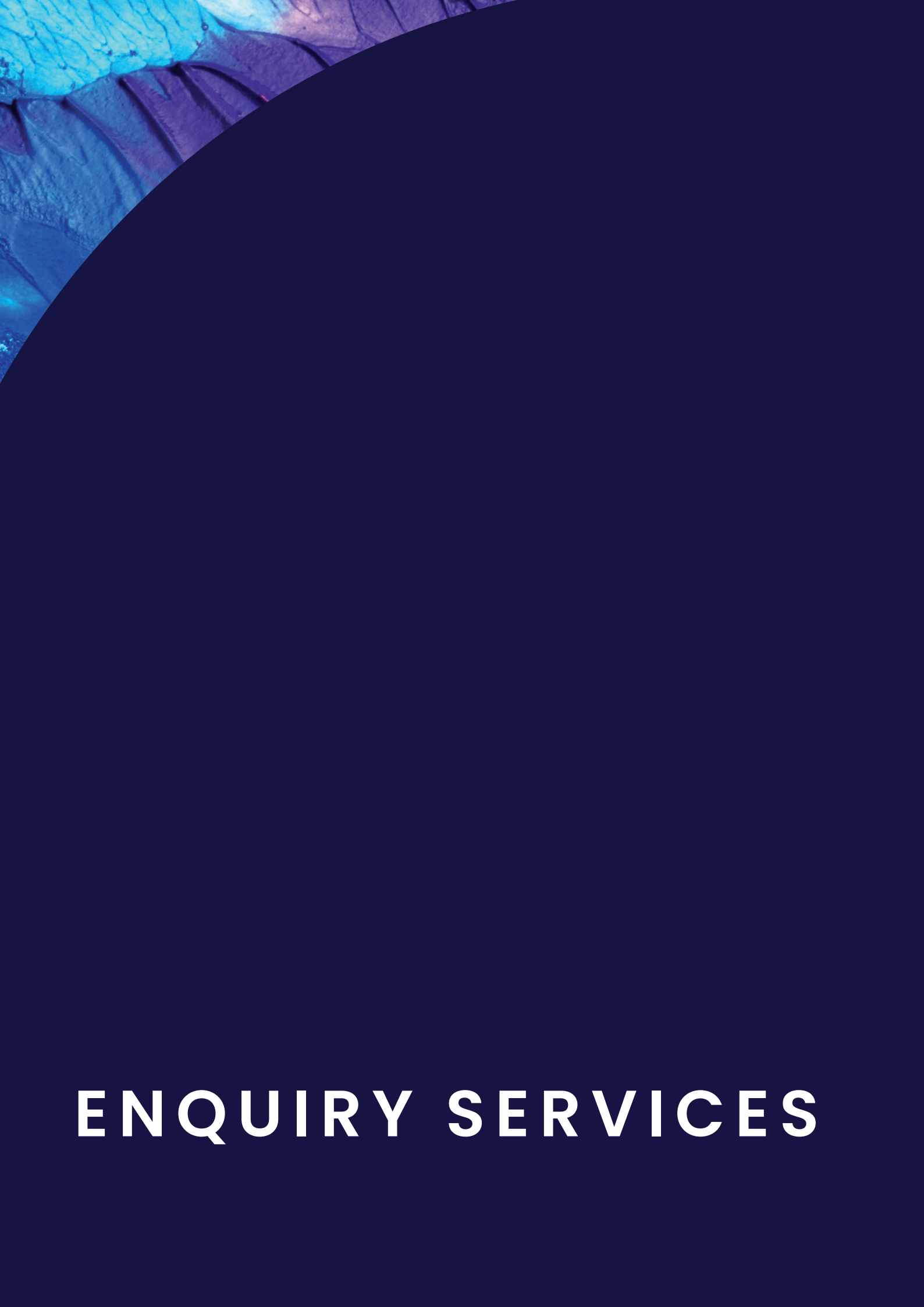
| Objectives<br>(What we want to achieve)                                                                    | Actions<br>(What we will do)                                                                                                                                                                                                                       | Success Indicators<br>(Evidence of impact)                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Provide a just, equitable and accessible complaint-handling and conciliation process                       | <ul style="list-style-type: none"> <li>Review complaint-handling processes annually.</li> <li>Seek stakeholder feedback.</li> <li>Monitor complaint trends and outcomes.</li> <li>Improve service accessibility.</li> </ul>                        | <ul style="list-style-type: none"> <li>High levels of client satisfaction.</li> <li>Timely complaint resolution.</li> <li>Improved accessibility of services.</li> </ul>                                                         |
| Engage with community and stakeholder groups to identify emerging equal opportunity issues                 | <ul style="list-style-type: none"> <li>Undertake regular stakeholder engagement.</li> <li>Participate in key forums and consultations.</li> <li>Identify emerging issues and trends.</li> <li>Contribute to public discussion.</li> </ul>          | <ul style="list-style-type: none"> <li>Strong stakeholder relationships maintained.</li> <li>Emerging issues inform Commission priorities.</li> <li>Recognition of the Commission as a trusted source of information.</li> </ul> |
| Increase awareness of rights, responsibilities and protections under the <i>Equal Opportunity Act 1984</i> | <ul style="list-style-type: none"> <li>Deliver education and training programs.</li> <li>Develop accessible information resources.</li> <li>Engage priority communities.</li> <li>Expand community outreach.</li> </ul>                            | <ul style="list-style-type: none"> <li>Increased public awareness of rights and responsibilities.</li> <li>Improved reach across diverse communities.</li> <li>Positive feedback on resources and programs.</li> </ul>           |
| Advance the principle of substantive equality                                                              | <ul style="list-style-type: none"> <li>Promote substantive equality principles.</li> <li>Provide information and resources to support the advancement of substantive equality.</li> <li>Raise awareness for equitable service outcomes.</li> </ul> | <ul style="list-style-type: none"> <li>Increased awareness of substantive equality.</li> <li>Greater consideration of equity in service design.</li> <li>Increased uptake of substantive equality approaches.</li> </ul>         |
| Leverage technology to improve the Commission's service delivery, accessibility and efficiency             | <ul style="list-style-type: none"> <li>Enhance digital service delivery.</li> <li>Improve online access to services and information.</li> <li>Expand engagement with regional and remote communities.</li> </ul>                                   | <ul style="list-style-type: none"> <li>Increased use of digital services.</li> <li>Improved access to Commission services.</li> <li>Enhanced engagement across Western Australia.</li> </ul>                                     |

Our Structure

The Commission is comprised of four sections that support the Commissioner in administering the Act.

These sections are:





**ENQUIRY SERVICES**

# Enquiry Services

The Equal Opportunity Commission (the Commission) provides a free, confidential enquiry service to help people understand their rights and responsibilities under the *Equal Opportunity Act 1984* (the Act).

The enquiry service is staffed by Commission officers from Monday to Friday between the hours of 9am and 4pm. People can make enquiries during this time via phone, visiting the Commission in-person or by emailing the Commission at [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au).

The Commission's website also contains information about the Act that is relevant for many enquiries. The Commission continuously improves and updates its website content to provide appropriate information and a convenient point of contact.

## Lodgement of Enquiries

**In the 2025–26 financial year, the Commission responded to 857 enquiries via telephone, email, post, and in-person.**

Most enquiries in the financial year were by telephone at 73.9 per cent; followed by written enquiries at 24.7 per cent; and in person at 1.4 per cent.

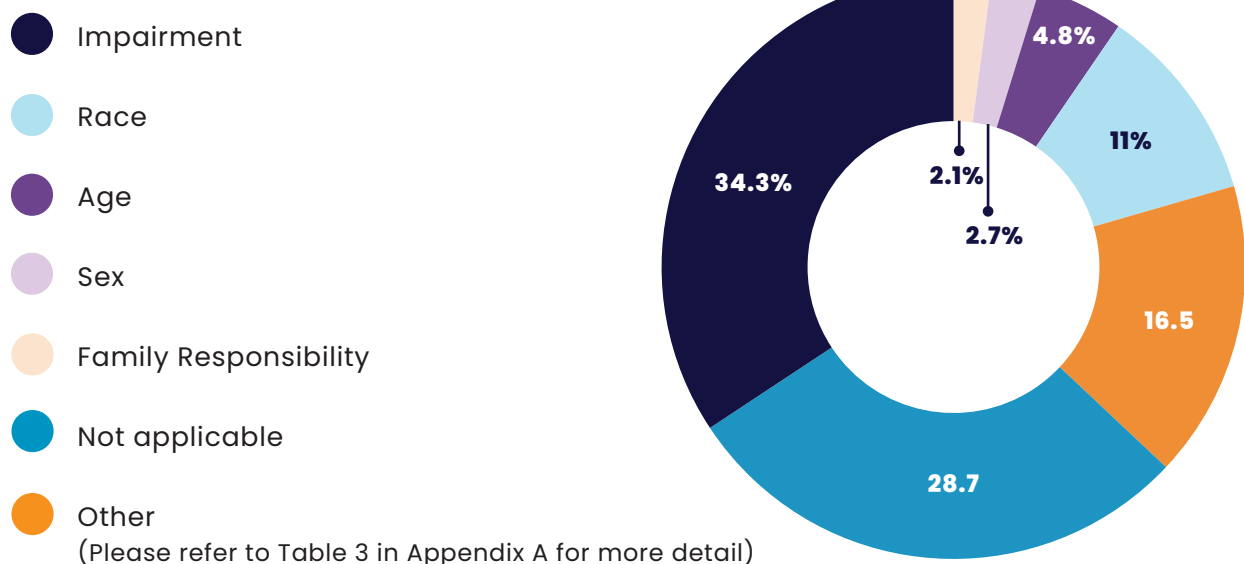
Of the written enquiries, 87.3 per cent were submitted by email; 6.6 per cent were received by post; 5.6 per cent via the webpage form; and 0.5 per cent by hand.

## Grounds and Areas

**In 2025–26, enquiries about impairment were the highest at 34.3 per cent, followed by race at 11 per cent and age at 4.8 per cent (see Figure 1 below).**

It is worth noting that 28.7 per cent of enquiries were defined as 'not applicable'. This means they did not include a ground covered by the Act. This illustrates the fact that, while some people regard what they are experiencing as discrimination, the Act does not define the matter that they are dealing with as unlawful discrimination.

Figure 1: Top Grounds of Enquiries 2025–26



Most enquirers indicated employment (42%) as the area of public life concerning them, followed by goods, services and facilities at 16.2 per cent and education at 6.2 per cent.

**Examples A and B** on pages 14 and 15 provide examples of the enquiries handled by the Commission and highlight how tailored information assists individuals to make informed decisions about their next steps.

## Enquirers

**In 2025–26, most of the enquiries responded to were from individuals (92.9%).**

A total of 7.1 per cent were from private enterprise, government agencies and non-government organisations.

A total of 79.8 per cent of all enquiries were by people reporting general allegations of discrimination or requesting information about potential complaints. Another 16.6 per cent of enquiries included requests for publications, an explanation of the Act or other legislative issues, 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 3.6 per cent of enquiries were made by employers and potential respondents seeking information about their responsibilities under the Act.

## Residence

**In 2025–26, 49.1 per cent of enquiries were from the metropolitan area.**

Within the metropolitan area, the highest number of enquiries were from the Central Metropolitan area, at 31.8 per cent.

Of all the regional areas in Western Australia, the South West region recorded the most enquiries, at 30.7 per cent. Figure 2, to the right, provides more information for regional enquiries.

## Outcomes

**The Commission answered 80.4 per cent of enquiries with the remaining 19.6 per cent of people referred to another relevant agency or body.**

Referrals occur when enquiries fall outside the jurisdiction of the Act. In 2025–26, the Commission referred 5.8 per cent of received enquiries to the Australian Human Rights Commission. The remainder of referrals included agencies such as community legal centres, the Fair Work Commission, Fair Work Ombudsman, Health and Disability Services Complaints Office, Ombudsman WA and relevant unions or employer bodies.

In addition to this, some enquirers were assisted via the provision of Commission literature. This included 38.4 per cent of enquirers referred to the Commission website, 10 per cent being provided other forms of literature such as information sheets and 5.7 per cent provided with a complaint form.

## Privacy and Confidentiality

To protect privacy and confidentiality, personal details of enquirers and identifying information about other parties are not recorded when handling enquiries.

Deidentified information voluntarily provided by an enquirer may be recorded to assist with service delivery, monitoring and reporting. Where a person wishes to make a formal complaint, the complaint must be submitted in writing.

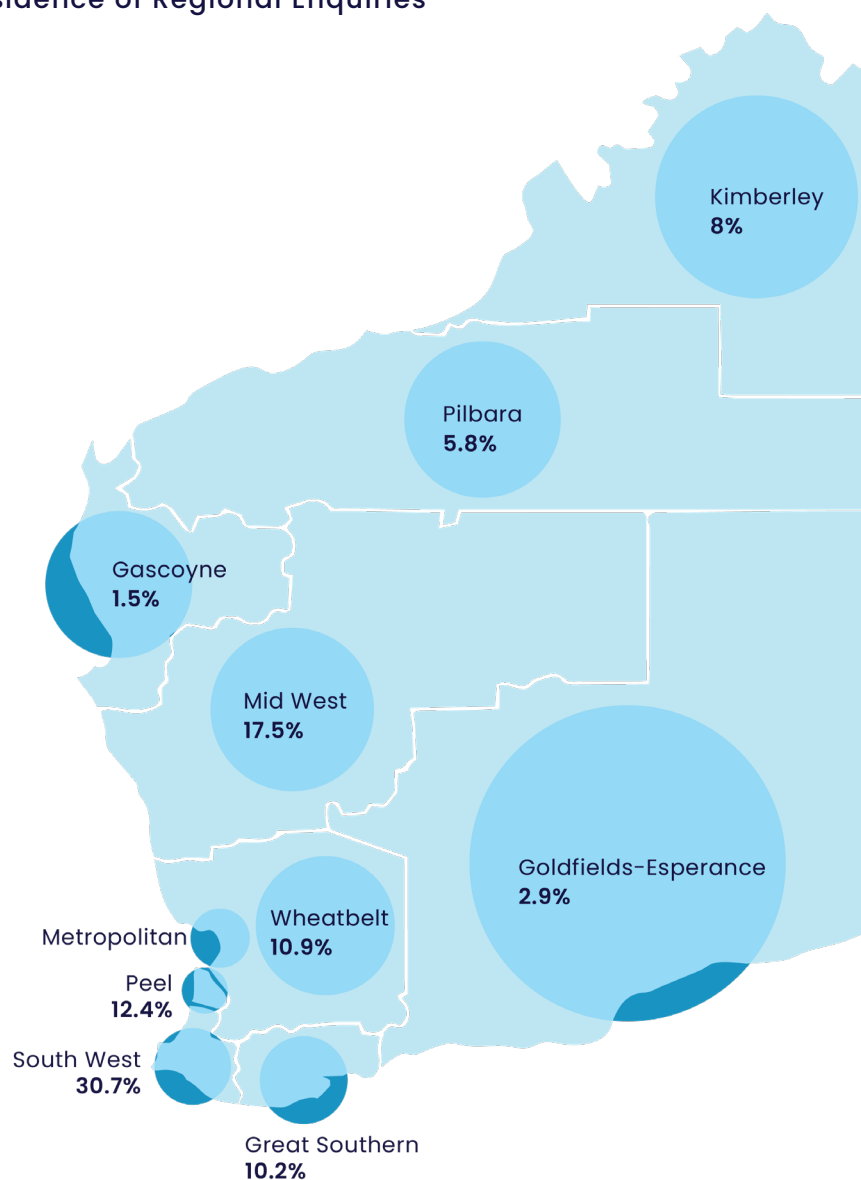
## Appendix A

Appendix A contains additional information relating to Enquiry Services.

Page 58 of Appendix A contains a matrix providing an overview of the grounds and the areas in which they apply.

Tables presenting data collected through Enquiry Services during the 2025-26 financial year can also be found in Appendix A (see Tables 1-3).

**Figure 2: Residence of Regional Enquiries**





**857**

**Total Enquiries**



**79.8%**

Of enquiries alleged  
discrimination or  
harassment



**3.6%**

Sought information  
as employers or  
respondents



**Were Received By:**



**73.9%**

Phone call



**24.7%**

Email, website  
and post



**1.4%**

Visiting in-person



**34.3%**

Under the ground  
of impairment



**11%**

Under the ground  
of race



**4.8%**

Under the ground  
of age



**42%**

In the area of  
employment



**16.2%**

In the area of goods,  
services & facilities



**6.2%**

In the area of  
education

# Example A

## **Alleged Impairment Discrimination in Goods, Services and Facilities**

Emily\*, a support worker for a person with vision impairment, contacted the Commission's enquiry service seeking information about disability discrimination after an issue arose when attempting to hire a rental vehicle.

Emily explained that her client had intended to pay for the rental vehicle, while Emily would be the authorised driver. The rental company refused to accept payment from the client because the client was not going to be driving the vehicle and would not accept the client's driver's licence for the booking because of the client's vision impairment.

Emily and her client returned to the company and explained the circumstances, raising concerns that the company's policy may disadvantage people with disability and amount to discrimination. Following these discussions, the company acknowledged the issue and expressed a willingness to review its practices. The company subsequently invited Emily to contribute to the development of new policies aimed at preventing similar situations from occurring in the future.

Emily contacted the Commission again to seek guidance on the proposed policy changes. The Commission Enquiry Officer explained that, unfortunately, the Commission could not provide legal advice or approve the company's proposed policies. Emily was advised to seek assistance from a legal service or disability advocacy organisation that could provide advice on the policies and their compliance with discrimination law. The Enquiry Officer provided Emily details for both appropriate legal assistance services and disability advocacy.

At the time of the enquiry, Emily's client did not wish to lodge a complaint with the Commission with regard to the incident.

This enquiry highlights the range of outcomes that can result from the Commission's enquiry service. It enables people to raise concerns about potentially discriminatory practices and provides information about their rights. It also demonstrates how information can support individuals to encourage organisations to review policies and practices and improve accessibility for people with disability.

*\*Name has been changed.*

# Example B

## Alleged Race Discrimination in the Workplace

Henry\*, a FIFO electrician, contacted the Commission's enquiry services seeking information about his rights after experiencing a series of workplace incidents he believed were linked to his race.

Henry reported concerns about being treated less favourably than less experienced Caucasian employees, including being removed from a work assignment and replaced by a colleague without reason. He also described hearing a racially derogatory comment from a supervisor and experiencing other inappropriate behaviours following the incident.

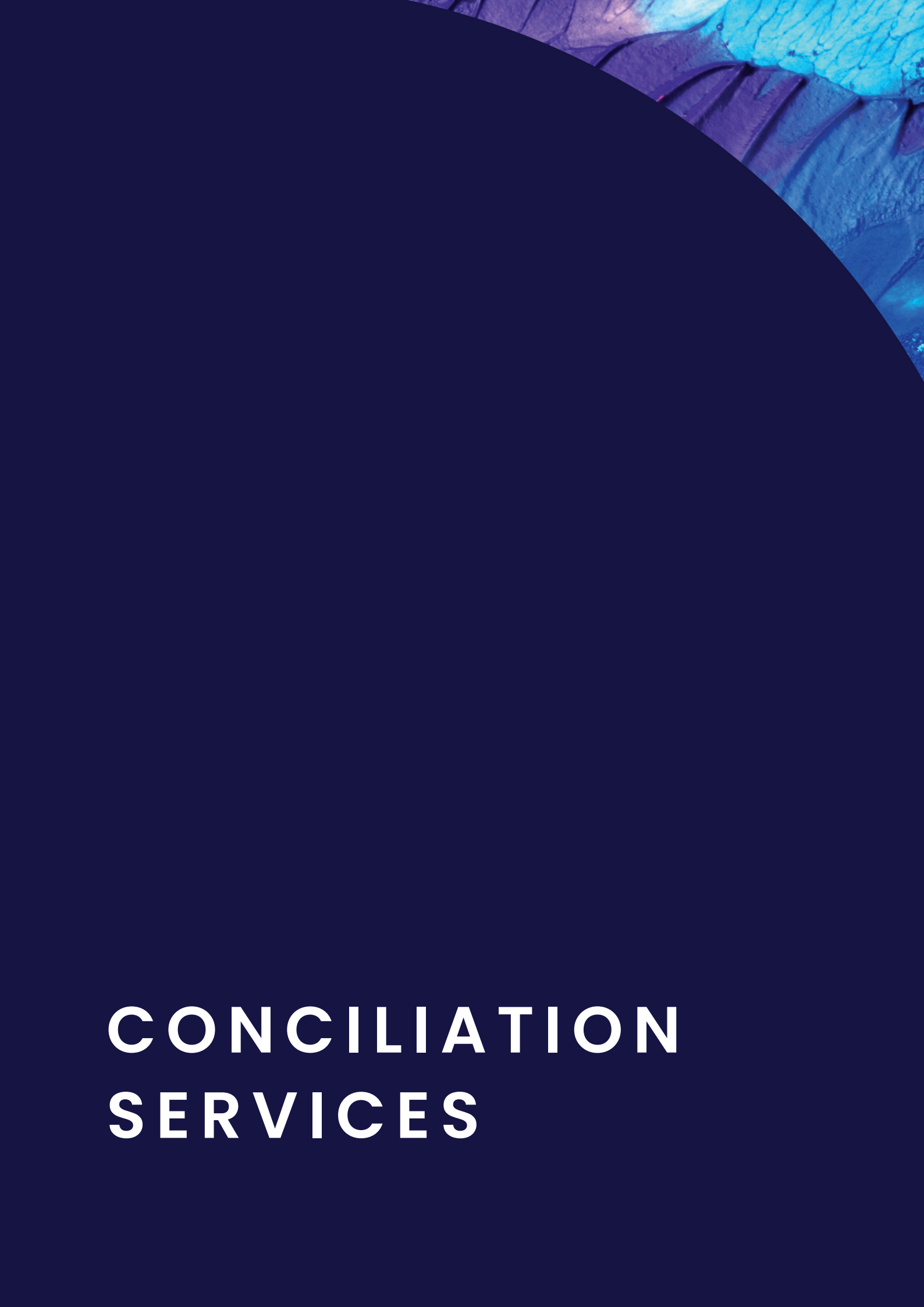
Henry had raised concerns internally with his employer's human resources team and participated in a meeting with management. During this process, he also raised broader concerns about repeatedly being overlooked for leadership responsibilities despite having more experience and a stronger understanding of safe work requirements than colleagues who were assigned to lead work. Henry felt his concerns were not taken seriously and that the internal company process had not resolved the issues.

The Commission Enquiry Officer listened to Henry's experiences and explained the protections available under the *Equal Opportunity Act 1984* for race discrimination and racial harassment in the area of employment. They then outlined the complaint process and provided information about how to lodge a complaint via the Commission's website. Henry was informed that the concerns he raised appeared to fall within the Commission's jurisdiction, as he was alleging race discrimination in employment.

This enquiry highlights how the Commission supports people to understand their rights and navigate complaint processes, helping them make informed decisions about concerns involving discrimination and harassment in the workplace.

*\*Name has been changed.*





# CONCILIATION SERVICES

# Conciliation Services

Conciliation Services deliver the Equal Opportunity Commissioner's (the Commissioner) 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 and clear 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 reflects that it is not until a matter has been finalised that an outcome can be reported on.

## Lodgement of Complaints

**The *Equal Opportunity Act 1984* (the Act) requires complaints to be in writing. Complaints 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 2025-26, 63.3 per cent of complaints were lodged on the Commission's website and 27.6 per cent were lodged via emails. The percentages of complaints lodged by post was 8.8 per cent, and those lodged by hand was 0.3 per cent.

Alongside the increase in email complaints received, (up from 17.7% in 2024-25), the Commission has seen an increase in complainants use of Artificial Intelligence (AI). In general, complaints drafted using AI tend to be longer and include more references to legislation and jurisdictions that may not be relevant to the matter being raised. This can make it more difficult to identify the key issues and assess the substance of the complaint, increasing the workload of the Commission.

Of the complaints lodged by post, 90.9 per cent were from prisoners, and the majority of prisoners 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 under the Act (430), and complaints not accepted (323).

### Complaints Not Accepted

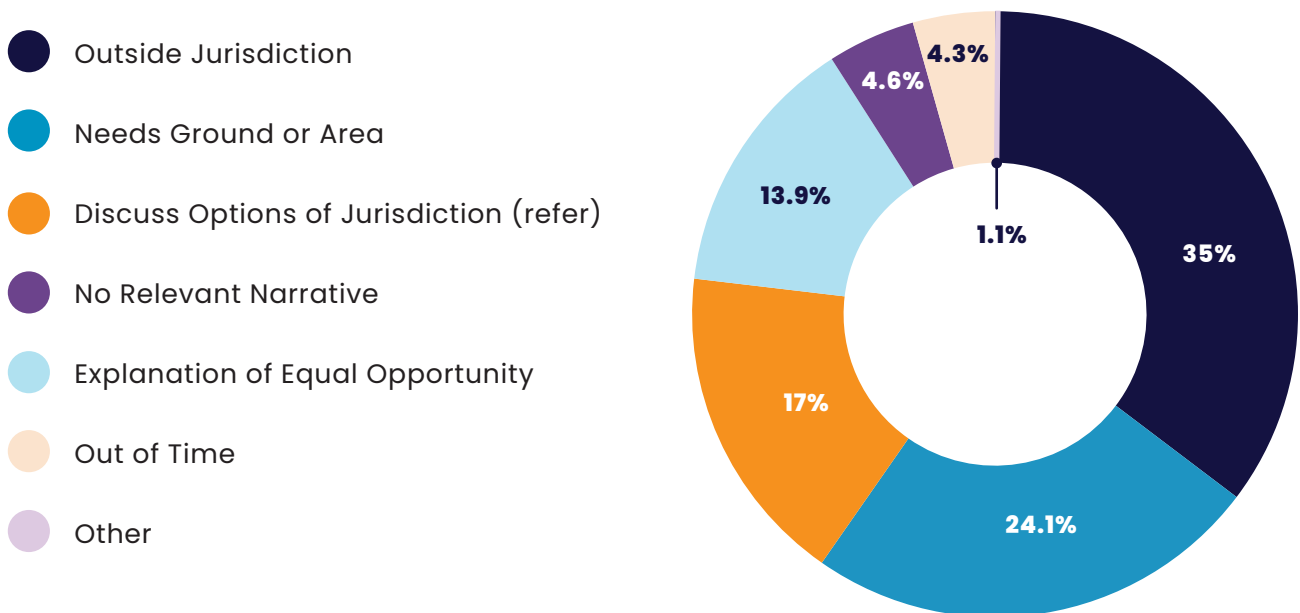
Sometimes people lodge a matter with the Commission which they believe to be discrimination, harassment or victimisation but their matter does not include conduct that is unlawful under the Act. In these instances, the lodged matter is not accepted as a complaint. The Commission refers to and counts these lodgements as “Complaints Not Accepted.” In previous financial years, Complaints Not Accepted were counted as enquiries, however, since 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 discussions) of the Review of the Act by the Law Reform Commission of Western Australia, Project 111 Final Report (May 2022).

Figure 3 shows several reasons why some lodged matters were assessed as complaints not accepted. The top three reasons were:

- 35 per cent were outside jurisdiction;
- 24.1 per cent did not include a respondent, ground, and/or an area; and
- 17 per cent identified as being more suitable in other jurisdictions.

**Figure 3: Reasons Why Complaints Weren’t Accepted 2025–26**



## Complaints Accepted

**Complaints Accepted are matters that include an allegation of 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 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 accommodation. Appendix A includes a matrix of the Act's grounds and the areas in which they apply. You can find this matrix on page 58.

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, harassment 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:**

1. Victimisation for making a disclosure under the *Public Interest Disclosure Act 2003*; and
2. 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*.

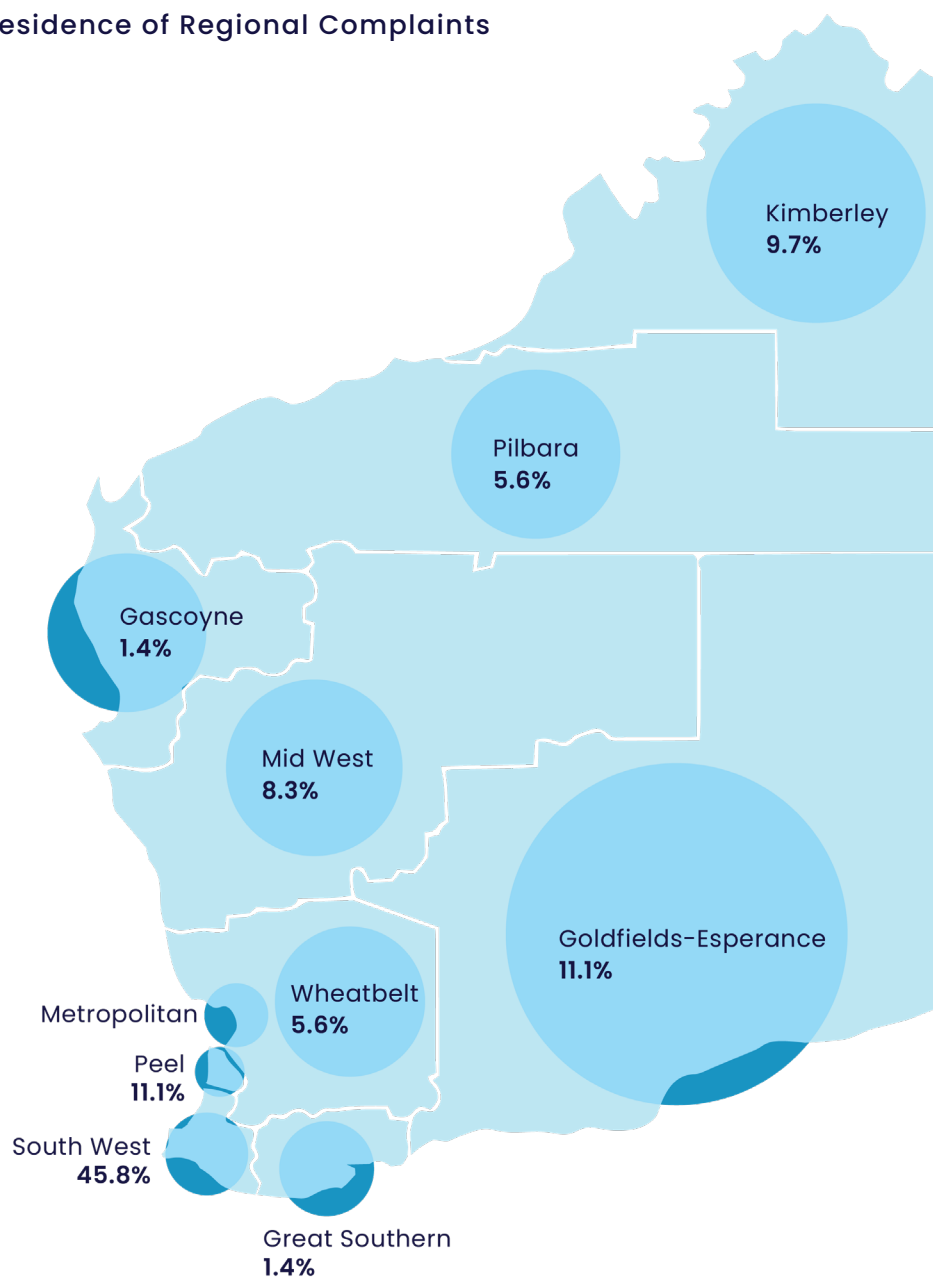
## Residence of Complainants

**Metropolitan area residents accounted for 69.1 per cent of complainants, a decrease from 79.5 per cent in the previous year.**

People living outside the metropolitan area accounted for **16.7 per cent** of complaints in 2025–26, up from 13 per cent in 2024–25. This increase was driven largely by growth in the South West region, where the proportion of complainants increased from 22.2 per cent in 2024–25 to 45.8 per cent in 2025–26. Additionally, 11.9 per cent of people did not disclose their location of residence (residence unknown), and 2.3% of complaints were received from another state or overseas.

However, the Goldfields region saw a decrease in the amount of complaints this financial year, down from 24.4 per cent in 2024–25 to 11.1 per cent in 2025–26 (see Figure 4 below for more detail).

Figure 4: Residence of Regional Complaints



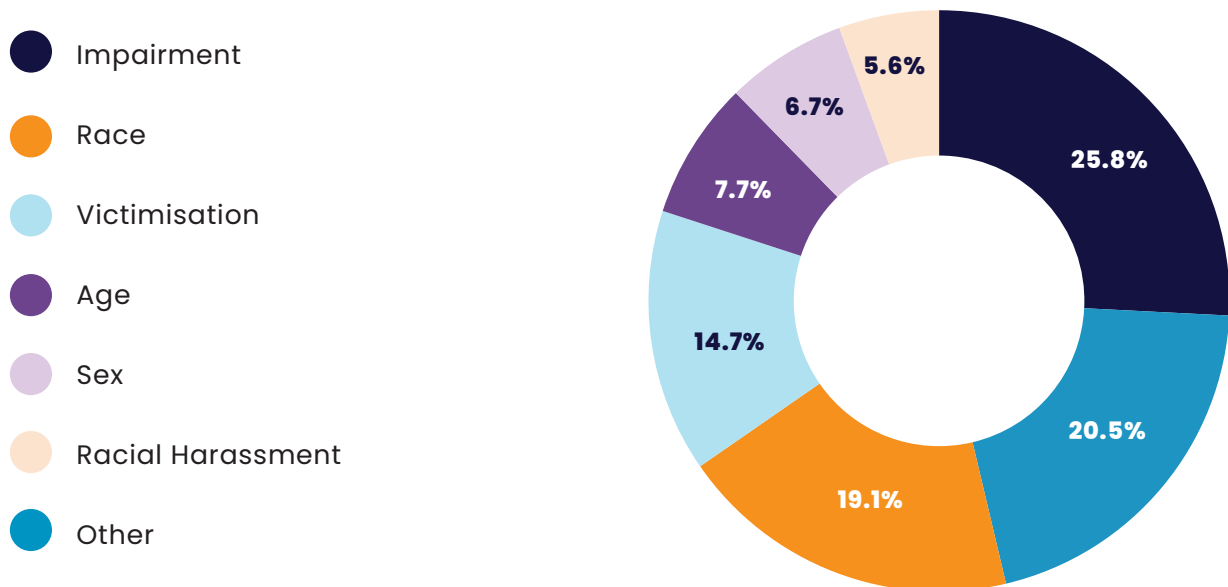
## Grounds

The top grounds of complaint in 2025-26 were **impairment at 25.8 per cent**; race at 19.1 per cent; victimisation at 14.7 per cent; age at 7.7 per cent; sex at 6.7 per cent; and racial harassment at 5.6% (see Figure 5 below).

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

Of the complaints about impairment, the top three were physical disability at 55.9 per cent; mental health/psychosocial at 27.9 per cent; and intellectual disability at 9.9 per cent. Please see **Table 5** in Appendix B for a complete table of Accepted Complaints by ground.

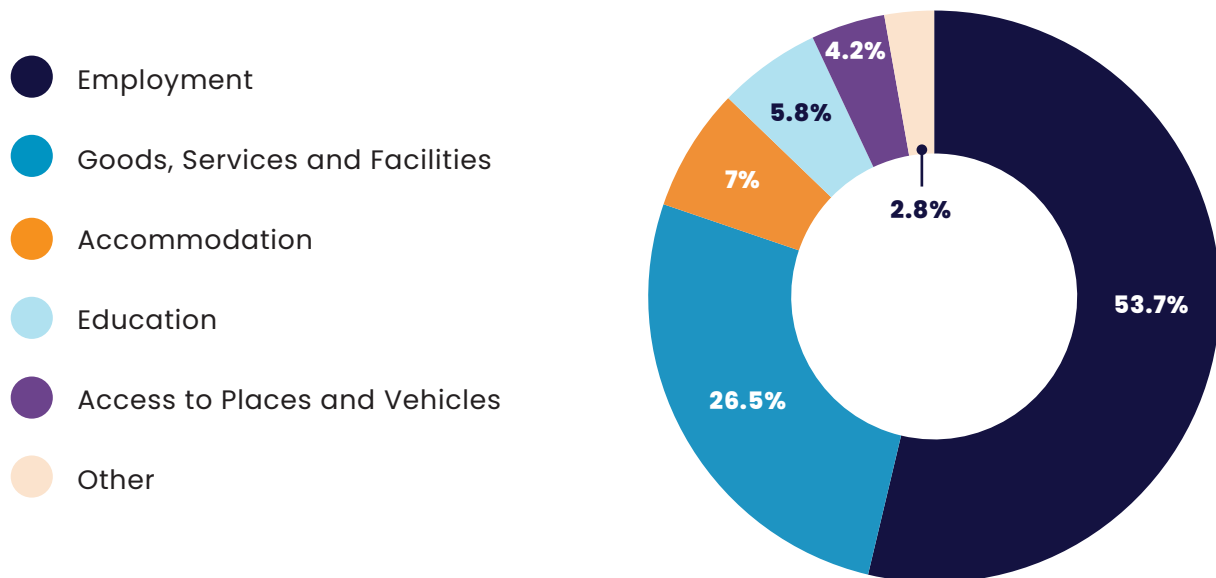
Figure 5: Top Six Accepted Complaints by Ground 2025-26



## Areas

The top five areas of complaint were **employment at 53.7 per cent**; goods, services and facilities at 26.5 per cent; accommodation at 7 per cent; education at 5.8 per cent; and access to places and vehicles at 4.2 per cent (see Figure 6 below and **Table 4** in Appendix B for more detail).

Figure 6: Top Five Accepted Complaints by Area 2025-26



## EMPLOYMENT

**The area of employment consistently receives the highest amount of complaints.**

Under the Act, the area of employment covers:

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

The three highest grounds of employment complaints in 2025-26 were impairment at 17.7 per cent; race at 13.9 per cent; and victimisation at 13.4 per cent. Please see **Table 6** in Appendix B for a complete breakdown of employment complaints by ground.

## EMPLOYMENT – APPLICATIONS

**In 2025-26, 19 per cent of employment discrimination complaints were lodged by people alleging discrimination when they had applied for a job vacancy.**

Of these complaints, 36.4 per cent alleged discrimination on the ground of impairment; and 18.2 per cent on the ground of age. Of these complaints, 13.6 per cent were conciliated and 34.1 per cent were dismissed. The remainder were withdrawn, lapsed or referred to the Tribunal.

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. This is alongside the burden of proof lying with complainants.

## **Complaint Process**

**The Commissioner may require complainants, respondents and third parties to provide information, produce documents, and attend conciliation conferences.**

A complaint may be dismissed at any stage if the Commissioner is satisfied it is misconceived, frivolous, vexatious, lacking in substance, or relates to conduct that is not unlawful under the Act.

If a complaint is dismissed, the complainant may require the matter to be referred to the Tribunal.

Where a complaint has not been dismissed and may be capable of resolution, a Conciliation Officer will assist the parties to resolve the matter through conciliation. The Conciliation Officer is impartial and does not represent either party.

A complaint may be resolved through correspondence or a conciliation conference, conducted in person, online or by telephone.

### **Possible outcomes include:**

- An apology
- Provision of something previously denied, such as accommodation, admission to a course, or access to a venue
- Introduction or improvement of equal opportunity policies and practices
- Equal opportunity education and training
- Compensation for financial loss, such as lost income
- Compensation for emotional harm, including pain and suffering

If a complaint is not resolved, the Commissioner will review the matter and may request further information, dismiss the complaint or refer it to the Tribunal.

Where a complaint is referred to the Tribunal at the initiative of the Commissioner, the Commissioner may provide legal assistance to the complainant on request. Please see Figure 7 on page 24 for more information.

## Accepted Complaint Outcomes

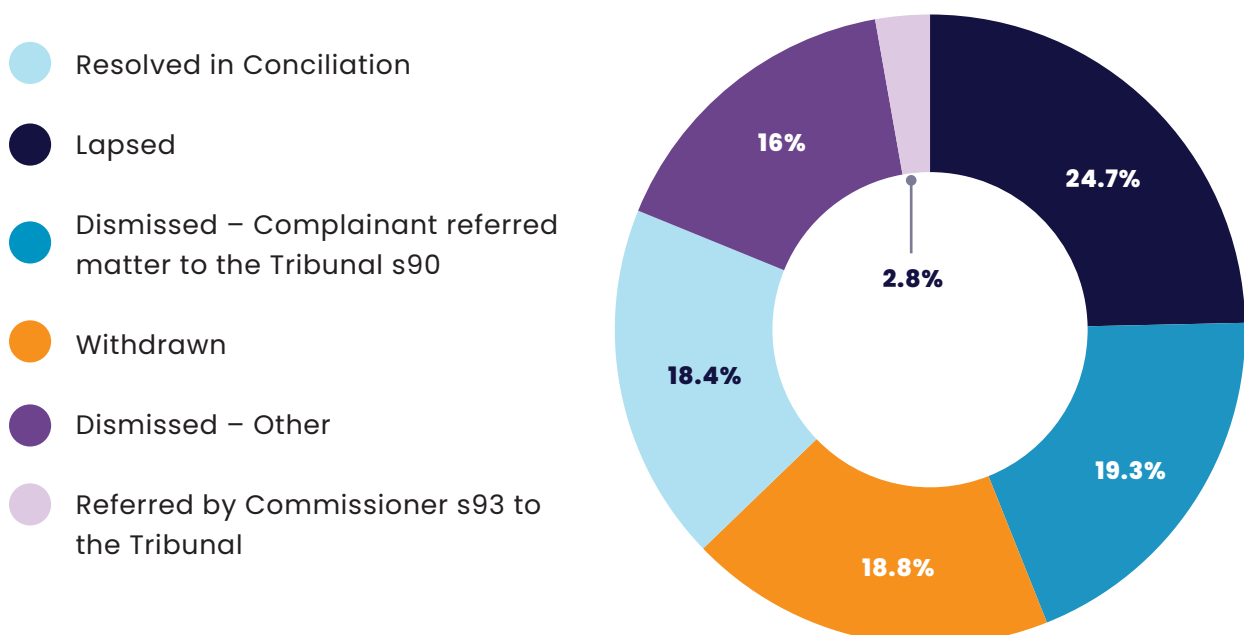
The Act specifies that a complaint can be finalised in one of the following ways:

- **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 made 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 430 complaints in the 2025-26 financial year (see Figure 7 below).**

Of the complaints, 18.4 per cent were conciliated; 18.8 per cent were withdrawn; 24.7 per cent were lapsed; 16 per cent were dismissed and required no further action; 19.3 per cent were dismissed and subsequently referred by the complainant to the Tribunal under s90; and 2.8 per cent were referred to the Tribunal under s93.

Figure 7: Outcome of Complaints Accepted 2025-26



## 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 30.4 per cent.**

This was followed by race complaints at 20.3, victimisation at 11.4 per cent, racial harassment at 7.6 per cent, and age at 6.3 per cent (see **Table 7** in Appendix B).

The area of public life with the most conciliated complaints was employment at 43 per cent, followed by goods, services and facilities at 35.4 per cent.

Many of these conciliated complaints were resolved with more than one outcome, for instance, a monetary settlement, a policy change and an apology. **Examples A and B**, in the pages to follow, provide examples of race and impairment discrimination complaints accepted by the Commission and highlight how conciliation supports parties to reach practical and mutually agreed resolutions.

Conciliated complaints finalised with a monetary settlement were the highest at 62 per cent, followed by an apology at 57 per cent and request for equal opportunity training at 20.3 per cent (see Figure 8 below). Interestingly, the rate of an apology as an outcome has increased by 28.8 per cent from the 2024-25 financial year.

**Figure 8: Outcome of Conciliated Complaints**

| Outcome                                              | %     |
|------------------------------------------------------|-------|
| Monetary Settlement                                  | 62.0% |
| Apology                                              | 57.0% |
| Request for Equal Opportunity (EO) training          | 20.3% |
| Provision of conditions and entitlements             | 7.6%  |
| Policy Change                                        | 6.3%  |
| Respondent's explanation satisfactory to complainant | 6.3%  |
| Private settlement                                   | 5.1%  |
| Job offer                                            | 2.5%  |
| Provision of goods and services                      | 2.5%  |
| Undertaking to cease action                          | 2.5%  |
| Access to education and training                     | 1.3%  |

## Time Taken to Resolve Complaints

**In 2025–26, the average time taken to finalise accepted complaints was 6.1 months.**

This is compared with 5.7 months in the previous year. This increase reflects the growing complexity of complaints received, as well as factors outside the Commission's control during the conciliation process, such as the way that parties choose to respond to requests and engage in the conciliation process.

The Commission aims to finalise complaints in a timely and impartial manner, ensuring all parties are treated fairly and have the opportunity to achieve satisfactory outcomes.

Where parties reach an agreement to resolve a complaint and provide that agreement to the Commission, the Commission may decide not to finalise the complaint until all agreed undertakings have been met. This allows the complaint to be reactivated if the complainant advises that the agreement has not been upheld. While this approach provides an additional safeguard for parties, it can increase the time required to finalise a complaint.

## Appendix B

Complete tables relating to the data collected for Conciliation Services throughout the 2025–26 financial year can be found in Appendix B.

| CONCILIATION SERVICES 2025 - 2026 |



**63.3%**

Complaints were lodged  
via **website form**



**27.6%**

Complaints were  
lodged via **email**



**9.1%**

Complaints were lodged  
by **post or hand**



**323**

Complaints were  
**not accepted**



**35%**

Due to being  
outside the Act's  
jurisdiction



**24.1%**

Due to needing a  
ground or an area



**753**

Total Finalised  
Complaints



**18.4%**

Complaints accepted were  
**resolved in conciliation**



**430**

Complaints were  
**accepted**



**25.8%**

Were under  
the ground of  
impairment



**53.7%**

Were in the area  
of employment



**62%**

With monetary  
settlement



**57%**

With an apology



**20.3%**

With request for  
EO training



**6.3%**

With company  
policy change

# Example A

## Alleged Race Discrimination in Goods, Services and Facilities

Thomas\* visited a retail business on two separate occasions to enquire about purchasing an item. During these visits, he spoke with the business owner about the item's history, value and price, and discussions took place about the possibility of a discount.

Following these interactions, Thomas alleged that the business owner made comments about his race and appearance that he found stereotypical, offensive and discriminatory. Thomas said the comments had a significant impact on him and left him feeling uncomfortable and distressed.

As a result, Thomas lodged a complaint with the Commission.

Attempts to resolve the matter through correspondence were unsuccessful, and the complaint progressed to conciliation.

Thomas had concerns about attending a conciliation in person and required the assistance of an interpreter. To ensure he could participate effectively and comfortably in the process, a shuttle conciliation was arranged by telephone with interpreter support. This allowed the parties to participate separately while the conciliator facilitated discussions between them.

During the conciliation, Thomas explained that his main goal was to be able to move forward without feeling unsafe or unwelcome in the area where the business operated. The business owner also expressed a desire to resolve the matter and participated constructively in discussions about how an outcome could be achieved.

Through the conciliation process, Thomas identified that an apology and financial compensation would assist in resolving the complaint. During the session, the business owner provided an apology. Following legal advice, he also agreed to pay Thomas \$2,000 in compensation for the hurt and distress Thomas had experienced.

The matter was successfully resolved through agreement at conciliation, avoiding the need for further proceedings. The outcome enabled both parties to move forward and demonstrated how conciliation can provide a practical and meaningful resolution that addresses the concerns of both Complainants and Respondents.

\*Name has been changed

## Example B

### **Alleged Impairment Discrimination in Goods, Services and Facilities**

Annie\* lodged a complaint on behalf of her mother, for whom she held a valid power of attorney. Annie's mother was living with dementia and relied on her daughter to assist with managing her financial affairs and accessing essential services.

The complaint arose when Annie attempted to deposit a cheque into her mother's bank account. Although she was authorised to act on her mother's behalf and held a bank card issued in her capacity as power of attorney, she was unable to deposit the cheque. Annie's attempts to complete the transaction at a bank branch and through the bank's ATM services were unsuccessful.

As a result, the cheque could not be processed and the funds were not made available to her mother's account.

Following assessment, the complaint was accepted on the ground of impairment discrimination in the provision of goods and services. It was identified that the bank's requirements effectively prevented Annie's mother from accessing banking services because of her impairment. Due to her dementia, she was unable to personally comply with the bank's processes and was necessarily reliant on an authorised representative to conduct banking transactions on her behalf.

The complaint also highlighted broader concerns about the accessibility of banking services for customers living with impairments who depend on attorneys, administrators or other authorised representatives to manage their affairs.

The matter proceeded to conciliation, where the parties engaged constructively in discussions about both the impact on Annie and her mother and ways to improve access to services for customers in similar situations.

Through the conciliation process, the bank acknowledged the difficulties experienced by the family and worked with Annie to explore practical solutions.

As part of the resolution, the bank agreed to credit her mother's account with an amount reflecting the interest lost as a result of the delayed deposit. The bank also provided a goodwill payment of \$500 and issued a written expression of regret acknowledging the inconvenience and frustration caused.

Importantly, the discussions extended beyond the individual complaint. The bank worked with Annie to identify an alternative process for depositing cheques on behalf of her mother, including the use of prepaid envelopes to facilitate future transactions.

The bank also arranged for an accessibility advocate to meet with Annie and her mother to better understand their experience and identify opportunities to improve policies and procedures for customers facing similar barriers. This engagement provided valuable insight into the challenges encountered by customers living with impairment and those who support them in managing their affairs.

The matter was successfully resolved through conciliation. The outcome not only addressed the impact on Annie and her mother but also reflected the bank's commitment to improving accessibility and inclusion for customers living with impairment and the authorised representatives who assist them.

\*Name has been changed.





# STRATEGY, ENGAGEMENT AND EDUCATION

# Strategy, Engagement and Education Services

**Strategy, Engagement and Education Services (SEE) works to increase community understanding of rights and responsibilities under the *Equal Opportunity Act 1984* (the Act).**

It does this by promoting awareness of unlawful discrimination, harassment and victimisation and fostering informed engagement with individuals, organisations and communities across Western Australia.

Guided by the strategic priorities outlined in its Strategic Plan, SEE delivers stakeholder engagement initiatives, education programs and information resources that advance the principles of equality, inclusion and respect. Through this work, SEE promotes equality for all persons, regardless of the personal characteristics protected under the Act.

**The SEE Strategic Plan provides the Service's vision and mission:**



**Vision:** Leading the way towards eliminating unlawful discrimination, harassment and victimisation in Western Australia, through education and engagement.



**Mission:** To deliver accessible education and community engagement that builds awareness, promotes respect and advances equitable outcomes for Western Australians.

SEE aligns its work against three overarching goals: **Education, Engagement** and **Communication**.

## Education

**SEE's education programs inform people about their rights and responsibilities under the Act and they help them explore key equal opportunity principles.**

They explain what constitutes lawful and unlawful discrimination and harassment and provide guidance on accessing fair pathways to resolution when discrimination, harassment or victimisation occurs.

Education sessions are delivered in a variety of settings. These include training at the Commission's training rooms, customised training at organisations' premises, and community education sessions at mutually agreed locations. See Figure 9 below for a breakdown of those delivered.

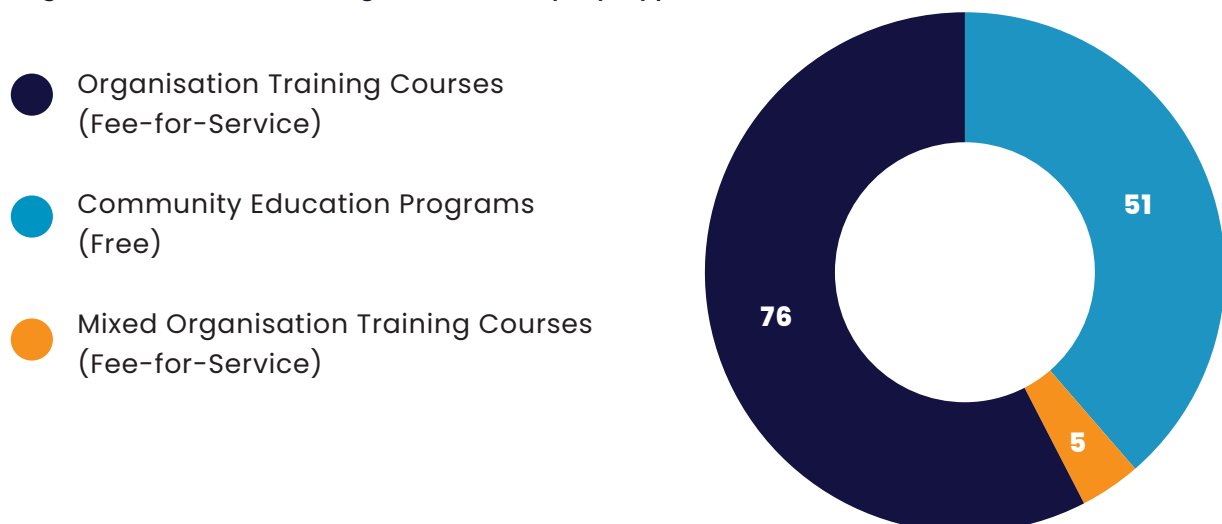
Program topics include anti-discrimination legislation, recognising harassment and bullying, and building healthy workplace cultures. Participants also learn about informal and formal complaint options and the importance of taking action when issues arise.

In 2025-26, SEE delivered **81 fee-for-service sessions** to **1,151 participants** through arrangements with organisations for their employees or clients. The face-to-face delivery of these programs took place throughout the metropolitan area, as well as in Bunbury, Kalgoorlie and Neerabup.

Of the 1,151 participants, **110 attended sessions online**. These participants were located across the Gascoyne (Carnarvon), Goldfields-Esperance (Kalgoorlie and Esperance), Great Southern (Albany), Mid West (Geraldton), Pilbara (Port Hedland, Newman and Karratha), South West (Bunbury), and Wheatbelt (Northam and York) regions.

The most attended program in 2025-26 was **Improving Workplace Culture**, with 507 participants. The program equips participants with practical skills and knowledge to prevent and respond to discrimination, harassment, bullying and victimisation in the workplace. It promotes the practical application of equal opportunity law and principles and encourages participants to reflect on their lived experiences and workplace context.

**Figure 9: Education Program Delivery by Type 2025-26**



Participants develop a better understanding of the behaviours and dynamics that influence workplace culture. They build critical thinking skills to identify and respond appropriately to workplace issues and strengthen their ability to create respectful, inclusive and safe work environments.

Other well-attended sessions included *Introduction to Equal Opportunity Law* (211 participants), *Safe & Respected* (185 participants), and *Respect at Work* (184 participants). An overview of the *Safe & Respected* program can be found in Spotlight B in the pages to follow.

Community education for Aboriginal and Torres Strait Islander people remains an important part of SEE's work. During 2025-26, **357 people** participated in these sessions across Perth and regional Western Australia.

This work included regional visits arranged by SEE, as well as participation in the Regional Awareness and Accessibility Program (RAAP) alongside other key government agencies. SEE also continued its involvement in the *Certificate IV Aboriginal Leadership and Mentoring Program* delivered by South Metropolitan TAFE. As part of the program, SEE delivers *Introduction to Equal Opportunity Law* to participants.

## Education Evaluations

Participants who undertake fee-for-service training complete a post-session evaluation questionnaire. The questionnaire asks participants to rate their level of knowledge before and after attending the session.

The results indicate a positive shift in participants' perceptions of their knowledge and understanding of the program's content, including about the Act.

The figures show that, after attending an education session, the proportion of participants who rated their knowledge and understanding of the program topic as 'good to excellent' **increased from 41.4 per cent to 92.9 per cent**. In addition, **90.7 per cent** of participants reported that the training would help them contribute to a more equitable workplace.

BEFORE



**41.4%**

Percentage of participants who rated their level of knowledge as "good" **before** the program.

AFTER



**92.9%**

Percentage of participants who rated their level of knowledge as "good" **after** the program.

Participant feedback also highlights the positive impact of the training experience. Participants consistently described the sessions as clear, engaging and informative, and noted the knowledge and skill of the presenters. A high proportion of participants rated the facilitation and delivery as effective (94.7%), while 99.6 per cent agreed that the training materials were used effectively.

## Community Education

**In 2025–26, SEE’s community education program benefited 1,328 people across Western Australia.** Participants included members of community groups across Perth and regional areas.

The community education program included in-person visits to the Great Southern (Albany and Katanning), Kimberley (Kununurra, Warmun and Wyndham), Peel (Pinjarra), South West (Bunbury, Eaton and Margaret River), and Wheatbelt (Beverley and Northam) regions.

These visits gave community members the opportunity to engage directly with the Commission, and learn more about the Act and the services provided by the Commission.

They also enabled people to ask questions about their rights and explore how the Act may apply to their personal experiences of discrimination, harassment or victimisation.

Additionally, SEE also developed and delivered the **Equal Opportunity Commission Mentorship Program**. This initiative supports young people to better understand their rights under equal opportunity legislation and develop the skills and confidence to recognise and respond to discrimination, sexual harassment, and racial harassment.

Following the successful pilot at the end of 2025, a second installment of the program was delivered in early 2026, in partnership with the City of Cockburn. Participant feedback indicated improved understanding of equal opportunity law, increased confidence to seek assistance, and greater resilience and self-belief. The Commission is exploring opportunities to expand the program through partnerships with additional local governments and organisations across Western Australia. You can read more about the Mentorship Program in Spotlight A, in the pages to follow.

## Engagement

In 2025–26, SEE engaged with communities across Western Australia through a range of outreach activities. This included events organised by SEE, as well as community events attended at the invitation of community groups and other organisations.

As part of this work, SEE hosted a Stall in the Mall in Hay Street Mall to mark International Human Rights Day on 10 December. This annual event commemorates the adoption of the *Universal Declaration of Human Rights* by the United Nations General Assembly in 1948. While the Act is not a human rights act, it reflects principles of equality and protection from discrimination that align with human rights values. For this reason, International Human Rights Day provides an appropriate opportunity for the Commission to engage with the community and raise awareness of equal opportunity rights and responsibilities.

Throughout the year, SEE also participated in a range of community events organised by other organisations, engaging with **495 people** across the State.

Events attended included the Pride and Progress Ball (City of Cockburn), Pride Fair Day (Perth), Albany Pride Fair Day, the Katanning Harmony Festival (stall pictured on page 37), and *The Answer is Human Rights*, which formed part of the Australian Human Rights Commission's 40 Years program.

Figure 10 below shows the locations where the SEE team engaged with the community throughout the 2025-26 financial year.

Figure 10: Engagement and Education Locations 2025-26

**Key:**

- In-person visit
- Online training
- In-person visit and online training



*The Answer is Human Rights* seminar was delivered in partnership with the Australian Human Rights Commission. The event brought together members of the public for a panel discussion on contemporary human rights and equal opportunity issues, including matters of particular relevance to Western Australians.

Panel members were Hugh de Kretser, President of the Australian Human Rights Commission; Deb Tsorbaris, National Children's Commissioner; Jeff Rosales-Castaneda, Acting Commissioner for Equal Opportunity WA; and Associate Professor Fiona McGaughey, Pro Vice-Chancellor Academic Advancement and Diversity at the University of Western Australia (panel pictured at the bottom of page 38).

The strong community response to the seminar demonstrated a clear appetite for informed discussion about human rights, equal opportunity and the role of legislation in protecting people's rights in contemporary society.

In May 2026, a SEE officer represented the Commission on a panel at People with Disabilities WA's *Target Five Public Sector Leaders Luncheon*. The event brought together public sector leaders to support the WA Government's target of increasing employment of people with disability in the public sector to five per cent. Discussions focused on inclusive employment practices and strategies to improve workforce participation for people with disability.

The 2025-26 financial year saw the Commission expand its engagement activities through a new medium. The Commission's legal team participated in two episodes of Legal Aid WA's Law Talk podcast series, *Know Your Rights. Claim Your Pride*, which explored the rights and legal protections available to LGBTQIA+SB people in Western Australia.

Together, these initiatives have strengthened the Commission's engagement and communications capability and expanded its reach across Western Australia. Collectively, they provide a strong foundation for a coordinated engagement and communications strategy that will enhance public awareness of equal opportunity rights and responsibilities, while supporting the Commission's broader strategic objectives in the years to come.



## Communications

### Resources

In 2025–26, SEE Services team updated a range of community information resources, including content on the Commission’s website.

Improvements were made to the website’s navigation and layout, alongside the publication of updated information sheets and enhancements to information across existing pages. The website now provides a more dynamic source of information, featuring regular announcements and updates on topical issues relevant to the community and work of the Commission.

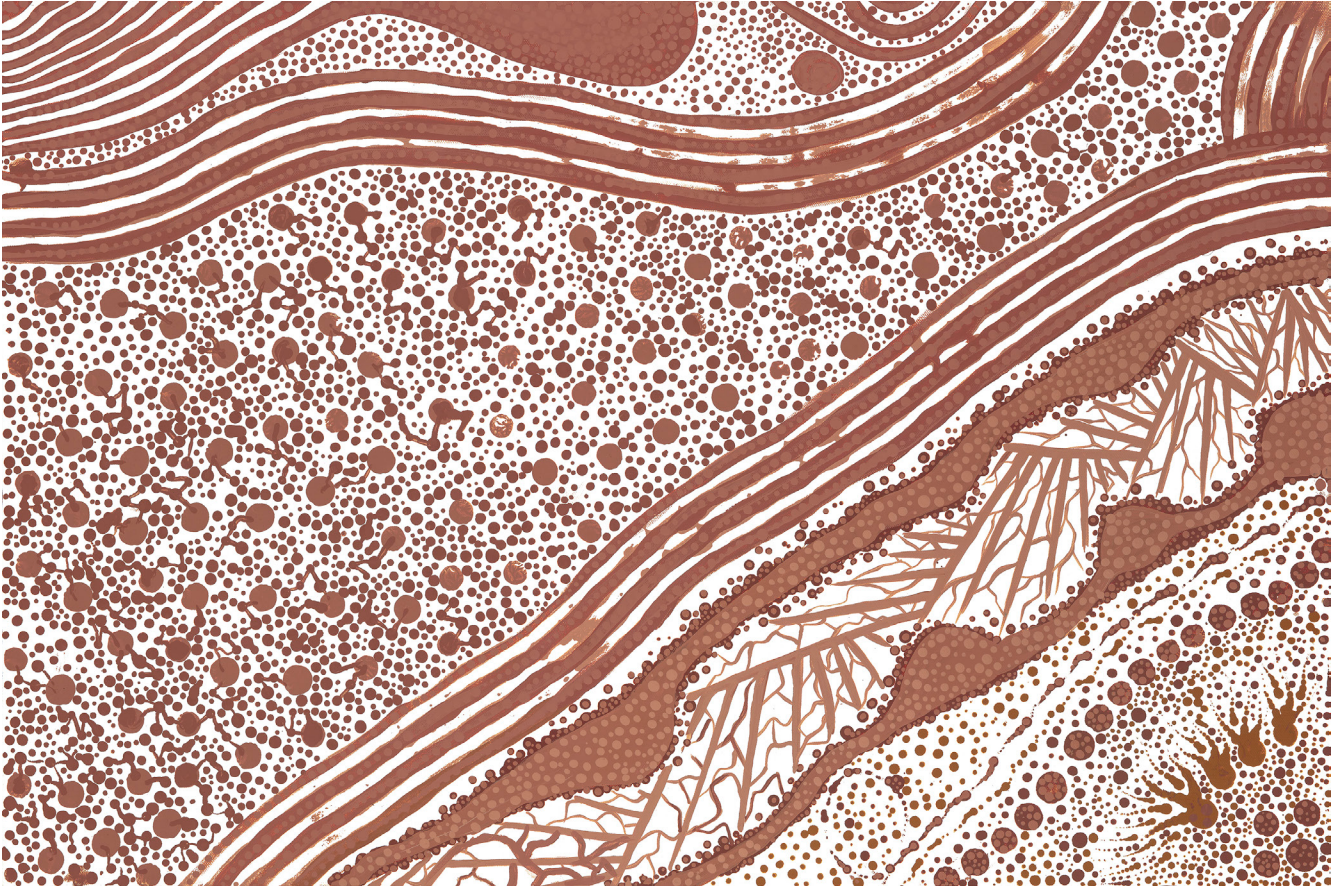
In addition to improving the readability and accessibility of existing resources, SEE developed new plain-language versions of its general Unlawful Discrimination information sheet. One version was designed for the broader community and another for people in prison. These resources ensure people can access information about their rights in a clear and accessible format, regardless of where they live in Western Australia.

### Social Media

The 2025–26 financial year also saw the launch of the Commission’s LinkedIn page. Establishing a presence on LinkedIn enables the Commission to engage directly with organisations, stakeholders, and decision-makers across Western Australia. The Commission’s LinkedIn business page and affiliated page currently have a combined following of **1,161 people**.

The Commission also relaunched its Instagram and Facebook accounts, supported by a new Linktree connected to the Commission’s website. While these platforms are not a primary communication channel, they provide an additional avenue for sharing information, raising awareness of the Commission’s work, and reaching audiences that may not engage through other channels.





## Equal Opportunity Commission's Aboriginal Artwork

During 2025–26, the Commission launched a new Aboriginal artwork to serve as a primary visual identity across promotional materials, publications and other branded resources. Following an Expression of Interest (EOI) process, artist Steven Ray Clark was selected to create the artwork.

Working with Nani Creative, the artwork was subsequently incorporated into a range of Commission resources and branded materials. The project reflects the Commission's recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples and Traditional Custodians of Australia, as well as the respect it holds for their deep and continuing spiritual and ancestral connections to land, waters and Country. The Commission is proud to showcase this artwork as a key element of its public-facing materials. Below, Steven Ray Clark shares the inspiration and meaning behind the artwork.

### About the Artwork

The desaturated siennas and browns evoke the essence of the earth—the soil and mud that connect us all. These tones ground the piece, reminding me that no matter our differences, we all come from the same place, the land that nurtures us and holds us together.

Every mark represents a person, a story, a personality—distinct and unique in its own way, whether bold, subtle, smooth, or jagged. As humans, we are all so different in the ways we express ourselves, live our lives, and experience the world.

Yet, despite these differences, we're all connected.

Each mark exists on the same canvas, sharing the same earthy background, just as we all share the same ground beneath our feet. I found it beautiful to see how these marks, so varied and distinct, came together to form a cohesive whole.

The "muddy" colors are not just symbolic of the earth; they also remind me of equality. Mud doesn't discriminate; it simply is. It holds everything together, nurturing life without judgment or preference. That's a powerful metaphor for how we, as people, should treat one another. If the earth can embrace all of us equally, why can't we do the same?

It's a reflection of my belief that every individual matters, that every story has value. This piece is a celebration of diversity, but more than that, it's a reminder of our shared foundation. We all come from the earth, and we all return to it. The land connects us, no matter who we are or where we're from.

Through this artwork, I wanted to encourage others—and myself—to appreciate people for who they are. To recognise that, just like the marks on this canvas, we are all part of something greater. The earth is the great equalizer, and it teaches us that we are more alike than we are different. I hope that this piece inspires others to see the beauty in our diversity and the strength in our unity, just as it has helped me reflect on these truths.

**Steven Ray Clarke - Artist**

# Spotlight A

## Equal Opportunity Commission Mentorship Program

The Commission's Mentorship Program was developed in response to young people's experiences of discrimination and harassment in workplaces and educational settings. Recognising the limited opportunities available for young people to learn about and build skills in these areas, the program aims to provide accessible education about their rights under equal opportunity legislation. Strongly aligned with the Commission's vision to lead the way in eliminating unlawful discrimination, harassment and victimisation in Western Australia, the program focuses on skill development, advocacy and community connection.

The Mentorship Program was established to:

- Strengthen young people's ability to recognise and respond to discrimination and sexual harassment.
- Build awareness and appreciation of the *Equal Opportunity Act 1984*, the role of the Commission and related legislation.
- Develop understanding of how discrimination operates at a systemic level and how young people can contribute to positive change.
- Foster supportive networks through mentor-mentee relationships and peer connections.

In 2025, the Commission successfully concluded the pilot phase of the Mentorship Program and secured a partnership with the City of Cockburn to deliver a second round in 2026.

The pilot concluded with a formal evaluation involving both mentees and mentors. Mentees reported a stronger understanding of their rights, an increased willingness to seek help, and greater resilience and self-belief. When asked why they joined, one mentee said:

***"I want to be a part of this mentorship program to learn more about discrimination and harassment, to prevent it happening and to know my rights".***

Mentors also observed significant growth among participants throughout the pilot. They reported increased confidence in sharing personal and professional experiences, stronger reflective skills and consideration of different perspectives, an improved ability to recognise and respond to discrimination and harassment, and greater awareness of the impact of words and actions on others.

Feedback from participants, together with insights from the City of Cockburn, informed refinements to the initiative's structure and content. These improvements supported the successful delivery of the second program in the first half of 2026.

# Spotlight B

## Safe & Respected Project

This year, the Commission entered into a partnership with Multicultural Services Centre WA (MSC WA) to deliver 20 workshops to multicultural communities as part of a project funded by Lotterywest and the Office of Multicultural Interests (OMI).

The *Safe & Respected Project* is a two-year (2025–2027) initiative that brings together the public sector, community sector and culturally and linguistically diverse (CaLD) communities to address educational needs regarding workplace discrimination and sexual harassment. Through culturally safe, community-led education, the project increases awareness of workplace rights, reporting pathways and available support services for CaLD communities across Western Australia. By June 2026, the SEE team had delivered ten workshops, reaching more than 185 participants.

The project focuses on communities where barriers such as limited English proficiency, unfamiliarity with Australian workplace laws, and concerns about reporting discrimination and harassment are common. Drawing on the strengths and expertise of both organisations, the partnership has delivered education that is culturally safe, accessible and relevant to participants' lived experiences.

At the halfway point of the project, the collaboration has proven highly effective. Evaluation feedback demonstrates significantly higher levels of engagement, understanding and confidence compared with more traditional information sessions. Participants consistently report feeling better informed about their rights and more willing to seek support when needed. Feedback has also highlighted the value of the culturally safe learning environment created through the project, which supports meaningful discussion and learning that is both relevant and applicable to participants' circumstances.

The project has created valuable opportunities for learning and engagement across nine CaLD communities, ensuring activities are accessible and culturally relevant. To date, participants have included members of the Indonesian, Egyptian, Ukrainian, Vietnamese, Arabic-speaking and Latin American communities, along with international students, multicultural community volunteers, and the wider multicultural community.

Through the program, SEE facilitators have strengthened their understanding of cultural safety, community engagement and trauma-informed practice. Similarly, MSC WA staff and volunteers have expanded their knowledge of equal opportunity legislation, workplace rights and reporting pathways, enabling them to provide accurate information and appropriate referrals beyond the workshops themselves.

The *Safe & Respected Project* is improving awareness of workplace rights and building confidence at an individual level, while also strengthening capability within communities, contributing to safer, more respectful workplaces across Western Australia. In doing so, it directly supports the Commission's vision of eliminating unlawful discrimination, harassment and victimisation and creating a more inclusive Western Australian community.

Participants in the *Safe & Respected Project* reported that:

***"This workshop helped me recognise behaviours I didn't know were discrimination."***

***"I finally understand what my rights are in Australia."***

As the project continues, the partnership is well positioned to extend its reach and impact, empowering more CaLD community members with the knowledge, confidence and support needed to understand their rights and participate safely and fairly in Western Australian workplaces.



**177**

Participants  
Engaged Over 10  
Programs



**>91%**

Participants Report  
Strong Confidence  
After the Program



**9**

Individual CaLD  
Communities  
Engaged

## Partnerships, Networks and Submissions

**Throughout 2025–26, the Commission participated and collaborated in a range of partnerships and networks across the public and private sectors.**

This involvement enabled the Commission to contribute to the development of policies, practices and projects relevant to the Act and the broader work of the Commission.

In particular, the Commission made several submissions as part of its participation in whole-of-government working and implementation groups. These submissions contributed to a coordinated government approach to the development of legislation, strategies and action plans that are relevant to the Act and the work of the Commission.

### Partnerships and Networks

The Commission's SEE team participates in a range of working groups, implementation groups, reference groups and professional networks.

#### **Australian Council of Human Rights Authorities (ACHRA):**

The Commission is one of nine anti-discrimination and human rights authorities that meet to discuss issues and strategies relating to Australia's human rights obligations. Each year, one meeting is held face-to-face between all Commissioners, with additional meetings conducted online. As part of the ACHRA network, the Commission also participates in the Education Officers, Communications Officers and First Nations Officers networking groups.

#### **CEOs for Gender Equity:**

The Commission helped establish this group in 2012 and remains one of approximately 100 members representing the corporate, not-for-profit and government sectors.

#### **LGBTIQA+ Inclusion Strategy and Action Plan Implementation Group:**

Following its contribution to the development of the *LGBTIQA+ Inclusion Strategy 2025–2035* and provision of a formal submission on the associated Action Plan, the Commission became a member of the LGBTIQA+ Inclusion Strategy and Action Plan Implementation Group.

#### **McCusker Centre for Citizenship Internship:**

In 2025–26, the Commission welcomed its first intern through its partnership with the McCusker Centre for Citizenship at The University of Western Australia. The intern worked as a research assistant, providing support for the Commission's Mentorship Program and contributing to the development of a research report.

#### **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.

### **New and Emerging Communities Reference Group (NECRG):**

NECRG has been hosted by the Commission since 2013 and meets quarterly. The group brings together representatives from migrant and refugee advocacy organisations, educational institutions, community leaders and State Government agencies to discuss issues affecting new and emerging communities in Western Australia.

Through collaboration, advocacy and information sharing, the group has contributed to addressing issues including racial discrimination and harassment, access to services, education and healthcare. The Commission has advised that the work of the NECRG will conclude at the end of 2026 and acknowledges the significant contribution of members over the life of the group.

### **Patricia Giles and Modified Service Delivery Cross-Sector Reference Group:**

This cross-sector initiative strengthens connections between the disability and family and domestic violence sectors. During the year, the Commission participated in meetings and delivered a presentation on equal opportunity law.

### **Play by the Rules:**

Pay by the Rules is a national education and information initiative that promotes inclusive sporting environments free from discrimination, harassment, bullying and inappropriate spectator behaviour. The Commission supports PBTR through the partnership network and provides annual sponsorship of \$2,000.

### **Sexual Violence Prevention and Response Strategy 2025–2035: Addressing Sexual Violence Together (the Strategy):**

The Commission is a member of the Sexual Violence Steering and Implementation Group under *Stronger Together: WA's Plan for Gender Equality*. The Plan coordinates efforts across government, business and community sectors to advance gender equality by addressing systemic barriers in areas including safety, economic security, leadership, health and wellbeing.

The Strategy is a whole-of-government initiative aimed at preventing sexual violence and reducing its impacts on the community. The Strategy addresses the continuum of sexual violence, including sexual harassment, abuse and threats. During the year, the Commission participated in meetings focused on the development of the Third Action Plan.

### **Sponsorship of WA MEAA Awards:**

In 2025–26, the Commission provided sponsorship of \$3,500 for the Social Equity Reporting category at the WA Media, Entertainment and Arts Alliance (MEAA) Awards. The award was presented to ABC journalists Dunja Karagic and Mya Kordic for their article, *"Inside the Classes Where Violent Men Work to Change Their Behaviour."*

The article highlighted a men's behaviour change program operating in the remote Kimberley region and demonstrated excellence in investigative journalism on social equity issues.

## Submissions

In 2025–26, the Commission made submissions on issues related to its functions under the Act.

### Antisemitism and Islamophobia Reports

In response to a request from the Department of Creative Industries, Tourism and Sport, the Commission provided information on actions undertaken within the Western Australian Government in response to *A National Response to Islamophobia and the Special Envoy's Plan to Combat Antisemitism*.

The submission reported activity across three key areas:

1. Legislative and policy reform.
2. Primary, secondary and tertiary education initiatives.
3. Community consultation and engagement with faith-based communities.

### A Multicultural Act WA:

The Commission prepared a submission in response to the Office of Multicultural Interests' discussion paper on a proposed Multicultural Act for Western Australia. The Commission's input was incorporated into the Department of Justice's submission.

### Examining Racism Prevention and Protection Measures in Western Australia:

The Commission contributed to a survey conducted by the Office of Multicultural Interests within the Department of Creative Industries, Tourism and Sport. The survey examined anti-racism prevention and protection measures across Western Australia to identify opportunities to strengthen their effectiveness.

### Safe and Inclusive Communities:

This submission responded to Cabinet's endorsement of the *Anti-Racism Preventative and Protective Measures in Western Australia Report* and its recommendations.

The Commission's contribution formed part of the Department of Justice's submission and addressed six recommendations for which the Department has responsibility: Recommendations 1.1, 1.2, 1.4, 6.2, 6.3 and 6.4. As an agency within the Department, the Commission shares responsibility for Recommendations 1.1, 6.2, 6.3 and 6.4.

### Stronger Together Third Action Plan 2026–2029:

*Stronger Together* is the Western Australian Government's 10-year framework for advancing gender equality through four action plans spanning 2020 to 2030.

The Commission reported on three contributions to the Third Action Plan:

1. Participation in the MARS Program Working Group.
2. Development of the Commission's pilot Mentorship Program for young women and gender-diverse people.
3. Collaboration with Black Girls Level Up, a volunteer-run, non-profit incorporated body focused on empowering and connecting Black professional women.



**LEGAL SERVICES**

# Legal Services

**The Legal Officers in Legal Services assess potential complaints of unlawful discrimination, harassment, and victimisation lodged with the Commission.**

They also provide advice 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:

1. 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.
2. 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*.

# Example A

## Legal Case Study: Allegation of Sex Discrimination

The Complainant, Kim\*, liked to have her hair cut short in the style of a clipper 'buzz cut', often requested by men.

She attended a unisex hairdresser in metropolitan Perth to have her hair cut. A sign in the shop displayed the price list, which included 'Men's Haircut \$15' and 'Ladies Haircut \$20'.

Kim asked for a men's haircut. The female hairdresser told Kim that she could not do it and pointed to the price for a ladies cut. After some discussion, Kim left the shop and returned a short time later to take a photo of the signage.

Kim lodged a complaint of sex discrimination in the area of goods and services with the Commission. In response to the complaint, the hairdresser explained that she had not discriminated against Kim on the ground of her sex; rather, the price difference between men and women haircuts reflected the extra time it took, and the techniques involved in cutting women's hair. The hairdresser apologised for any confusion or embarrassment Kim experienced. The hairdresser undertook a review of their pricing structure and ensured the reasons for the price difference was communicated more clearly in future.

Kim responded by stating there was no difference in the time it takes to do a buzz cut for a male or female customer, and no difference in the skill or technique required. It was purely sex-based.

The Commissioner was unable to resolve the complaint through conciliation but considered that the treatment Kim received could constitute unlawful sex discrimination under the the Act. Consequently, the Commissioner referred the complaint to the Tribunal for determination. The Commission's Senior Legal Officer provided assistance to Kim in the presentation of her complaint to the Tribunal, as required by the Act.

Following a directions hearing, the Tribunal listed the complaint for a mediation conference. Prior to the conference, the hairdresser advised Kim and the Tribunal that she had changed the price list and was now displaying signage in her shop showing that women are charged the same price as men for a short clipper cut.

The hairdresser provided a photograph of the signage.

Kim considered her complaint resolved. The Senior Legal Officer filed a notice to that effect in the Tribunal, and the proceedings were discontinued.

\*Name has been changed.

# Example B

## Legal Case Study: Allegation of Sex Discrimination

Jenifer\* was employed by a dental practice when she commenced a period of parental leave. While she was on leave, the owner of the practice decided to sell the business to a new owner.

Before the sale took place, Jenifer sought reassurance about her employment and planned return to work. The practice owner assured her that he would inform the purchaser of her intention to return at the conclusion of her parental leave. This would enable her employment to continue with the new owner through the transmission of business arrangements.

However, when the sale occurred, things did not proceed as Jenifer had been led to expect.

During its investigation, the Commission found that the former owner informed the purchaser that Jenifer was not interested in returning to work after her parental leave.

As a result, Jenifer was excluded from the transmission of business arrangements and was not offered employment by the new owner. She lost the continuity of her employment and her accrued long service leave entitlements.

The purchaser later provided a statutory declaration supporting the Commission's findings about what had been communicated during the sale process. Despite this evidence, the former owner declined to resolve the matter during conciliation.

With legal assistance from the Commission, Jenifer's complaint was referred to the Tribunal. Although the matter was scheduled for mediation, the parties were able to reach a settlement through negotiations before the mediation took place.

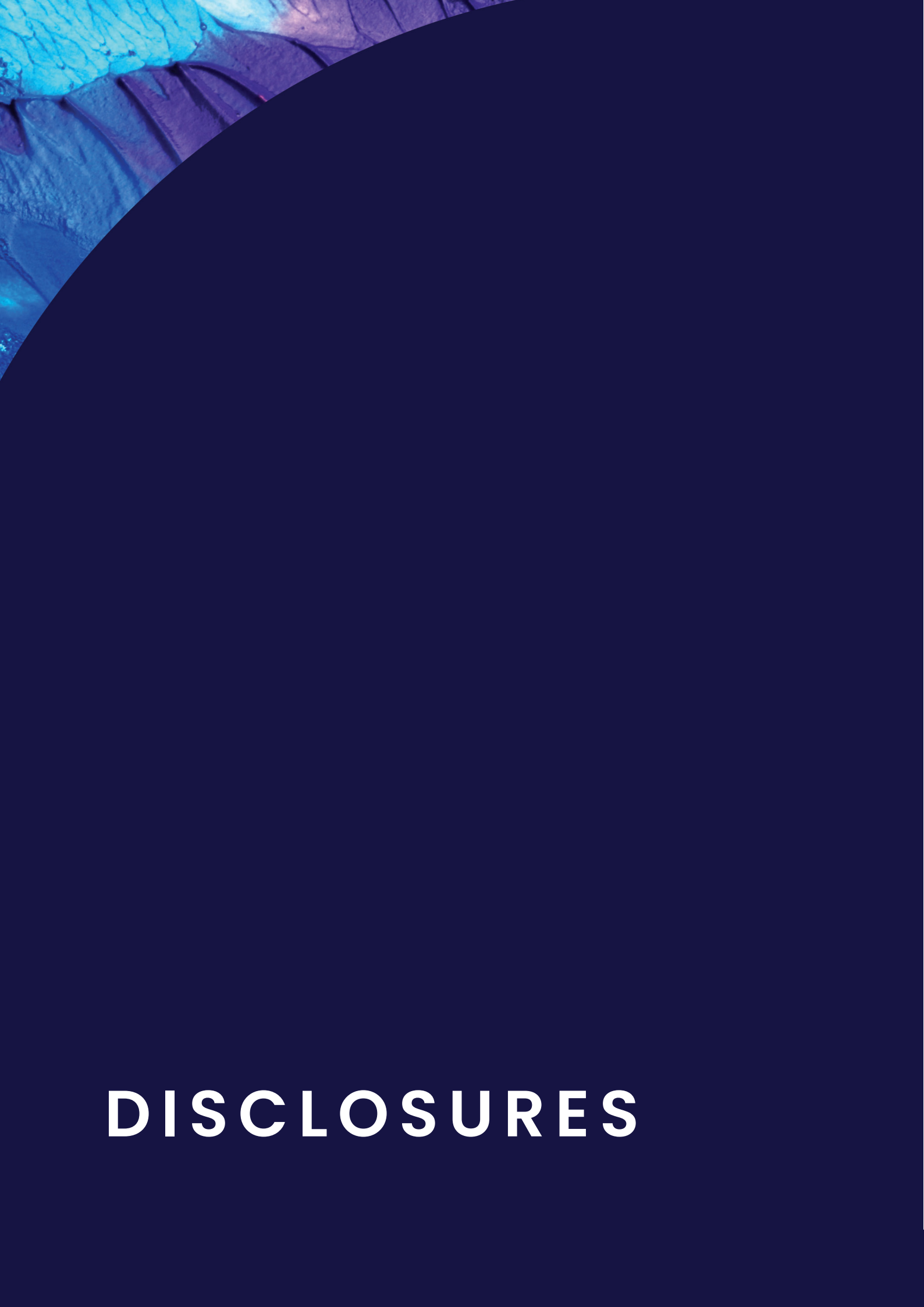
As part of the settlement, the former owner agreed to pay Jenifer \$20,000 in general damages for the hurt and humiliation caused by his conduct.

Following the resolution of the matter, Jenifer secured employment with the new owner under a new contract of employment.

This outcome provided compensation for the impact of the discrimination and enabled Jenifer to return to work.

\*Name has been changed.





# DISCLOSURES

# Disclosures

## Reference by the Minister

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

- (1) The Minister may refer to the Commissioner for report on 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 2025–26, 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 s17 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 2025–26, 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 2025–26, 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 2025–26 financial year, the Commissioner for Equal Opportunity received and accepted one Public Interest Disclosure (PID) victimisation complaint. This PID victimisation complaint is the only complaint that remains 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 1984* applies.

In the 2025–26 financial year, the Commissioner for Equal Opportunity finalised four spent conviction complaints. There are no spent conviction complaints outstanding.

## State Administrative Tribunal

Section 113, Officer of Commissioner assisting Tribunal, of the *Equal Opportunity Act 1984* states:

- (1) The Tribunal may make arrangements with the Commissioner for an officer of the Commissioner to appear at an inquiry to assist the Tribunal.
- (2) An officer of the Commissioner assisting the Tribunal at an inquiry in accordance with arrangements made under subsection (1) shall, in relation to that inquiry, be subject to the control and direction of the Tribunal.

Section 126, Interim orders, of the *Equal Opportunity Act 1984* states:

The Tribunal may, on the application of the Commissioner under section 85, or on the application of a party to an investigation at any time after the lodging of the complaint into which that investigation is held, make an interim order to preserve –

- (a) the status quo between the parties to the complaint; or
- (b) the rights of the parties to the complaint,

pending determination of the matter that is the subject of the complaint.

In June 2026, the Tribunal received an application for an interim order from the legal representative of a party to an investigation of a complaint lodged with the Commission. The Tribunal subsequently sought information and clarification from the Acting Commissioner on matters relevant to the substantive complaints. The Acting Commissioner responded by letter.

The Tribunal later requested the Acting Commissioner's assistance during the hearing of this interim order application. The Acting Commissioner appeared before the Tribunal at the hearing in late June 2026 and attended the delivery of the Tribunal's oral reasons for decision, in which the interim order was granted.

In 2025–26, there were no other requests from the Tribunal, and no requests were 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 2025–26 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 1984*.

During 2025–26, the Commission received four FOI requests. Three of these have been finalised with one currently being processed.

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.

You can click on the link below, or scan the QR code with your phone's camera, to visit the request form: [Freedom of Information \(FOI\) Request](#)





# APPENDICES

# Appendix A: Enquiry Services

Please note, totals may not equal 100% due to rounding of individual values.

Table 1: Responded Enquiries by Area

| Area                           | 2025-26 | %     |
|--------------------------------|---------|-------|
| Employment                     | 360     | 42.0% |
| Not applicable                 | 195     | 22.8% |
| Goods, Services and Facilities | 139     | 16.2% |
| Education                      | 53      | 6.2%  |
| Access to Places and Vehicles  | 32      | 3.7%  |
| Accommodation                  | 31      | 3.6%  |
| All Areas                      | 24      | 2.8%  |
| Clubs                          | 12      | 1.4%  |
| Public Place                   | 5       | 0.6%  |
| Insurance                      | 3       | 0.4%  |
| Advertising                    | 2       | 0.2%  |
| Sport                          | 1       | 0.1%  |
| Application Forms              | 0       | 0%    |
| Land                           | 0       | 0%    |
| Other                          | 0       | 0%    |
| Total                          | 857     | 100%  |

Table 2: Outcome of Responded Enquiries

| Outcome of All Enquiries            | 2025-26 | %     |
|-------------------------------------|---------|-------|
| Answered Enquiry                    | 689     | 80.4% |
| Referred Enquirer to Another Agency | 168     | 19.6% |
| Total                               | 857     | 100%  |

Table 3: Responded Enquiries by Ground

| Ground                                                    | 2025-26    | %           |
|-----------------------------------------------------------|------------|-------------|
| Impairment                                                | 294        | 34.3%       |
| Not applicable                                            | 246        | 28.7%       |
| Race                                                      | 94         | 11.0%       |
| Age                                                       | 41         | 4.8%        |
| Equal Opportunity/All Grounds                             | 32         | 3.7%        |
| Sex                                                       | 23         | 2.7%        |
| Family Responsibility                                     | 18         | 2.1%        |
| Pregnancy                                                 | 16         | 1.9%        |
| Sexual Harassment                                         | 15         | 1.8%        |
| Bullying                                                  | 13         | 1.5%        |
| Gender Identity                                           | 10         | 1.2%        |
| Racial Harassment                                         | 9          | 1.1%        |
| Religious Conviction                                      | 8          | 0.9%        |
| Spent Conviction                                          | 8          | 0.9%        |
| Family Status                                             | 5          | 0.6%        |
| Marital Status                                            | 5          | 0.6%        |
| Political Conviction                                      | 5          | 0.6%        |
| Breastfeeding                                             | 4          | 0.5%        |
| Victimisation                                             | 4          | 0.5%        |
| Racial Vilification                                       | 2          | 0.2%        |
| Religious Vilification                                    | 2          | 0.2%        |
| Sexual Orientation                                        | 2          | 0.2%        |
| Gender History                                            | 1          | 0.1%        |
| Publication of Name in Fines Enforcement Registry Website | 0          | 0%          |
| Victimisation – Public Interest Disclosure Act            | 0          | 0%          |
| <b>Total</b>                                              | <b>857</b> | <b>100%</b> |

Equal Opportunity Act 1984 Grounds and Applicable Areas Matrix

| Ground                                                    | Area | Employment | Partnerships | Professional or Trade Organisation | Qualifying Bodies | Employment agencies | Education | Access to Places and Vehicles | Goods, Services and Facilities | Accommodation | Clubs | Land | Application Forms | Superannuation | Insurance | Sport |
|-----------------------------------------------------------|------|------------|--------------|------------------------------------|-------------------|---------------------|-----------|-------------------------------|--------------------------------|---------------|-------|------|-------------------|----------------|-----------|-------|
| Age                                                       |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓+                            | ✓+                             | ✓+            | ✓+    | ✓+   | ✓                 | ✓+             |           | ✓+    |
| Breastfeeding                                             |      | ✓          | ✓            | ✓                                  | ✓                 | ✓                   | ✓         | ✓                             | ✓                              | ✓             | ✓     | ✓    | ✓+                | +e             | +e        | +e    |
| Family Responsibility                                     |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        |                               |                                |               |       |      | ✓                 |                |           |       |
| Family Status                                             |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        |                               |                                |               |       |      | ✓                 |                |           |       |
| Gender History                                            |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓         | ✓                             | ✓                              | ✓             | ✓     | ✓    | ✓                 | ✓+             |           | ✓+    |
| Impairment                                                |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓+                            | ✓+                             | ✓+            | ✓+    |      | ✓                 | ✓              | +e        | ✓+    |
| Marital Status                                            |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓                             | ✓                              | ✓+            | ✓+    | ✓+   | ✓+                | +e             | +e        |       |
| Political Conviction                                      |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        |                               | ✓                              | ✓+            | ✓     |      | ✓                 | +e             | +e        |       |
| Pregnancy                                                 |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓                             | ✓                              | ✓+            | ✓+    | ✓+   | ✓+                | +e             | +e        |       |
| Publication of Name in Fines Enforcement Registry Website |      | ✓          |              | ✓                                  | ✓                 | ✓                   |           |                               | ✓                              | ✓             |       |      |                   |                |           |       |
| Race                                                      |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓                             | ✓                              | ✓+            | ✓+    | ✓+   | ✓                 | +e             | +e        |       |
| Racial Harassment                                         |      | ✓          |              |                                    |                   |                     | ✓         |                               |                                | ✓             |       |      |                   |                |           |       |
| Religious Conviction                                      |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        |                               | ✓                              | ✓+            | ✓     |      | ✓                 | +e             | +e        |       |
| Sex                                                       |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓+        | ✓                             | ✓                              | ✓+            | ✓+    | ✓+   | ✓+                | +e             | +e        | +e    |
| Sexual Harassment                                         |      | ✓          |              |                                    |                   |                     | ✓         |                               |                                | ✓             |       |      |                   |                |           |       |
| Sexual Orientation                                        |      | ✓+         | ✓            | ✓                                  | ✓                 | ✓                   | ✓         | ✓                             | ✓                              | ✓+            | ✓     | ✓+   | ✓                 |                |           |       |
| Spent Conviction                                          |      | ✓+         |              | ✓                                  | ✓                 | ✓                   |           |                               |                                |               |       |      |                   |                |           |       |
| Victimisation                                             |      | ✓          | ✓            | ✓                                  | ✓                 | ✓                   | ✓         | ✓                             | ✓                              | ✓             | ✓     | ✓    | ✓                 | ✓              | ✓         | ✓     |
| Advertising                                               |      | ✓          | ✓            | ✓                                  | ✓                 | ✓                   | ✓         | ✓                             | ✓                              | ✓             | ✓     | ✓    | ✓                 | ✓              | ✓         | ✓     |
| Public Interest Disclosure (PID)                          |      | ✓          |              |                                    |                   |                     |           |                               |                                |               |       |      |                   |                |           |       |

|      |    |                                       |    |                                         |
|------|----|---------------------------------------|----|-----------------------------------------|
| Key: | ✓  | Yes - the ground applies to this area |    | The ground does not apply to this area  |
|      | ✓+ | Yes - but subject to exceptions       | +e | Subject to exceptions to the exceptions |

# Appendix B: Conciliation Services

Please note, totals may not equal 100% due to rounding of individual values.

Table 4: Accepted Complaints Finalised by Area

| Area                           | 2025-26 | %     |
|--------------------------------|---------|-------|
| Employment                     | 231     | 53.7% |
| Goods, Services and Facilities | 114     | 26.5% |
| Accommodation                  | 30      | 7.0%  |
| Education                      | 25      | 5.8%  |
| Access to Places and Vehicles  | 18      | 4.2%  |
| Advertising                    | 5       | 1.2%  |
| Clubs/Incorporated Association | 4       | 0.9%  |
| Victimisation                  | 2       | 0.5%  |
| Sport                          | 1       | 0.2%  |
| Total                          | 430     | 100%  |

Table 5: Accepted Complaints Finalised by Ground

| Ground                                                    | 2025-26 | %     |
|-----------------------------------------------------------|---------|-------|
| Impairment                                                | 111     | 25.8% |
| Race                                                      | 82      | 19.1% |
| Victimisation                                             | 63      | 14.7% |
| Age                                                       | 33      | 7.7%  |
| Sex                                                       | 29      | 6.7%  |
| Racial Harassment                                         | 24      | 5.6%  |
| Family Responsibility                                     | 13      | 3.0%  |
| Religious Conviction                                      | 13      | 3.0%  |
| Family Status                                             | 12      | 2.8%  |
| Pregnancy                                                 | 12      | 2.8%  |
| Sexual Harassment                                         | 11      | 2.6%  |
| Marital Status                                            | 7       | 1.6%  |
| Political Conviction                                      | 7       | 1.6%  |
| Sexual Orientation                                        | 7       | 1.6%  |
| Gender History                                            | 3       | 0.7%  |
| Spent Conviction                                          | 3       | 0.7%  |
| Breastfeeding                                             | 0       | 0%    |
| Publication of Name in Fines Enforcement Registry Website | 0       | 0%    |
| Victimisation - Public Interest Disclosure Act            | 0       | 0%    |
| Total                                                     | 430     | 100%  |

Table 6: Employment Complaints Finalised by Ground

| Ground                                                    | 2025-26 | %     |
|-----------------------------------------------------------|---------|-------|
| Impairment                                                | 41      | 17.7% |
| Race                                                      | 32      | 13.9% |
| Victimisation                                             | 31      | 13.4% |
| Racial Harassment                                         | 24      | 10.4% |
| Age                                                       | 20      | 8.7%  |
| Sex                                                       | 16      | 6.9%  |
| Family Responsibility                                     | 12      | 5.2%  |
| Family Status                                             | 11      | 4.8%  |
| Sexual Harassment                                         | 11      | 4.8%  |
| Pregnancy                                                 | 10      | 4.3%  |
| Religious Conviction                                      | 8       | 3.5%  |
| Marital Status                                            | 4       | 1.7%  |
| Political Conviction                                      | 3       | 1.3%  |
| Sexual Orientation                                        | 3       | 1.3%  |
| Spent Conviction                                          | 3       | 1.3%  |
| Gender History                                            | 2       | 0.9%  |
| Breastfeeding                                             | 0       | 0.0%  |
| Publication of Name in Fines Enforcement Registry Website | 0       | 0.0%  |
| Victimisation - Public Interest Disclosure Act            | 0       | 0.0%  |
| Total                                                     | 231     | 100%  |

Table 7: Conciliated Complaints Finalised by Ground

| Ground                                         | 2025-26 | %     |
|------------------------------------------------|---------|-------|
| Impairment                                     | 24      | 30.4% |
| Race                                           | 16      | 20.3% |
| Victimisation                                  | 9       | 11.4% |
| Racial Harassment                              | 6       | 7.6%  |
| Age                                            | 5       | 6.3%  |
| Family Status                                  | 4       | 5.1%  |
| Family Responsibility                          | 3       | 3.8%  |
| Religious Conviction                           | 3       | 3.8%  |
| Marital Status                                 | 2       | 2.5%  |
| Political Conviction                           | 2       | 2.5%  |
| Sex                                            | 2       | 2.5%  |
| Gender History                                 | 1       | 1.3%  |
| Pregnancy                                      | 1       | 1.3%  |
| Sexual Harassment                              | 1       | 1.3%  |
| Breastfeeding                                  | 0       | 0%    |
| Sexual Orientation                             | 0       | 0%    |
| Victimisation - Public Interest Disclosure Act | 0       | 0%    |
| Total Conciliated                              | 79      | 100%  |

Figure 9: Complaints Finalised per Financial Year 1985 - 2026

