

Civil Vilification

The WA Government has introduced a bill to modernise Western Australia's Equal Opportunity Act so more Western Australians are better protected from discrimination, harassment and vilification. The changes will create safer and more inclusive communities.

Overview

Civil vilification will be **public conduct** that **expresses and incites** hatred, serious contempt, severe ridicule, threats or serious abuse against a person; or **threatens or seriously abuses** a person or group **because of a protected attribute**.

It will apply to any communication to the public, or observable by the public, including playing recorded material; making gestures or actions; and wearing or displaying clothing, signs or insignia.

Vilification will be prohibited where it is on the basis of a person or group's:

- Disability
- Gender identity
- Innate variation in sex characteristics
- Race
- Religious conviction
- Sex
- Sexual orientation

Conduct will **not be unlawful** if done **reasonably and in good faith** as part of:

- Artistic works or performances
- Academic, scientific or research discussion
- Genuine public interest debate
- Fair and accurate reporting
- Fair comment expressing genuinely held views on matters of public interest

The person relying on these exemptions must prove they apply.

Eliminate vilification

Certain organisations (e.g. employers, schools, service providers) will have a **positive duty** to take **reasonable and proportionate steps** to eliminate vilification, along with other unlawful discriminatory conduct, as far as practicable.

Complaints

Complaints will be made to the **Equal Opportunity Commissioner** who seeks to resolve matters by conciliation.

Unresolved matters may be referred to the **State Administrative Tribunal** which make **orders** including to: pay compensation; stop the conduct; and/ or make changes to policy, training or other systemic changes.

For more information visit: [WA.gov.au/equalopportunitybill2026](https://www.wa.gov.au/equalopportunitybill2026)