Entry type: Organisation
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Victorian Equal Opportunity and Human Rights Commission

(2007 -)

Born	20070101, Melbourne Victoria Australia
Occupation	Government Statutory Authority

Summary

The Victorian Equal Opportunity and Human Rights Commissions is an independent statutory authority, accountable to the Victorian Parliament, that promotes equal opportunity and works to eliminate unlawful discrimination in Victoria. It helps people to resolve complaints of discrimination, sexual harassment and racial and religious vilification through a process of conciliation.

In addition to its complaint resolution service, the Commission offers information, education and consultancy services, conducts research and provides legal and policy advice.

The Commission has the power to refer unresolved complaints to the Anti-Discrimination List, which is in the Civil Division of the Victorian Civil and Administrative Tribunal (VCAT).

Details

In 1975, the Victorian Government established the Community Services Centre. The Centre consisted of six bureaux, including a Migrant Advisory Bureau, an Anti-Discrimination Bureau and a Women's Advisory Office. Various existing instrumentalities, such as the Office of Women's Policy, Ethnic Affairs and the Equal Opportunity Commission evolved from this service. To that extent the Anti-Discrimination Bureau pre-empted the introduction of the *Equal Opportunity Act 1977.*

The Equal Opportunity Act 1977 made it unlawful to discriminate on the grounds of sex or marital status in certain areas. The Office of the Commissioner for Equal Opportunity and the Equal Opportunity Board were established under the provisions of this Act, with each body having distinct functions.

The Commissioner dealt with complaints under the Equal Opportunity Act through the process of negotiation and conciliation and referred unresolved complaints to the Equal Opportunity Board. The Commissioner of Equal Opportunity was required to investigate: complaints lodged with the Registrar of the Equal Opportunity Board; and, matters referred by the Board.

The Commissioner's role was investigative, conciliatory, and negotiation-oriented.

The Equal Opportunity Board acted as a tribunal to hear and determine unconciliated complaints and heard applications for exemptions from the provisions of the Equal Opportunity Act. The Board's function, like that of the current Ant-Discrimination List, was adjudicative. The Board's proceedings were subject to appeal to the Supreme Court by way of re-hearing.

From 1977 to 1983 the Board's function encompassed: receipt, investigation, conciliation, negotiation and adjudication of complaints of discrimination on the grounds of sex (including sexual harassment) and marital status in the areas of employment, education, accommodation and the provision of goods and services, under the provisions of the Equal Opportunity Act 1977.

The Equal Opportunity Act 1984 extended the grounds of unlawful discrimination to include race, impairment, political or religious beliefs and extended the areas to which the Act applied to include clubs which receive Government funding or which use Crown land.

Legislative Change

The position of Commissioner was abolished under the 1993 Amendment Act and replaced with a position known as Chief Conciliator. As of March 2005 the Commission comprises a Chairperson and three other members, one of whom is the Chief Conciliator.

The Commission:

- Resolves discrimination complaints lodged under the Equal Opportunity Act 1984. The Commission also receives complaints lodged under the federal Racial Discrimination Act 1975, the Sex Discrimination Act 1984 and the Disability Discrimination Act 1992. However all complaints made under federal law in Victoria are finalised by the Human Rights and Equal Opportunity Commission based in Sydney.
- Provides information about equal opportunity rights and responsibilities.
- Provides training and education programs and campaigns about equal opportunity, discrimination and harassment issues.
- Conducts research and provides advice on legal and policy issues related to discrimination and human rights.

Under the provisions of the Equal Opportunity Act 1995, the name of the Equal Opportunity Board was changed to the Anti Discrimination Tribunal although its role and operations remained unchanged. From the establishment of the Victorian Civil and Administrative Tribunal, Anti-Discrimination hearings have been dealt with by the Anti-Discrimination List which is part of the Civil Division of the Tribunal.

Published resources

Resource
Trove, National Library of Australia, 2009

Site Exhibition
First Ladies: Finding Women in Public Record Office Victoria, Australian Women's Archives Project and Public Record Office Victoria, 2005,
http://www.womenaustralia.info/exhib/fl/firstladies.htm

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