



# EVALUATION

## ANTI-DISCRIMINATION COMPLAINT PROCESS

### STAGE 2



#### What is an evaluation

This is when we look at the complaint to see if it can be proved. If we decide it has a reasonable prospect of being proved we will ask the Northern Territory Civil and Administrative Tribunal (Tribunal) to have a hearing.

At this stage we collect from you and the other party any evidence (see explanation below) that exists to prove if the story in the complaint did or did not happen and if it could be against the law under the *Anti-Discrimination Act*.

#### What do I need to do?

- Ensure you have together any evidence you want the Anti-Discrimination Commission (ADC) to consider in the complaint by the due dates.
- If there is evidence that might be relevant to the complaint but you cannot get it, tell the ADC they may be able to.

#### What could be evidence?

- Witness statements (from a party or people who saw or heard what happened)
- Documents (e.g. emails, reports, file notes, policies)
- Recordings (videos, sound recordings)

#### Tips

- Be clear what the complaint is about
- Understand what the ADC is evaluating under the Act – don't provide information outside this, the ADC will not use this information
- Be clear how you will prove or disprove the complaint and what evidence you need to do this
- Provide the material in the time asked of you by the ADC to ensure it gets considered
- Seek legal advice if you are unsure about your rights
- Ring the ADC if you need more information

## **Time Frames**

There are no statutory time frames. We aim to complete within 3 months of election.