



Marital or domestic status discrimination

What is marital or domestic status discrimination?

Marital or domestic status discrimination is when you have been treated unfairly because you are:

- single
- married
- in a de facto relationship
- separated
- divorced
- widowed.

Indirect discrimination is also against the law. This is when a rule or requirement is the same for everyone but unfairly affects people of a particular marital or domestic status, and is not reasonable in the circumstances.

Where is marital or domestic status discrimination against the law?

Marital or domestic status discrimination is against the law in certain public places, including:

- **workplaces**, such as when you apply for a job or while you are at work
- **employment agencies**, such as when you use recruitment companies
- **when you access goods and services**, such as when you go shopping, do your banking or access medical services
- **state education**, such as when you apply for study and during your studies
- **accommodation**, such as when you rent accommodation
- **industrial organisations**, such as membership of a union
- **qualifying bodies**, such as an institute which issues qualifications
- **at registered clubs**, such as when you try to enter or join a club that sells alcohol or has gambling machines.



What can I do if I experience marital or domestic status discrimination?

If you think that you have experienced marital or domestic status discrimination, you can first try speaking to the person or organisation responsible to let them know you have been treated unfairly. If you don't feel comfortable doing this, or if it isn't appropriate, you can contact us to make a complaint of discrimination. You can write your complaint in your language, and we will have it translated for free into English. If writing your complaint is difficult, you can contact us to discuss other ways to submit your complaint.

You can contact our enquiry service if you need more information or are unsure if you have experienced marital or domestic status discrimination.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

Complaint case study

Hannah* is separated from her husband and receives child support payments as part of her income. Her payments made a substantial part of her income, which enabled Hannah to afford to pay rent.

Hannah's application for a rental accommodation was denied by the real estate agent after she was told that her child support payments would not be considered as part of her income.

Hannah made a complaint of marital status discrimination with ADNSW. She said child support payments was a characteristic that generally applied to people who are separated or divorced.

At conciliation, the complaint was settled when the agent agreed to re-consider Hannah's situation and then offered to rent her the property.

*Name has been changed to protect the privacy of the individual.

This fact sheet has general information about discrimination and there are exceptions to the law. Please contact us if you have questions about marital or domestic status discrimination or you would like information about how to make a complaint.

Anti-Discrimination NSW

Enquiries

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