



Balancing the Act

Issue 35 Winter 2014

Robert Jones Oration 2014

On Thursday 8 May 2014 the Anti-Discrimination Commission Queensland held, in partnership with Spinal Injuries Australia, the inaugural Robert Jones Memorial Oration. The Oration was delivered by Dr Margaret Ward who gave an inspirational paper titled *Getting in the door: the public interest in the design of private housing*. Her address focused on the role housing plays in everyone's life. Here is an extract from the thought provoking Oration.

'If we are committed to equity and inclusion of all people, we must first understand deeply how and where equity and inclusion starts. We must take then an active and public interest in the design of our private spaces, and expect to be included no matter who we are, as we live, grow old, and die...



John MacPherson gave a reflection on the life and contribution of Robert Jones; Dr Margaret Ward delivered the inaugural Oration; Anti-Discrimination Commissioner Kevin Cocks hosted the Oration.

So who is responsible for this action? Iris Marion Young suggests that, when it comes to an issue of social injustice, we fall into four broad groups:

The first group are those who are in positions of power who understand the impacts of social exclusion and do nothing. This group are few; they are not only responsible but also guilty of their inaction.

The second group are responsible by association. The thousands of people that make up the housing industry, developers,

designers, builders, suppliers and buyers go about their daily business unaware of how their individual housing decisions contribute to social exclusion. When brought to their attention, they consider they have little impetus from their leaders, or individual power or opportunity to change the status quo.

The third group do take individual responsibility. They make their homes visitable; they build visitable dwellings one at a time, they teach and promote universal design.

The fourth are those who take political responsibility. They take public and collective action to intervene, and call to account those people in power who do nothing. And typically they are led by those, like Robert Jones, who are most affected, who know deeply what social exclusion means.

Perhaps this is a moment to reflect which group you fall in to.

With some rare exceptions, governments at all levels have handed over the responsibility to Livable Housing Australia to improve the supply of visitable housing. Livable Housing Australia is not meeting its targets. Powerful industry interests have successfully advocated against the plans for regulation in Victoria and ACT. And a recent review of the Livable Housing Australia agreement suggests that most of its original supporters have simply lost interest.

At this point it looks like the representatives of the fourth group will need to act to call those in power to account.

They will need to continue the work of Robert Jones and his colleagues, in their quest for equity and inclusion in the design of our buildings—started two decades ago. They will need to engender public interest in the design of our private spaces. They will be unpopular and they will be dismissed, as Robert often was. But they will continue because they know that, to have truly inclusive communities, we all matter, and we matter to the last moment of our lives'.

The full Oration can be accessed on the ADCQ website (<http://www.adcq.qld.gov.au/human-rights/robert-jones-oration>) or viewed on the ADCQ YouTube channel.



Robert Jones (1958-2013)

Commissioner's Foreword



Anti-Discrimination Commissioner,
Kevin Cocks AM

Recently the CEO of the Bank of Queensland, Stuart Grimshaw, announced that the bank would be removing the requirements for candidates to provide their age, gender, name and address from resumes for executive positions. This action has been taken to try to minimise the impact of unconscious bias when recruiting.

Is it a revolutionary decision?

In one sense it is a revolutionary decision. However the business case for diversity - not only gender diversity but for businesses to reflect the diversity of the community - has been well made for a long time. It creates a more innovative and progressive business and particularly increases the most important bottom line to business and that is loyalty - both from staff and customers; sustainability and certainty of business; productivity; and ultimately increases their profit.

Is it a necessary move?

It is a necessary move because the research clearly demonstrates that unconscious bias is prevalent when it comes to recruiting, developing and promoting women and other disadvantaged people. Unconscious bias effectively means that the dominant group is much more likely to be selected for employment than non-dominant groups. This often means women and other disadvantaged groups are not selected as the best candidate for a position, even though they are of equal merit or more meritorious than the person chosen for the job.

An initiative such as this has been a long time coming, however, it does require courageous leadership to take such steps and Stuart Grimshaw must be congratulated for demonstrating such leadership.

Is discrimination a prevailing issue in the workplace?

Discrimination in the workplace is alive and well and often the discrimination which occurs in the workplace is underpinned by unconscious bias. Discrimination due to unconscious bias is not only experienced by women, it is equally experienced by people who may be from a different race or culture, or who have a disability and people who are over 40 or are ageing.

Until an organisation engages in understanding the degree of unconscious bias that exists within the organisation, the entrenched cultural attitudes and structural barriers will remain unchanged. Thus, employers will continue to exclude

meritorious people who are not from the dominant group, from employment.

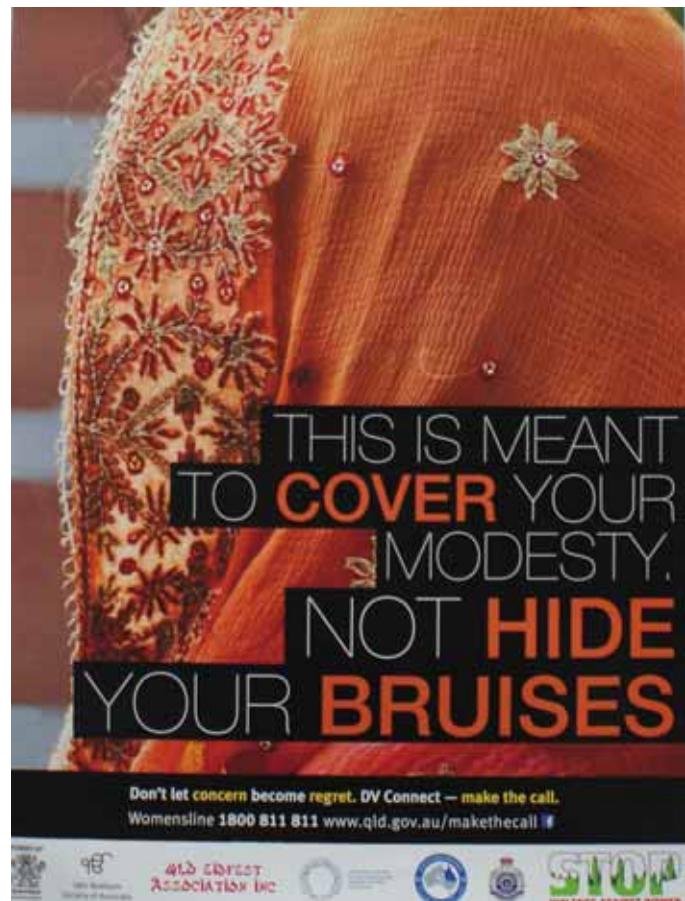
New unconscious bias training coming soon

The Commission is developing an unconscious bias training module that will explore the processes and mechanisms by which unconscious bias operates, describe methods to identify and counteract unconscious bias and outline the business case for workplace diversity. The module is due for release in mid-2014.

United against DV

Three faith groups recently combined to launch a campaign which highlights and attempts to tackle the issue of domestic violence in their communities.

Members of the Muslim, Sikh and Hindu communities, which all share similar cultural traditions, have come together to develop the campaign. The interfaith project has resulted in the production of a series of four posters which will be sent to every mosque, gurdwara and temple across Queensland as well as community groups that work with migrant women.



One of the new domestic violence posters for Muslim, Sikh and Hindu communities.

Many cultures, one community

The Many Cultures, One Community program progresses one of the ideas which came out of the anti-racism forum hosted by the ADCQ and other local agencies in Townsville in May 2013. This exciting program, coordinated by the Townsville Multicultural Support Group and funded by the Australian Government, aims to bring together migrant and refugee communities and Aboriginal and Torres Strait Island communities to promote better understanding and acceptance of each other.



ADCQ's North Qld Regional Manager (Anne Franzmann) with members of the Townsville Multicultural Support Group

A series of small group discussions provide the opportunity for participants to explore and gain a better understanding of important issues such as living in harmony, racism and human rights.

Staff from the Townsville office of the ADCQ are continuing to contribute to the success of the program, which runs until August, through their input on the steering committee and facilitation of group discussions with participants about discrimination laws and human rights.

Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission is investigating how institutions in Australia have managed and responded to allegations and incidents of child sexual abuse. The abuse may have happened in any private, public or non-government institution including a school, church, sports club, childcare centre or in foster care.

Listening to stories from people who have been sexually abused as children while in the care of an institution in Australia is an important part of the Royal Commission's work.

If you would like to share your story with the Commission you can register by:

- calling 1800 099 340,
- emailing contact@childabuseroyalcommission.gov.au,
- writing to GPO Box 5283, Sydney, NSW 2001.

The Royal Commission will make recommendations on how to improve laws, policies, and practices in Australia in order to provide a safer future for children.

ADCQ has fun in the forest

There are many highlights on the Commission's Far North Queensland region calendar, the most recent of which was the inaugural Cairns Children's Festival held on Sunday 4 May, 2014.

Over two thousand visitors attended the Tanks Arts Centre, set in the lush rainforest nestled at the base of the Whitfield ranges in Cairns, to participate in the festival.

In keeping with our vision of a fair and inclusive Queensland, ADCQ staff from the Far North Qld office took the opportunity to engage with children from the region and introduce them and their families to ADCQ in a fun and age-appropriate way. The day provided a variety of means to celebrate and support learning, play, curiosity and discovery. The festival had presentations, shows and activities specifically designed for children of different ages around the theme of 'Another World'.



'Another world' canvas from the Cairns Children's Festival

A market and fair was set up to encourage local vendors and organisations to participate by presenting their products and services. The day was a perfect opportunity for ADCQ to engage with children and adults from all walks of life. It resulted in a beautiful canvas colourfully decorated by the many different and wonderful children that make up our community.

The Far North Queensland team is now looking forward to the rest of the year with plenty more planned in the community engagement space, including the Feast of Cultures Festival which had been planned for April but was rescheduled, courtesy of Cyclone Ita.

Art from the edge

Along a corridor between nuclear medicine and the x-ray department I came upon a surprising exhibition. The corridor is in the St Andrew's War Memorial Hospital in Brisbane and the exhibition was put on by Art from the Margins.

The exhibition celebrated International Women's Day and featured the work of six local artists.

As I traced and retraced my way along the twisting corridor I got in the way of wheelchairs , staff, patients and relatives, who turned to look at what I was looking at.



Multidimensional beings by Natasha Darling

What I was looking at was paintings and photographic prints that were joyful, delicate, symbolic, confronting, absorbing and uplifting. Some, like Natasha Darling's *Time collapse and Ancient grids (The World)* addressed the big issues. Around the corner the playful dog Winky rolled in the sand, and a game of beach cricket depicted by Belinda Peel made me smile.

I thought I had seen Reatha Kerr's intricate black and white drawings somewhere before. Was it one of those paintings on a traffic signal box? The answer is yes, and the repeated cellular patterns of these works are deeply satisfying.



Detail of Reatha Kerr's pen on canvas work



Dog beach by Belinda Peel

Colleen Stevenson's iconic image *Brass Tap* captures the simplicity of form of an everyday tap and elevates it to the level of sculpture, while Rebekah McKaskill taps into youth culture and anime to inspire her work.

The idea of Art from the Margins was born from a conversation in a Brisbane park beside a coffee van not far from St Andrew's hospital, when a homeless artist spoke to a member of the Albert Street Uniting Church's Servant Network about his difficulties.

Each of the artists represented in this exhibition has their own story and many speak of their art as escapism or therapeutic. Kerry Thirlwell had two paintings in the exhibition – the charming *Owl and the pussy*, and the poignant *The seed*. Her statement, 'I can create beauty where there is pain' sums up for me the contribution of these wonderful artists.

If you see an exhibition of Art from the Margins advertised, just go.

Helen Bannerman, ADCQ Librarian

Review of Mental Health Act 2000

The purpose of the *Mental Health Act 2000* is to provide for the involuntary assessment and treatment, and the protection, of persons with a mental illness while safeguarding their rights and freedoms, and balancing their rights and freedoms with the rights and freedoms of other persons.

The review of the *Mental Health Act 2000* commenced in June 2013, with the public release of the Terms of Reference and an invitation for interested persons to make submissions to the Review.

Submissions to the review close **Friday, 25 July 2014**.

For information visit: <http://www.health.qld.gov.au/mentalhealth/news/MHA2000-review.asp>

Indigenous design on display in Townsville

In 2005 the Australian Football League (AFL) introduced an Indigenous round to its season of football. The dedicated round aims to celebrate Indigenous culture and recognise the contributions of Indigenous Australians to the game of AFL. During the round, players from each AFL team wear a commemorative guernsey incorporating Indigenous design.

This year, a local AFL team has followed in the footsteps of the national competition. The University Hawks, based in Townsville have been proudly promoting the Indigenous round for several years. This year, they decided to show their ongoing support by having their own Indigenous guernsey designed. But rather than engaging the services of a professional designer, the club ran a competition for students of Shalom Christian College to design the commemorative guernsey.

The University Hawks have spent the past few years building a relationship with Shalom Christian College, which has a predominantly Indigenous student base. The club has run training days at the College and assisted with sporting equipment in an effort to gain and maintain students' interest in the game of AFL. 'The natural next step was to involve the students directly in the Indigenous round', said University Hawks Vice President, Eddie Rawlings.

Approximately 40 students submitted designs in the competition, with Soraya Rankine's design being judged as the winner.

The University Hawks will wear the newly designed guernsey during the Indigenous round for three years before running a further student design competition. 'Indigenous round is an opportunity to break down the racial and cultural barriers not only among football clubs but in society as a whole', said Eddie Rawlings. 'The Uni Hawks are proud to have the opportunity to be a part of it.'



Townsville AFL University Hawks players show off the student designed guernsey they wore in the Indigenous round.

New bullying factsheet

We're hearing the 'b' word more and more these days. Bullying. But what exactly does it mean and where does it fit within anti-discrimination legislation in Queensland?

ADCQ's new bullying fact sheet was developed to clearly explain the relationship between bullying, discrimination, and other forms of objectionable or unsafe conduct. The fact sheet provides information on how to prevent and manage bullying, as well as where to lodge complaints.

The bullying fact sheet can be accessed from Resources section of the ADCQ website (<http://www.adcq.qld.gov.au/resources/brochures-and-guides/fact-sheets/bullying-factsheet>).

Conciliated outcomes

ADHD in kindergarten

The mother of a five year old boy with ADHD (Attention Deficit Hyperactivity Disorder) complained that her son was not being fully included in the kindergarten program.

The teacher asked her to collect her son two hours early, and also spoke to the principal of the school the boy was to attend the following year about his additional needs.

In conciliation the mother described how the teacher's actions made her feel that her son was being 'singled out' because of his impairment. The teacher said she asked the mother to collect the boy early because he had difficulty settling at nap time and he became upset when other children were collected before him.

The teacher apologised for speaking to the principal without the mother's prior consent and explained how the information she had provided would assist the boy transition to primary school.

Both the mother and the teacher acknowledged responsibility for a breakdown in communication between them.

The mother was satisfied with the teacher's explanation. The kindergarten agreed to adjust its policies and procedures, to undertake further training in special needs, and to refund part of the kindergarten fees.

HIV status and work as a chef

When an apprentice chef was diagnosed as HIV positive he informed his employer, and the next day he was dismissed.

The owners of the small business restaurant had been advised by their insurance broker that their insurance may be cancelled if they continued to employ the apprentice.

At the conciliation conference the apprentice chef explained that a large volume of blood would be required to pass on the condition, and that universal hygiene measures meant there was an extremely low risk of this occurring. He also told them he was now working in another restaurant where the employer was aware of his HIV status.

The restaurant owners acknowledged they should have investigated the risks and sought advice elsewhere. They agreed to pay compensation to the apprentice for hurt and humiliation as well as one month's loss of income.

Breast feeding at a child care centre

The mother of an infant enrolled at a child care centre had a routine of attending the centre during her work lunch break to breastfeed her child.

After some months she was told by the Centre Director that she was no longer allowed to breastfeed within the centre grounds as the centre does not have facilities to accommodate breastfeeding mothers in privacy. When she queried where she could breastfeed, it was suggested that she feed in her car in the car park. The woman then enrolled her child in another centre.

At the conciliation conference a representative from the centre stated that the reason the woman was banned from breastfeeding there was because she caused disruption to the staff (by continually taking them away from their work) and children who were in their designated rest period. The woman denied this, and said that this was just an excuse to cover for the discrimination.

The matter was resolved by a written apology from the centre, the payment of compensation to the woman and waiving any outstanding fees owed.

All parties agreed to make no derogatory comments about each other or say or do anything to damage the other's reputation.

Proposed amendments to the federal *Racial Discrimination Act 1975*

The Australian Government is currently considering amendments to the *Racial Discrimination Act 1975*. In March this year, Federal Attorney-General, Senator the Hon. George Brandis QC, released an exposure draft Bill on the proposed amendments to the Act and called for submissions on the draft. The Anti-Discrimination Commission Qld has released its submission to the Attorney-General's consultation.

The submission discusses the background to the current provisions and the harms caused by racism. The Commission says the practical operation of the current laws should be considered in the debate about vilification laws and concludes that there is no need to amend the current provisions. However if there is to be an amendment it should follow the model of the Queensland and New South Wales vilification provisions. The full submission can be accessed on the ADCQ website. (<http://www.adcq.qld.gov.au/resources/legal-information/submissions>)

**DISCRIMINATION
LAW TRAINING
CAN YOU
AFFORD NOT TO?**

Training update

Online training launched

ADCQ has officially released its first online training module – *Discrimination Awareness in Queensland*. The module, which is not intended to replace face-to-face training, is an ideal tool for staff induction and refresher training. The training can be accessed from the ADCQ website or by contacting the training team on 1300 130 670 or training@adcq.qld.gov.au.

The screenshot shows the ADCQ website with the navigation bar: HOME, HELP & SUPPORT, ONLINE STORE, MY TRAINING, MY ACCOUNT, ADMIN, LOGOUT. Below the navigation is the title 'Discrimination Awareness in Queensland'. Underneath the title, there's a breadcrumb trail: My Training > Discrimination Awareness in Queensland. A navigation bar below the title includes 'Previous', 'Next', and 'Types of discrimination'. The main content area features a photograph of five diverse individuals (three women and two men) smiling. At the bottom left of the content area is the text 'ADCQ Web Site'.

Unconscious bias training coming soon

Unconscious prejudice and biases affect us all. Every day we make judgments in an instant, without conscious awareness of the underlying cognitive influences and processing errors. In a society where discrimination is no longer socially acceptable, we may hide our prejudice even from ourselves, while it influences our decision making. Despite substantial evidence of financial benefits of inclusivity, anti-discrimination legislation, and concerted efforts to create more inclusive and diverse workplaces, progress in removing the barriers faced by certain identified groups seems elusive. Bias can be difficult to overcome when it is hidden from consciousness.

ADCQ will soon be launching a new face-to-face unconscious bias training module. The course will explore the processes and mechanisms by which unconscious bias operates, describe methods to identify and counteract unconscious bias, and outline the business argument of workplace diversity.

To register your interest and be notified when the training is available, please email your contact details to: training@adcq.qld.gov.au

Public Education Calendar July-Dec 2014

| Date | Session | Time | Location |
|--------|---|-----------|-------------|
| 3 Jul | Introduction to the Anti-Discrimination Act for Managers | 9-1 | Townsville |
| 23 Jul | Understanding Discrimination Law | 9-1 | Brisbane |
| 31 Jul | Introduction to the Anti-Discrimination Act for Community Organisations | 9-1 | Townsville |
| 4 Aug | Introduction to the Anti-Discrimination Act for Community Organisations | 10-12 | Rockhampton |
| 5 Aug | Introduction to the Anti-Discrimination Act for Managers | 9:30-1:30 | Rockhampton |
| 6 Aug | Introduction to the Anti-Discrimination Act | 10-12 | Brisbane |
| 7 Aug | Contact Officer | 9:30-4:30 | Rockhampton |
| 11 Aug | Introduction to the Anti-Discrimination Act | 10-12 | Rockhampton |
| 19 Aug | Contact Officer | 9-4 | Brisbane |
| 27 Aug | Introduction to the Anti-Discrimination Act for Managers | 11-3 | Mackay |
| 28 Aug | Contact Officer | 8:30-3:30 | Mackay |
| 2 Sep | Introduction to the Anti-Discrimination Act for Community Organisations | 9-1 | Townsville |
| 11 Sep | Contact Officer: Refresher | 9-1 | Brisbane |
| 16 Sep | Introduction to the Anti-Discrimination Act for Community Organisations | 9-1 | Brisbane |
| 1 Oct | Contact Officer | 9-4 | Townsville |
| 2 Oct | Contact Officer: Refresher | 9-1 | Townsville |
| 2 Oct | Introduction to the Anti-Discrimination Act | 2-4 | Townsville |
| 3 Oct | Introduction to the Anti-Discrimination Act for Managers | 9-1 | Townsville |
| 9 Oct | Introduction to the Anti-Discrimination Act | 9-11 | Brisbane |
| 21 Oct | Contact Officer | 9-4 | Brisbane |
| 27 Oct | Introduction to the Act for Managers | 9-1 | Cairns |
| 27 Oct | Introduction to the Anti-Discrimination Act | 2:30-4:30 | Cairns |
| 28 Oct | Managing Complaints | 9-4 | Cairns |
| 30 Oct | Contact Officer | 9-4 | Cairns |
| 31 Oct | Contact Officer : Refresher | 9-1 | Cairns |
| 5 Nov | Introduction to the Anti-Discrimination Act for Managers | 9-1 | Brisbane |
| 12 Nov | Introduction to the Anti-Discrimination Act for Community Organisations | 2-4 | Townsville |

To register for a public training session, visit our website at www.adcq.qld.gov.au or phone 1300 130 670.

Can't make it to a public session? ADCQ's training courses can be customised to meet your particular requirements and can be delivered at your workplace or venue. To learn more, email our education team at training@adcq.qld.gov.au

The Lockyer Valley project

The Lockyer Valley has been identified as one of the fastest growing regions in Australia. The rapid growth in population means that the community is becoming more diverse, and with these changes come many opportunities, and also some challenges.

In 2012, in response to the rapid changes in the Lockyer Valley, the ADCQ began working with the Lockyer Valley Regional Council (LVRC) Multicultural Project Officer to run anti-discrimination information sessions for new and emerging community groups in the region.

Following the success of these information sessions, ADCQ and the Council decided to continue working in partnership to develop a broad community engagement strategy for the region. The aim was to work with local businesses, service and education providers, and the general community on how the region can reap the benefits of a rapidly changing environment, while ensuring that all community members can participate fully in community life in the region.

To inform the strategy, the ADCQ consulted with the Lockyer Valley Regional Council and the general community. Two community conversations were held in August and November 2013 where ideas about creating an inclusive community were explored. Subsequently a presentation was made at the Lockyer Valley Better Business Network Breakfast on the financial benefits of an inclusive community.



The Lockyer Valley community conversations were well attended.

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Caron Menashe, ADCQ's senior trainer is leading the Lockyer Valley Project.

One of the key themes that emerged from the community conversations was the barrier presented by limited English skills of new migrants and the absence of English language classes in the Lockyer Valley. To address the issue a forum was arranged between English language service providers and community members. Key questions about the English language needs and barriers to attending classes were discussed. A follow-up survey and ongoing discussion is occurring in the hope of reintroducing English language and literacy classes to the Lockyer Valley. TAFE and the Lockyer Valley Regional Council have also partnered to offer a free one-day volunteer English tutor training course for community members who are interested in assisting others to learn English.

Upcoming human rights events

- 6-13 July NAIDOC Week
- 1-7 August World Breast Feeding Week
- 9 August International Day of the World's Indigenous Peoples (UN)
- 16-24 August Seniors Week
- 24-30 August Hearing Awareness Week
- 30 August – 7 September Cultural Diversity Week
- 14-20 September Disability Action Week
- 5-12 October Mental Health Week

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