



## Your right to **A FAIR GO** DISCRIMINATION – LAWFUL SEXUAL ACTIVITY

**Discrimination is treating someone unfairly or less favourably because of a personal characteristic. In Victoria it is against the law to discriminate against someone because of their actual or assumed lawful sexual activity.**

### What does 'lawful sexual activity' mean?

Lawful sexual includes taking part in or not taking part in any form of sexual activity not prohibited by Victorian law. This covers any sexual activity that is legally permissible in Victoria including legal prostitution.

Unlawful sexual activities such as paedophilia, incest, bestiality or sexual assault are not covered, regardless of the gender or sexual orientation of the person claiming discrimination.

Joanna tries to book a table at restaurant but is refused because she is a prostitute. The restaurant manager tells her she would "attract the wrong kind of attention" to the establishment.

### When is discrimination against the law?

Discrimination laws apply to public behaviour, not to private conduct.

Public areas covered by the law include accommodation, clubs and club members, disposal of land, education, employment, goods and services, sport and local government.

The VEOHRC complies with Victorian privacy laws and the confidentiality provisions of the Equal Opportunity Act 1995. For a copy of the VEOHRC's privacy policy, please go to [www.humanrightscommission.vic.gov.au/privacy](http://www.humanrightscommission.vic.gov.au/privacy) or contact the VEOHRC.

DISCLAIMER: This information is intended as a guide only. It is not a substitute for legal advice.

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Jeanette works in a competitive scientific field. When her employer discovers she is in a relationship with a staff member from a rival company he sacks her because he is afraid she is "giving away trade secrets" to the competition.

### EXCEPTION

A person may refuse to provide accommodation to another person if they intend to use the premises for prostitution.

### How can the Victorian Equal Opportunity and Human Rights Commission help?

We help resolve complaints of discrimination by offering a confidential, free and impartial resolution service with the aim of achieving a mutual agreement.

### Representative Complaints

Victoria's equal opportunity laws were amended on October 11 2006 making it possible for a person or representative body to lodge a complaint with the Commission on behalf of a named person or persons who believe they have been subjected to discrimination or sexual harassment. A representative must be either a person with the same complaint or an organisation with sufficient interest in the complaint.

Contact our free and confidential  
**Advice Line: (03) 9281 7100**  
TOLL FREE (country callers) 1800 134 142  
TTY: (03) 9281 7110  
Email: [information@veohrc.vic.gov.au](mailto:information@veohrc.vic.gov.au)  
Free interpreters are available on request