



Fact Sheet #1 for Students

Discrimination

What is discrimination?

Discrimination occurs if a person treats or proposes to treat a person with one of the attributes covered by the legislation unfavourably because of that attribute or personal characteristic.

This Fact Sheet covers:

- Race
- Sexual orientation
- Political belief or activity
- Disability
- Age

Discrimination is unlawful under the Victorian Equal Opportunity Act 2010. Individuals who engage in behaviour which constitutes discrimination not only put the University at risk of liability, but also expose themselves to possible legal action.

It is unlawful to discriminate against people on the basis of age, breastfeeding, carer status, employment activity, family responsibilities, disability, gender identity, industrial activity, marital status, parental status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex and sexual orientation.

You have a right to...

- study in an environment free from discrimination and sexual harassment
- be respected and valued regardless of your personal characteristics
- reach your full potential and participate in all aspects of University life

You have a responsibility to...

- treat your fellow students with dignity and respect
- avoid any behaviour that may offend or humiliate others
- ensure that all students can participate in University life regardless of their personal characteristic or background

Race

Race refers to colour, descent, nationality, ancestry, ethnic background or any characteristics associated with a particular race.

Make sure that you are not discriminating against any of your fellow students on the basis of their race. This includes isolating or excluding them, making unfounded judgements about their beliefs or capabilities and making racist jokes. If you witness someone else displaying this behaviour, point it out to them or bring it to the attention of your lecturer, tutor or a Harassment and Discrimination Contact Officer.

Example

Sammy and Tony are international students who are having difficulties studying together in the same unit due to racial prejudices. These differences are affecting other students. A student counsellor can see that these students are allowing their racial differences to affect their relationship with each other and with classmates. She meets with them and explains that whatever their differences are, it is not appropriate to display these in front of other students and to allow these to affect their own or others' studies. The counsellor explains that racial discrimination is illegal, and that the students will not be allowed to continue in this manner.

Sexual orientation

Sexual orientation refers to people who are gay, lesbian, bisexual and heterosexual and people perceived to fall into one of these groups.

Be aware that you should not discriminate against your classmates on the basis of their sexual orientation. Be mindful that any comments or jokes that you make may be hurtful or offensive.

Example

James is quite open with his fellow students about his same-sex relationship, but is quite offended when he realises that some of them are avoiding him and making gestures and jokes behind his back. James does not feel that he can complain to anyone.

One of the tutors notices that James is not engaging with the rest of the class and takes him aside to discuss this with him. When James explains what is going on, the tutor arranges for information about sexual orientation and discrimination to be displayed in the area. James soon notices that the other students' behaviour towards him has changed, and he no longer feels isolated from the group.



Political belief or activity

Political belief or activity refers to whether a person holds or does not hold a lawful political belief, or whether they participate or refuse to take part in a lawful political activity. This includes holding particular political beliefs, being a member or not being a member of a political party or participating in political action.

Make sure that you don't allow your own political beliefs to prejudice you against someone with different views. Even though you may not agree with someone's political beliefs, beware of discriminating against them on these grounds.

Example

Karina is a member of a political the Young Liberals. Her fellow students are aware of this, and some of them make spiteful comments about her politics in her presence. Students in her faculty are organising a debate, and Karina asks to be involved in this. She is told that it would not be appropriate given her obvious political leanings. Karina points out that this is irrelevant to her ability to take part in the debate and insists on being included, explaining that they would be discriminating against her if they did not include her. Class members see that she has a valid point, and she is included in the debate.

Disability

Disability or impairment includes:

- total or partial loss of body function or a body part
- the presence of organisms (such as HIV or Hepatitis C) that may cause disease or impairment, malformation or disfigurement of the body
- mental or psychological disorders
- conditions that may result in a person learning more slowly.

Past disability includes childhood illnesses, having a broken leg or a period of psychiatric illness.

Assumed disability is when someone believes another person has a disability or impairment based on an assumption, not fact, such as assuming that someone who speaks slowly has an intellectual disability.

Example

Andre is a student who has schizophrenia. After missing a few classes and deadlines he decides to take a semester off to stabilise his medication. He explains this to his lecturers and his leave is approved. When he returns, he enrolls in a subject involving a work placement. His supervisor suggests that maybe he shouldn't undertake this unit at this stage as his mental health condition may result in unreliability in his placement.

Andre explains that his condition is under control and there is no reason that he would be any less capable than anyone else of completing the unit. After speaking with Disability Services staff from the Equity and Diversity Unit the supervisor realises that she has made assumptions about Andre's illness that were not founded.





Age

Be aware not to discriminate against someone on the basis of their age, whether they are younger or older than the rest of the student group. This includes making judgements about their beliefs or abilities.

If you are aware of anyone else discriminating against someone on the basis of age, point this out where possible.

Example

Alice is the youngest in a class made up mainly of mature age students. The other students often laugh at Alice's comments and suggest that she is too young to be doing the course as she does not have enough life experience. While Alice laughs it off, she feels isolated as a younger student. Eventually she confides in one of the older students who admits that she was unaware of the effect that the classes' behaviour was having on Alice. The student speaks to some of the others and the teasing stops soon after.

Getting Help

The University encourages all students to report any incidents of discrimination. If you think you have been discriminated against or have witnessed discrimination talk to a Harassment and Discrimination Contact Officer.

The University has trained Contact Officers who can provide advice, support and information for people with discrimination complaints. To download the list go to: <http://www.deakin.edu.au/current-students/services/complaints/index.php>

It is against the law to victimise someone because they have made an allegation or formal complaint of discrimination or sexual harassment. People who believe they have been discriminated against, sexually harassed or victimised can contact the Victorian Equal Opportunity and Human Rights Commission.

These, and further examples of discrimination are listed on the Equity and Diversity Unit's website.