

Speak up Speak out

Sexual harassment is against the law. It is any unwelcome behaviour of a sexual nature that makes you feel offended, humiliated or intimidated.

Everyone has the right to live, work and study free from sexual harassment. You do not have to put up with it. You can talk to someone or make a complaint.

If you or someone you know has experienced sexual harassment, you can get help from:

Redfern Legal Centre: 02 9698 7277 or visit rlc.org.au/contact

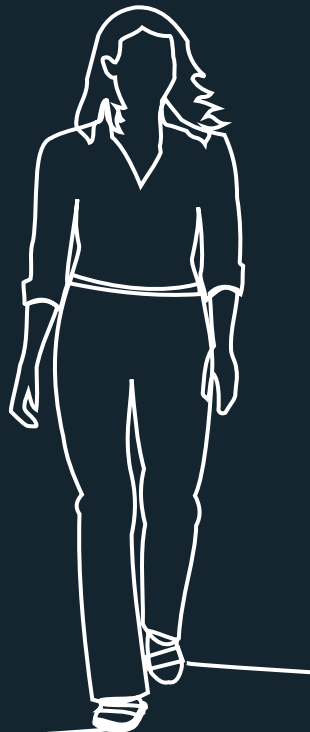
Australian Human Rights Commission: 1300 656 419

Anti-Discrimination NSW: 1800 670 812 or 02 9268 5544

NSW Police: 131 444

National Sexual Assault Counselling Service:
1800 RESPECT (1800 737 732)

If you need an interpreter, call the free Translating and Interpreting Service (TIS) on 131 450 and they can contact these support services for you.



1

Identify
sexual
harassment

2

Make a
complaint

3

Get
support

1

Identify sexual harassment

What is sexual harassment?

Sexual harassment is any unwelcome behaviour of a sexual nature that makes you feel offended, humiliated or intimidated. It can be physical, verbal, visual, or written.

Some examples of sexual harassment include:

- sexual comments or jokes
- making sexual noises
- staring or leering
- unwanted invitations to go on dates
- unwanted touching
- sexual emails, text messages, DMs, comments or posts on social media such as Facebook, Instagram and Snapchat comments about your private life or body
- asking inappropriate or personal questions about your private life or body
- threatening to reveal your sexual orientation, activity or choices
- unwanted requests for sexual favours.

Sexual harassment and sexual assault have different legal definitions.

SEXUAL HARASSMENT is a breach of civil (not criminal) law. However, sexual harassment can include sexual behaviours that are criminal offences, such as sexual assault.

SEXUAL ASSAULT is a criminal offence involving doing something sexual, or touching your body, without consent. This could include sending sexual images of you, sexual touching and sexual intercourse without consent.

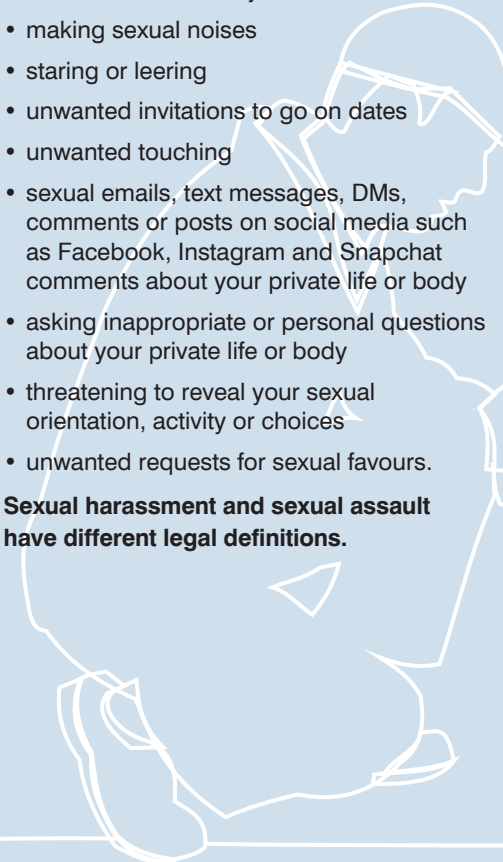
Being a victim of a crime will not affect your visa status and should not affect your employment.

SEX DISCRIMINATION is when you are treated differently because of your gender identity, intersex status, sexual orientation, marital or relationship status, family responsibilities, pregnancy or breastfeeding. Discrimination is unlawful in workplaces, shops and services, education, and accommodation. Complaints of discrimination can be made to Anti-Discrimination NSW or the Australian Human Rights Commission. If not resolved by a meeting, these matters can be taken to a tribunal or court.

Sexual harassment and the law

Sexual harassment is against the law. It is illegal to sexually harass someone:

- in employment, including when you are applying for a job or at work
- in education, including when you are applying to study or during your studies
- in accommodation, such as when you rent or share a flat
- when you are buying or selling goods or services, such as shopping or banking
- at social, sporting or other clubs
- when you are dealing with a government agency.



2

Make a complaint

At work

Employers must take all reasonable steps to prevent sexual harassment. If you are being sexually harassed at work, you may wish to talk to the person who is sexually harassing you and ask them to stop. You can also raise the issue with your boss. If you do not feel comfortable speaking to your boss, you can speak to the next most senior person or to your organisations's human resources department.

If the harassment does not stop, you can make a formal complaint in writing. Many employers, schools and universities have sexual harassment policies which set out how to make a formal sexual harassment complaint.

It is not OK if your employer takes action against you because you have complained, such as dismissing you from your job. There are legal protections against this and if it happens you should seek legal advice quickly. If you are dismissed from your job, you may only have 21 days to take legal action.

You should make a complaint as soon as possible, and everyone involved must be given enough time to provide all relevant information.

Where you study

If you have been sexually harassed at your university or other educational organisation, you can contact the complaints handling team to make a formal, or informal, complaint. The staff can also talk to you about the steps you can take, and help you access other support services.

Taking the matter further

If you are not happy with the complaint handling process, the person handling the complaint does not seem to support you or the investigation is not handled or resolved to your satisfaction, you may consider taking the matter further.

If your sexual harassment complaint is not resolved, there is no appropriate internal complaint option or you do not wish to use an internal complaint option, you can lodge a complaint with:

- Anti-Discrimination NSW (ADNSW) - You can make a complaint to ADNSW online, by post or email. Call **9268 5544** or **1800 670 812** for more information, or visit bit.ly/adnsw21
- Australian Human Rights Commission (AHRC) - You can make a complaint to AHRC online, by post or email. Call **1300 656 419** for more information, or visit humanrights.gov.au/complaints/make-complaint

These organisations will try to resolve your complaint by conciliation. This is a meeting where both people involved can negotiate with the help of an independent facilitator. If the matter is not resolved, you can take your complaint to a tribunal or court.

There is a 12-month time limit for making sexual harassment complaints to ADNSW and a 24-month time limit for making sexual harassment complaints to the AHRC.

Before making a complaint, you should get advice about which is the best option for you.



3

Get support

Getting advice

You can get free legal advice from:

- **Redfern Legal Centre**
NSW International Student Legal Service
02 9698 7277 | rlc.org.au
- **Women's Legal Service NSW**
1800 801 501 | wlsnsw.org.au
- **Inner City Legal Centre**
LGBTIQ+ specialist service
1800 244 481 | iclc.org.au
- **Your local community legal centre**
bit.ly/clcnsw1
- **Legal Aid NSW**
legalaid.nsw.gov.au/get-legal-help

Getting support

Sexual harassment can affect your health and wellbeing. It can help to talk to someone about how you are feeling, like a trusted family member, friend, work colleague, doctor, teacher or healthcare professional.

The following services also provide free professional and confidential counselling and support:

1800 RESPECT 1800 737 732 - a national sexual assault, domestic and family violence counselling service. You can call or chat online, 24 hours a day, 7 days a week:
1800respect.org.au

QLife 1800 184 527 – an anonymous, telephone and web counselling service for LGBTIQ+ people. You can call from 3pm to midnight or chat online: qlife.org.au

MensLine Australia 1300 78 99 78 – a free telephone and online counselling service offering support for men anywhere in Australia, anytime.

Mental Health Line 1800 011 511 – a NSW Government referral service staffed by mental health professionals, available 24 hours a day, 7 days a week

Reporting sexual assault

NSW police takes sexual assault very seriously. It will investigate crimes and seek to charge and prosecute offenders.

Being a victim of a crime will not affect your visa status and should not affect your employment.

You can make a report relating to sexual assault to police by:

- calling the Police Assistance Line on **131 444**
- going to a police station in person
- reporting online at the NSW Police Sexual Assault Reporting Option
- calling Triple Zero (**000**) in an emergency

If you are the victim of a crime, you may be entitled to counselling, compensation and financial support. Contact the Victims Access Line on **1800 633 063**, 24 hours a day, 7 days a week.

For more information about sexual assault and where to get help, download our factsheet, Your Body, Your Choice at rlc.org.au/sexual-assault.

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