



# Fighting violence

## Fighting

There are many reasons people fight. Fights may start because someone is: wanting to control you; wanting something you have; not able to properly manage their anger or pride; not willing to listen and communicate; or is reacting to something bad done to them.

Wars happen for complex reasons usually around power, control and disputes over land and wealth.

If someone tries to abuse you it is best to stand strong against this, knowing we all have rights to be treated equally and fairly. You should **always ensure your safety first**.

You should **always respond peacefully**. If you become aggressive there is a danger you might break the law even if someone was being abusive towards you first.

## Fighting racism

Sometimes fights start because of insults against people's identity. Some people abuse others because they look different or come from another country, tribe or group. This is called prejudice, racism and discrimination, and may be against the law.

Prejudice is about pre-judging someone, that is, making up your mind about someone before you know them. This may be unwise and ignorant.

People belong usually to many different groups based on things such as family background, religion, political beliefs or interests. Even within a group there are often differences and we must be careful not to label everyone in a group as the same. This is called a 'stereotype'.

Many people think badly about others just because they are different. They often exaggerate, or make bigger, any problems in the 'other' or 'out' group.

Everyone is entitled to respect and human rights. 'Entitled' means something you should expect to get or are allowed to have.

Discrimination is treating someone unfairly because they belong to a group. In Australia there are many types of discrimination that are against the law. The laws about discrimination try to help give everyone an equal opportunity or a 'fair go'. Discrimination is against the law and you can make an official complaint about it.

## Dealing with Disputes

How do you deal with disputes? Sometimes you have to walk away. Sometimes you might be able sort the problem out yourself if you communicate with strength, patience and truth and show the other person that you should be respected.

Sometimes you may have to make complaints to police or others with authority, or leaders in your community. Here are some useful points but is only a small list. **What ways do you know of to stop violence?**

### *Deal with anger*

- If your anger gets too much don't be violent – go for a walk, run, or do some other physical exercise. Talk to friends or other helpers. Pray or meditate. Take long, slow, deep breaths or beat up a pillow.
- Use anger positively and non-violently to try to understand your situation more deeply.
- Apologize when you have to.

### **Confront the problem**

- Sometimes you might be able to sit and take time to talk things over. Explain your concerns and why you have them. Try to find out what is behind the dispute – be patient. Let the person know it's OK to discuss things with you.
- If someone is insulting you then you may be able to return a smart reply which shows you're confident and know what you're talking about. You need to be careful this doesn't inflame the situation

### *Explore solutions – Seek help*

- Sometimes it's best to seek help from trusted family or friends
- Seek help from elders in the community or other significant people religious or community members, or specific community workers/ organizations.
- There are counseling services which can help resolve disputes.

### **Respect and communication**

- Be quick to listen, slow to speak and slower to become angry.
- Sometimes we don't always understand or express our feelings well.
- Be prepared to admit your mistakes and limitations.
- Be willing to compromise.
- Accept the differences between yourselves.

- Focus on the problem, not the person.
- Be clear and honest about your own fears if you can.

*Be aware of your identity*

- If you or your family come from overseas, the laws and customs about disputes may be different.
- Your original culture is a strong part of your identity which you should be able to keep if you want. But it must not break Australian law.
- Australia is a lucky country as it hasn't had major wars. There are many opportunities for people from all parts of the world to live together in peace.

## **Complaining about discrimination**

Sometimes it is best to make an official complaint to try to stop discrimination. Even though it may be difficult to prove, making a complaint can send a message to others that discrimination is wrong.

### **How do I complain?**

You can complain to the Human Rights and Equal Opportunities Commission (1300 656 419) or the Anti-Discrimination Commission in your State (in Queensland 1300 130 670).

Legal Aid can give you free advice about complaining, and may take on your case. It's a good idea to get legal advice before putting in the complaint.

You have to complain in writing. A complaint can be made in any language.

You can complain about things that happened within the last year. If it happened before that you need to prove good reasons for the delay.

You can complain about both the person doing it and you can complain about the employer for letting discrimination or harassment happen.

If you are threatened or treated badly because you have said you are being discriminated against, even if you have not yet put in a complaint, this is called victimisation. It is against the law and you can complain about this too.

### **When can I complain?**

You can complain if:

1. You have been treated worse or unfairly because:
  - of your race, including your colour, ethnic origin or nationality
  - of your religious beliefs or activity
  - of your political belief or activity
  - you are a male or female
  - you have a disability
  - you are married or in a de facto relationship or single
  - you are gay or lesbian, or bisexual or heterosexual
  - You have children or other family to look after
  - Union activities you do
  - Your gender identity
  - lawful sex work
  - you are pregnant
  - you are breastfeeding; OR

2. There is a 'one size fits all' rule or policy which applies to everyone, but because of one of the reasons above, the rule has an unfair effect on you.

To be unlawful discrimination, the treatment must have been in one of the following areas of activity:

- At school, college, TAFE or university
- At work or when looking for work
- Looking for a house or flat to rent or buy
- When being supplied goods or services, for example, in a shop, a nightclub, on public transport, at the bank, at the doctor, dentist or hospital
- When dealing with State or local government
- When getting insurance
- Superannuation.

#### **Spreading Hatred or Vilification**

'Vilification' is different from discrimination. Vilification is a public act that spreads

- hate for you;
- serious contempt for you; or
- severe ridicule of you;

because of your

- race,
- religion,
- sexuality or
- gender identity.

*Vilification* is against the law.

The sort of public acts that can be vilification include:

- Communications to the public by speaking, writing, printing, displaying notices, broadcasting, telecasting, screening or playing tapes or other recorded material or by electronic means; and
- Any conduct that can be seen by the public, including actions, gestures, wearing or displaying clothing, signs, flags, emblems or insignia.

Here are some examples of vilification:

- Putting offensive comments or drawings on a website, on leaflets then putting them in letter boxes or in a newspaper
- Saying insulting things on the radio or television.

### What happens to my complaint?

The Commission will look at your complaint and decide whether what you are complaining about is against the law.

If so, a confidential and private meeting will be held with the person you are complaining about. A complaint handler from the Commission will try to get everyone to come to an agreement to resolve the complaint.

The meeting can be in person or on the phone. You can have a lawyer at the meeting but you don't need one.

If everyone agrees on how to settle the complaint, the complaint handler will write up the agreement for everyone to sign. This agreement will be binding.

If there is no agreement you will be asked if you want your complaint referred to the Anti-Discrimination Tribunal for a public hearing.

There will then be a public hearing into your complaint and the Tribunal will make a decision about your complaint. If you win, the people you are complaining about are likely to be made to pay you compensation. If you lose, you may have to pay money to the people you've complained about for their costs of defending the complaint.

In the 'Boys Don't Talk' story on the DVD :

*The fight was caused by a number of things. Joseph and Raj were friends from school and were both attracted to Margi. Raj flirts with Margi. Margi then throws away Raj's flower after being impressed by Joseph's 'bling' and car. She goes into Joseph's car but becomes worried when Joseph starts to drink alcohol. She messages Raj to meet her. Raj becomes worried and angry at the Grove.*

*Some pushing and a 'stand-off' happens between Raj and Joseph. The girls try to pull the boys apart. Raj makes a racist 'monkey' gesture towards Joseph. This fires up Joseph and he picks up the broken bottle. He stands there furious..... He then chooses not to fight, and walks away.*