

# Harassment, discrimination & bullying

You have the right to study in an environment that is free from harassment, discrimination and bullying. If you feel like you're being harassed, discriminated against or bullied at the University, here is some information to help you out.

## What is unlawful harassment?

Unlawful harassment occurs when a person (or a group of people) is **intimidated, insulted or humiliated because of one or more characteristics**. It can be sexual in nature, or it can be targeted behaviour based on a person's: race, sex, sexual orientation, gender identity, intersex status, pregnancy, marital or relationship status, disability, age, carer responsibilities, social origin, political belief or lack of political belief, religious belief or lack of religious belief.

## What is unlawful discrimination?

Unlawful discrimination occurs when a person is **treated less favourably than others in a similar situation** because they possess a certain characteristic. The characteristic may be a person's race (including the colour of their skin, nationality, descent, and ethnic, ethno-religious or national origin), gender (including pregnancy and breastfeeding), sexual orientation, gender identity, intersex status, marital or relationship status, disability, age, carer responsibilities, social origin, political belief or lack of political belief, religious belief or lack of religious belief.

## Racial discrimination

In Australia, **it is unlawful to offend, insult, humiliate or intimidate someone because of their race**. Even in such a diverse and progressive community as the University of Sydney, everyday subtle forms of racism take place and can

reinforce destructive stereotypes, institutional inequality and even violence. Experiencing racial discrimination is extremely hurtful and humiliating, and at times can be difficult to name and talk about.

## What is bullying and what can I do about it?

Bullying is **repeated, unreasonable behaviour** that is directed towards a person or a group of people, that **may create a risk to their health and safety**. Bullying includes repeated physical or verbal abuse, yelling, screaming or offensive language, exclusion from a community, spreading of personal or false information, psychological harassment, unjustified criticisms and interfering with personal property or equipment. Although the law emphasises a requirement for the behaviour to be 'repeated' to meet the definition, a single instance of bullying that is sufficiently severe can also be considered bullying.

## Cyberbullying

Cyberbullying involves **harmful, discriminatory and intimidating behaviour through digital platforms**. Cyberbullying could include:

- sending unwanted messages repeatedly
- sending abusive texts and emails (including spreading false or personal information about someone)
- posting hurtful images and videos online
- creating fake profiles, or
- any other form of digital communication that is intended to cause hurt or make someone fear for their safety

Australia has laws that apply to serious online harassment and bullying.

See also: [Cyberlaw](#)

## What are the University's responsibilities?

The University has a **legal obligation to provide an environment free of harassment and discrimination**, and a responsibility to provide effective procedures for reporting and resolving complaints.

## What can you do?

If you think you, or someone you know, are being bullied, harassed or discriminated against at the University, whether by a student or a staff member, you can [lodge a complaint](#) with the Student Affairs Unit.

If you require assistance or advice in lodging a complaint or want to discuss the matter, please [contact us](#). If you've experienced sexual assault, [find out more about your options for making a complaint and seeking support](#).

## Policies

Available at the University [Policy Register](#):

- *Bullying, Harassment and Discrimination Prevention Policy 2015*
- *Bullying, Harassment and Discrimination Resolution Procedures 2015*
- *Code of Conduct – Staff and Affiliates*
- *Resolution of Complaints Policy 2015*
- *Student Charter 2020*
- *Student Complaints Procedures 2015*
- *Student Sexual Misconduct Policy 2018*

## Complaint options outside the University

[NSW Anti-Discrimination Board](#)

[Australian Human Rights Commission](#)

## Further assistance

If you'd like to speak with a counsellor about an incident of bullying, harassment or discrimination, contact the University [Counselling and Psychological Services](#) (CAPS) for free and confidential assistance.

Phone **(02) 8627 8433**

[More on-campus student support services](#).

If you need further advice or assistance with a bullying, harassment, or discrimination matter, contact us. Our Legal or Advice and Advocacy Services can help you.

## Disclaimer

This information is current as at December 2019 and is intended as a guide to the law as it applies to people who live in or are affected by the law as it applies in NSW. It does not constitute legal advice.