



**Anti-Discrimination
Commission Queensland**

Annual Report

2010-11



Annual Report 2010-11

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1 September 2011

The Honourable Paul Lucas MP
Attorney-General
Minister for Local Government and Special Minister for State
Level 12 Executive Building
100 George Street
Brisbane QLD 4000

Dear Minister

I am pleased to present the Annual Report 2010–11 for the Anti-Discrimination Commission Queensland.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, and
- the detailed requirements set out in the *Annual Reporting Guidelines for Queensland Government Agencies*.

A checklist outlining compliance with the annual reporting requirements can be accessed at Appendix B of this annual report.

Yours sincerely



Kevin Cocks AM
Commissioner
Anti-Discrimination Commission Queensland

Commissioner's foreword



In my first annual report I will outline my vision for the next four years.

First I would like to acknowledge the work of Commission staff. I would like to thank Neroli Holmes, Deputy Commissioner, for her leadership in managing the Anti-Discrimination Commission Queensland for the first seven months of this financial year. I also note that all targets have been achieved for the 2010–2011 financial year. For further detailed information regarding targets and statistics, please go to relevant sections of this report.

In particular I congratulate the complaint handlers who have maintained a good rate of conciliation of complaints. Secondly, the community relations team and regional training staff have also truly exceeded training targets. I feel very honoured to be working with highly committed, energised and principled staff throughout Queensland. It gives me great confidence that our goal to build a fair and inclusive Queensland is achievable due to the collective skills of staff and their values.

Like many Queenslanders, in January and February 2011 ADCQ offices and staff were directly and indirectly affected by the floods and cyclones. The Brisbane office was closed for two weeks in January; subsequently offices in the regions were closed or operated with limited capacity. However, like all Queenslanders, resilience persevered and we were up and running at full capacity in February.

The Anti-Discrimination Commission Queensland has a legislative requirement and is committed to strengthening the understanding, promotion and protection of human rights in Queensland. We do this work through receiving and managing complaints, training and education, research and submissions, and a broad range of activities to engage and inspire the community.

The context in which the ADCQ operates has changed significantly since it was established 19 years ago. International instruments such as the *UN Convention on the Rights of Persons with Disabilities* and the *Declaration on the Rights of Indigenous Peoples* have been ratified by Australia. Social networking and changing community expectations about being engaged in social change have also contributed to a call for realignment of the ADCQ's focus.

Vision for an inclusive community

Over the next four years, I plan to focus the energies of the ADCQ on a vision for a more inclusive Queensland community. This will require ADCQ to extend its reach into Queensland communities – schools, sporting and recreation facilities, public and private enterprise – to strengthen awareness and sense of responsibility for identifying and protecting individuals against discrimination. It will call for our organisation to assist in creating the conditions where human rights flourish and to engage the community on a scale not previously considered.

This shift will need to be underpinned by significant cultural reform – language, attitude, and behaviour that actively progresses human rights. The UN General Assembly has recognised that vulnerable groups have been deprived of human rights despite countries being signatories to the core human rights instruments, such as the *International Covenant on Civil and Political Rights* (ICCPR) and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).

To address these inconsistencies, the UN General Assembly over time has responded to the lobbying of vulnerable groups with the development of a number of treaties that have been ratified by Australia. These include: the *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD), ratified in 1975; the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), ratified in 1983; the *Convention on the Rights of the Child* (CROC), ratified in 1990; the *Convention on the Rights of Persons with Disabilities* (CRPD), ratified in 2008; the *Declaration of the Rights of Indigenous Peoples* (DRIP), ratified in 2009; and the *Yogyakarta Principles* developed in 2006 to outline a set of international principles relating to sexual orientation and gender identity.

The ADCQ has a mandate to promote human rights within this context. We will draw upon the international instruments to provide substantial content to inform discussion and action to lead to cultural reform and an understanding of human rights, and where they begin and how we as a community and a collective can work together to give meaning to a fair and inclusive society.

A problem to be addressed

Currently across the broader Queensland community there is:

- a lack of awareness or sense of responsibility for those in the community whose human rights are not respected and realised;

- a culture of exclusion of certain groups based upon attributes covered by the *Anti-Discrimination Act* including race, religion, sexuality, impairment, and gender identity;
- a lack of understanding about human rights;
- unlawful discrimination;
- a lack of inclusion for those in the community whose human rights are not respected or realised;
- a lack of ownership and skills within the community to promote a culture of inclusion of all persons.

ADCQ's approach

The ADCQ will take an enhanced leadership role in promoting human rights and what it takes to build inclusive communities, by engaging with Queensland communities – ranging from schools, local interest groups/neighbourhood groups, through to small and big business and government agencies at all levels.

Our focus will be on increasing connections and networks between a wide range of groups within the community so that relationships and partnerships can develop that will focus upon:

- engagement and inclusion of groups who are currently excluded or disengaged, and
- strengthening both individual and community awareness and sense of responsibility for identifying and protecting individuals against discrimination.

Outcomes

The core of this leadership role will be to create spaces and places for stakeholders to come together to engage in cultural reform that leads to the realisation of an inclusive and diverse community – one where people's human rights flourish.

The outcomes of this work will be:

- commencement of a process of cultural reform – of language, attitude, and behaviour – that actively progresses human rights;
- community discussion and action leading to cultural reform and a better understanding of human rights;
- stakeholders having an opportunity to build and form relationships and partnerships leading to the development of opportunities so that the community as a collective can work together to give meaning to an inclusive and civil society;
- development of partnerships where each partner can contribute their resources, energy and power for the common good;
- environments created within local communities where cultural reform will have the greatest opportunity to be realised;
- holding an 'Inclusive Queensland Summit'.

Inclusive Queensland summit

At the end of the commencement phase of this initiative will be the holding of an Inclusive Queensland Summit. At this stage, this is planned to occur in mid-2013. The purpose of the summit will be:

to bring businesses and other groups who have embarked upon building inclusive communities together to share stories of success and identify what else needs to happen, and;

renew their commitment to the vision of building inclusive communities, and;

promote and encourage their colleagues and networks to be engaged in future iterations of this project.

I am also keen to engage with the government and community to promote reforms that will make the Queensland *Anti-Discrimination Act* more modern and efficient.

In closing, I look forward to honouring the exciting and privileged challenge I have been given to build a fair and inclusive Queensland by working collectively with you to respect, protect and fulfil the human rights of all Queenslanders, specifically, vulnerable Queenslanders.



Kevin Cocks AM
Commissioner

About the ADCQ

Commission overview

The Anti-Discrimination Commission Queensland (ADCQ) is an independent statutory body established in 1996 to administer the Queensland *Anti-Discrimination Act 1991* (the Act). The ADCQ services Queensland through four offices located in Brisbane, Rockhampton, Townsville and Cairns.

The ADCQ promotes equality of opportunity by protecting individuals from unlawful discrimination. Our mission is to deliver high quality complaint resolution, education and human rights promotion services throughout Queensland. This mission is achieved by:

- providing a fair, timely and accessible complaint resolution service;
- providing relevant and effective education services and products;
- improving access to information;
- promoting understanding through effective community engagement;
- advocating for legislative change which improves the protection of human rights;
- addressing systemic discrimination in key areas.

Delivering services to the community

There are three operational units within the ADCQ delivering services directly to the community – Intake, Complaint Management and Community Relations. The nucleus of each team is located within the Brisbane head office, however staff in regional offices perform a variety of functions that mirror the functions of each of these operational units.

The Intake team is responsible for the telephone enquiry service which is available from 9am to 5pm on weekdays on a toll free number. The free state-wide service is available to anyone seeking information about discrimination-related issues in Queensland. The Intake team responds to enquiries from employers, employees, potential complainants and respondents, students, researchers and general community members. It provides an opportunity for people to obtain general information about their rights and responsibilities under Queensland anti-discrimination legislation and to better understand the complaint process. In some cases enquiries relate to matters that aren't within the jurisdiction of the ADCQ, in which case callers are referred to appropriate agencies for assistance.

The Complaint Management team undertakes the assessment, management and conciliation of complaints lodged with the ADCQ. The team also conducts visits to community organisations, businesses and government workplaces to provide information about ADCQ services and discrimination law in Queensland.

The Community Relations team is responsible for managing all facets of the ADCQ community engagement strategy. This includes media, marketing, education, community events, library services, community visits, website management and community development initiatives.

The Commissioner, Deputy Commissioner, State Director of Complaints and Regional Managers also maintain strong links with the community through regular speaking engagements, attendance at community meetings, events and engaging with the ADCQ advisory committees.

ADCQ's vision and values

ADCQ's vision is for a society reflecting individual and cultural diversity and equality of opportunity for all. The four key values of the ADCQ are:

- Respect: Treating everyone with respect and dignity, acknowledging their fundamental human rights.
- Impartiality: Treating everyone fairly and impartially.
- People: Supporting a workplace culture that encourages diversity, innovation and responsiveness to the needs of clients.
- Independence: Valuing independence and the rule of law.

The ADCQ also supports the Queensland Government's *Toward Q2: Tomorrow's Queensland* vision for 'Fair communities – supporting safe and caring communities'. This vision is realised by promoting equality of opportunity for everyone through timely and effective complaint management, and through education and awareness-raising about human rights.

Human rights promotion overview

The ADCQ has a responsibility under the Act to promote the understanding and acceptance of human rights in Queensland. It also plays an important role in stimulating public discussion of these rights. This is achieved through contributions to legislation and policy that influence human rights, and through media awareness, public events and consultation with diverse sectors of the community.

2010–11 submissions and input

In the 2010–11 financial year, the ADCQ provided submissions to state and federal bodies on the development of government policies and legislation. These included submissions and input into:

- Commission for Children and Young People and Child Guardian policy position paper on seventeen year olds in Queensland prisons;
- *Forensic Disability Bill 2010* (Qld) – Information Paper;
- MCCA Australian Consumer Law Draft Regulations Consultation;
- Senate Legal and Constitutional Affairs Legislation Committee Inquiry into *Sex Discrimination and Age Discrimination Legislation Amendment Bill* (Cth);
- Australian Human Rights Commission's discussion paper on federal protection from discrimination on the basis of sexual orientation and sex and/or gender identity;
- Scrutiny of Legislation Committee (Qld) review of part eight of the *Statutory Instruments Act: Forms Authorised by Legislation*;
- Compliance with ILO instrument on HIV AIDS;
- Scrutiny of Legislation Committee review of the meaning of 'fundamental legislative principles' under the *Legislative Standards Act*;
- *Queensland Flood Commission of Inquiry*;
- *Disability Standards for Education 2005* (Cth) review;
- Scrutiny of Legislation Committee (Qld) concerning clause 10 of the *Weapons Amendment Bill 2011*
- *Draft Aboriginal and Torres Strait Islander Justice Strategy 2011-2014*;

The ADCQ provided comment to the Australian Human Rights Commission on that Commission's submission to the UN Committee on the Rights of the Child, and made submissions to the Queensland Civil and Administrative Tribunal on eleven exemption applications made to the Tribunal under the Act.

Prisoner access to human rights legislation

The Act promotes equal opportunity for everyone and seeks to protect all Queenslanders from unfair discrimination. In last year's annual report, the ADCQ reported on this issue because the rights of prisoners to make complaints to the ADCQ have been significantly curtailed.

The *Corrective Services and Other Legislation Amendment Act 2008* (the CSOLA Act) prohibits prisoners from lodging complaints with the ADCQ until the completion of a number of internal complaint processes within the prison in which the prisoner is located. The ADCQ has been monitoring the number of complaints received from prisoners since the passing of this legislation.

Prior to the passing of the CSOLA Act, in the financial year of 2007–08 twenty-four complaints were made by prisoners to the ADCQ. In the 2008–09 period after the passing of the CSOLA Act, nine prisoner complaints were lodged with the ADCQ. However, five of these complaints could not be accepted as they were lodged prior to the internal complaints mechanism being finalised. In the 2009–10 period, thirteen prisoner complaints were lodged with the ADCQ. Of those, six could not be accepted as they were lodged without completing the internal complaints processes, and seven did not fall under the ADCQ's jurisdiction. This financial year four complaints were made by prisoners to the ADCQ. Of these, one complaint was accepted, two did not fall under the ADCQ's jurisdiction, and one could not be accepted as it was lodged prior to the internal complaints mechanism being finalised.

The ADCQ is concerned that the drop in prisoner complaint numbers to the ADCQ since the passing of the CSOLA Act may indicate that the internal complaints processes in prisons are not providing proper redress to prisoners who may be subjected to unlawful discrimination, sexual harassment or vilification. Rather, prisoner advocates have raised with the ADCQ that the drop may be an indication that the extended internal process of dealing with a complaint prior to lodging a complaint with the ADCQ, is resulting in prisoners not pursuing their complaints externally. ADCQ will continue to monitor prison complaints.

Forums and presentations

The Commissioner and Acting Commissioner spoke at a number of conferences, forums and meetings throughout the year to promote rights and anti-discrimination laws in Queensland. These included the:

- Women in Mining Industry Conference at Moranbah;
- Ethnic Communities Council Queensland members' meeting;
- Princess Alexandra Hospital's Clinical Ethics Forum;
- Australian Services Union conference;
- Australian Rehabilitation Providers Association members' meeting;
- Queensland Parents for People with Disability launch of education research publication *Diving for Pearls*;
- Culturally and Linguistically Diverse Communities Conference at Melbourne;
- Sexual Harassment Workplace Forum at Aitkin Legal, Gold Coast.

Media engagement

Media engagement is a key aspect of the ADCQ's education and community relations functions. By engaging with the media, ADCQ endeavours to raise the public profile of the Commission, contribute to public debate on discrimination and human rights topics and keep the community informed about human rights issues that affect them.

During 2010–11 the ADCQ provided 30 official media responses which included letters to the editors of print publications, comments for magazine and newspaper articles, and radio and television interviews.

While media enquiries are primarily managed from ADCQ's head office in Brisbane, responses to local issues in Central, Northern and Far Northern regions are often managed directly by staff in those locations. This serves to maintain strong relationships with key media personnel in regional areas and highlights the presence of ADCQ outside South-East Queensland.

Library services

The ADCQ maintains a specialist library service that is accessible to staff, advocates, complainants, respondents and their legal representatives, at the discretion of the ADCQ.

The Library facility, located on Level 17, 53 Albert Street, Brisbane provides a space for staff and approved visitors to source and enjoy reading materials and to gain information from the librarian in relation to the Act and discrimination issues.

The ADCQ librarian is also active in promoting human rights and library services. This year an event was hosted in the library to celebrate Library and Information Week, with the theme 'Libraries: we find stuff'. Additionally, a display of historical and contemporary posters about discrimination were sourced through the Library and displayed in the joint training facilities at 53 Albert Street in celebration of International Human Rights Day 2010. The theme of this display was 'Speak up. Stop discrimination'.

Right to information

The ADCQ supports the government's commitment to openness, and maintains a Publication Scheme on the Commission's website.



Staff promoting human rights at the QPILCH Walk for Justice

Community relations and engagement

Working with communities

The development of fair and inclusive communities is an ongoing challenge. It requires sustained commitment to educating and working with community groups, individuals and organisations to increase awareness of rights and responsibilities. The ADCQ Community Relations team has undertaken projects throughout 2010–11 to supplement the suite of education resources available and to make information more accessible to particular groups within the community.

These projects included:

- Participation in the whole-of-government *Positively Ageless: Queensland Seniors Strategy*. Specific information sessions for seniors on their rights under Queensland anti-discrimination legislation have been developed and delivered to seniors' groups across Queensland. This project will continue into the 2011–12 financial year.
- Partnership with Queensland Courts to deliver anti-discrimination training to staff of all Queensland Magistrates Courts by the end of 2011. The training will be complemented by a resource pack of information brochures and posters for display in Queensland courts.
- Development of new resources for managers to assist them in preventing and managing discrimination and sexual harassment in the workplace. The resources include the *Employer's Toolkit* which can be downloaded and used as a guide by employers when implementing anti-discrimination strategies in the workplace; and a practical training session which provides managers and supervisors with information about anti-discrimination legislation and their rights and responsibilities, using case studies to apply the principles learnt.
- Continuing to work with other Queensland independent complaint agencies in contributing to the web based *It's OK to Complain* information portal. This cooperative arrangement has also extended to combined information stalls at community events to provide a single source of information on Queensland complaint services.



Deputy Commissioner Neroli Holmes with independent complaint agencies' executives

Community relations around the state

A core role of the ADCQ is the promotion of human rights and the provision of information and education services to the community. This role is fulfilled through a variety of community relations strategies including the provision of free training to community organisations; fee-for-service training to organisations, individuals and government departments; undertaking community visits to organisations and participation in community events that aim to promote human rights and focus on the positive contributions of individuals and groups from various sectors of the community.

South-East Queensland

Every year the Brisbane Community Relations team maintains a presence at major human rights events such as NAIDOC Week, the Queensland Multicultural Festival and International Women's Day events. This commitment was maintained in 2010–11 and further enhanced by participation in new and varied events across South-East Queensland.

Pride Fair Day, the signature event for the lesbian, gay, bi-sexual, transgender and intersex (LGBTI) communities was replaced in 2011 with Brisbane Carnivale. This new event was strongly supported by the community and assisted in raising money to fund the return of Pride Fair Day in 2012.

The majority of discrimination complaints received by ADCQ occur in relation to work. This motivated the Community Relations team to increase their presence at events relating to employment and workplace issues, so that employers, employees, and prospective workers would have exposure to information on discrimination and sexual harassment in the workplace. These events included the Multicultural Learning and Skilling Expo at Yeronga TAFE, the Former Origin Greats Indigenous Employment and Careers Expo and the QCOMP Expo.

Culturally and linguistically diverse communities were well served, with ADCQ having a presence at the Queensland Multicultural Festival, World Refugee Day, Brisbane Welcomes International Students event and Toowoomba Languages and Cultural Festival.

Although homelessness is not an attribute specifically covered by the Anti-Discrimination Act, it is recognised that those who are homeless are amongst the most disadvantaged within our community. Often those who find themselves homeless do so as a result of disadvantage which can stem from the possession of particular attributes such as impairment, age and ethnicity. As such, the Community Relations team attended Homeless Connect and the Queensland Youth Housing Coalition's Specialist Youth Homelessness Forum to provide information to homeless individuals and the organisations who support and advocate on behalf of them.

Central Queensland

The team in Central Region has maintained a significant presence in the local community throughout 2010–11 with attendance at community events and continuation of community visits to organisations.

The Central Region team, in partnership with the Rockhampton Regional Council, AWX Agribusiness and ACCES Services Incorporated, hosted a combined Human Rights and Anti-Discrimination information session and barbeque fun day in November 2010 for the benefit of Afghanistani and Sri Lankan Tamil communities. This event was well attended and provided valuable information to the communities about their rights and responsibilities under Queensland anti-discrimination legislation. Information was translated into Tamil specifically for this event and is now available via the ADCQ website.

Central Regional Manager, Ben Cooke was part of the judging panel for the Excellence in Action disability awards in Rockhampton and Gladstone in September 2010. The awards are an important way to acknowledge and recognise the valuable contribution of people with impairments in the community.

Media engagement has also been significant for the Central Region team throughout the year, with opportunities to provide responses to topical issues such as homophobic attitudes, breastfeeding rights and the rights of lawful sex workers in the accommodation area. These media interactions have provided the opportunity to further educate the community about human rights and promote the presence and work of the ADCQ in regional areas.



Staff from regional offices in a team building exercise

North Queensland

Community engagement was a strong focus for the Northern Region team throughout 2010–11.

The first ever Townsville *Pride* event for the LGBTI communities was held in September 2010 and the Northern Region office was invited to hold an information stall. The day featured many information stalls and arts displays, as well as a drag queen fashion parade, dog show, rides and entertainment. The event was well attended by the communities and ADCQ plans to continue supporting this event in the future.

Staff conducted a promotional display at the *Seniors Picnic in the Park* event in August 2010 at Sherriff Park, Townsville. This was a wonderful opportunity to interact with many senior citizens in the community, provide information about ADCQ and enhance community connections.

ADCQ participated in the Townsville NAIDOC celebrations in July. Staff joined the NAIDOC march through the Townsville CBD and held an information stall at the *Deadly Day Out* at Riverway Park. The day features prominently on ADCQ Townsville's calendar, as the event is well attended and provides an opportunity to reach out to the Indigenous community.

At the *Unity in Diversity* conference in August 2010, Regional Manager, Royalie Walters presented a paper 'Globalisation and the changing face of discrimination complaints in North Queensland'.

Visits to Mackay, Bowen, Airlie Beach, Proserpine and Ingham were conducted throughout the year. In April 2011, Townsville staff visited Bowen, Proserpine, Cannonvale and Airlie Beach for community relations work and despite the inclement conditions, the tour went ahead and was a resounding success. Visits to local businesses, government departments and community organisations were very well received, as all were keen to gain a better knowledge of the role of ADCQ and how to deal with discrimination, vilification and sexual harassment. Many organisations assembled their whole staff for the meetings. Conciliations were also conducted locally.

Far North Queensland

The Far North Queensland team has devoted significant resources to community engagement this year with a total of 89 activities recorded.

The greatest focus this year was with Aboriginal and Torres Strait Islander communities. The Cairns based Assistant Human Rights Officer was involved in the planning committee for NAIDOC Week celebrations as well as building on existing relationships with local organisations.

Community relations activities were also undertaken with organisations in the disability sector, local politicians, the education sector and the corporate sector. This year's increased community engagement marks the commencement of a much broader community relations framework for ADCQ activities in Far North Queensland in the future.

As in previous years, ADCQ again hosted *Living Books* to celebrate International Human Rights Day 2010. This year's event was the last that ADCQ will host as lead agency, although we will continue to support the partner organisations. This year's event drew an even larger crowd than previous years, with approximately 500 people attending to talk to the living books. The event has truly made its mark as a 'mainstream' event, with significant participation from all sectors of the community involved in the planning, staging and enjoyment of the event. Inclusive cooperation with partners, living books and audience members ensured that the event was accessible and enjoyed by everyone.

Focus on regional service delivery

ADCQ has regional offices located in Rockhampton, Townsville and Cairns, and acknowledges the importance of maintaining a presence in regional areas of Queensland. In an effort to improve the reach of ADCQ services, a team took to the road in November 2010 to visit the regional town of Warwick in South-West Queensland.

Diverse activities were planned for the two day visit in order to reach a broad range of people. Three public information sessions were held, catering to the special interests of community organisations, business and government workers and the general community. A business breakfast was also held where the topics of

sexual harassment and discrimination in the workplace were examined, providing attendees with useful information on how to reduce vicarious liability.

In addition, an information booth was established in the Rose City Shopping World for the duration of the trip. ADCQ staff distributed information brochures and responded to general enquiries from those who accessed the booth.

In a show of support, the Southern Downs Regional Council also accommodated private training sessions for their Stanthorpe and Warwick staff as part of the 'road show'.

Training delivery

Demand for anti-discrimination training grew this year with 370 individual sessions facilitated across the state, a significant increase from 250 sessions in the previous reporting period.

The suite of standard ADCQ training courses comprises seven courses, supplemented by additional resources tailored to meet the needs of individual clients, industries and workplaces. This year the greatest demand was for the Introduction to the *Anti-Discrimination Act* session, which provides clients with a comprehensive overview of Queensland anti-discrimination law, their rights and responsibilities. Strong attendance at Contact Officer training shows continued efforts by employers to create and maintain discrimination free workplaces.

South-East Queensland

Throughout 2010–11 there has been a consistent demand for training and education services in South-East Queensland. Although the natural disasters of early 2011 had an impact on the delivery of scheduled training, the Brisbane team managed to deliver 61 more training sessions than in the 2009–10 financial year. This is a positive indication of an increasing awareness within the community of the existence and benefits of anti-discrimination training.

A positive response was received to the new *Introduction to the Act for Managers and Supervisors* session. The course was developed during 2010–11 and offered to South-East Queensland clients on a trial basis in May and June 2011. Fourteen sessions of the new course were facilitated with positive feedback received. The full introduction of this course in the 2011–12 financial year will complement the introduction of the *Employer's Toolkit* resource.

Training sessions delivered under the category of 'other' include variations of standard training packages that were specifically tailored to meet the needs of individual clients. The number of these sessions increased from nil in 2009–10 to 39 in 2010–11. This has possibly been due to the appointment of a stable and experienced training team with the combined skills to develop and enhance training resources to satisfy client needs. Additionally, it reflects increased awareness by employers of the complexity of issues to be addressed within their workplaces and their obligations under the Act.

Central Queensland

Central Queensland Regional Manager, Ben Cooke, has been the driving force behind ADCQ's partnership with Queensland Courts. The partnership involves the delivery of anti-discrimination training to Magistrates Court staff across Queensland, and the use by ADCQ of courthouse video conferencing facilities in the delivery of training and community engagement activities to regional areas including Bundaberg, Hervey Bay, Emerald and Longreach.

The training team in Central Region has delivered 16 training sessions to courthouse staff in their region, either face-to-face, or by video or teleconferencing. Courthouse locations have included Thursday Island, Emerald, Longreach, and Cloncurry. In addition to the training, each court has been provided with ADCQ informational material to display in the courthouse for access by community members.

Face-to-face training has also been delivered to organisations in and around Rockhampton, Emerald, Blackwater, Moura, Gladstone and Century Mine which is located approximately 400 km north-west of Mount Isa.

Overall the number of training sessions delivered in Central Region this year has increased from 30 sessions in 2009–10 to 47 sessions in 2010–11. In particular, the number of training sessions delivered to community organisations and public sector agencies have increased.



South-East Queensland trainers at NAIDOC

Table 1 – Delivery of training by sector, by region

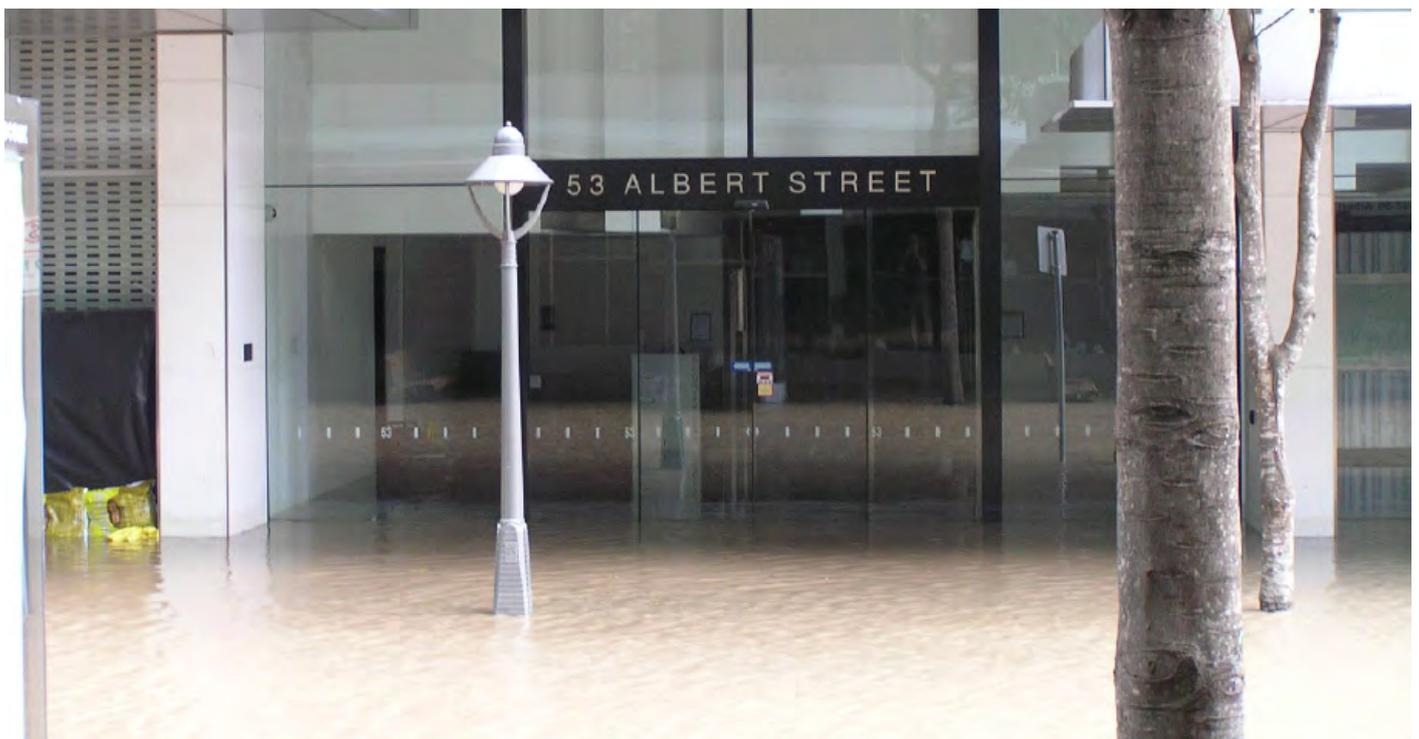
	South East	Central	North	Far North	Total
Private	109	17	13	9	148
Public	55	15	24	31	125
Community	31	13	-	7	51
In-house	29	2	9	6	46
Total	224	47	46	53	370

Table 2 – Types of training sessions

Sessions	South East	Central	North	Far North	Total
Introduction to the Anti-Discrimination Act	133	20	32	38	223
The Contact Officer	25	8	11	5	49
Fairness – Everyone's Business	2	-	-	-	2
Investigating complaints	4	-	3	-	7
Recruitment & Selection	2	-	-	-	2
Tracking your rights - A&TSI	5	-	-	-	5
Introduction to the Anti-Discrimination Act for Managers & Supervisors	14	-	-	-	14
Other	39	19	-	10	68
Total	224	47	46	53	370

Table 3–Details of training sessions

	South East	Central	North	Far North	Total
No. of people	3 595	518	512	926	5 551
Hours of delivery	546	91	127	121	885
Actual Revenue	\$91 594	\$13 444	\$36 537	\$24 930	\$166 505

**Brisbane office during the flood**

North Queensland

Once again the North Queensland office has excelled in training, delivering 46 sessions across the northern region. Apart from the general courses, there has been demand for the more advanced courses such as *Investigating Complaints* and *Contact Officer*.

The multiple training commitments in Mackay during the year provided Northern Region staff with the opportunity to develop solid networks in that area. Staff embraced the opportunity to raise the profile of ADCQ throughout the region and to promote an understanding of rights and responsibilities under the *Anti-Discrimination Act*.

Townsville's annual public training week held in August was well received with *Introduction to the Act, Contact Officer Introduction* and *Advanced and Investigating Complaints* well attended. For private training sessions *Introduction to the Act, Contact Officer* and *Investigating Complaints* were the most sought after products.

Education sessions in Bowen, Proserpine and Airlie Beach were well attended by a range of community members. Participants were extremely appreciative to be given the opportunity to attend training locally. Training was also delivered to Proserpine and Bowen court staff as part of the state-wide partnership with Queensland Courts.

Far North Queensland

Delivery of training and education services has increased almost fourfold this year, in comparison to the region's achievements last year. With 53 training sessions delivered to over 900 participants, the training targets were exceeded by a healthy margin. The main focus of training delivery in Far North Queensland this year was with the local government sector. This has resulted in a significant increase in public sector training statistics from 6 sessions in 2009–10 to 31 sessions in 2010–11. This has also involved substantial effort for staff to deliver services to the north and south of Cairns.

Training delivery to the corporate and community sectors has also increased slightly this financial year, which is consistent with an overall increase in training demand and delivery. Training has also been delivered to Magistrates Court staff as part of the state-wide partnership with Queensland Courts.

Aboriginal and Torres Strait Islander Unit

ADCQ is one of the few human rights commissions in Australia to maintain a dedicated Aboriginal and Torres Strait Islander Unit. The Unit plays an important role in informing and assisting ADCQ to develop and maintain relationships with Aboriginal and Torres Strait Islander peoples and communities throughout Queensland. The Unit consists of two staff and is based in the Brisbane office. Support and guidance is provided by this unit to Indigenous staff based in ADCQ regional offices in Townsville and Cairns.

A large part of the Unit's work consists of community engagement activities. In 2010–11 the Aboriginal and Torres Strait Islander team held information stalls at key Indigenous events including Brisbane NAIDOC Family Fun Day at Musgrave Park; Ipswich NAIDOC Day; Brisbane City Council Homeless Connect and Former Origin Greats Indigenous Employment and Careers Expo.

Community visits were conducted to 71 Aboriginal and Torres Strait Islander organisations in Brisbane, Gold Coast, Caboolture, Toowoomba, Ipswich and surrounding areas. This was a significant increase from the 50 visits conducted in the previous year.

Interest in the Indigenous specific *Tracking Your Rights* training also increased this year, with sessions being provided to Ipswich and Brisbane City Councils, Kambu Aboriginal Medical Centre, Queensland Council of Unions and two public sessions. A new chapter was also added to the *Tracking Your Rights* package which focuses on issues of discrimination that may arise when a person is involved in the justice system.

Much of the Aboriginal and Torres Strait Island Unit's effort this year has been applied towards projects which are to be realised in the 2011-12 financial year. These projects included:

- the fourth biennial Mabo Oration to be held at QPAC on 3 July 2011;
- development of the ADCQ Reconciliation Action Plan for 2011-12, launched on International Day of the World's Indigenous People in August 2011;



Aboriginal and Torres Strait Islander unit coordinator

- preparation for the Cherbourg Community Education Project, *Know Your Rights & Responsibilities*, in partnership with the Indigenous Justice Program, Department of Justice and Attorney General;
- development of a presentation on human rights and discrimination issues affecting the Aboriginal and Torres Strait Islander communities as part of Brisbane City Council's *Black History month* community forums.

In addition to community engagement and training commitments, Unit staff regularly represents the ADCQ at relevant stakeholder activities and community events. In 2010–11 this included:

- Brisbane City Council NAIDOC Week launch;
- Department of Communities NAIDOC Week launch with Premier Anna Bligh;
- Aboriginal and Torres Strait Islander Disability Network Queensland community forum;
- Brisbane City Council launch of *Dreaming and Myths*;
- Statutory Authorities Indigenous Liaison Officers (SAILO) meetings;
- Brisbane Indigenous Media Organisation – racism and media forum;
- Office of Women launch of *The Line – Respect Each Other*;
- Homeless Action Plan community forum facilitated by QCOSS;
- International Women's Day breakfast;
- Brisbane City Council Mabo Day launch;
- Presentation of a discussion paper at the fifth *Indigenous Recruitment Summit*.

Celebration of key events and milestones for the Aboriginal and Torres Strait Islander communities is an important part of ADCQ business. As such, the Unit hosted a number of events throughout the year to recognise and raise awareness of significant dates and achievements. These included:

- a NAIDOC week celebration with bush tucker;
- Sorry Day information session for staff on the history and significance of the day;
- Reconciliation week information session for staff;
- *Close the Gap* presentation for staff followed by discussion of the key issues.

Aboriginal and Torres Strait Islander team members have also provided specialist assistance in the assessment and management of discrimination complaints, policy advices and submissions on issues particular to Indigenous peoples and communities.

Advisory groups

In 2003, the ADCQ established advisory groups to provide information to the Commissioner about community concerns and current issues. These advisory groups represented the disability, youth, unions, advocates and lesbian, gay, bisexual, transgender and intersex sectors. Since their establishment, the advisory groups have played a key role in ensuring that the ADCQ remains relevant to some of the most marginalised communities protected by the Act.

In early 2011, representatives of all five advisory groups were invited by the Commissioner to attend a combined advisory group meeting to consider how the operation of these groups may be enhanced. While each advisory group and the community members they represent have individual identities and challenges, it is becoming apparent that there are some overarching challenges common to all sectors represented that may be better addressed by sharing information and combining resources across the five existing advisory groups. The ADCQ is presently considering the future of the advisory groups so as to better align with a renewed focus on the promotion of human rights.

Events

A key part of the ADCQ community engagement strategy is participation in community events and festivals that promote human rights. Having a presence at these events gives ADCQ the opportunity to engage with, and provide information to community members who may otherwise not be aware of the Commission or its services. It is a further way to make ADCQ services accessible to the wider community. Throughout 2010–11, ADCQ staff participated in a variety of events including:

- World Aids Day, Cairns;
- Q-COMP Expo, Brisbane;
- Law Week, Rockhampton;
- NAIDOC Week, Brisbane, Rockhampton, Townsville and Cairns;
- Brisbane Welcomes International Students Event, Brisbane;

- Safe & Confident Living Expo for seniors, Rockhampton;
- Queeriosity, Brisbane;
- Brisbane Carnivale;
- Brisbane and Central Queensland Multicultural Festivals;
- World Refugee Day, Brisbane;
- Toowoomba Languages and Cultures Festival;
- Homeless Connect, Brisbane;
- Former Origin Greats Indigenous Employment and Careers Expo;
- Gay and Lesbian Pride Festival, Townsville;
- Peace Week, Cairns;
- Harmony Day, Cairns;
- QPILCH Walk for Justice, Brisbane.

Website accessibility

The website is accessible to people with visual and motor skills impairments and is AAA compliant with the W3C (Worldwide Web Consortium). The website provides information about the Act in 29 languages other than English and has an audio file for speakers of Torres Strait Creole.

During 2010–11 access to the website increased, continuing the trend of previous years. Although a slight decline in access to the community language pages was noted, overall there was an increase in access to languages including Polish, Japanese, Malay, Albanian and Creole. Additionally, ADCQ added two new translations—Punjabi and Tamil—to the community languages webpage in this reporting period.



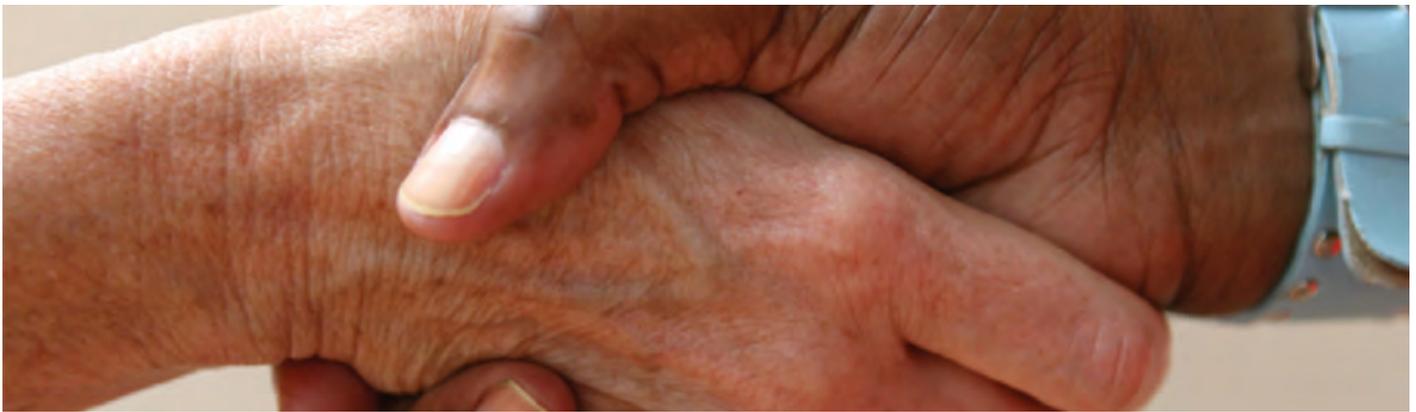


Table 4 – Website visits

Month	2009-10	2010-11
July	21 728	24 022
August	25 857	31 437
September	25 235	31 433
October	29 105	31 714
November	26 410	27 866
December	20 754	21 058
January	21 773	20 684
February	28 913	25 268
March	33 915	32 368
April	29 634	28 842
May	30 329	34 888
June	24 335	26 943
Total	317 988	336 523

Table 5 – Community language website statistics

Language	2009-10	2011-11
Creole	1676	1709
Farsi	1104	1116
Indonesian	1316	1115
Albanian	1059	1084
Somali	1064	1036
Vietnamese	1062	1031
Arabic	1111	1030
Polish	994	1028
Spanish	1047	1013
Italian	1059	1007
Russian	1045	1004
Bosnian	999	995
French	990	989
Samoan	986	986
Croatian	1011	967
Japanese	880	942
Chinese	929	931
Amharic	846	858
Cook Islands	879	811
Malay	709	755
Serbian	759	749
Kirundi	827	739
Swahili	849	737
Tagalog	845	737
Dinka	794	661
Turkish	689	633
Khmer	344	333
Punjabi	-	157
Tamil	-	139
Total	25 873	25 292



ADCQ presence at the Multicultural Festival

Complaint management overview

The effective management of complaints, while achieving targets, continues to be the focus for the complaint management team, who have achieved consistent results this year. The assessment of complaints within the statutory framework ensures that only those complaints which disclose allegations of discrimination or other breaches of the Anti-Discrimination Act 1991 proceed to conciliation. This ensures that employers and other respondents are not called on by the ADCQ to respond to complaints which are more appropriately addressed through other avenues.

While the number of complaints have decreased, more complaints have been assessed and accepted and more complaints have been finalised. There has also been an increase in the grounds and areas under which complaints have been accepted.

The mix of complaints made to the ADCQ remains steady, with only minor shifts apparent. The number of complaints arising in the area of work have dropped slightly again this year, as a proportion of complaints accepted across all areas, although complaints in the area of work are still by far the largest group.

Impairment discrimination complaints continue to dominate along with sexual harassment and sex and race discrimination complaints.

With the introduction of the *Public Interest Disclosure Act 2010*, the ADCQ now also has the authority to receive complaints from people who are subjected to reprisals for making a public interest disclosure. Since 1 January 2011, a person can make a complaint of reprisal to the ADCQ and the complaint will be dealt with as if it was an alleged contravention of the *Anti-Discrimination Act 1991*. No reprisal complaints have been received in the six months since the legislative changes came into effect.

State-wide complaint trends

Seven hundred and thirteen complaints were lodged across Queensland in 2010–11, with approximately 77 per cent of complaints originating in South-East Queensland. While the number of complaints lodged has decreased overall, there has been a 15 per cent increase in the proportion of complaints from South-East Queensland.

Four hundred and eighty two (approximately 68 per cent) of all complaints lodged were accepted, which is up from the previous three years. The remaining 32 per cent of complaints lodged fell outside ADCQ's jurisdiction, so these complainants were referred to the most appropriate agency to assist them.

This year, complaints were accepted on 717 grounds covered by the Act. This is significantly up on the number of accepted grounds of complaints in the previous two years, and reflects the complexity of complaints received. Most complaints involved more than one of the 16 grounds of discrimination covered by the Act.

The grounds of impairment, sex, race and family responsibilities, together with sexual harassment and victimisation were the top six types of accepted complaints. This pattern is similar to recent years, although the proportion of family responsibilities and victimisation complaints have both returned to levels prior to last year, so that they are again among the main attributes represented in complaints.

Impairment discrimination complaints continue to be dominant, at 25 per cent of accepted grounds of complaints, down approximately two per cent on 2009-10 levels. Of accepted impairment complaints, 53 per cent arise in work, a significant drop in the proportion of work complaints from last year. The balance occurred mainly in connection with the provision of goods and services, together with others in the areas of the administration of State laws and programs, education and accommodation.

Sexual harassment and sex discrimination complaints declined slightly again this year to 12 and 10 per cent respectively. Of accepted sexual harassment complaints, 69 per cent arise at work with the balance largely occurring outside the specific areas covered by the legislation.

The proportion of race discrimination complaints remained steady at 11 per cent. Race complaints at work accounted for 55 per cent of complaints accepted on the ground of race, which is a lower proportion than most other grounds. Of the balance, 22 per cent arose in connection with the provision of goods and services, while 13 per cent arose in the administration of State laws and programs and 6 per cent in the area of accommodation, down significantly from last year.

Pregnancy discrimination decreased to 5 per cent of accepted complaints, having shown a small but consistent rise over the previous five years. Family responsibilities made up 7 per cent of accepted complaints, which is consistent with previous years. Significantly, 97 per cent of pregnancy discrimination complaints and over three quarters of parental status and family responsibilities discrimination complaints arose in the work area.

Vilification complaints are consistent with previous years at 4 per cent of accepted complaints, with the majority of those involving sexuality or racial vilification.

Victimisation complaints remained steady at 7 per cent, again with just over half arising in the area of work.

Overall, the majority of complaints arose in the work area, with a small decrease in work-related complaints to 64 per cent from 66 per cent last year across Queensland, showing a downward trend from the previous four years.

Goods and services remained the second highest area of complaint, representing 19 per cent of the total, which is up from last year. State laws and programs complaints increased to 7 per cent up from 4 per cent last year. The proportion of complaints in the education area remains at similar levels to last year at 3 per cent, as did complaints in the accommodation area which remained at 5 per cent.

Settlement of complaints

ADCQ endeavours to assist parties to conciliate disputes through working with complainants and respondents to reach resolution. In 2010–11, 400 conciliation conferences were held across Queensland. This is a slight decrease on the 435 conciliation conferences held in the previous year. Of these, 235 (59 per cent) were held in South-East Queensland, with the remaining 165 conferences held in regional areas. This state-wide approach to complaint management ensures conciliators are available to settle complaints at the earliest opportunity, assisting the parties to have complaints resolved quickly. It also means that more conciliation conferences are held by telephone, which is proving to be an equally effective method to resolve complaints.

Complaints resolved by conciliation decreased to 57 per cent, which is slightly down from last year. Despite changes in staff, the settlement rate remains high and above target.

Of accepted complaints, 74 per cent were finalised within the Commission, and 26 per cent of accepted complaints were referred to the Tribunal. The increase in referrals reflects the decrease in settlement rates, but remains consistent with targets.

Satisfaction with the management of complaints remains high with 81 per cent of all parties evaluating the service as satisfactory or very satisfactory, continuing the consistently high satisfaction rates of the past five years.

Timeliness

Improvements in the timeliness of assessing complaints means that ADCQ is on target at each stage of the complaint management process.

The number of complaints which were assessed within the 28-day legislative timeframe increased significantly from 55 to 60 per cent. Where complaints did not contain sufficient information to enable a final decision to be made, further information was sought from the complainant.

Of accepted complaints, 69 per cent reached conference within the 42-day statutory timeframe. This is consistent with targets. Delays in holding conferences in other matters occurred where the parties were unavailable to meet within the timeframe.

Of accepted complaints, 65 per cent were finalised within three months of acceptance. A total of 86 per cent of accepted complaints were finalised within six months, and a total of 96 per cent of complaints were finalised within nine months of acceptance, which is a further improvement on last year's timeliness.

The timeliness of the finalisation of complaints after acceptance shows the continued focus on efficient complaint management processes, once sufficient information has been provided by the complainant to accurately assess whether complaints fall within the Commission's jurisdiction.

Complaint trends by region

South-East Queensland region

The bulk of complaints continue to flow into the Brisbane office. A total of 546 complaints were received in South-East Queensland. Of these, 475 were assessed by the Brisbane office, with the remainder distributed to regional offices to action quickly.

Table 6 – Complaints received assessed and finalised

	South East	Central	North	Far North	Statewide
Complaints received	546	56	53	58	713
Complaints assessed	306	67	52	57	482
Complaints finalised	261	75	47	52	435

Accepted grounds of complaints in South-East Queensland increased significantly to 449 in 2010–11, reflecting the state-wide increase in the number of accepted grounds. Impairment complaints remain the greatest proportion at 28 per cent of those accepted, up from 26 per cent. It is expected that discrimination on the ground of impairment will continue to remain the largest area of complaint.

Sexual harassment complaints remained steady at 11 per cent down on the total accepted, and there has also been a fall in sex discrimination complaints to 8 per cent, down from 10 per cent in the previous year. Sexual harassment remains the second biggest ground for complaint, with the vast majority arising in the workplace.

Race discrimination complaints have also remained steady at 10 per cent, continuing to remain up from levels in earlier years.

The majority of accepted complaints arose in the area of work at 62 per cent, down from 65 per cent. Goods and services lodgements rose from 14 per cent to 18 per cent, continuing an upward trend. Complaints in State laws and programs area increased to 10 per cent from 6 per cent, while complaints in the education area also increased slightly to 5 per cent.

Central Queensland region

In Central Queensland region, 76 per cent of complaints made were brought by employees who felt they were discriminated against at work. Goods and services complaints were also significant at around 13 per cent. Education complaints in the region have decreased while accommodation complaints have increased.

The main grounds reported were impairment discrimination and sexual harassment at equal rates, followed by sex and race discrimination. Victimization complaints were also significant.

Impairment discrimination complaints have plunged from last year's peak of 33 per cent of accepted complaints, to 16 per cent, although the reasons for this are unclear. Sexual harassment complaints increased to 16 per cent of total complaints accepted, while race and sex discrimination complaints were also high at 12 and 11 per cent respectively.

Northern region

Sexual harassment once again provided the highest percentage of complaints at 22 per cent, which also contributed to the high sex discrimination rate at almost 20 per cent. The hospitality industry continues to be an area from which a large number of sexual harassment complaints are generated.

Impairment complaints made up almost 20 per cent of total complaints, with a trend developing in access and work issues.

Race complaints were fourth at 11 per cent. Many race complaints still involve racist comments made directly to complainants.

Far North region

By comparison with last year, trends in complaints accepted this year indicate a decrease in those relating to the work area, with a corresponding increase in those relating to the provision of goods and services. Last year, 73 per cent of accepted complaints arose in work with a further 18 per cent arising in connection with the provision of goods and services. This year, work related complaints declined to only 53 per cent with goods and services complaints rising to almost 33 per cent. This represents a significant departure from the state-wide trend.

Regional trends in the grounds for accepted complaints tended to mirror the state-wide picture more closely, with impairment complaints representing just over one quarter of all complaints. Other significant grounds for complaint in Far North Queensland included sexual harassment and discrimination on the basis of sex, race, family responsibilities and pregnancy, although none of these exceeded 10 per cent of total complaints.

Table 7 – Statewide complaint outcomes and by region¹

	South East	Central	North	Far North	Statewide
Conciliated	153	38	28	27	246
Referred to QCAT	61	21	11	19	112
Not referred	13	4	4	2	23
Withdrawn	31	9	4	4	48
Lost Contact	2	3	-	-	5
Complaint lapsed	1	-	-	-	1
Total	261	75	47	52	435

¹ Complaints may have more than one outcome

Judicial review

Two applications for judicial review were made in the period, and both concerned decisions of the Commission made under section 138, where the Commissioner has discretion to accept a complaint lodged more than 1 year after the alleged contravention if the complainant shows good cause. The application relating to a decision of the Commissioner to accept a complaint was heard, and the application was dismissed by the Court. The other application relates to a decision not to accept a complaint, and it is yet to be heard and determined by the Court.

Table 8 – Statewide complaints by ground, by region²

Ground	South East		Central		North		Far North		Statewide	
	No	%	No	%	No	%	No	%	No	%
Impairment	126	28.1	17	16.2	16	19.8	22	26.8	181	25.2
Sexual harassment	51	11.4	17	16.2	18	22.2	7	8.5	93	13.0
Sex	39	8.7	12	11.4	16	19.8	7	8.5	74	10.3
Race	46	10.2	13	12.4	9	11.1	10	12.2	78	10.9
Victimisation	29	6.5	9	8.6	5	6.2	4	4.9	47	6.6
Family responsibilities	31	6.9	5	4.8	4	4.9	7	8.5	47	6.6
Pregnancy	18	4.0	6	5.7	3	3.7	8	9.8	35	4.9
Age	15	3.3	4	3.8	5	6.2	2	2.4	26	3.6
Sexuality	7	1.6	1	1.0	1	1.2	1	1.2	10	1.4
Unnecessary information	21	4.7	5	4.8	1	1.2	2	2.4	29	4.0
Parental status	6	1.3	0	0.0	0	0.0	4	4.9	10	1.4
Religious belief or activity	6	1.3	3	2.9	0	0.0	0	0.0	9	1.3
Political belief or activity	1	0.2	0	0.0	0	0.0	2	2.4	3	0.4
Gender identity	4	0.9	0	0.0	0	0.0	2	2.4	6	0.8
Trade union activity	4	0.9	3	2.9	0	0.0	1	1.2	8	1.1
Sexual vilification	16	3.6	1	1.0	0	0.0	0	0.0	17	2.4
Racial vilification	10	2.2	3	2.9	2	2.5	0	0.0	15	2.1
Relationship status	8	1.8	2	1.9	0	0.0	3	3.7	13	1.8
Breastfeeding	2	0.4	2	1.9	0	0.0	0	0.0	4	0.6
Gender identity vilification	1	0.2	1	1.0	0	0.0	0	0.0	2	0.3
Lawful sexual activity	1	0.2	0	0.0	1	1.2	0	0.0	2	0.3
Religious vilification	0	0.0	1	1.0	0	0.0	0	0.0	1	0.1
Request or encourage a breach	7	1.6	0	0.0	0	0.0	0	0.0	7	1.0
Total	449	100	105	100	81	100	82	100	717	100

Table 9 – Statewide complaints by area, by region³

Area	South East		Central		North		Far North		Statewide	
	No	%	No	%	No	%	No	%	No	%
Work	193	61.7	54	76.1	38	71.7	34	53.1	319	63.7
Goods and services	55	17.6	9	12.7	9	17.0	21	32.8	94	18.8
State laws and programs	31	9.9	1	1.4	2	3.8	3	4.7	37	7.4
Education	15	4.8	1	1.4	1	1.9	0	0.0	17	3.4
Accommodation	14	4.5	5	7.0	2	3.8	5	7.8	26	5.2
Club membership and affairs	5	1.6	1	1.4	1	1.9	1	1.6	8	1.6
Total	313	100	71	100	53	100	64	100	501	100

² Complaints may be accepted under more than one ground

³ Complaints may be accepted under more than one area

Table 10 – Complaints accepted by ground and area ⁴

	Work	Goods and services & programs	State laws & programs	Education	Other	Accom	Club	Total	%
Impairment	112	52	21	13	-	15	2	215	27.2
Sexual harassment	66	4	-	-	23	2	-	95	12.0
Sex	69	6	1	-	-	1	-	77	9.8
Race	49	20	11	3	-	5	-	88	11.2
Victimisation	28	4	5	1	11	-	2	51	6.5
Family responsibilities	43	4	6	-	-	-	-	53	6.7
Pregnancy	35	1	-	-	-	-	-	36	4.6
Age	22	4	1	-	-	-	-	27	3.4
Sexuality	8	1	1	-	-	1	-	11	1.4
Unnecessary information	22	4	1	-	1	1	-	29	3.7
Parental status	9	1	2	-	-	-	-	12	1.5
Racial vilification	1	-	-	-	13	1	-	15	1.9
Religious belief or activity	7	1	-	-	-	1	-	9	1.1
Political belief or activity	2	2	1	-	-	-	2	7	0.9
Gender identity	3	4	-	-	-	-	-	7	0.9
Trade union activity	7	2	-	-	-	-	2	11	1.4
Sexual vilification	-	-	-	-	17	-	-	17	2.2
Relationship status	9	2	1	-	-	1	-	13	1.6
Breastfeeding	3	1	-	-	-	-	-	4	0.5
Gender identity vilification	-	-	-	-	2	-	-	2	0.3
Lawful sexual activity	-	-	-	-	-	2	-	2	0.3
Religious vilification	-	-	-	-	-	1	-	1	0.1
Request or encourage a breach	-	-	-	-	-	7	-	7	0.9
Total	495	113	51	17	67	38	8	789	100

⁴ Complaints may be accepted under more than one ground or area

Corporate governance

Corporate governance is the manner in which an organisation is controlled and governed in order to achieve its strategic goals and operational objectives. It is the cornerstone of sound stewardship and effective management.

Queensland Audit Office, 1999.

Governance framework

The ADCQ's governance framework supports transparent, accountable decision-making by establishing clear lines of authority and requiring monitoring and reporting of operational performance. It is the mechanism through which our strategic goals can be achieved and is based on the following principles:

- effective vision, leadership, and strategic direction;
- transparency and disclosure of decision-making processes;
- clear lines of responsibility and accountability;
- participation in the governance process by employees.

These principles ensure that the ADCQ maintains its focus on:

- meeting its statutory responsibilities under the Act;
- effective and efficient performance management;
- improving service delivery through a process of engagement with key stakeholders;
- reporting on performance.

While the ADCQ is independent of government, it is accountable to the Queensland Parliament through the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister for State.

Managing the ADCQ

Accountability for the ADCQ's operations under the *Financial Accountability Act 2009* resides solely with the Commissioner as the Accountable Officer.

The Commissioner is appointed under section 238 of the *Anti-Discrimination Act 1991* for a term of no longer than seven years. ADCQ employees are appointed under the *Public Service Act 2008*.

Two committees have been established to support the Commissioner in achieving the strategic goals and operational objectives of the ADCQ. They are the Executive Leadership Team (ELT) and the Leadership Group.

The ELT supports the Commissioner by providing advice in the following areas:

- establishing priorities;
- developing an overarching fiscal strategy;
- maintaining the corporate governance framework;
- overseeing major initiatives and projects;
- managing external relationships;
- setting corporate performance objectives;
- fostering an appropriate corporate culture that supports the Commission's values and code of conduct;
- ensuring business continuity;
- providing the strategic focus for corporate communications and marketing.

The members of the ELT are:

- Anti-Discrimination Commissioner (Chair);
- Deputy Commissioner (Deputy Chair);
- State Director, Complaint Management;
- Manager, Corporate Services;
- Manager, Community Relations.



Corporate services staff

The Leadership Group is a sub-committee of the ELT. The group is responsible for providing advice to the Commissioner in the following areas:

- overseeing strategic and operational planning processes to ensure that strategies, goals and performance measures address overarching priorities;
- monitoring performance to ensure services are being delivered to the required level and quality;
- driving the identification and establishment of best practice in all aspects of service delivery;
- monitoring the effectiveness of governance practices including policies and procedures;
- allocation and management of resources;
- ensuring the integrity of reporting systems and that appropriate systems of internal control are in place to manage risk;
- ensuring there are adequate processes in place to comply with statutory reporting requirements;
- ensuring that planning and performance management processes are based on an understanding of operational issues and constraints;
- maintaining relationships and partnerships with stakeholders.

The members of the Leadership Group are:

- Anti-Discrimination Commissioner (Chair);
- Deputy Commissioner (Deputy Chair);
- State Director, Complaint Management;
- Principal Legal Officer;
- Manager, Corporate Services;
- Manager, Community Relations;
- Manager, Far North Queensland Region;
- Manager, North Queensland Region;
- Manager, Central Queensland Region;
- Principal Conciliators;
- Coordinator Aboriginal and Torres Strait Islander Unit.

Commission staff

The ADCQ maintains offices in Brisbane, Cairns, Townsville and Rockhampton. At 30 June 2011, we employed 33.2 equivalent permanent, temporary and casual staff. This figure excludes people on leave without pay. The proportion of permanent staff increased from 69 to 83 per cent over the last year. The permanent staff retention rate during 2010–11 was 86 per cent. The permanent staff separation rate was 14 per cent.

Table 11 – Staff groups

Group	Employees
Executive management	3
Legal	1
Corporate support	3
Information technology	1
Conciliation	10
Community relations	6
Regional services	9
Total	33

Shared services

The ADCQ has service level agreements with the Department of Justice and Attorney-General and the Shared Services Agency for the provision of financial, human resource, internal audit and processing services. These arrangements benefit the ADCQ by providing a cost-effective processing environment and access to a greater range of skills than it can maintain internally given its size, and allows the organisation to focus on core business.

Statutory obligations

Ethical behaviour

Prior to 1 June 2011 the ADCQ developed a *Code of Conduct* in accordance with the requirements of the *Public Service Ethics Act 1994*. The code provided guidance on the way staff should behave in the workplace, and when representing the ADCQ outside the workplace, clearly explaining the standard of conduct expected of all employees.

Amendments to the *Public Service Ethics Act 1994* (PSEA) in 2010 included the introduction of the *Code of Conduct for the Queensland Public Service* (the Code), applicable to all public service agencies. The *Public Sector Ethics Amendment Regulation (No. 1) 2011* included the ADCQ in the definition of a public service agency, meaning that the Code applied to the ADCQ from 1 June 2011.

All staff in the Brisbane office of ADCQ undertook training in ethics and *Code of Conduct* in June 2011. Training is scheduled for regional staff in Rockhampton, Townsville and Cairns in the second half of 2011. The code is drawn to the attention of each new employee as part of the ADCQ's induction program, and a schedule of annual refresher training for all staff will be implemented.

The Code applies to every person employed by the ADCQ and breaches of the Code may be subject to appropriate disciplinary action as outlined in the *Public Service Act 2008*.

Information systems and recordkeeping

The ADCQ recognises the significant value of its information resources to the achievement of corporate goals. Controls are implemented and monitored to safeguard the integrity, availability and confidentiality of information in order to maintain business continuity. Recordkeeping policies and systems meet the accountability requirements of the *Public Records Act 2002*, as well as other whole-of-government policies and standards, including *Information Standard 40: Recordkeeping*.

Whistleblower protection

With the repeal of the *Whistleblowers Protection Act 1994* and the introduction of the *Public Interest Disclosure Act 2010* (PID Act) on 1 January 2011, the way in which public interest disclosures are to be publically reported, has changed. From 1 January 2011 agencies are no longer required to report public interest disclosures in annual reports.

Under section 61 of the PID Act, The Public Service Commission (PSC) is now responsible for the oversight of public interest disclosures and preparation of an annual report on the operation of the PID Act. From 1 January 2011, agencies are required to report information about public interest disclosures to the PSC. The PSC will prepare an annual report on the operations of the PID Act based on the information provided by agencies. The annual report will be made publicly available after the end of each financial year.

No disclosures were received nor referred to the ADCQ under section 28A of the *Whistleblowers Protection Act 1994*, during the reporting period prior to 1 January 2011.

Internal and external audit

Internal audit services are provided to the ADCQ under a service level agreement with the Department of Justice and Attorney-General. The size of the ADCQ is such that a formal Audit Committee is not required. The responsibilities associated with internal audit and the maintenance of an appropriate internal control framework are discharged by the Executive Leadership Team.

The external audit report and certificate of our financial statements can be found on the CD-ROM supplied with this report. The Auditor-General's delegate has provided an unqualified certificate indicating the ADCQ's compliance with financial management requirements and the accuracy and fairness of the financial statements.

Risk management

The ADCQ's risk management framework ensures risk is managed as an integral part of decision-making, planning and service delivery. This practice aims to reduce vulnerability to internal and external incidents that limit the ADCQ's ability

to achieve strategic objectives and deliver services to the community. Key aspects of the risk management framework include:

- maintenance of an effective system of internal control;
- regular reporting of identified risks to the Executive Leadership Team;
- physical security of ADCQ assets including security access to premises;
- maintenance of security over access to information through network security;
- investment in new information technology infrastructure;
- media monitoring and risk evaluation.

Consultancies

The ADCQ did not engage any consultants during 2010–11.

Carer's (Recognition) Act 2008

As part of our commitment to the *Carers (Recognition) Act 2008* and the *Queensland Carers Charter*, the ADCQ will continue to offer staff a range of flexible work arrangements to assist carers in managing their commitments.

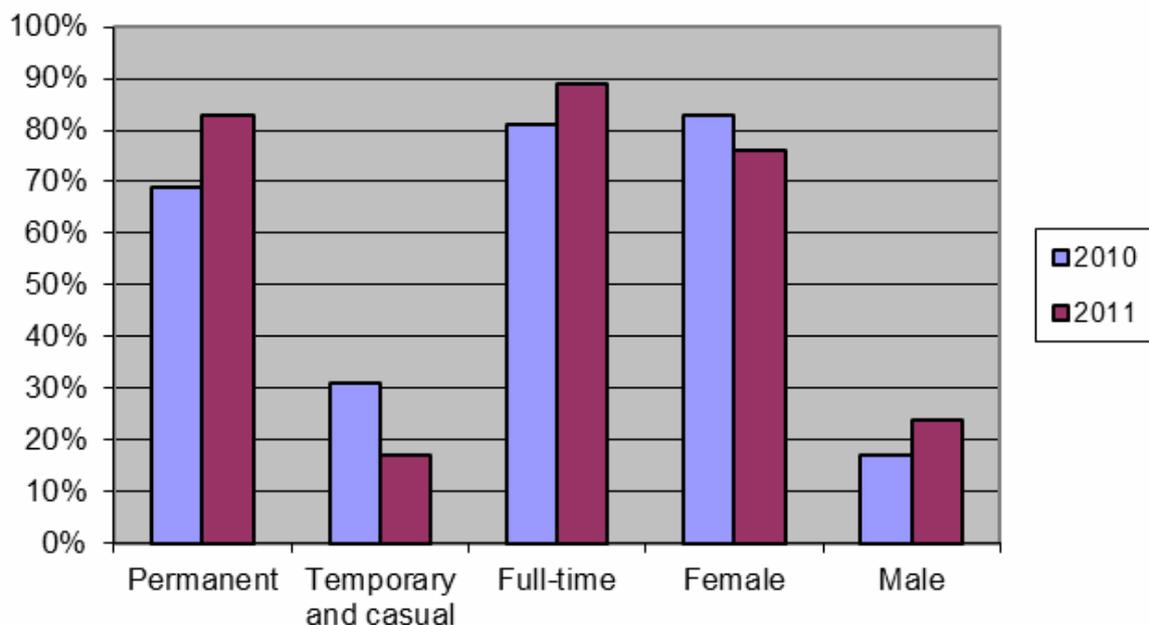
We are currently developing strategies to increase staff awareness and understanding of the *carers charter*. In 2011-12 information on the *carers charter* will be available on the ADCQ's intranet.

The role of carers is recognised by the *Anti-Discrimination Act 1991* which prohibits discrimination on the basis of family responsibilities. Family responsibilities are widely defined to include the responsibility to care for and support parents, grandparents, children, grandchildren, siblings and spouses.

The Act also recognises the role of carer as the representative, agent or authorised person of the person for whom they provide care, where they may need to take action in making a complaint about discrimination or other prohibited conduct under the Act, on behalf of that person. The ADCQ's policies and procedures respect carers by including them and the people they care for in the complaint resolution services and processes.

To assist remote and rurally based carers, the ADCQ provides services from offices in Brisbane, Rockhampton, Townsville and Cairns. Information and services are available in a range of formats that can be readily accessed by carers and the people for whom they care.

Graph 1 – Employee profiles



Summary of financial information

Summary of financial information overview

The operating result for the ADCQ for 2010–11 was a modest surplus of approximately \$41 000 which was a sound result.

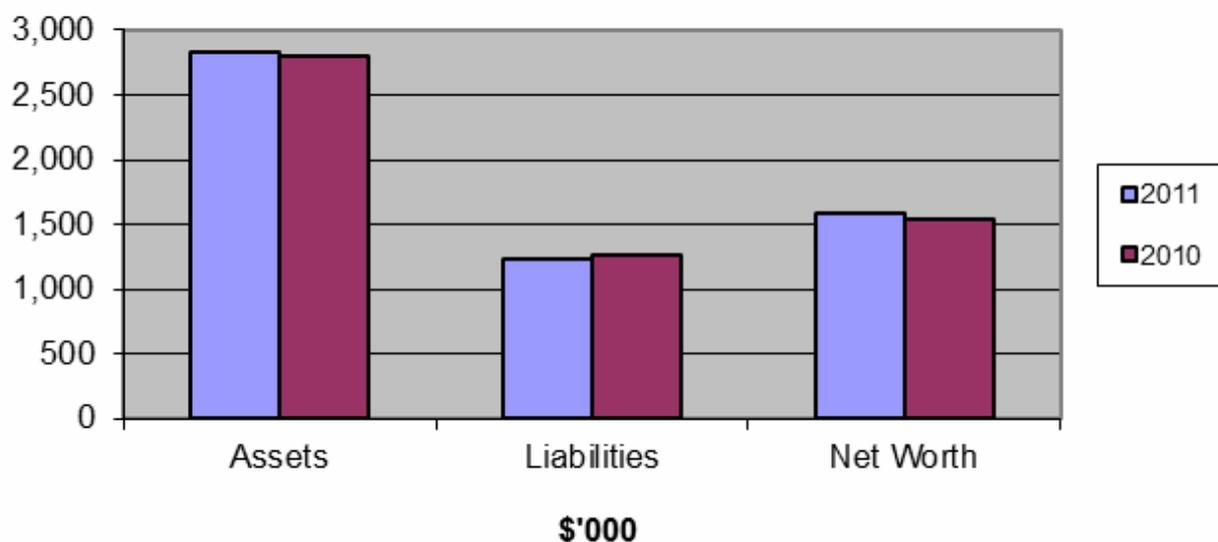
- The major activities undertaken during the year include:
- improving the fit-out of the Brisbane office to enhance flexibility, security and operational effectiveness;
- enhancing the ICT network and the corporate complaints, training and contact management system;
- migrating to Windows 2007 and Office 2010.

The financial effects of these major activities are provided in detail in the audited financial statements provided on disc and on the ADCQ's website (www.adcq.qld.gov.au.)

The ADCQ's financial position

The financial position provides an indication of the ADCQ's underlying financial health, or net worth, at 30 June 2011. This provides a measure of our equity level. ADCQ's assets at 30 June 2011 were \$2.8 million and liabilities were \$1.2 million, resulting in a total equity of \$1.6 million. The ADCQ's financial position remains strong.

Graph 2 Net worth



Comparison to budget	Budget \$'000	Actual \$'000	Variance \$'000
Revenue			
User charges	166	167	1
Revenue from Interest	59	74	15
Grants and contributions	4721	4721	-
Other	10	11	1
Total revenues	4 956	4973	17
Expenses			
Employee expenses	3 346	3141	205
Supplies and services	1397	1535	-138
Grants and subsidies	-	11	-11
Depreciation/amortisation	195	219	-24
Other expenses	18	26	-8
Total expenses	4956	4932	24
OPERATING RESULT Surplus/(Deficit)	-	41	41

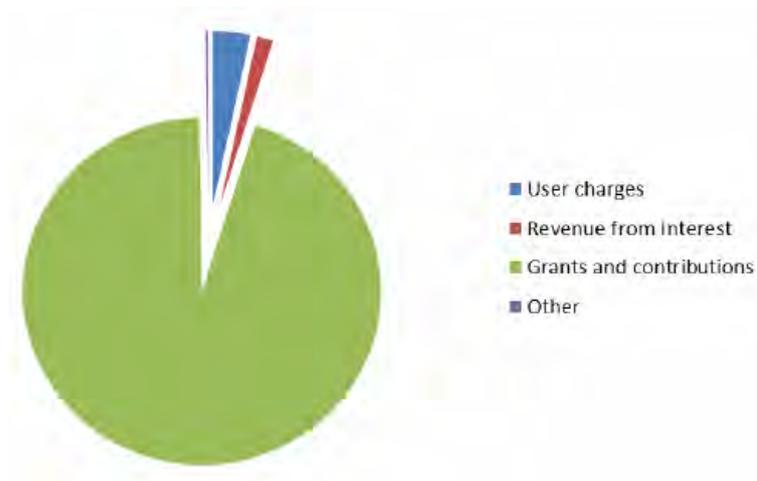
Financial performance

The Income Statement shows the total income for 2010–11 as \$4.973 million and expenditure as \$4.931 million. The ADCQ finished the year with an operating surplus of a little over \$41,000.

Income

The ADCQ derives most of its income from the Queensland Government, through a grant paid by the Department of Justice and Attorney-General. The ADCQ also generates funds through investment of surplus cash in interest bearing deposits, the provision of training on a fee-for-service basis and the sale of publications. The investment climate strengthened over the year due to improvements in global financial conditions.

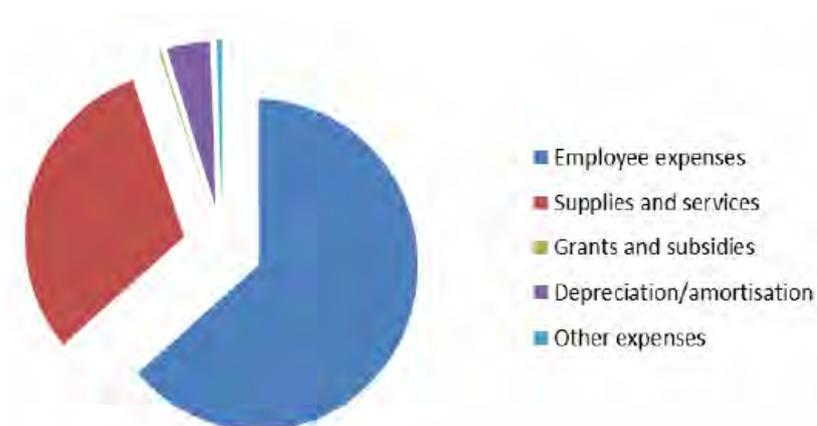
Graph 3 Source of funds 2010–11



Expenses

Total operating expenses for 2010–11 were \$4.931 million. The largest expense category is employee-related costs, which account for almost 64 per cent of total expenses. The second biggest category is supplies and services, which account for approximately 31 per cent.

Graph 4 Application of funds



Comparison to budget

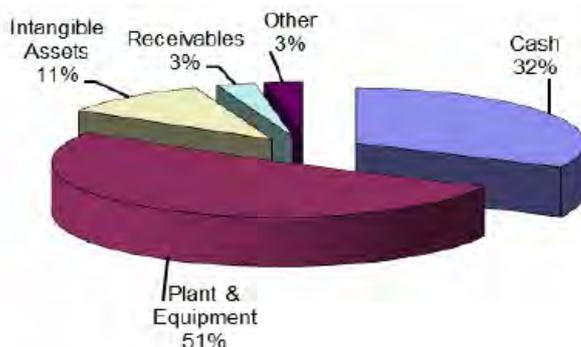
The revenue performance was a little better than budget due to higher returns on surplus funds which are invested in term deposits. The training program performed well despite the disruption caused by the floods and cyclone Yasi.

Savings in salary costs resulted from vacancies in the Brisbane office. The surplus funds were used to provide enhanced staff training and accelerate the replacement of office computers. Higher depreciation costs arose from investment in additional fit-out in the Brisbane office.

Assets

Total assets did not change materially over the course of the financial year and are valued at \$2.8 million at 30 June 2011. Current assets are valued at \$1.1 million and are available to meet current liabilities which are valued at \$0.5 million. The ADCQ remains well positioned to meet all its obligations as they fall due.

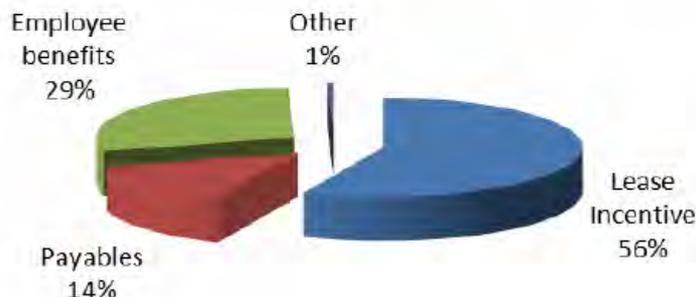
Graph 5 Asset portfolio



Liabilities

Total liabilities at 30 June 2011 were about \$1.2 million. The largest single liability is \$0.7 million for a lease incentive associated with the new office accommodation. This liability will be discharged over the life of the fit-out assets created during the relocation. It has no cash effect as it is balanced by the increased asset value in the ADCQ. The remaining liabilities mainly relate to accrued employee entitlements and trade creditors.

Graph 6 Liability composition



Financial statements

Certification of financial statements

The Certification of financial statements is on the disc that accompanies printed copies of the annual report or can be viewed at www.adcq.qld.gov.au.

Independent auditor's report

The independent auditor's report is on the disc that accompanies printed copies of the annual report or can be viewed at www.adcq.qld.gov.au.

Appendix A–Glossary of terms

Term	Description
the Act	the <i>Anti-Discrimination Act 1991</i> (Qld)
ADCQ	Anti-Discrimination Commission Queensland
the Code	The <i>Code of Conduct for the Queensland Public Service</i>
complaint	Means a complaint made under the Act. A complaint must: <ul style="list-style-type: none"> • be in writing; • set out reasonably sufficient details to indicate an alleged contravention of the Act; • state the complainant’s address for service; • be lodged with, or sent by post to, the Commissioner. • A person is only entitled to make a complaint within one year of the alleged contravention of the Act
conciliation	A conciliation conference is a meeting to help parties resolve a complaint. It is the main way in which complaints are resolved. A conciliator from the ADCQ contacts the parties and manages the conciliation conference. Complaints that cannot be resolved through the conciliation process may be referred to the Queensland Civil and Administrative Tribunal for a public hearing to decide whether there has been a breach of <i>the Anti-Discrimination Act 1991</i> , and decide any compensation.
direct discrimination	Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.
Executive Leadership Team	The Executive Leadership Team is one of the key strategic advisory bodies of the ADCQ. It supports the Commissioner in providing the strategic direction as part of the overall corporate governance framework and oversees the Commission’s strategic performance.
indirect discrimination	Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term with which a person with an attribute does not or is not able to comply; and with which a higher proportion of people without the attribute comply or are able to comply; and that is not reasonable.
Leadership Group	The Leadership Group is a sub-committee of the Executive Leadership Team (ELT). It supports the Commissioner by ensuring that operational activity aligns with the strategic direction of the ADCQ as set by the ELT.
QCAT	Queensland Civil and Administrative Tribunal
vicarious liability	If a person’s workers or agents contravene the Act in the course of work or while acting as agent, both the person and the worker or agent, are jointly and severally civilly liable for the contravention, and a proceeding under the Act may be taken against either or both. It is a defence to a proceeding for a contravention of the Act if the respondent proves, on the balance of probabilities, that the respondent took reasonable steps to prevent the worker or agent contravening the Act.

Appendix B—Compliance checklist

FA Act *Financial Accountability Act 2009*

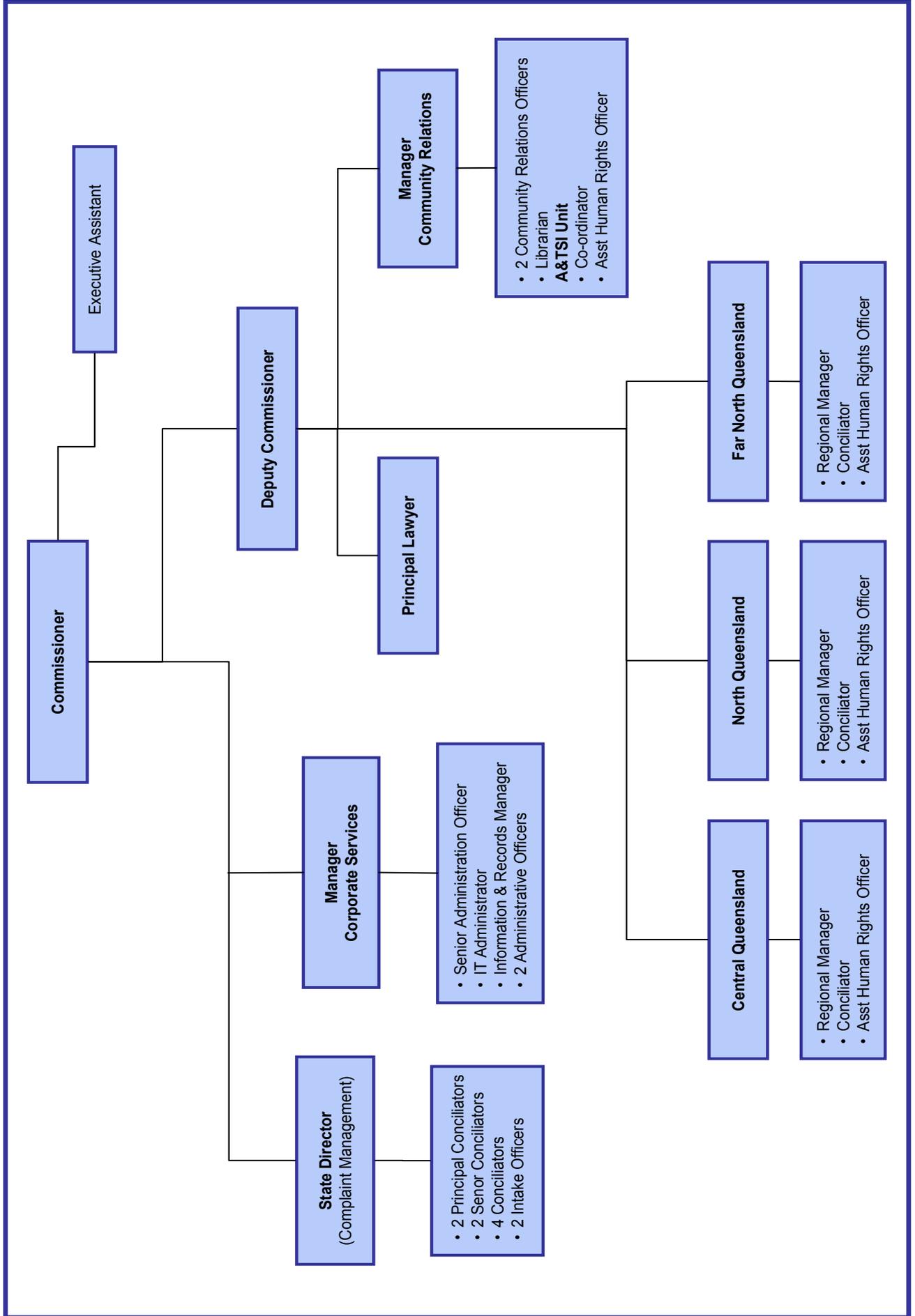
FPMS *Financial and Performance Management Standard 2009*

ARRs *Annual Report Requirements for Queensland Government Agencies*

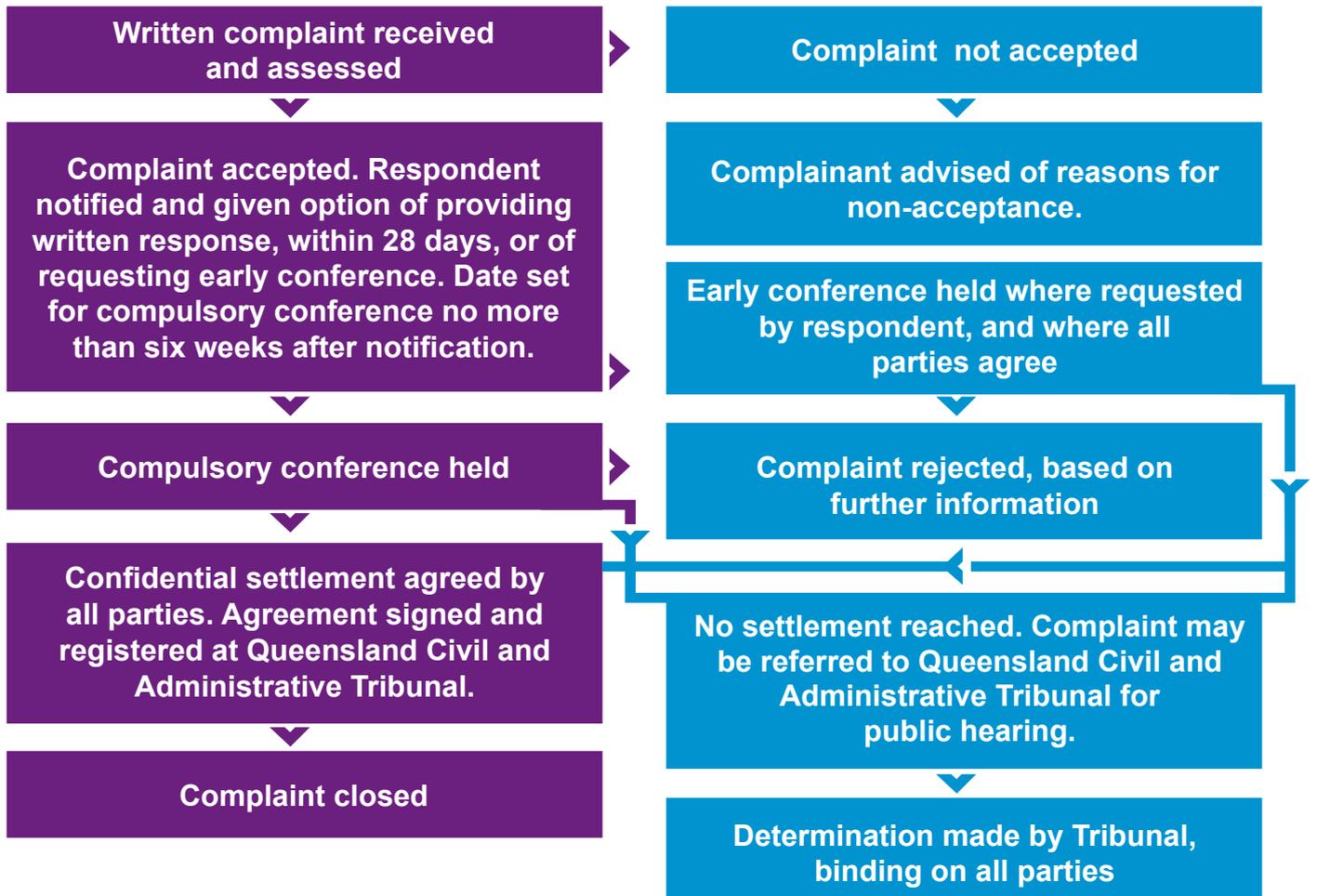
Summary of Requirement		Basis for Requirement	Annual Report Reference
Accessibility	Table of contents Glossary	ARRs – section 8.1	Page 1 Appendix A
	Public Availability	ARRs – section 8.2	Inside front cover
	Interpreter service statement	<i>Queensland Government Language Services Policy</i>	Inside front cover
	Copyright Notice	<i>Copyright Act 1968</i>	Inside front cover
	Government Information Licensing Framework (GILF) Licence	<i>Government Information Licensing Framework (GILF) QGEA Policy</i>	N/A
Letter of Compliance	A letter of compliance from the accountable officer or statutory body to the relevant Minister(s)	ARRs – section 9	Page 2
General Information	Introductory Information	ARRs – section 10.1	Page 5
	Agency role and main functions	ARRs – section 10.2	Page 5
	Operating environment	ARRs – section 10.3	Page 5
	External scrutiny	ARRs – section 10.4	Page 24
	Machinery of government changes	ARRs – section 10.5	N/A
	Review of proposed forward operations	ARRs – section 10.6	Foreword
Non-Financial Performance	Government objectives for the community	ARRs – section 11.1	Page 5
	Other whole-of-government plans/specific initiatives	ARRs – section 11.2	N/A
	Council of Australian Government (COAG) initiatives	ARRs – section 11.3	N/A
	Agency objectives and performance indicators	ARRs – section 11.4	Page 5
	Agency services and service standards	ARRs – section 11.5	Page 5
Financial Performance	Summary of financial performance	ARRs – section 12.1	Page 26
	Chief Finance Officer (CFO) Statement	ARRs – section 12.2	Page 28 and on disc
Governance – Management and Structure	Organisational structure	ARRs – section 13.1	Appendix C
	Executive management	ARRs – section 13.2	Page 22-23
	Related entities	ARRs – section 13.3	N/A
	Schedule of statutory authorities or instrumentalities	ARRs – section 13.4	N/A
	Boards and committees	ARRs – section 13.5	N/A
	<i>Public Sector Ethics Act 1994</i>	<i>Public Sector Ethics Act 1994</i> (section 23 and Schedule)	Page 24
	<i>Whistleblowers Protection Act 1994</i>	<i>Whistleblowers Protection Act 1994</i> (sections 30 – 31 and Schedule)	Page 24

Summary of Requirement		Basis for Requirement	Annual Report Reference
Governance – risk management and accountability	Risk management	ARRs – section 14.1	Page 24
	Audit committee	ARRs –section 14.2	Page 24
	Internal Audit	ARRs – section 14.3	Page 24
Governance – Human Resources	Workforce planning, attraction and retention	ARRs – section 15.1	Page 23
	Early Retirement, Redundancy and Retrenchment	Directive No.17/09 <i>Early Retirement, Redundancy and Retrenchment</i>	N/A
	Initiatives for Women	ARRs – section 15.1 and 15.3	Page 25, graph 1
	Carers (Recognition Act) 2008	Carers (Recognition) Act 2008	Page 25
Governance - operations	Consultancies	ARRs – section 16.1	Page 25
	Overseas travel	ARRs – section 16.2	N/A
	Information systems and recordkeeping	ARRs – section 16.3	Page 24
	Waste management	<i>Environmental Protection (Waste Management) Policy 2000, Environmental Protection Act 1994</i>	N/A
Other prescribed requirements	Indigenous matters (Queensland Government Reconciliation Action Plan 2009-2012)	<i>The Queensland Government Reconciliation Action Plan 2009-2012</i>	N/A
	Shared Services	ARRs – section 17.2	Page 24
	Carbon Emissions	<i>Premier's Statement</i>	N/A
Optional information that may be reported	Corrections to previous annual reports	ARRs – section 18.1	N/A
	Right to Information	<i>Right to Information Act 2009</i>	Page 7
	Information Privacy	Information Privacy Act 2009	Optional
	Native Title	N/A	Optional
	Complaints Management	N/A	Optional
Financial statements	Certification of financial statements	<i>FA Act – section 62</i> FPMS – sections 42, 43 and 50	Page 28 and on disc
	Independent Auditors Report	FA Act – section 62 FPMS – section 50	Page 28 and on disc
	Remuneration disclosures	<i>Financial Reporting Requirements for Queensland Government Agencies</i>	Page 27

ADCQ Organisational Chart

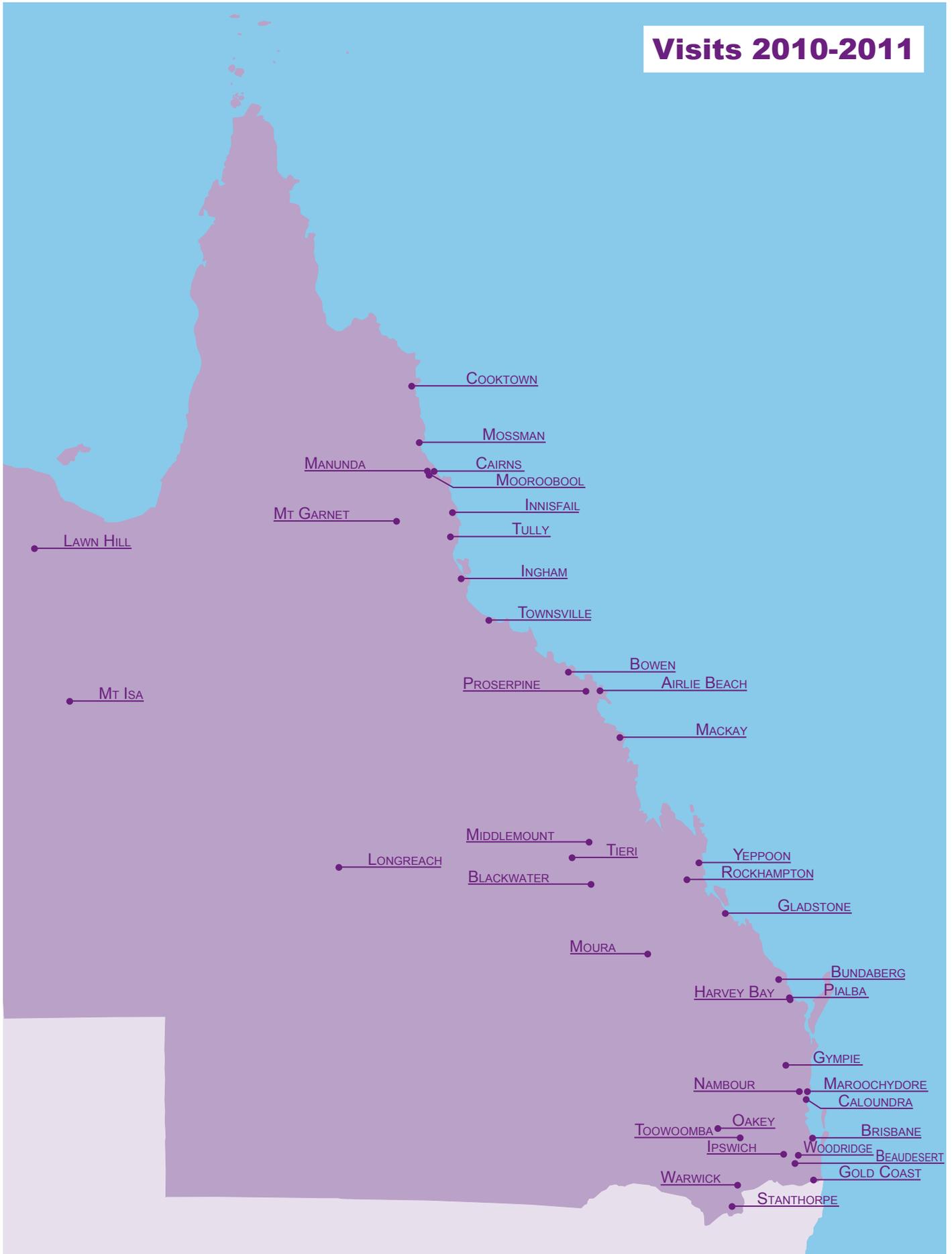


Appendix D—Complaints handling process



Appendix E—Map of areas visited in 2010-11

Visits 2010-2011



Appendix F—Publications

Brochures

- 10 things you should know about fair treatment in Queensland
- 10 things you should know about fair treatment in Queensland - Aboriginal and Torres Strait Islander peoples
- Getting to know the law
- Making a complaint
- Responding to a complaint
- All about conciliation conferences
- Age discrimination
- Gender identity discrimination & vilification
- Impairment discrimination
- Lawful sexual activity discrimination
- Pregnancy and breastfeeding discrimination
- Racial and religious discrimination and vilification
- Racial discrimination and vilification - Aboriginal and Torres Strait Islander peoples
- Relationship status, parental status & family responsibilities discrimination
- Sex discrimination
- Sexual harassment
- Sexuality discrimination and vilification
- It's OK to complain (joint commissions brochure, produced in multiple languages)

Fact sheets - available as web download from www.adcq.qld.gov.au

- Direct and indirect discrimination
- Exemptions
- Vicarious liability
- Victimisation

Information guides - available as web download from www.adcq.qld.gov.au

- Discrimination in accommodation – guide for accommodation providers
- Discrimination in education – a guide for education providers
- Discrimination in provision of goods & services – guide for service providers
- Discrimination in employment – a guide for employment providers

Posters

- Race – 'We're all the same and we're all different'
- Reaching out to Aboriginal & Torres Strait Islander peoples...

- Sexual harassment – 'Are you stepping on someone's toes?'
- Pregnancy discrimination – Stella tightrope walker
- Impairment discrimination – statues
- General – 'Fair treatment – the way to go!'
- Universal Declaration of Human Rights (easy reference guide)

Postcards

Race - We're all the same and we're all different'

Sexual harassment – 'Are you stepping on someone's toes?'

Rights cards

- Racial & religious hatred in Arabic, Bosnian, English, Farsi and Indonesian
- Aboriginal & Torres Strait Islander peoples
- LGBTI community
- Muslim community
- Young people





Anti-Discrimination Commission Queensland

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tty: 1300 130 680
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