



Race discrimination

What is race discrimination?

Race discrimination is when you have been treated unfairly because:

- of your race
- you are the relative, friend or colleague of someone of a particular race.

The definition of race includes colour, nationality, descent, ethnic and/or ethno-religious background.

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 race and is not reasonable in the circumstances.

Related information

Racial vilification is against the law. It is a public act that could incite hatred, serious contempt or severe ridicule towards a person or a group of people because of their race.

To find out more, visit our website.

Where is race discrimination against the law?

Race 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 race discrimination?

If you think that you have experienced race 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.

When you lodge your complaint, you will need to provide the name of the person or organisation that discriminated against you. You will also need to tell us your race.

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 race discrimination.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

Complaint case study

Alice* worked as an Aboriginal Liaison Officer. She told her supervisor that she had been subjected to racist comments when a human resources staff member said, 'Aboriginal people get everything for free'.

After making the internal complaint, Alice faced an increase in performance management and was eventually dismissed. Alice lodged a complaint with ADNSW.

By the time the conciliation conference was held, Alice had found another job. However, she requested that the organisation make a few changes to resolve her complaint. This included introducing Aboriginal cultural awareness training for staff; increase training and temporary promotion opportunities for Aboriginal staff; and establish Aboriginal identified positions. The company and its new HR officer agreed to the proposal.

*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 race discrimination or you would like information about how to make a complaint. When you call, please let us know if you would like to speak to a member of our Aboriginal and Torres Strait Islander team.

Anti-Discrimination NSW

Enquiries

Phone: 02 9268 5544

Free call: 1800 670 812

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Website

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