



***Anti-Discrimination
Commission Queensland***

Annual Report 2014–15

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1 September 2015

The Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice and Minister for Training and Skills
Level 18 State Law Building
50 Ann Street
Brisbane Qld 4000

Dear Attorney-General

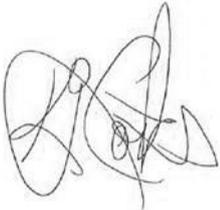
I am pleased to present the Annual Report 2014–2015 and financial statements for the Anti-Discrimination Commission Queensland.

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 report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements can be found at Appendix B of this annual report or accessed at www.adcq.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kevin Cocks', written over a light grey circular stamp.

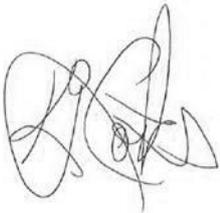
Kevin Cocks AM
Commissioner
Anti-Discrimination Commission Queensland

Welcome to the Anti-Discrimination Commission Queensland's Annual Report for 2014–15.

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.

Our annual report provides an overview of our progress towards achieving a fair and inclusive Queensland through the delivery of our core services. The report reflects our commitment to transparent corporate governance by giving an account of our revenue, and how we have used public funds.

I would like to acknowledge and thank all the staff for their energy, professionalism, and commitment to the promotion and protection of human rights in Queensland. Their personal commitment to achieving excellence is obvious in everything the Commission undertakes. The Commission has a workforce which embraces diverse viewpoints resulting in the Commission delivering its core services more innovatively, effectively, and efficiently. Finally, I am proud of all Commission staff. It is an honour to work with you to achieve our vision.

A handwritten signature in black ink, appearing to read 'Kevin Cocks', written in a cursive style.

**Kevin Cocks AM
Commissioner**

Effective complaint resolution

The ADCQ complaint management process remains effective, with 53% of complaints lodged with the Commission this year being successfully resolved through conciliation.

Ninety-two per cent of complaints were finalised within six months and 88% of clients were satisfied with the complaint handling service.

Overall complaint trends have remained consistent with previous years. The highest number of complaints arose in the area of work, with impairment, race and sex being the most common ground for discrimination.

Read more – page 24

Supporting multi-faith communities

ADCQ’s engagement with faith communities increased throughout 2014–15 in response to increased community tension, and anti-Muslim sentiment.

Multi-faith groups in a number of locations were receptive to the support offered by the ADCQ and other government agencies, resulting in community-driven initiatives that will help to build community cohesion.

Read more – page 11

Transgender employment project

ADCQ collaborated with the South-East Queensland transgender community to develop a resource for trans* employees, their employers, and colleagues who are seeking guidance on trans* issues in the workplace.

Read more – page 12

Partners in creating welcome

ADCQ joined with Multicultural Development Association as the messaging partner for one of Queensland’s premier multicultural events — the Luminous Lantern Parade. The partnership involved ADCQ developing video messages of welcome for the event, and as part of Queensland Week celebrations.

Read more - page 13

Talk the Walk

Partnering with Queensland University of Technology’s Faculty of Law and Recognise, the ADCQ presented a public forum to raise awareness, and discuss constitutional recognition for Aboriginal and Torres Strait Islander peoples in the *Commonwealth of Australia Constitution Act*.

Read more – page 18

Beach Day Out

The very successful and inclusive Beach Day Out event was once again held in Yeppoon.

The award-winning event has grown since its inception in 2012, and once again attracted a significant crowd, highlighting the value of inclusive spaces and activities for all community members.

Read more – page 18

Our vision

A fair and inclusive Queensland.

Our purpose

To strengthen the understanding, promotion and protection of human rights in Queensland.

Our objectives

The Commission supports the Queensland Government's objectives for the community, and strives to meet these objectives through our work. The following values in particular are demonstrated clearly in the work of the Commission:

Building safe, caring and connected communities:

- ensuring an accessible and effective justice system
- encouraging safer and inclusive communities.

Delivering quality frontline services:

- providing responsive and integrated government services
- supporting disadvantaged Queenslanders.

Creating jobs and a diverse economy:

- increasing workforce participation
- ensuring safe, productive and fair workplaces.

Our values

In delivering services to achieve our objectives, we are committed to:

- treating everyone with respect and dignity, and acknowledging their fundamental human rights
- treating everyone fairly and impartially
- supporting a workplace culture that encourages diversity, innovation and responsiveness to the needs of our clients, and
- valuing our independence and the rule of law.

Our functions

Established under the *Anti-Discrimination Act 1991*, the Commission is an independent statutory body that has the following functions:

- to inquire into complaints and, where possible, to effect conciliation
- to carry out investigations relating to contraventions of the Act
- to examine Acts and, when requested by the Minister, proposed Acts, to determine whether they are, or would be, inconsistent with the purposes of the Act, and to report to the Minister the results of the examination
- to undertake research and educational programs to promote the purposes of the Act, and to coordinate programs undertaken by other people or authorities on behalf of the State
- to consult with various organisations to ascertain means of improving services and conditions affecting groups that are subjected to contraventions of the Act
- when requested by the Minister, to research and develop additional grounds of discrimination and to make recommendations for the inclusion of such grounds in the Act

- such functions as are conferred on the Commission under another act
- such functions as are conferred on the Commission under an arrangement with the Commonwealth under part 3 of the *Anti-Discrimination Act 1991*
- to promote an understanding and acceptance, and the public discussion, of human rights in Queensland
- if the Commission considers it appropriate to do so — to intervene in a proceeding that involves human rights issues with the leave of the court hearing the proceeding and subject to any conditions imposed by the court
- such other functions as the Minister determines
- to take any action incidental or conducive to the discharge of the above functions.

Our objectives

The Commission's key objectives are to:

- provide a fair, timely, and accessible complaint resolution service
- provide information to the community about their rights and responsibilities under the Act
- promote understanding, acceptance, and public discussion of human rights in Queensland, and
- create opportunities for human rights to flourish.

Our services

The Commission delivers frontline services to the Queensland community, including businesses, state and local government, the community sector, and people throughout the state.

Our services include:

- resolving complaints received under the Act
- delivering training to business, government, and the community, and
- promoting public discussion of human rights through a variety of community engagement and communication strategies.

More detail about how these services are delivered is available in the relevant sections of this annual report.

Our people

The ADCQ is led by the Anti-Discrimination Commissioner who is appointed by the Governor in Council, and reports to the Queensland Parliament through the Attorney-General and Minister for Justice. Although overall accountability for ADCQ services rests with the Commissioner, direct management responsibility of the various teams within the ADCQ is shared between the Commissioner and the Deputy Commissioner.

The Commission has four offices located in Brisbane, Rockhampton, Townsville and Cairns which deliver services to the Queensland community. Each regional office performs a variety of functions including complaint management, training, community engagement and provision of information services directly to the public. The Brisbane office is responsible for executive and corporate services.

The State Director (Complaint Management) has program responsibility for the provision of complaint management services throughout the state. The Brisbane Complaint Management team:

- manages the majority of complaints arising in South-East Queensland
- provides information services to clients, and
- participates in community engagement activities.

The Manager, Community Engagement has program responsibility for the provision of community engagement services throughout the state. The Brisbane Community Relations team:

- delivers training, events, and community engagement activities — primarily focused on the South-East Queensland area, and
- provides marketing and communication services.

The Corporate Services team is located in the Brisbane office of ADCQ. This team:

- leads and manages the ADCQ's administrative, financial, human resource, information technology, facilities and governance services, and
- participates in community engagement activities.

Executive, legal and research services within ADCQ are undertaken by the Human Rights Policy and Research Unit. This unit comprises the Deputy Commissioner, Principal Lawyer, Co-ordinator of the Aboriginal and Torres Strait Islander Unit, and the Librarian. As a unit, their role is to:

- provide executive support and legal services
- develop human rights policy and undertake research on human rights issues, and
- participate in community engagement activities.

The ADCQ organisational structure, from a functional perspective, is available at Appendix E.

Performance statement 2014–15

The ADCQ performed strongly throughout the 2014–15 financial year, meeting or exceeding the majority of performance targets across core service delivery areas. Highlights included:

- resolving 53% of accepted complaints, with 88% of clients being satisfied with the complaint handling service
- delivering training to 3711 people, and achieving an average 96% satisfaction rate
- responding to 2927 enquiries about the *Anti-Discrimination Act 1991* and ADCQ services
- developing a new face-to-face training module on unconscious bias
- conducting 352 community engagement activities
- enhancing discussion and understanding of contemporary human rights issues through submissions to a variety of state and federal inquiries and Parliamentary Committees, and
- delivering 53 keynote addresses to professional networks, conferences, community, and student groups.

Table 1: Service standards

Service standards	Notes	2014–15 Target/est.	2014–15 Est. actual	2015–16 Target/est.
<i>Effectiveness measures</i>				
Percentage of accepted complaints resolved by conciliation	—	55%	53%	55%
Percentage of clients satisfied with complaint handling service measured via client survey	1.	85%	88%	85%
Percentage of clients satisfied with training sessions measured via client survey	1.	95%	96%	95%
Percentage of accepted complaints finalised within the Commission	2.	75%	73%	75%
<i>Efficiency measures</i>				
Percentage of complaints where time from acceptance notice to complaint being closed is:	3.	—	—	—
• within three months	—	60%	68%	60%
• within six months	—	20%	24%	20%
• within nine months	—	10%	5%	10%
• within 12 months	—	5%	1%	5%
• over 12 months	—	5%	2%	5%

Notes

1. This is a measure of overall satisfaction with the services provided by the ADCQ. Complaint parties and training clients are surveyed to determine their satisfaction with the services they receive including, for example, relevance, impartiality, content and professionalism. The measure is calculated by dividing responses where clients indicate they are either satisfied or very satisfied by total responses, and then expressing the result as a percentage.
2. This measure has been amended to report on the percentage of accepted complaints finalised within the Commission, rather than the percentage referred to the Queensland Civil and Administrative Tribunal. An increase in this measure means more complaints are being finalised without the need to involve the Tribunal.
3. This variance is due to stability in staffing levels resulting in improved management of complaint files and reduced timeframes.

Community engagement and education

‘The quality of democratic life is improved by an educated community appreciative and respectful of the dignity and worth of everyone.’

This is one of the Queensland Parliament’s primary reasons for enacting the *Anti-Discrimination Act 1991*.

An important aspect of the ADCQ’s role is the provision of education programs, and the promotion of understanding, acceptance and public discussion of human rights in Queensland through communication and community engagement activities.

The ADCQ Community Engagement Strategy incorporates eight strategic functional areas. These areas and their objectives are:

Table 2: Community Engagement Strategy

<p>Engagement, consultation and community development</p> <p>Increase community ownership and investment in human rights</p>	<p>Web and social media</p> <p>Broaden ADCQ’s reach through the use of the web and social media to allow for education and discussion of human rights</p>	<p>Partnerships and networks</p> <p>Enhance ADCQ’s reach and achievement of outcomes through collaboration</p>	<p>Information products and services</p> <p>Maintain a range of products and services that provide clear and accurate information in an engaging and accessible manner</p>
<p>Education</p> <p>Establish ADCQ as the provider of Queensland’s best quality training in the field of discrimination and human rights</p>	<p>Media</p> <p>Engage with media to promote human rights and education of the Queensland community</p>	<p>Events</p> <p>Maximise community engagement opportunities through involvement in key human rights events</p>	<p>Marketing and promotion</p> <p>Build a recognisable ADCQ brand, associated with quality education, professional complaint management, and a fair and inclusive Queensland</p>

Engagement, community development and major projects

The ADCQ's community engagement and development is the main means of achieving our vision of a fair and inclusive Queensland. These activities serve two purposes:

- raising community awareness of the role of the ADCQ and the *Anti-Discrimination Act 1991*, and
- enhancing community capacity to create opportunities for human rights to flourish.

The ADCQ aims to actively identify, direct, and support the capabilities of individuals and groups to achieve positive outcomes, and create spaces where human rights can flourish. ADCQ's role is to provide information, connect people, build networks, and coordinate community projects and events. Major achievements in this area throughout 2014–15 include:

Lockyer Valley community development project

The Lockyer Valley community engagement work commenced by the ADCQ in 2012 continued throughout 2014–15. The aim of the project is to engage with local businesses, organisations, and the community to improve opportunities and quality of life for vulnerable groups — in particular migrant communities.

In previous years the focus of the engagement has been on educating the community, business owners, and local authorities about discrimination law, the benefits of inclusion and diversity, and actively pursuing the reintroduction of English language classes in the region. While these activities continued to some degree throughout 2014–15, the primary focus of ADCQ's work in the region centred on issues related to the exploitation of migrant farmworkers.

In September 2014 the ADCQ, in partnership with the Fair Work Ombudsman, held a community forum on labour hire practices for seasonal farmworkers. The forum provided the community with an opportunity to raise issues of concern in relation to local labour hire practices and discuss strategies for improving conditions for farmworkers. Following the forum the issues were raised, and continue to be discussed at both state and federal government levels. A follow-up forum on the topic of safety in budget accommodation for non-resident farmworkers is scheduled for August 2015.

An evaluation of the Lockyer Valley community development project has commenced and is due for completion in October 2015. The results of this evaluation will help inform ADCQ's work in other regional communities.

Muslim community engagement

The Commission increased direct engagement with, and support of, the Queensland Muslim community in response to growing community tension throughout 2014–15. Key initiatives included:

✧ Gold Coast women's interfaith group

The group commenced in response to community tension surrounding the proposed mosque at Currumbin. Coordinated by the ADCQ, the group consists of up to fifty-five women of varying faiths including Muslim, Baha'i, Jehovah's Witness, Christian, and Mormon. The gatherings centre around World Café conversations focussed on building a fair and inclusive community. Four conversations were hosted during 2014–15, with plans for the gatherings to continue, and possibly expand to a north and south Gold Coast group as well as a men's group.

The ADCQ's role in this group has been to assist in creating community connections and facilitate the conversations. At least one member of the group has been trained in the World Café conversation methodology with a view to leading future conversations.

✧ Cairns interfaith community conversation

Modelled on the Gold Coast interfaith group, a World Café conversation was held with a multi-faith group in Far North Queensland in June 2015. It was initiated in response to a request from a member of the Muslim community in Mareeba who was keen to establish an interfaith working group to address issues of community cohesion. The World Café conversation was attended by approximately thirty people, and focussed on identifying the barriers to free practice of faith, and building a fair and inclusive community. A working group was established as a result of the initial conversation and will organise future events. The ADCQ will remain involved in a facilitation capacity as required.

✧ **Everybody Belongs community conversations**

In late 2014 the ADCQ partnered with Multicultural Affairs Queensland and the Queensland Police Service to conduct a series of community conversations across Queensland. The purpose of the conversations was to show support for culturally diverse Queenslanders who may have experienced racial or religious vilification, and to ask communities about their experiences and ideas for building community harmony.

Conversations were held in Rockhampton, Toowoomba, Cairns, the Sunshine Coast, Townsville and the Gold Coast, and engaged approximately one hundred and sixty-five stakeholders including diverse faith and cultural leaders, community representatives, non-government, government, and industry representatives.

Other engagement activities included:

- regular attendance at the Queensland Police and Muslim community meetings
- signatory to the Police Ethnic Advisory Group's (PEAG) open letter to the Queensland community condemning acts of racial and religious vilification
- publication of resources including fact sheets and videos explaining laws on vilification, and action that bystanders can take if they witness such acts, and
- promotion of the 'Let Us Know' campaign, encouraging Muslim people to report experiences of vilification and harassment to ADCQ, regardless of whether or not they lodge a formal complaint.

Transgender employment project

Analysis of complaints made to the ADCQ identified that gender transitioning in the workplace is often handled poorly. As a result, the Commission worked with the South-East Queensland transgender community in 2013 to gain a better understanding of the issues faced by trans* people in obtaining and retaining employment. Following eighteen months of consultation, information sharing and education, the ADCQ published *Trans*@Work: a guide for trans* employees, their employers and colleagues*. The resource was developed in collaboration with the transgender community and is designed to support transgender employees and their employers by providing information and practical strategies to assist a successful transition at work. *Trans*@Work* is available for download from the ADCQ website.

Aboriginal and Torres Strait Islander Optimal Health Project

The Far North Queensland office of the ADCQ joined with major stakeholders in the field of health service provision to identify and address barriers to achieving health outcomes for Aboriginal and Torres Strait Islander people that are commensurate with those of their non-Indigenous counterparts. The project is currently limited to stakeholders operating in the geographical area serviced by the Cairns and Hinterland Hospital and Health Service (CHHHS).

The Commission's role in the project is to provide expertise about discrimination, inclusion and diversity, as well as to facilitate discussion between the stakeholder groups. To date this role has been successful in encouraging the stakeholders to cooperate outside the project to achieve common goals. As a result of the project, the group has commenced the process of establishing an Aboriginal and Torres Strait Islander Community Engagement Committee to advise the CHHHS Board. Other steps are being taken to improve the cultural competence of staff, and the group is engaged in advocacy at a Ministerial level to promote various initiatives aimed at 'closing the gap'.

Given the complexity of the issues relating to health standards of Indigenous and non-Indigenous Australians, it is anticipated that this will be a long-term project, and the ADCQ will remain committed to the point where our involvement is no longer needed.

Luminous Lantern Parade

The Luminous Lantern Parade, organised by the Multicultural Development Association (MDA) is one of Queensland's premier multicultural events. In 2015, the ADCQ joined with MDA as the messaging partner for the event. The partnership involved the ADCQ producing a series of welcome videos to be featured during the event. The Commission was responsible for the overall production of the videos, including filming and editing. The videos featured stories of welcome from a variety of perspectives. Of the thirteen videos produced, six were shown at the event, with others to be used by MDA and the ADCQ across social media platforms and at other appropriate times in the future.

Speaking engagements

Staff of the Commission regularly accept invitations to speak to students, community groups, lawyers, employee and employer groups, and at community events. Speaking topics range from very specific issues in anti-discrimination law to a broad overview of human rights and anti-discrimination instruments. In 2014–15, a total of fifty-three official speaking engagements were undertaken including presentations to:

- Queensland Fire and Emergency Services State Leaders Forum on diversity and inclusion
- Bar Association of Queensland's Bar Practice Course on working with people from minority groups
- Australian Law Students' Association Conference 2014
- Victoria University panel discussion on disability standards in education, and
- National Disability Services state conference panel discussion on safeguarding for the future
- Queensland Law Society Open Day presentation on unconscious bias

Web and social media

Effective use of web-based technologies supports the ADCQ's drive to engage with the community, provide digital means of access and service delivery, and connect with a wide range of clients. The website is accessible for users with assistive technologies.

The ADCQ website is currently AA compliant with the W3C (World Wide Web Consortium) Guidelines, and in some areas is AAA compliant. This enables people with visual and motor impairments, as well as people from non-English speaking backgrounds to access the site. The ADCQ is aware of the importance of making information and services accessible to all Queenslanders and is committed to working on continuous improvement in this area.

In October 2014, the ADCQ was the Queensland state winner of the Australian Web Award for the category of Government. The Australian Web Awards showcase outstanding work by Australian web designers and developers. Their purpose is to promote the industry, to champion web standards, and to acknowledge excellence. Websites are judged on visual design, content, user experience, development and accessibility.

The Commission's website remains a popular means for Queenslanders to access information about discrimination law and the services of the ADCQ. In 2014–15 there were 98,901 visitors to the Commission's website, with 75.6% of those being new visitors.

Table 3 shows the top twenty most visited pages on the Commission's website in 2014–15. This list shows that visitors to the site are locating information products and resources developed by the Commission as well as general information on the law and making a complaint.

Table 3: Top 20 most visited website pages

1	Fact sheets — direct and indirect discrimination	11	Resources for students and teachers
2	Complaints — discrimination	12	Diversity in the workplace
3	Resources for employers	13	Sexual harassment case studies
4	Guidelines — discrimination in employment	14	Sample policy — discrimination and sexual harassment
5	Complaints — making a complaint	15	Brochures
6	Legal information	16	Employer rights and responsibilities
7	Contact us	17	Guideline — discrimination in education
8	Fact sheets	18	Complaints — sexual harassment
9	Legislation	19	Frequently asked questions
10	Case studies	20	Complaints — victimisation

The Commission maintains a social media presence through Facebook, Youtube and two Twitter accounts which were added during 2014–15. These platforms enable real-time dissemination of information, promotion of activities and events, and two-way engagement with stakeholders and community members. The ADCQ’s social media engagement is managed by the Community Relations team in the Brisbane office, and is guided by an internal social media policy.

Partnerships and networks

As a small organisation, the ADCQ is increasingly aware that the establishment of strong and productive partnerships and networks is an effective strategy for achieving outcomes across a broader range of issues, stakeholder groups, and geographical areas. The ADCQ is involved in key networks and partnerships throughout Queensland. Through these we provide information on human rights issues and legislation, and in-kind support for actions and initiatives, while gaining a deeper understanding of the issues, challenges and achievements within the community. The key partnerships and networks in which ADCQ was an active member in 2014–15 were:

Police Ethnic Advisory Group (PEAG)

PEAG is an advisory body to the Queensland Police Service on issues relating to cultural diversity. The group contributes to the promotion and maintenance of harmonious relations between Queensland police and ethnic communities. The ADCQ contributes on matters that fall within its jurisdiction under the *Anti-Discrimination Act 1991*.

Queensland Police Service and Muslim Community Reference Group

The ADCQ is an active member of this Queensland Police Service initiated community reference group, which consists of representatives from several local, state and federal government agencies, as well as the Islamic Council of Queensland, the Islamic College of Brisbane, and the broader South-East Queensland Muslim Community.

The group meets every two to three months or as needed, to share information relevant to the Muslim community including community cohesion initiatives; identified threats, and action being taken by relevant authorities; and feedback from the community.

Community Legal Education Legal Assistance Forum

The Community Legal Education Legal Assistance Forum (CLELAF) is a specialist forum of the Queensland Legal Assistance Forum (QLAF). The objectives of this network are to:

- promote cooperation and collaboration between legal service providers who deliver and initiate community legal education activities

- disseminate community legal education information and resources — promoting communication and peer support between CLE workers to enhance the ability of service providers to deliver good practice Community Legal Education, and
- keep the Queensland Legal Assistance Forum (QLAF) informed so that appropriate representations are made to governments and other organisations on policy issues relevant to community legal education, and access to justice for people at risk of social exclusion.

The ADCQ participates in this forum in its capacity as a provider of community legal education.

Indigenous networks

The ADCQ's Aboriginal and Torres Strait Islander Unit Coordinator maintains involvement in a number of professional and community based Indigenous networks across South-East Queensland. Participation in these networks enables continued connections with key stakeholders and awareness of human rights issues facing Aboriginal and Torres Strait Islander peoples. The ADCQ also provides information and training services to network members about the *Anti-Discrimination Act 1991*.

Regional staff also maintain an active role in several Indigenous networks including Townsville Indigenous Community Network, and the Cairns NAIDOC Committee.

Multicultural networks

The ADCQ is an active member of multicultural networks across Queensland including:

- Cairns and Region Multicultural Service Providers Network
- Milpera State High School Advisory Committee
- Cairns Regional Council Multicultural Advisory Group
- Cairns Local Area Coordination Committee.

Disability networks

The ADCQ is involved with disability advisory groups and networks across the state, including:

- Queenslanders with Disability Network
- Queensland Disability Information Network
- Aboriginal and Torres Strait Islander Disability Network Queensland
- Rockhampton Access and Equity Group
- Capricorn Coast Community Access Group
- Townsville Inclusive Community Advisory Committee
- Cairns Regional Council Access and Equity Committee

The ADCQ gives input on matters relating to impairment discrimination and accessibility, as well as keeping abreast of issues concerning this significant stakeholder group.

Community and other networks

The Commission is represented in a variety of other professional and community networks including:

- Townsville Community Network
- Burdekin Community Network
- Pride in Diversity Network
- Townsville Youth Legal Support Network
- Townsville Organisational Networking forum
- Public Safety Business Agency Inclusion Taskforce
- Queensland Law Society's Equalising Opportunities in the Law (EOL) Committee

- Safe Queensland Schools for LGBTI Students Action Group

Information products and services

✧ Products

The Commission produces a wide range of print and non-print publications including guidelines, fact sheets, information brochures, rights cards, videos, and audio files. In 2014–15 a number of new resources were added to the suite of information products, including:

- Bystander action fact sheet and video
- Vilification fact sheet
- Vilification cases fact sheet
- Leading authorities information page
- Exemption application suite
- *Trans*@Work: a guide for trans* employees, their employers and colleagues*
- Small Business Handbook
- *Answers to 20 Questions* guide for small business.

All publications are available online, and many in hard copy by request.

Balancing the Act is the Commission's current awareness newsletter and is produced twice a year in hard copy. It provides information about changes to human rights legislation, recent case law, projects and activities undertaken by ADCQ and other human rights organisations, and topical issues of relevance to ADCQ stakeholders. *Balancing the Act* is distributed to around 1,500 individuals and organisations throughout Queensland and is also available on the ADCQ website.

✧ Services

The Commission continues to provide a free, accessible and personal information service for Queenslanders to help them understand their rights and responsibilities under the Act. The Brisbane office continues to take the bulk of enquiries across the state.

This year the Commission answered 2,927 telephone, email, postal and personal enquiries about anti-discrimination laws, well down from the 3,265 last year — following the long-term downward trend in enquiries. By far the majority of enquiries continue to be made by telephone, although the number of email enquiries has been steadily increasing.

Most of the enquiries were from people who felt that they had been discriminated against, harassed or bullied, and wanted to better understand their options before making a complaint or taking other action.

In response to the wide range of enquiries it receives, the Commission provides telephone information as well as fact sheets, brochures and videos which it makes available to the public through the website and by email or post.

✧ Marketing and promotion

The ADCQ mostly relies on our established and developing networks to communicate with stakeholders and the broader community. No professional marketing services were engaged in 2014–15.

The ADCQ promotes not only the work and services of the Commission, but the positive human rights actions and initiatives of the Queensland community. The ADCQ web and social media pages are used to highlight community events, activities, and stories of human rights leadership. This promotion acknowledges the efforts of local human rights pioneers, as well as furthering discussion, action and collaboration on human rights issues, in line with our legislative function 'to promote an understanding and acceptance, and the public discussion, of human rights in Queensland.'

Events

Each year the ADCQ attends a variety of community events across the state. Having a presence at these events not only enables the Commission to share in the celebration and recognition of diversity and inclusion, but it raises awareness of the ADCQ and its role and makes information available to the community. In most cases, the ADCQ presence at community events is in the form of an information stall. On some occasions Commission staff are asked to open events or undertake speaking engagements. In regional areas, ADCQ staff members often have a significant involvement on planning and organising committees for major community events. During the reporting period, ADCQ staff were involved in the following types of community events:

Table 4: Community events

<ul style="list-style-type: none"> • citizenship ceremonies in Cairns, Townsville and Rockhampton 	<ul style="list-style-type: none"> • multicultural festivals in Mareeba, Townsville, Rockhampton, Gladstone, Toowoomba and Cairns 	<ul style="list-style-type: none"> • NAIDOC week events in Brisbane, Ipswich, Rockhampton, Townsville, Caboolture, Laidley and Cairns
<ul style="list-style-type: none"> • Seniors Week events in Townsville and Cairns 	<ul style="list-style-type: none"> • university open days in Townsville and Cairns 	<ul style="list-style-type: none"> • Refugee Week events in Brisbane and Townsville
<ul style="list-style-type: none"> • LGBTI fair days in Rockhampton and Brisbane 	<ul style="list-style-type: none"> • Walk Together in Rockhampton and Brisbane 	<ul style="list-style-type: none"> • Smart Futures 4 North Queensland Career Expo
<ul style="list-style-type: none"> • International Women's Day events in Brisbane, Rockhampton and Cairns 	<ul style="list-style-type: none"> • mosque open days in Townsville, Rockhampton, Cairns and Brisbane 	<ul style="list-style-type: none"> • Inclusive Technologies Expo in Rockhampton
<ul style="list-style-type: none"> • CCIQ Small Business Expo and Qld Migrant Small Business Expo in Brisbane 	<ul style="list-style-type: none"> • Justice Services Expo, Townsville 	<ul style="list-style-type: none"> • Law Week, Rockhampton

Major events which ADCQ hosted or co-hosted in 2014–15 include:

✧ Beach Day Out

As part of Disability Action week celebrations, the ADCQ Rockhampton office once again hosted the Beach Day Out event on Yeppoon's main beach foreshore. The Commission has been involved in running this inclusive event since it began in 2012. As the lead agency for the 2013 and 2014 events, the ADCQ managed to grow the event, and establish it as a key community event in Central Queensland, attracting crowds of around 1,500 attendees in 2014.

The event aims to:

- promote inclusiveness, break down stereotypes, and provide a fun community event in which everyone can participate
- highlight issues that impact on peoples' ability to readily access services and facilities in the community, and
- improve community support and understanding of people with disability by providing information, linking of service providers, and developing partnerships between agencies.

Following the repeated success of this event, the Livingstone Shire Council has taken over as the lead agency for the 2015 event, with the ADCQ remaining a key partner in the running of the event. Further testaments to the success of the event are the plans for similar events to be run in Biloela, Longreach and Emerald. They will take place around local water features in each location.

The Central Queensland office of the ADCQ was recognised in the 2014 Spinal Injuries Australia annual Inclusive Community Champions Awards for their involvement with the Beach Day Out event. The award acknowledges venues, services and individuals for their efforts to ensure that everyone can participate in the community.

✧ Cairns Inclusive Sports and Games Day

In celebration of International Day of People with Disability, the ADCQ hosted the second annual Cairns Inclusive Games Day in association with the Sporting Wheelies and Disabled Association, Cairns Regional Council, and ARC Disability Services Inc.

The games day was a free, inclusive event open to all ages and abilities. It provided the Far North Queensland community with an opportunity to try games and activities such as goal ball, boccia, baseball, Zumba, and wheelchair basketball.

The event, which was well attended, highlighted the importance of inclusion, challenged stereotypes about people with disability, and acknowledged the skills and resilience of people with disabilities. The inaugural event in 2014 resulted in the establishment of the Cairns Shadow Strikers, a competitive goal ball team for adults and children. Members of that team have since been selected to represent Queensland, and the Australian girls' youth team recently won gold at an international event in China. The success of the Inclusive Games Day event has ensured it will be repeated in 2015–16 where a new sport for the vision impaired known as 'swish' will be introduced.

✧ Talk the Walk forum

In November 2014, the Anti-Discrimination Commission Queensland, in partnership with the Queensland University of Technology Faculty of Law, and Recognise held a public forum to raise awareness and discuss constitutional recognition for Aboriginal and Torres Strait Islander peoples in the *Commonwealth of Australia Constitution Act*.

Forum panellists included:

- Mick Gooda — Aboriginal and Torres Strait Islander Social Justice Commissioner
- Joan Sheldon AM — former Queensland Deputy Premier
- Ian Brown — Queensland Law Society President
- Stephanie Parkin — Indigenous lawyer at McCullough Robertson Lawyers

The free community event was held at QUT's Gardens Point Campus.

☐ Townsville International Women’s Day forum

In March 2015, the ADCQ partnered with the North Queensland Women’s Legal Service to host a very successful International Women’s Day even in Townsville. The program included presentations by three local women who shared their personal stories of challenge and triumph. A World Café conversation followed where attendees shared experiences and ideas about building strength and resilience, both personally and collectively as women. The forum was complemented by entertainment from local performers including the Seniors for Creating Change group, and the belly dancing troupe, Northern Shimmy Sisters.

Media

In 2014–15, the ADCQ provided information and public comment to a variety of mainstream, regional and independent media outlets including 4EB, 89.1 Cairns Community Radio, Channel 9, the *Gold Coast Bulletin*, *Tablelands Advertiser*, ABC online, APN newspapers and *The Cairns Post*. Topics of interest included discrimination in the workplace, exploitation and sexual harassment of farm workers, same-sex marriage, breastfeeding discrimination, and age discrimination. There was significant media interest this year in religious vilification, particularly in relation to the Muslim community.

Education

The ADCQ delivers training courses based on the *Anti-Discrimination Act 1991*. The primary objectives of training are to educate people in Queensland about their rights and responsibilities under the Act, and to support organisations to adopt best practice methods for preventing and managing discrimination and harassment in the workplace. Training is provided on a fee-for-service basis, with reduced rates offered to small community organisations who demonstrate limited capacity to pay. Training services are delivered primarily on client demand, with very minimal marketing undertaken.

State-wide training performance

In 2014–15 we delivered 282 training sessions to almost 4,000 people. This was a slight decrease from the previous year’s total of 293 sessions. While training demand from the private sector remained fairly stable overall, decreases were most notable in Central and South-East Queensland regions. An increase in private sector training in Far North Queensland helped to stabilise the overall total.

A decline in training demand from the public sector was also noted in South-East and Far North Queensland. The majority of the 72 training sessions delivered to public sector agencies were to local councils.

Training in the community sector increased significantly from 33 sessions in 2013–14 to 54 in 2014–15. The largest increases were noted in South-East and Far North Queensland. Although North Queensland delivered only one session on-site to a community organisation, service delivery to the sector remains strong with bi-monthly in-house training sessions being delivered to representatives from community organisations.

Table 5: Delivery of training by sector, by region

	South-East	Central	North	Far North	Total
Private sector	35	13	39	20	107
Public sector	35	4	29	4	72
Community	23	4	1	21	49
In-house	19	8	18	9	54
Total	112	29	87	54	282

Table 6: Types of training sessions

Course	South-East	Central	North	Far North	Total
Introduction to the Anti-Discrimination Act	64	12	36	23	135
The Contact Officer (standard and refresher course)	15	11	12	1	39
Managing complaints	—	—	—	6	6
Recruitment and Selection	—	1	—	3	4
Tracking your rights — A and TSI	5	—	—	2	7
Introduction to the Anti-Discrimination Act for Managers	18	5	22	17	62
Understanding Discrimination Law (standard and community organisations)	4	—	—	—	4
Unconscious bias (new)	3	—	—	—	3
Tailored training	3	—	17	2	22
Total	112	29	87	54	282

Trends in relation to course type have remained consistent over the past few years, with the basic Introduction to the Anti-Discrimination Act training being the most popular training product, followed by specialised training for Managers and Contact Officers. This year there was an increased demand for tailored training with 22 tailored sessions being delivered as opposed to 12 the previous year. Requests for tailoring generally relate to content that is specific to a workplace situation that is occurring (e.g. a staff member gender transitioning at work) or clients wanting a condensed version of a standard training product.

A new face-to-face training product on unconscious bias was developed during 2014–15. As part of the development process, the product was offered free of charge to existing training clients in return for frank and constructive feedback on content and delivery. This process enabled the product to be refined to meet the needs of clients across a range of sectors. The final product was released in late 2014–15, with 3 sessions being delivered. It is anticipated that demand for this product will increase in 2015–16.

The ADCQ's first online training module, *Discrimination Awareness in Queensland*, was released at the end of the 2013–14 financial year. In its first year of availability there were 256 subscribers, being a mixture of individuals and whole work units undertaking the training.

Discrimination Awareness in Queensland is a 45 minute interactive online training session that provides a brief overview of rights and responsibilities under the *Anti-Discrimination Act 1991*. The module is intended to complement, rather than replace face-to-face training, and is an ideal tool for staff induction and refresher training. It also provides a readily available training option for small business operators and others who are unable to undertake face-to-face training for whatever reason. An accessible alternative of the module is also available for participants who utilise screen reading technology.

Training revenue for 2014–15 exceeded the target of \$180,900 to reach total revenue of \$193,543. The slight decline in fact-to-face training was balanced by the additional revenue obtained from the online training module, resulting in a positive result overall.

Table 7: Details of training sessions

	South-East	Central	North	Far North	Total
No. of people	1,239	196	1561	715	3,711
Hours of delivery	316	112	236	184	848
Actual revenue	\$76,206	\$23,899	\$65,615	\$27,823	\$193,543

Evaluation

As part of the ADCQ's commitment to continuous improvement of services, training participants are asked to complete an evaluation form at the end of each training session. Evaluation is based on the following criteria:

- content of the training session
- quality of information resources provided
- value of case study discussions
- overall presentation of the session
- understanding of the course content before and after training
- effectiveness of the trainer in terms of content knowledge, engagement and service delivery
- participant expectations and whether they were satisfied
- whether the training material can or will be applied in practice, and
- how participant behaviour may change as a result of training.

Overall participant ratings have remained very high with an average satisfaction rating of 96%.

Here is a sample of responses from 2014–15 training participants:

Do you think some aspect of your behaviour might change as a result of this training? If yes, how?
The way I relate to my colleagues at work and adhere to workplace policy
Ensuring staff are aware of laws and review some processes, policies and procedures
I'll do a better job protecting my staff
Will be more vigilant when observing situations in workplace and in public
Be more aware of my actions + behaviours and how that impacts on others
Being more mindful of inappropriate behaviours and acting on them immediately
Improved understanding of questions to ask and process to follow to manage discrimination, harassment and bullying
Adhere to principles of natural justice before determining outcome
To act more responsibly and know how to help any of my staff if they feel like they've been discriminated against
More conscious of attributes which relate to discrimination and how that relates to clients/guests
What did you like most about this training?
Active participation – lots of well-structured activities and a very informative work book
Easy to follow, interactive; practical
Information presented in clear and concise manner with good examples
the presenter didn't read from materials and was well informed on topic so as to speak with authority
Professional trainer, presented with clear and relevant knowledge
Trainer was very knowledgeable and made it easy to take on board
The case examples and real world stories aided the content
Practical attitude of the trainer
Examples and trainer's ability to answer questions specific to our roles
It gave the managers an opportunity to reflect on their management styles
Factual, direct unequivocal answers and interesting anecdotal examples
Excellent knowledge of the contact officer role and legislation by the trainer and ability to explain and illustrate points through examples
Prepared for questions about pretty much anything and everything
The trainer was excellent, very easy to understand, very knowledgeable and engaging. Group activities were not awkward or painful.

The ADCQ Aboriginal and Torres Strait Islander Unit was formally established and launched in November 2003 to meet the demand for Indigenous-specific services to the community. The unit is based in the Brisbane office and is comprised of a Coordinator, and Indigenous Human Rights Assistant. An Indigenous Human Rights Assistant is also based in the Cairns office and receives ongoing professional and cultural support from the Unit Coordinator.

The unit has a strong community focus and provides services including training, information and policy advices to members of the Aboriginal and Torres Strait Islander community. The unit also contributes to legal submissions, provides guidance on cultural protocols, and advises the Commissioner in relation to human rights issues impacting on Queensland Indigenous communities. Priorities of the Aboriginal and Torres Strait Islander Unit include:

- coordinating the development, implementation and review of the ADCQ Reconciliation Action Plan
- delivering *Tracking Your Rights* training to Indigenous organisations and communities
- visiting a range of Indigenous organisations throughout Queensland to provide information on the ADCQ and the *Anti-Discrimination Act 1991*
- building community confidence in the ADCQ complaint management and conciliation processes
- partnering with Indigenous organisations to address local and systemic discrimination
- co-ordinating the biennial Mabo Oration.

In 2014–15, the unit conducted thirty-three community engagement activities, delivered five *Tracking Your Rights* training sessions, presented the Talk the Walk forum, and coordinated the successful planning and preparation for the 2015 Mabo Oration held on 10 August 2015.

Reconciliation Action Plan

The ADCQ vision for reconciliation is for Aboriginal and Torres Strait Islander people and other Queenslanders to contribute to a Queensland community that is fair, just, and inclusive, where every Queenslanders is treated with respect and dignity.

ADCQ's mission is to take a leadership role in human rights in Queensland through upholding, promoting and protecting the rights of all Queenslanders. The ADCQ Reconciliation Action Plan (RAP) helps realise this vision by committing the whole organisation to working in ways that respect, value, engage and support Aboriginal and Torres Strait Islander people.

A full review of the ADCQ Reconciliation Action Plan was conducted in 2014–15. This resulted in the development of a three-year Stretch RAP which will be put into action between 2015 and 2018.

Throughout 2014–15, the ADCQ maintained a presence at community events including NAIDOC week and the FOGS Indigenous Employment Expo, as well as marking other significant dates such as National Sorry Day, National Close the Gap Day and International Day of World's Indigenous Peoples with internal information sharing and celebrations.

Complaint management

The Commission's focus on complainant management through resolving complaints under the *Anti-Discrimination Act 1991* has been very effective again this year.

The Commission deals with complaints about discrimination, sexual harassment, victimisation, vilification and requests for unnecessary information. The Commission also has power to deal with complaints of reprisal against whistle-blowers who elect to resolve their complaints by conciliation, rather than issue court proceedings.

The Commission has again met or exceeded its complaint management targets in terms of quantity, quality and timeliness. The effective complaint management processes adopted by the Commission mean that satisfaction rates remain high with 88% of all parties evaluating the service as satisfactory or very satisfactory, continuing the consistently high satisfaction rates of past years.

Complaints continue to be managed in all offices across Queensland to ensure that they are dealt with as quickly as possible, regardless of where the complaint arose. While this sometimes means that more complaints are conciliated through teleconferences, the resolution rate has continued to meet target.

State-wide complaint trends

The majority of complaints continue to originate from the South-East Queensland region as shown in Table 8.

This year 649 complaints were received across the state, representing a 2% increase from the 636 complaints received last year. This small increase in complaints goes against the long-term downward trend, however it is still too early to tell whether complaints will again increase in future.

Of the total complaints assessed this year, 364 were accepted as coming within the Commission's jurisdiction, representing about 56% of complaints received, which is a decrease from the 63% accepted last year, but within the normal long-term acceptance rate range. The remaining complaints assessed during the financial year fell outside the Commission's jurisdiction. Where a complaint does not come within the Commission's jurisdiction, the complainant is generally referred to another agency that can assist them.

The number of complaints finalised this year was 590. This is a significant fall on the number finalised last year, but is not unexpected. With faster complaint management processes a smaller number of complaints lodged in previous years remained to be finalised within the financial year.

Table 8: Complaints received, accepted and finalised

	South-East	Central	North	Far North	State-wide
Complaints received	528	38	42	41	649
Complaints accepted	226	61	37	40	364
Complaints finalised — accepted	202	56	43	34	335
Complaints finalised — not accepted	144	49	31	31	255
Total complaints finalised	346	105	74	65	590

Note: Complaints may be dealt with in a location other than where they were received

Complaint trends generally followed the pattern of complaints accepted in previous years. Complaints are commonly accepted on more than one ground under the Act.

As shown in Table 9, allegations of discrimination are included in 68.4% of accepted complaints which is consistent with last year. Discrimination complaints involve allegations of less favourable treatment based on an irrelevant attribute which arise in an area of public life covered by the law,

such as at work, in accommodation, in education and in obtaining goods and services, including government services.

The breakdown of the attributes on which allegations of discrimination are made in Table 9 clearly shows that discrimination on the basis of impairment remains the dominant ground, comprising 28.8% of all complaints. This is slightly higher but still consistent with previous years. Sex and race discrimination allegations also remain significant with each comprising 8.6% and 6.9% of discrimination complaints, followed by family responsibilities (6.2%) and age (5.1%). Religious discrimination complaints have risen to 2.4% of complaints accepted, up from 1.9% last year.

Interestingly, the number of complaints about discrimination on the basis of pregnancy, family responsibilities and parental status have all fallen from last year's total of 81 complaints (13.2% of accepted complaints) to 55 complaints this year (10% of accepted complaints). The reasons for this are unclear.

Table 9 shows that sexual harassment allegations of unwelcome sexual behaviour to or about a complainant, are included in 10.8% of accepted complaints, which is about the same as last year. The vast majority (67.2%) of complaints of sexual harassment arise in the workplace, as can be seen from Table 10.

Sexual harassment may involve allegations of unwelcome sexual behaviour such as comments about a person's body and/or sex life, telling blue jokes, requests for sex, sending sexualised emails and texts, showing pornographic pictures and/or videos, sexual assault and even rape. The nature and number of sexual harassment complaints indicates that many people still do not accept that sexual harassment has no place in today's workplace.

Victimisation complaints arise where a complainant or witness feels they have been poorly treated for being involved in a complaint. Victimisation complaints remain at the higher levels experienced over the past three years at 11%. As shown in Table 10, 81% of victimisation complaints arose in the workplace, which is consistent with last year. Because of the continuing relationship between the employer and their employees, there is more opportunity for victimisation complaints to arise after a person makes an initial complaint at work, compared to other areas. Fear of victimisation is also a reason why complainants are sometimes reluctant to lodge complaints until after they leave the workplace, or at all.

Vilification complaints require that the complainant alleges that others have been publicly encouraged to hate, severely ridicule or have severe contempt of them because of their race, religion, sexuality or gender identity. Public vilification complaints remain low with only 2.6% of accepted complaints including allegations of race, religious, sexuality or gender identity vilification. As shown in Table 9, the majority of these involved allegations of racial vilification and three complaints each of vilification on the basis of religion and gender identity were accepted this year.

The increase from nil to three gender identity vilification complaints follows on from a Commission project to raise awareness of rights among the intersex and transgender communities. The Commission has been working hard to provide education, information and resources to support these vulnerable groups, with a particular focus on preserving working relationships for people transitioning at work.

Table 9: State-wide accepted complaints by ground

Ground	Number	%
Discrimination		
Age	28	5.1%
Breastfeeding	3	0.5%
Family Responsibility	34	6.2%
Gender Identity	6	1.1%
Impairment	158	28.8%
Lawful Sexual Activity	3	0.5%
Parental Status	9	1.6%
Political Belief/Activity	2	0.4%
Pregnancy	12	2.2%
Race	38	6.9%
Relationship Status	8	1.5%
Religion	13	2.4%
Sex	46	8.4%
Sexuality	13	2.4%
Trade Union Activity	2	0.4%
Sub-total Discrimination	375	68.4%
Discriminatory Advertising	1	0.2%
Request/Encourage a Breach	8	1.5%
Sexual Harassment	59	10.8%
Unnecessary Questions	29	5.3%
Victimisation	53	9.7%
Sub-total	150	27.4%
Vilification		
Gender identity	3	0.5%
Race	7	1.3%
Religion	3	0.5%
Sexuality	1	0.2%
Sub-total Vilification	14	2.6%
Whistleblower reprisal	9	1.6%
Total	548	100.0%

Note: Complaints may be accepted under more than one ground

The number and proportion of work-related complaints shows that workplace fairness is the most significant area of people's lives. Table 10 shows that 62.7% of discrimination complaints arose in the workplace or when seeking work. This is consistent with previous years.

14.7% of complaints arose in the area of the provision of goods and services, which includes access to public places and buildings.

The most significant change has been an increase in the number and proportion of complaints accepted in the area of state laws and programs, which has risen from 13 (2.3%) complaints last year to 29 (5.9%) this year. These complaints generally represent concerns about the fairness of state and local government decisions and programs. The reason for this increase is not apparent.

Table 10: State-wide accepted complaints by area

Note: Only discrimination breaches require an area

	Discrimination	Request or encourage a breach	Sexual harassment	Unnecessary questions	Victimisation	Vilification	Whistleblower Reprisal	Total	
								#	%
Accommodation	13	—	2	1	—	3	—	19	3.9
State laws and programs	24	—	1	3	1	—	—	29	5.9
Goods and services	58	1	5	2	1	5	—	72	14.7
Club membership and affairs	1	—	—	—	—	—	—	1	0.2
Superannuation and insurance	2	—	—	—	—	—	—	2	0.4
Disposition of land	—	—	—	—	—	—	—	—	0.0
Work	202	1	41	16	44	3	1	308	62.7
Education	22	—	1	—	1	—	—	24	4.9
Not recorded*	—	6	11	2	7	2	8	36	7.3
Total	322	8	61	24	54	13	9	491	100

Impairment discrimination continues to dominate complaints in the workplace. Table 11 shows that 57% of impairment discrimination complaints arise at work. Impairment discrimination complaints arising at work include allegations of the refusal of employment because of an applicant's impairment, failure of employers to make reasonable adjustments to accommodate a person's disability, disability-based bullying, and forced retirement because of impairment or the impact of impairment. While Table 11 clearly shows the prevalence of discrimination complaints across most grounds in the workplace, a significant number of complaints of impairment discrimination arose in connection with the provision of goods and services (25.8%) which includes access to public places and buildings. Impairment (42.3%) and sex (12.2%) are the most common basis for discrimination complaints across the total of all areas of complaint. Almost all complaints of pregnancy, parental status and family responsibility discrimination arose in the work area, as did sexuality discrimination complaints.

Table 11: State-wide accepted discrimination complaints by ground, by area

	Accomm	State laws & programs	Goods & services	Club membership	Super & insurance	Disposal of land	Work	Education	Total	
									#	%
Age	2	2	1	-	1	-	23	-	29	7.5
Breastfeeding	-	1	-	-	-	-	2	-	3	0.8
Family responsibility	-	-	1	-	-	-	32	1	34	8.8
Gender identity	-	2	1	-	-	-	3	-	6	1.6
Impairment	4	11	42	-	1	-	93	12	163	42.4
Lawful sexual activity	-	-	3	-	-	-	-	-	3	0.8
Parental status	1	-	-	-	-	-	7	1	9	2.3
Political belief/activity	-	-	1	-	-	-	1	-	2	0.5
Pregnancy	-	-	-	-	-	-	11	1	12	3.1
Race	2	2	6	-	-	-	27	1	38	9.9
Relationship status	1	-	1	1	-	-	6	-	9	2.3
Religion	-	4	1	-	-	-	4	6	15	3.9
Sex	6	2	4	-	-	-	34	1	47	12.2
Sexuality	-	2	-	-	-	-	10	1	13	3.4
Trade union activity	-	-	-	-	-	-	2	-	2	0.5
Total	16	26	61	1	2	0	255	24	385	100

Settlement of complaints

Conciliators at the Commission assist parties to resolve complaints under the *Anti-Discrimination Act 1991*. The conciliation conference allows the parties to explore each other's perspective on the issues, identifying what they may have in common, and discuss options for settling the complaint.

This year saw the settlement rate match the target of 55%, although this is a drop from the high settlement rate of last year.

Of accepted complaints, 74% were finalised within the Commission which is below the target, leaving 26% of accepted complaints referred to the Queensland Civil and Administrative Tribunal.

Table 12: State-wide outcomes for accepted complaints by region

	South-East	Central	North	Far North	State-wide	% Outcome for accepted complaints state-wide
Conciliated	107	32	25	20	184	54.9%
Lost contact (s169)	5	1	1	-	7	2.0%
Referred to QCAT	54	14	10	10	88	26.3%
Lapsed (s168)	5	—	—	1	6	1.8%
Unconciliable but not referred	15	3	2	—	20	6.0%
Withdrawn	16	6	5	3	30	9.0%
Total	202	56	43	34	335	100.0%

Timeliness

While fewer complaints were finalised, complaints were finalised within a shorter timeframe.

Seventy-four percent of complaints were assessed within the 28-day legislative timeframe, which is significantly above target, and above the 66% achieved last year. Many complaints did not contain sufficient information to enable a final decision to be made. For these complaints further information was sought before a decision was made as to whether the allegations came within the Act.

Seventy-one percent of accepted complaints reached conference within the 42-day statutory timeframe. This is consistent with targets. Conferences in the remaining matters were generally delayed where parties were unavailable to participate for a variety of reasons.

Sixty-nine percent of accepted complaints were finalised within three months of acceptance. This is consistent with last year and in excess of the target. A total of 92% of accepted complaints were finalised within six months, and a total of 98% of complaints were finalised within twelve months of acceptance. This is a slight improvement in the high levels of timeliness of finalising complaints achieved last year and above target, showing staff's consistent commitment to managing complaints efficiently and effectively.

Conciliated outcomes

The following are examples of complaints made to ADCQ in 2014–15 that were successfully resolved through conciliation.

Sexual harassment, sex discrimination and victimisation

A woman alleged she had been sexually harassed at work in a male-dominated industry. She claimed a male co-worker simulated a sexual act with her. She reported the incident and it was investigated, with the co-worker receiving disciplinary action.

The complainant alleged that the respondent verbally abused her for making the complaint; she reported the matter but it went uninvestigated.

The complainant stated that the respondent perpetrated a serious workplace health and safety incident involving her, which saw both of them reprimanded. She also alleged that another serious safety incident involving the respondent, which she reported, went uninvestigated. The complainant felt this was a message from management that complaints were not welcome.

At conference the co-worker accepted that the sexual harassment incident occurred, however stated it was a very brief encounter; they had always joked around in the past and participated in horseplay and that the complainant had never been offended before. The matter was resolved with him by a written apology.

The company accepted that the complainant had been treated inappropriately by the respondent and that their handling of the matter could have been better. The matter was resolved with them by the offer of an apology, compensation, counseling and training for their staff.

They also agreed to an independent investigation to be conducted into the uninvestigated safety incident, and retracted the disciplinary action taken against the complainant for the other safety matter.

Impairment discrimination

An elderly complainant who used a crutch as a mobility aid while on public transport complained that he had felt inferior, and embarrassed, after a driver parked too far away from the curb and did not use the kneeling function for him to safely exit the bus.

At conference the complaint had the opportunity to express his concern to the company that this was not an isolated incident, and explained the difficulties that these situations placed on passengers such as him. The driver too was able to share his experiences of responding to

individual passenger situations and to tell the complainant about his cultural beliefs which supported and respected elderly and impaired people.

The organisation showed that their buses were fully compliant with all current legislation, and discussed the aids currently used to assist passengers safely on and of their vehicles. They noted that they continually look for ways to improve, and would take on board the conference discussions.

The matter was settled with a gentlemanly handshake and written apologies from both respondents.

Racial abuse and threats at work

The complainant alleged that a co-worker had racially abused him and made threats of violence. He complained to the employer and the employer investigated the complaint and found parts of it to be substantiated. The employer transferred the co-worker to another worksite and required him to attend anger-management counselling. He was also given a written warning that his employment would be terminated if there was any further similar behaviour, and he apologised to the complainant.

The employer provided the complainant with counselling, but he had taken sick leave as a result of the stress the event had caused. The complainant had expected the co-worker to be dismissed immediately, and he felt that his employer had not treated his complaint with the seriousness it deserved. He made a complaint to the Commission.

Before the conciliation conference the co-worker provided a written response in which he admitted the events, with some minor differences about the context in which they occurred. The written response included an apology to the complainant.

At the conciliation conference the complainant talked about the effect that the incident had on him and his ability to cope at work and at home. The co-worker reiterated his apology, and disclosed that he also had been the subject of racial abuse in the past which made him more ashamed of what he had done to the complainant. The complainant accepted the apology.

The employer agreed to:

- restore the complainant's sick leave balance (eight days) that he had before taking sick leave because of the incident
- make a short educational video for use in workplace toolbox talks in which the complainant would speak about the effect on workers of race discrimination in the workplace, and
- provide formal training about discrimination and workplace harassment on a rotational basis throughout its many worksites.

Evaluation

Following each conciliation conference, complaint parties are asked to evaluate the ADCQ complaint process based on a variety of factors including:

- outcome of the complaint
- fairness of the process
- clarity of letters and brochures provided
- reliability of information provided
- timeliness of the process
- conciliator's skills, and
- impact of the process on understanding of rights and responsibilities under anti-discrimination law.

A sample of responses from 2014–15 conciliation parties follows:

- (The conciliator) was great, explained everything thoroughly, and answered my questions. We were happy with the outcome. (respondent)
- (The conciliator) was very professional and respectful. She returned all my phone calls.
- (The conciliator) was the best. Thanks to her I now understand that this situation wasn't my fault and that I wasn't at fault as what (sic) I was made to feel. That you so much for the ADCQ and (the conciliator) for giving my life back. (complainant)
- (The conciliator) was extremely helpful in informing us of the process and guiding us through to the end. He was in constant communication with us. We were very grateful it was simplified for us.
- Overall very well support to solve our problem. (complainant)
- Even though the end result was not what I had hoped for, each occasion I met (the conciliator) he impressed me with his professionalism to no end. This experience with (the conciliator) has gone a long way to restore some of my faith in society.... (complainant)
- (The conciliator) was very understanding and professional, in this mater (sic), his directional information in discrimination law was a very big help to me, and it guided me through it exceptional (sic) well, whilst the Anti-Discrimination board cannot take sides it is very reassuring that you have someone like (the conciliator) to explain all the relevant points that are important. I would like to thank him for his help and understanding. My best to him... (complainant)
- Managed to identify the issues quickly and understand the situation. (respondent)
- (The conciliator) invested significant time and effort assisting the parties to reach a resolution acceptable to all. (The conciliator) was a pleasure to work with. (respondent's lawyer)
- Our conciliator was incredible. She was engage with the process, the matter and showed the appropriate amount of concern for the issues to be addressed. She was knowledgeable and proactive in seeking resolution with least amount of disruption. (Complainant's lawyer)
- (The conciliator) was extremely efficient, always professional and pleasantly unbiased. He gave common sense advice and was always supportive. I was extremely grateful that he did not allow the respondent to drag out the process or control the conciliation proceedings....(complainant)
- (The conciliator) was wonderful. She was patient, understanding and I have the utmost respect for the work she does. (complainant)
- The process was handled respectfully and managed with fairness and compassion. (respondent)
- Extremely impressed with the process and the conciliator. An excellent resolution process to avoid court processes. (complainant's lawyer)
- The person who handled this case is very professional, trustable, knowledgeable, and have the skills to make things work. Great guys! (complainant)
- The conciliator handled this process very professionally with a good balance of empathy with both sides. (respondent)
- (The conciliator) was exceptional. Knowledgeable, helpful and focused on achieving a desirable outcome for all parties. (respondent's advocate)

The Commission promotes human rights by influencing the development and application of state and federal legislation, and engaging in government policy processes. The Commission has a statutory obligation to examine new and existing legislation to determine whether they are, or would be, inconsistent with the purposes of the *Anti-Discrimination Act 1991*.

In 2014–15 the Commission provided submissions to various state and federal bodies on the development of government policies and legislation. These included submissions to the:

Transport, Housing and Local Government Committee (Qld) on its inquiry into the *Residential and Rooming Accommodation and Other Legislation Amendment Bill 2014*

This was a private member's Bill to prescribe minimum standards for private rental housing and rooming accommodation in relation to matters such as sanitation, repair, ventilation, privacy etc.

The Commission referred to a number of international human rights instruments, and advised it supported the prescription of minimum standards of accommodation that are consistent with the right of everyone to an adequate standard of living, and to the protection of the more vulnerable members of our society.

Legal Affairs and Community Safety Committee (Qld) on its inquiry on strategies to prevent and reduce criminal activity in Queensland

The Commission and the Office of the Public Advocate made a joint submission outlining the need for a Disability Justice Plan in Queensland, focusing on accommodating of people with intellectual and mental health impairments in the criminal justice system.

The Commission also made its own submission urging the implementation of a justice reinvestment approach and early intervention strategies.

Department of Health on the review of the *Mental Health Act 2000* Discussion Paper

The Department of Health commenced the review of the *Mental Health Act* in June 2013, and has undertaken significant consultation. The Discussion Paper identified various issues and made recommendations, including a re-write of the Act.

The Commission's submission focused on the broad human rights aspects associated with some of the issues identified and recommendations made in the Discussion Paper. The Commission's recommendations included adopting the principles in the *Convention on the Rights of Persons with Disabilities*, training and monitoring associated with involuntary examinations and assessments, emphasis on recovery model of treatments, establishing a prima facie case before forensic or involuntary treatment orders are made, and greater free legal representation in certain matters before the Mental Health Review Tribunal.

Senate Community Legislation Committee on its inquiry into the *Aboriginal and Torres Strait Islander (A Stronger Land Account) Bill 2014*

The Aboriginal Land Account was established after the High Court decision in *Mabo* and the passing of the *Native Title Act 1993* to assist Aboriginal and Torres Strait Islander people acquire and manage land, as partial compensation for lands that had been appropriated since colonisation.

The Commission supported the passing of the Bill as it would protect and strengthen the Land Account in the longer term, and ensure the human rights compromises that were made at the time of the native title negotiations are reflected in the legislation. The Bill would articulate the significance and origins of the Land Account and ensure it can be used only to buy and manage lands for Indigenous Australians, as originally intended.

Department of Justice and Attorney-General about amending the *Powers of Attorney Act 1998*

Enduring powers of attorney are in common use, and many people are able to use the published forms and instructions without legal assistance.

The Commission advised that the requirements for a person to be eligible to be an attorney for someone, need to be easily understood.

Australian Human Rights Commission on the Sexual Orientation, Gender Identity and Intersex Rights Snapshot Report

The Australian Human Rights Commission sought specific information relating to Queensland, and the Commission provided detail about current LGBTI protections and exceptions from discrimination and vilification, as well as LGBTI issues in Queensland.

Legal Affairs and Community Safety Committee on its inquiry into the *Justice and Other Legislation Amendment Bill 2015*

The Bill sought to amend many Acts in the justice portfolio, including the *Anti-Discrimination Act 1991*, the *Queensland Civil and Administrative Tribunal Act 2009*, and the *Referendums Act 1997*.

The Commission supported the proposed editorial amendment of the *Anti-Discrimination Act*, suggested clarification of the proposed amendments of the QCAT Act to facilitate enforcement of orders to ensure it applied to agreements that the Commission files with QCAT, and opposed the introduction of proof of identity requirements for voting in referendums.

Legal Affairs and Community Safety Committee on its inquiry into the *Electoral and Other Legislation Amendment Bill 2015*

The Commission supported the removal of the proof of identity requirement for voting in Queensland.

Department of Health on the Exposure Draft Mental Health Bill 2015

The Department of Health released an exposure draft of the Mental Health Bill 2015 for public consultation. The Bill would replace the current *Mental Health Act 2000*. It differs in some respects to the Bill that had been introduced in 2014 and lapsed on the dissolution of parliament.

The Commission's recommendations included incorporating human rights principles and recovery models of treatment into the objects clause and the principles for people with mental illness, more rigour for reducing and reporting the use of seclusion and restraint, and greater access to free legal representation for certain matters.

Department of Immigration and Border Protection on the issues paper: Australian Citizenship — your right, your responsibility

While a critical role of federal government is to protect national security and public order in Australia, protective measures that interfere with fundamental individual rights must be necessary and proportionate. The Commission submitted that any proposal to remove the right of citizenship must not arbitrarily deny an Australian citizen of their right to return to Australia, or arbitrarily deprive a person of his or her nationality. An individual should not be left without a nationality or stateless. Any decision to remove citizenship should be exercised by a court and not the Minister.

Applications to the Queensland Civil and Administrative Tribunal for review

Under section 169 of the *Anti-Discrimination Act 1991* a complainant may apply to the Queensland Civil and Administrative Tribunal (QCAT) for review of a decision to lapse a complaint where the Commissioner had formed the opinion that the complainant had lost interest in continuing with the complaint.

There were no applications to QCAT for review during the period.

Judicial Review of decisions

Decisions of the Commissioner may be judicially reviewed by the Queensland Supreme Court under the *Judicial Review Act 1991*.

There were 3 applications for judicial review during the period. An application about a decision not to accept a complaint of reprisal was discontinued after the Commission reconsidered its decision. An application about a decision to lapse a complaint as misconceived or lacking in substance went to hearing and was dismissed. An application about an authority for a person to act as agent for a complainant has been set down for hearing in the 2015–2016 period.

Intervention in proceedings

Under section 235 of the *Anti-Discrimination Act 1991* the Commission has the function to intervene in a proceeding that involves a human rights issue, with the leave of the court hearing the proceeding, if the Commission considers it appropriate to do so.

The Commission was granted leave to intervene in an appeal from a decision of the tribunal on the hearing of a complaint of race discrimination. The decision involved the provision of an interpreter to a client of a state government agency. A directions hearing was held during the period.

Exemptions

Under section 113 of the *Anti-Discrimination Act 1991* the Queensland Civil and Administrative Tribunal (QCAT) is required to consult the Commission before deciding an application for an exemption from the operation of a specified provision of the *Anti-Discrimination Act 1991*.

During the period the Commission made 7 submissions to QCAT on applications for exemption from the operation of the *Anti-Discrimination Act 1991*.

Queensland Civil and Administrative Tribunal

Under the *Anti-Discrimination Act 1991*, the Queensland Civil and Administrative Tribunal (QCAT) has the functions of:

- (a) hearing and determining complaints referred by the Commissioner¹
- (b) hearing and determining applications for exemptions²
- (c) hearing and determining applications for interim orders before referral of a complaint³
- (d) considering applications for review of a decision that a complainant has lost interest,⁴ and
- (e) providing opinions about the application of the Act.⁵

¹ *Anti-Discrimination Act 1991*, section 175.

² *Anti-Discrimination Act 1991*, section 113.

³ *Anti-Discrimination Act 1991*, section 144.

⁴ *Anti-Discrimination Act 1991*, section 169.

The following is a selection of decisions of the tribunal in this jurisdiction which were published during the reporting period.

Complaints

Job application sought unnecessary information

In December 2013 Woolworths advertised for a console operator in Beerwah, and applicants were required to apply online. The online application included mandatory fields for date of birth and gender, and the uploading of documents proving the right to work. The complainant was offended at being asked for this information in a job application. Also, he did not have his birth certificate or a passport, and he would not be able to get them before the closing date.

Woolworths argued the information was needed to:

- determine entitlements, and whether applicants are able to work at 18+ jobs
- collect gender statistics for gender equality targets
- comply with the federal *Migration Act 1958*.

The tribunal found that the questions asked in the application were discriminatory. The information at the application stage was not necessary for any lawful purpose, and the defence to unlawful requests for information did not apply. If an employer needs to know if an applicant is over 18 years, the application could ask 'Are you over 18?' and explain why the information is needed (e.g. to work in a liquor outlet). Gender data is only required for employees, not job applicants, and it is not necessary to require proof of the right to work at the application stage.

The tribunal also found that section 124 of the *Anti-Discrimination Act 1991* is not inconsistent with either the federal *Migration Act 1958* or the *Privacy Act 1988*. (Under the *Migration Act* it is an offence to employ an unlawful non-citizen, and the *Privacy Act* applies to the collection of personal information by companies such as Woolworths.)

By the time of the hearing Woolworths had changed the online application form so that date of birth and gender are now non-mandatory fields, and applicants now nominate the type of document they intend to provide at interview to satisfy the right to work in Australia.

The complainant was awarded \$5,000 general damages for embarrassment, humiliation and a notional amount for loss of chance.

Willmott v Woolworths Ltd [2014] QCAT 601.

Employer didn't know about worker's union activity

A long-term casual worker alleged discrimination on the grounds of trade union activity in work. He claimed that he was left off the fortnightly work roster after he was elected as a union delegate. At the time, enterprise bargaining negotiations were taking place.

The tribunal found there was no evidence that the employer knew the worker was a union member (or delegate) at the time of drawing up the roster. The evidence showed that the worker attended his first union meeting seven days after he learned that his name was not on the roster. The worker could not prove that the employer had actual knowledge of his trade union membership at the time the roster was released. The causal link was not present.

The complaint was dismissed.

Ward v Stradbroke Ferries Pty Ltd [2014] QCAT 637.

⁵ *Anti-Discrimination Act 1991*, section 228.

Long-running sexuality vilification case ends with apology

Four women made a complaint of sexuality vilification about the following actions of a regional shire councillor, Mr Owen:

- Car sticker: A car driven by Mr Owen had a bumper sticker with the words: 'Gay Rights? Under God's law the only rights gays have is the right to die (Lev. 20:13)'.
- Comments at council: *The Gympie Times* reported that Mr Owen gave the following response to a question in council: 'That's because I probably don't class gays as being human'.
- Report to council: Mr Owen wrote a report and tabled it at a council meeting. In it he referred to homosexual people as 'sodomites' saying they prey on children and should not be allowed anywhere near schools.
- Television interview: Mr Owen gave a television interview in which he made statements about the 'sodomites epidemic', said that homosexuals were going to die shortly, and AIDS is pretty prevalent.
- Pamphlet: A pamphlet published by Mr Owen, which was delivered to local households, referred to homosexual people as 'sodomites' and included statements similar to those made in council.
- Website: A letter titled 'No human rights for non-humans' was posted on two websites operated by Mr Owen. The letter included statements to the effect that homosexuality is a breach of the law of nature; homosexuals should be destroyed or killed by the community; homosexuals steal children and induce them to prostitute themselves; tolerance of homosexuals will destroy the family; and the Koran's imposition of a death sentence on homosexuals is good.

Three of the women who complained identified as lesbians, and the fourth identified as bisexual.

The Anti-Discrimination Tribunal Queensland found that four of the six incidents outlined above amounted to vilification, and Mr Owen was ordered to pay financial compensation to the three women who identified as lesbians.

The decision of the Anti-Discrimination Tribunal was set aside on appeal (because Mr Owen had raised constitutional issues about the validity of the vilification provision), and the Queensland Court of Appeal subsequently decided that the vilification provision is valid, a bisexual person could bring a complaint of sexuality vilification, and that QCAT is a court.

A final decision in the long-running complaint was handed down by QCAT on 17 December 2014. By that time, two of the original four complainants had dropped out of the proceedings, and the remaining two complainants had abandoned their claims for compensation.

Three out of the six incidents complained about were found to constitute sexuality vilification. They were:

- Report to council: The tribunal found the report had the capacity to urge ordinary members of the public to hate homosexual people, or to hold them in serious contempt. The report was not done reasonably and in good faith for public discussion or debate. The report contained matters that were so ill-informed and ignorant as to go beyond the bounds of what tolerance should accommodate.
- Pamphlet: The tribunal found that in seeking to convince his constituents of the reasonableness of his views, Mr Owen was actually asking them to adopt the same contempt for homosexual people that he feels. The distribution of the pamphlet was not done reasonably. Debate in the public interest was not Mr Owen's primary motivation, and the pamphlet was not published in good faith.
- Website: Mr Owen claimed that he did not personally load the letter to the websites and wasn't aware that it had been posted. The tribunal found that Mr Owen had control of the websites and had caused, or allowed the letter to be published. Because of the highly inflammatory language and offensive imputations in the letter, the tribunal found that the publication of the letter was not done reasonably, for public discussion of matters in the public interest.

The three incidents that QCAT found did not amount to vilification were:

- Car sticker: There was not enough evidence to show that Mr Owen owned the car with the bumper sticker, and he was only an occasional driver.
- Comments at council: Mr Owen denied saying the words reported by the newspaper, and there were no minutes taken of the meeting. The tribunal was not satisfied that Mr Owen said the words complained about.
- Television interview: The tribunal found that Mr Owen used the words 'I believe' and 'I think' during the interview. This indicated that his statements were his personal opinion, rather than urging viewers to adopt his views.

The women who persevered with the complaint did not ask for financial compensation. QCAT ordered Mr Owen to make a genuine, private apology and retraction to the two women.

Menzies & Anor v Owen [2014] QCAT 661.

Amending a complaint and joining a respondent

The tribunal allowed complainants to amend their complaints to add allegations of victimisation that occurred after they had made complaints of impairment discrimination to the Anti-Discrimination Commission. The tribunal also allowed them to add an additional respondent to the proceedings.

The tribunal noted that the provisions relating to amendment and adding parties had themselves been amended in 2009 and were clearly intended to allow changes to a complaint in the tribunal, even though the allegations were not part of the complaint that was dealt with by the Commission.

MM v State of Queensland [2014] QCAT 478.

Fingerprint scanner too difficult for person in wheelchair

A man who uses a wheelchair and has a paralysed hand was required to provide fingerprints using a scanning device designed for people who can stand. It caused him considerable effort to lift up each arm to the scanning plate, and keep his arm in that position while the prints were being taken. The operator repeatedly manually opened the curled fingers on his paralysed hand to try to scan for fingerprints.

The tribunal found that the fingerprint process was prolonged, demeaning and intrusive. It was not reasonable to require a wheelchair-user with a paralysed hand to undergo the process using the fixed cabinet scanning device. The device was not designed for that use and the requirement was not in accord with the published policies of the Police Service about dealing with vulnerable persons with disabilities.

It was reasonable to attempt to obtain prints from a paralysed hand by manually opening fingers, but unreasonable to repeat the process. Manually opening paralysed fingers several times amounted to indirect discrimination.

The man who uses a wheelchair also needed to collect a document from the prosecutor's office for use in a court proceeding. The office was on an upper floor and there was no lift. Buzzers were used to gain entrance through closed doors, and he had to call out repeatedly to get attention and have the document brought down to him.

The tribunal found that, while frustrating, the system in place to provide access to an area that was not normally open to the public was not unreasonable. There was also the option to have the document emailed or posted to him.

The man experienced discomfort, physical stress on his body, embarrassment, degradation, humiliation and anger, but no ongoing effect on psychological or emotional functioning.

He was awarded general damages of \$8,000 for emotional distress and physical discomfort from the fingerprinting episode. The tribunal also suggested that the respondent should look at improving the system of physical access to the prosecutor's office for people with mobility impairment.

Hunter v State of Queensland [2015] QCAT 179.

Exemption applications

During period the tribunal published five decisions on applications for exemption from the operation of the Act. Four exemptions were granted, to allow:

- women only to be employed in a community legal centre that provides legal advice and services to women experiencing domestic violence and relationship breakdown⁶
- matchmaking services to be provided only to people who are not married or in a de facto relationship⁷
- targeting Indigenous employees for general employment to address the under-representation of Aboriginal and Torres Strait Islander people in the workforce⁸
- the recruitment of male support workers for a Youth at Risk Program, for services to be delivered in accordance with funding requirements.⁹

An application to restrict accommodation in a freehold residential complex to people over 55 years of age was refused. There was no evidence the exemption would be in the community interest, and no evidence the community would benefit from quarantining people aged over 55 away from the general population.¹⁰

Court of Appeal

A party to a decision of the QCAT Appeal Tribunal may appeal to the Court of Appeal (of the Supreme Court of Queensland), on a question of law and with the leave of the court.

The Court of Appeal delivered an important decision on the power of the tribunal to vary or amend a self-executing order.

Complying with directions and self-executing orders

When a complaint of race discrimination was referred to the tribunal, the tribunal made directions for the conduct of the proceedings, the first being that the complainant file and serve contentions. After the complainant filed submissions that did not comply with the directions, the respondent applied to have the complaint struck out. The tribunal declined to strike out the complaint, but rather made directions that the complainant file further particulars of her claim by a specified date. The order stated that if the complainant did not comply with the directions the complaint would be dismissed without further order (i.e. a self-executing order). The day when the further particulars were due, the complainant's solicitors wrote to the tribunal asking for an extension of time. The next day the tribunal member ordered the directions to be vacated and made directions with new dates in their place. The respondent objected and asked the President of the tribunal to decide whether the complaint had been dismissed when the particulars were not filed by the due dates.

The President of the tribunal said there was no power to re-instate the proceedings and the complaint had been dismissed when the complainant did not file the further particulars in accordance with the self-executing order.

On appeal, the Court of Appeal said the President had not considered the power in section 61 of the QCAT Act for the tribunal to extend time and waive compliance with procedural requirements. In an earlier decision concerning a similar worded provision the High Court had held that the rule conferred jurisdiction to extend time, notwithstanding that a self-executing order for dismissal of the proceedings had taken effect. The Court of Appeal said the tribunal member did have power to waive the complainant's non-compliance with the orders, which the tribunal member had done by

⁶ *Women's Legal Service Inc.* [2014] QCAT 315.

⁷ *eHarmony Australia Pty Limited Exemption* [2014] QCAT 577.

⁸ *United Synergies Ltd* [2015] QCAT 089.

⁹ *Wesley Mission Brisbane* [2015] QCAT 231.

¹⁰ *Body Corporate for Village Green (Caloundra)* [2015] QCAT 101.

vacating them and setting a new time line. This meant the complaint had been re-instated when the tribunal member made the new orders the following day.

Rintoul v State of Queensland & Ors [2015] QCA 079.

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, and
- 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, and
- reporting on performance.

While the ADCQ is independent of government, it is accountable to the Queensland Parliament through the Attorney-General and Minister for Justice.

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, and
- 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, and
- Manager, Community Engagement.

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, and
- 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 Lawyer
- Manager, Corporate Services
- Manager, Community Engagement
- Manager, Far North Queensland Region
- Manager, North Queensland Region
- Manager, Central Queensland Region
- Manager, Brisbane Complaint Team, and
- Coordinator Aboriginal and Torres Strait Islander Unit.

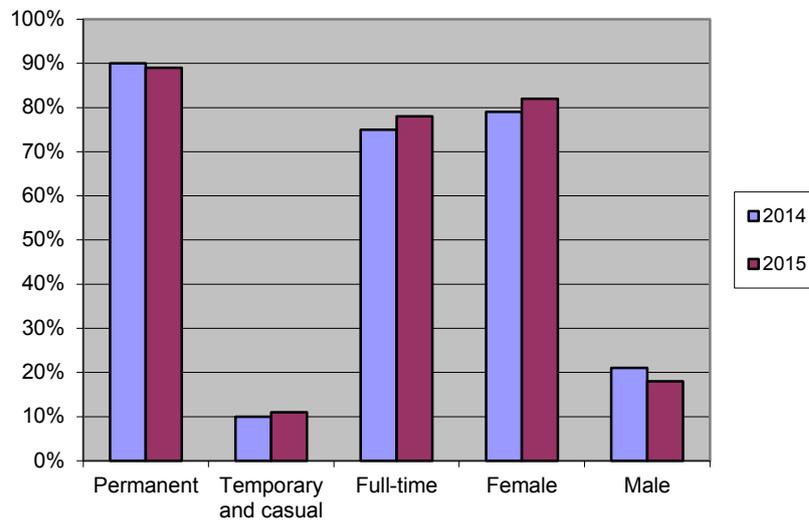
Commission staff

The ADCQ maintains offices in Brisbane, Cairns, Townsville and Rockhampton. At 30 June 2015, we employed 33.2 equivalent permanent, temporary and casual staff. This figure excludes people on leave without pay. The proportion of permanent staff decreased from 90 to 89 per cent over the last year. The permanent staff retention rate during 2014–15 was 94 per cent. The permanent staff separation rate was 6 per cent.

Table 13: Staff groups

Group	Employees
Executive management	3
Legal	1
Corporate support	4
Information technology	1
Conciliation	9
Community relations	6
Regional services	9
Total	33

Graph 1: Employee profiles



Shared services

The ADCQ has service level agreements with the Department of Justice and Attorney-General and Queensland Shared Services 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 Sector 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 Sector 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.

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*.

Client Complaints

Five complaints about ADCQ service delivery were received during 2014–15 — compared to four in 2013–14. Three complaints were resolved and two were rejected as they were misconceived. All complaints were investigated and managed in accordance with the policy and timeframes of the Commission, and none indicated the existence of any systemic problems.

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 are being reviewed to ensure they 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*.

Internal and external audit

Internal audit services are provided on an ‘as needed’ basis 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.

A copy of the external audit report and certificate of our financial statements are 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.

The standard operating environment of the Commission is Windows 7 and Office 2010 and all core software is supported by appropriate support agreements and software assurance. The Commission has migrated from desktops to laptops to reduce costs, enhance mobility and allow for business continuity in the event of natural disasters.

The responsibilities associated with risk management are discharged by the Executive Leadership Team.

Consultancies, overseas travel and language services

ADCQ did not engage any consultants during 2014–15.

ADCQ staff did not undertake any overseas travel in 2014–15.

ADCQ incurred approximately \$10,000 in costs for interpreter and translator services in 2014–15.

Early retirement, redundancy and retrenchment

The ADCQ made no payments of this nature during 2014–15.

Overview

The operating result for the ADCQ for 2014–15 was a small deficit of approximately \$42,000. This aligned with expectations because the Commission incurred expenses for one off items which were best funded from retained earnings. The major item that contributed to the deficit were recurrent costs associated with the relocation of regional offices — \$38,000.

Overall the result was sound.

The major activities undertaken during the year included:

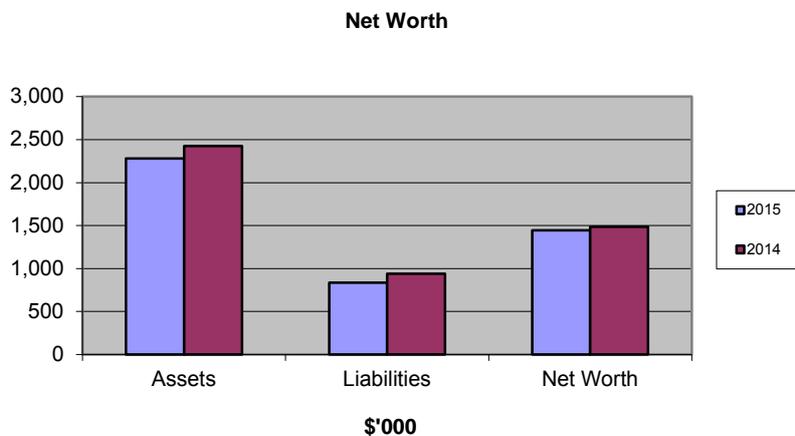
- constructing a new office space in Townsville
- upgrading the Complaint, Training and Contact Management System to a supported software version
- outsourcing the management of Information and Communication Technology (ICT) facilities.

The financial effects of these major activities are provided in detail in the audited financial statements provided with this report 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 2015. This provides a measure of our equity level. ADCQ's assets at 30 June 2015 were \$2.3 million and liabilities were \$0.8 million, resulting in a total equity of \$1.5 million. The ADCQ's financial position remains strong.

Graph 2: Net worth



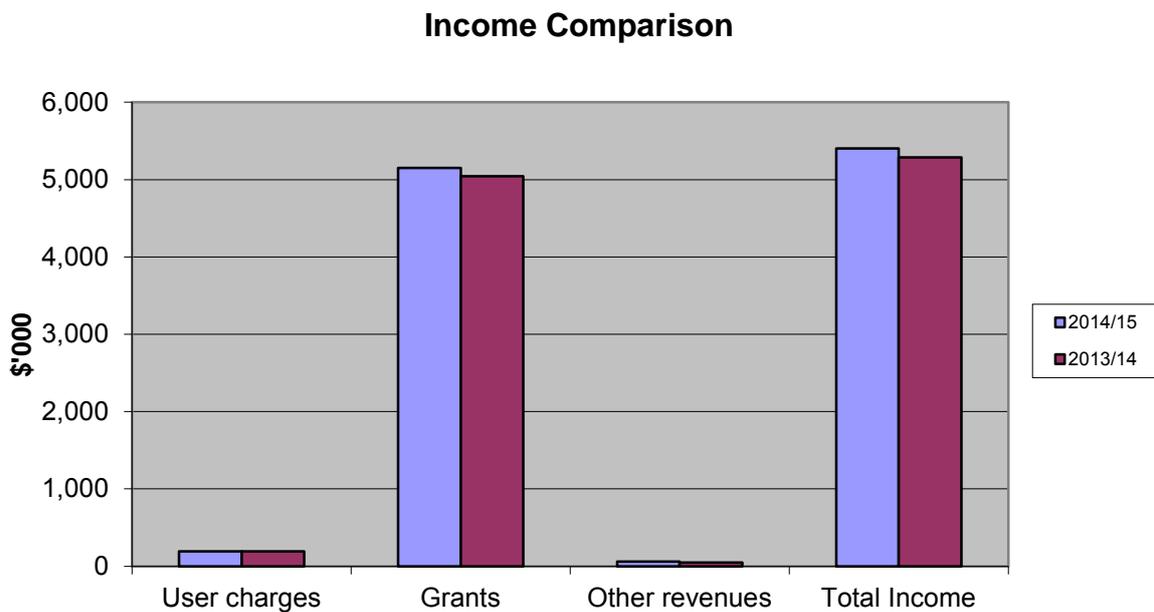
Financial performance

The Income Statement shows the total income for 2014–15 as \$5.404 million and expenditure as \$5.446 million. The ADCQ finished the year with an operating deficit of approximately \$42,000. The deficit relates to one-off factors, primarily costs associated with moving regional offices. ADCQ is a statutory body and as such is allowed to operate in deficit.

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 and the provision of training on a fee-for-service basis.

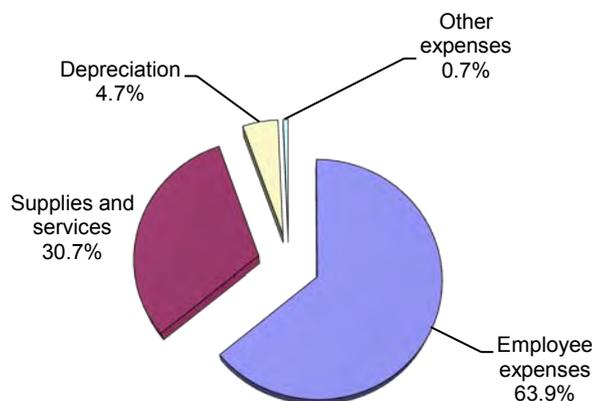
Graph 3: Source of funds 2014–15



Expenses

Total operating expenses for 2014–15 were \$5.446 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 30 per cent.

Graph 4: Application of funds



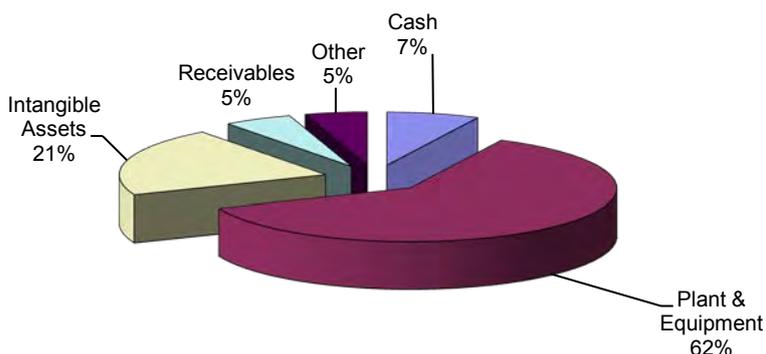
Comparison to budget and actual

Budget and actual performance together with explanatory notes are provided in detail in Note 15 of the audited financial statements provided with this report and on the ADCQ's website (www.adcq.qld.gov.au).

Assets

Total assets did not change materially over the course of the financial year and are valued at \$2.3 million at 30 June 2015. Current assets are valued at \$0.4 million and are available to meet current liabilities (excluding lease incentive liability) which are valued at \$0.3 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 2015 were about \$0.8 million. The largest single liability is \$0.4 million for a lease incentive associated with the Brisbane 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



Certification of financial statements

The certification of financial statements accompanies the annual report or can be viewed at www.adcq.qld.gov.au.

Independent auditor's report

The independent auditor's report accompanies 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
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 the <i>Anti-Discrimination Act 1991</i> , and decide any compensation.
Commission	Anti-Discrimination Commission Queensland
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
trans*	An umbrella term that includes all identities within the gender identity spectrum
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.
World café	A methodology for hosting large group dialogue where participants are provided space to discuss questions that matter on topics of mutual interest in order to surface their collective knowledge, share ideas and insights and gain a deeper understanding of the subject and the issues involved.

Appendix B: Compliance checklist

Summary of requirement		Basis for requirement	Annual report reference
Letter of compliance	<ul style="list-style-type: none"> A letter of compliance from the accountable officer or statutory body to the relevant Minister/s 	ARRs — section 8	Page 3
Accessibility	<ul style="list-style-type: none"> Table of contents Glossary 	ARRs — section 10.1	Page 2 Appendix A
	<ul style="list-style-type: none"> Public availability 	ARRs — section 10.2	Inside cover
	<ul style="list-style-type: none"> Interpreter service statement 	<i>Queensland Government Language Services Policy</i> ARRs — section 10.3	Inside cover
	<ul style="list-style-type: none"> Copyright notice 	<i>Copyright Act 1968</i> ARRs — section 10.4	Inside cover
	<ul style="list-style-type: none"> Information licensing 	<i>QGEA — Information Licensing</i> ARRs — section 10.5	Inside cover
General information	<ul style="list-style-type: none"> Introductory Information 	ARRs — section 11.1	Page 6
	<ul style="list-style-type: none"> Agency role and main functions 	ARRs — section 11.2	Page 6
	<ul style="list-style-type: none"> Operating environment 	ARRs — section 11.3	Page 6
	<ul style="list-style-type: none"> Machinery of Government changes 	ARRs — section 11.4	N/A
Non-financial performance	<ul style="list-style-type: none"> Government objectives for the community 	ARRs — section 12.1	Page 6
	<ul style="list-style-type: none"> Other whole-of-government plans / specific initiatives 	ARRs — section 12.2	N/A
	<ul style="list-style-type: none"> Agency objectives and performance indicators 	ARRs — section 12.3	Page 7,9
	<ul style="list-style-type: none"> Agency service areas, and service standards 	ARRs — section 12.4	Page 9
Financial performance	<ul style="list-style-type: none"> Summary of financial performance 	ARRs — section 13.1	Page 46

Summary of requirement		Basis for requirement	Annual report reference
Governance – management and structure	Organisational structure	ARRs — section 14.1	Appendix E
	Executive management	ARRs — section 14.2	Page 41
	Government bodies (statutory bodies and other entities)	ARRs — section 14.3	N/A
	<i>Public Sector Ethics Act 1994</i>	<i>Public Sector Ethics Act 1994</i> ARRs — section 14.4	Page 41
Governance – risk management and accountability	Risk management	ARRs — section 15.1	Page 44
	External scrutiny	ARRs — section 15.2	N/A
	Audit committee	ARRs — section 15.3	Page 44
	Internal audit	ARRs — section 15.4	Page 44
	Information systems and recordkeeping	ARRs — section 15.5	Page 44
Governance – human resources	Workforce planning and performance	ARRs — section 16.1	Page 42
	Early retirement, redundancy and retrenchment	<i>Directive No.11/12 Early Retirement, Redundancy and Retrenchment</i> ARRs — section 16.2	Page 45
Open Data	Consultancies	ARRs — section 17 ARRs — section 34.1	Page 45
	Overseas travel	ARRs — section 17 ARRs — section 34.2	Page 45
	Queensland Language Services Policy	ARRs — section 17 ARRs — section 34.3	Page 45
	Government bodies	ARRs — section 17 ARRs — section 34.4	N/A
Financial statements	Certification of financial statements	FAA — section 62 FPMS — sections 42, 43 and 50 ARRs — section 18.1	Page 49 Appendix G
	Independent Auditors Report	FAA — section 62 FPMS — section 50 ARRs — section 18.2	Page 44 Appendix G
	Remuneration disclosures	<i>Financial Reporting Requirements for Queensland Government Agencies</i> ARRs — section 18.3	Appendix G

FAA *Financial Accountability Act 2009*
 FPMS *Financial and Performance Management Standard 2009*
 ARRAs *Annual Report Requirements for Queensland Government Agencies*

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 and 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 and family responsibilities discrimination
- Sex discrimination
- Sexual harassment
- Sexuality discrimination and vilification

Fact sheets — available from the ADCQ website (www.adcq.qld.gov.au)

- Applying to QCAT for an exemption under the *Anti-Discrimination Act 1991*
- Bullying
- Bystander action
- Direct and indirect discrimination
- Discrimination and religious-based schools and educational institutions
- Exemptions
- Identified positions for Aboriginal & Torres Strait Islander people

- Incapacity and work
- Medical information and recruitment (brief and detailed versions)
- Vicarious liability
- Victimisation
- Vilification
- Vilification cases

Information guides — available from the ADCQ website (www.adcq.qld.gov.au)

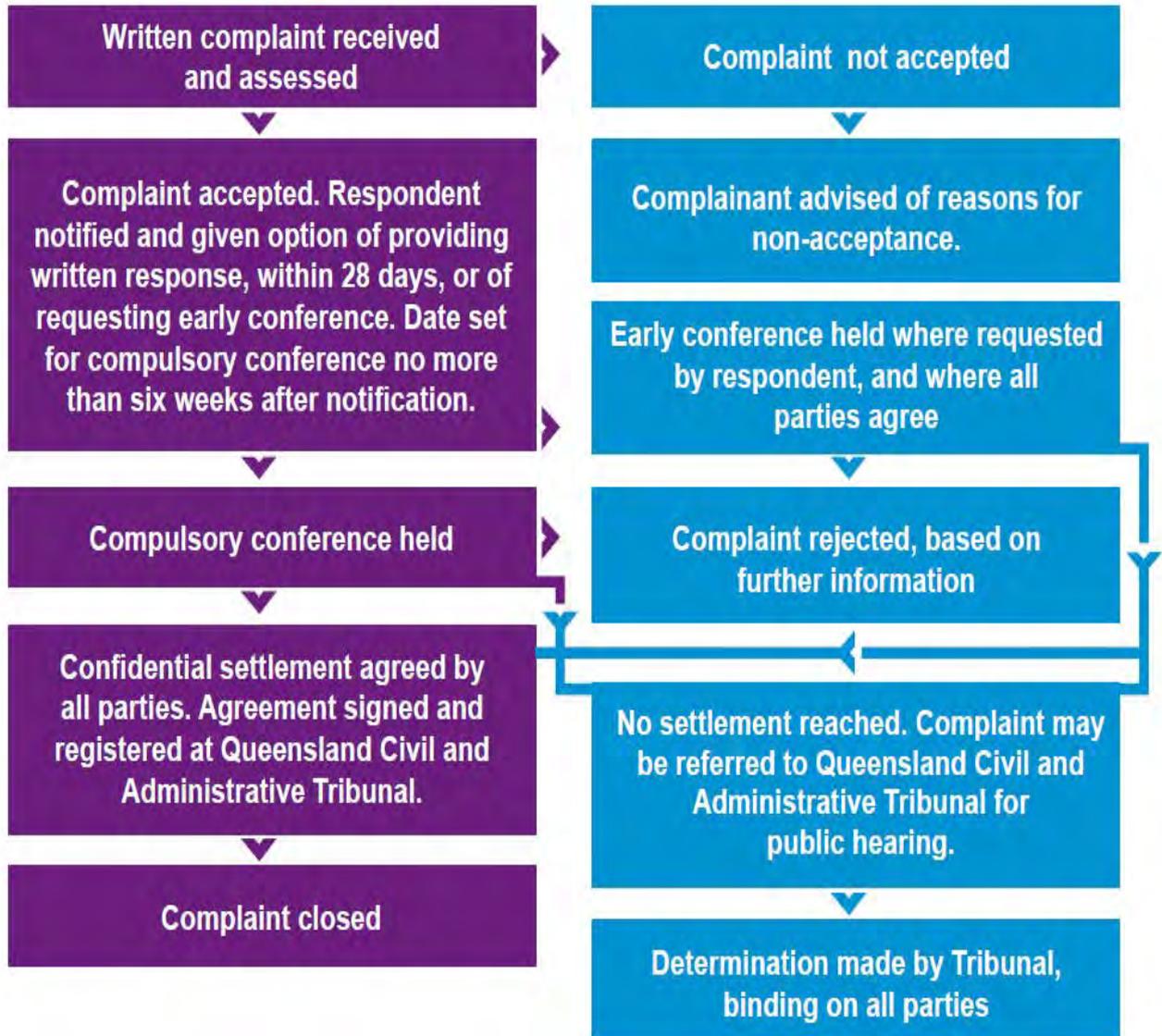
- Answers to 20 questions — small business guide
- Discrimination in accommodation — guide for accommodation providers
- Discrimination in education — a guide for education providers
- Discrimination in provision of goods and services — guide for service providers
- Discrimination in employment — a guide for employment providers
- Employers' toolkit
- Small business handbook
- Trans@Work — a guide for trans* employees, their employers and colleagues

Posters

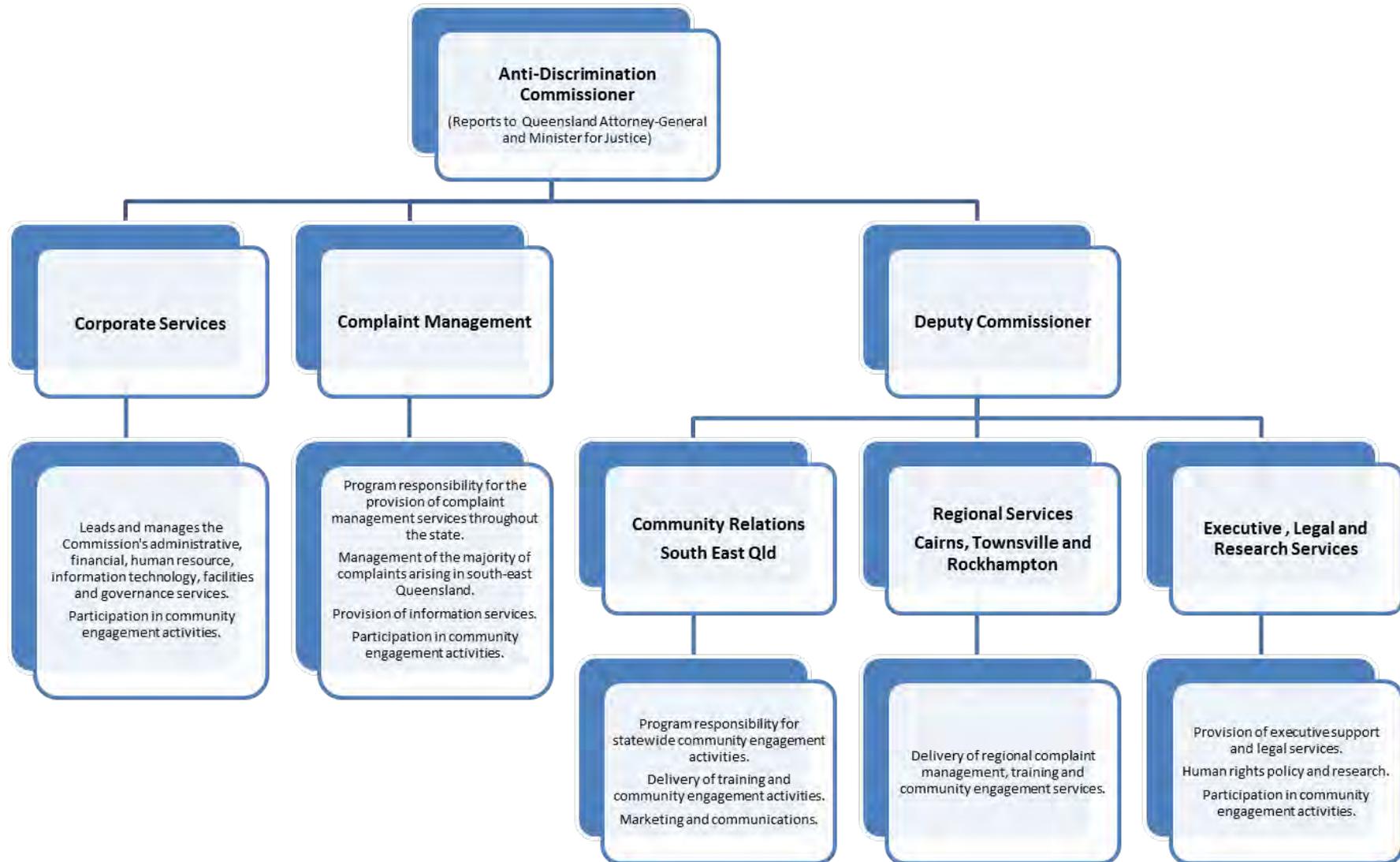
- Reaching out to Aboriginal and Torres Strait Islander peoples...
- Universal Declaration of Human Rights (easy reference guide)
- Where do human rights begin? (Eleanor Roosevelt quote)

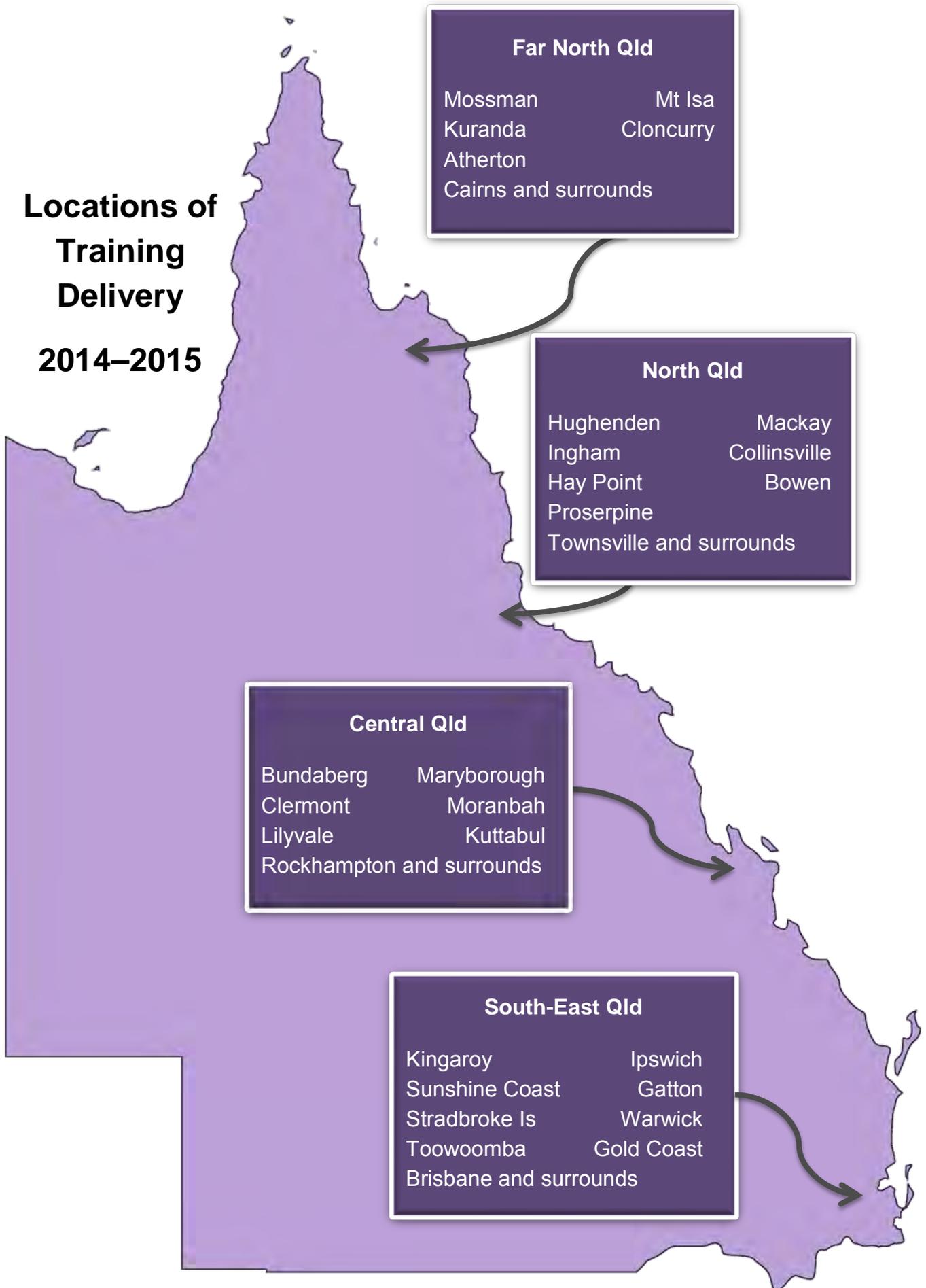
Rights cards

- Aboriginal and Torres Strait Islander peoples
- LGBTI community
- Muslim community
- Young people



Appendix E: Organisational structure







ANTI DISCRIMINATION
COMMISSION QUEENSLAND

Financial Statements
for the financial year ended
30 June 2015

Anti-Discrimination Commission Financial Statements 2014-15

Contents	Page No.
Statement of Comprehensive Income	1
Statement of Financial Position	2
Statement of Changes in Equity	3
Statement of Cash Flows	4
Notes To and Forming Part of the Financial Statements	5-23
Management Certificate	24
Independent Auditor's Report	

General Information

These financial statements cover the Anti-Discrimination Commission.

The Anti-Discrimination Commission is a Queensland Government Entity established under the *Public Service Act 2008*.

The Commission is controlled by the State of Queensland which is the ultimate parent.

The head office and principal place of business of the Commission is:

Level 17
53 Albert Street
Brisbane QLD 4002

A description of the nature of the Commission's operations and its principal activities is included in the notes to the financial statements.

For information in relation to the Commission's financial statements please call (07) 3247 0929, email warren.edwards@adcq.qld.gov.au, or visit the Commission's internet site www.adcq.qld.gov.au.

Amounts shown in these financial statements may not add to the correct sub-totals or totals due to rounding.

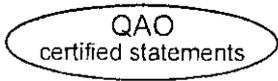
ANTI-DISCRIMINATION COMMISSION
Statement of Comprehensive Income
for the year ended 30 June 2015

QAO
certified statements

	Notes	2015 \$'000	2014 \$'000
Income from Continuing Operations			
Revenue			
User charges and fees		194	193
Grants and other contributions		5,151	5,045
Other revenues	2	59	49
Total Income from Continuing Operations		5,404	5,287
Expenses from Continuing Operations			
Employee expenses	3	3,482	3,454
Supplies and services	5	1,670	1,601
Grants and subsidies		10	10
Depreciation and amortisation	9 & 10	257	267
Other expenses	6	27	30
Total Expenses from Continuing Operations		5,446	5,362
Operating Result from Continuing Operations		(42)	(75)
Other Comprehensive Income		-	-
Total Comprehensive Income		(42)	(75)

The accompanying notes form part of these statements.

ANTI-DISCRIMINATION COMMISSION
Statement of Financial Position
as at 30 June 2015



	Notes	2015 \$'000	2014 \$'000
Current Assets			
Cash and cash equivalents	7	166	475
Receivables	8	122	155
Inventories		12	18
Other current assets		99	84
Total Current Assets		399	732
Non-Current Assets			
Intangible assets	9	477	320
Plant and equipment	10	1,404	1,374
Total Non-Current Assets		1,881	1,694
Total Assets		2,280	2,426
Current Liabilities			
Payables	11	45	110
Other financial liabilities		70	70
Accrued employee benefits	12	304	276
Total Current Liabilities		419	456
Non-Current Liabilities			
Other financial liabilities		330	400
Accrued employee benefits	12	87	84
Total Non-Current Liabilities		417	484
Total Liabilities		836	940
Net Assets		1,444	1,486
Equity			
Contributed equity		337	337
Accumulated surplus		1,107	1,149
Total Equity		1,444	1,486

The accompanying notes form part of these statements.

ANTI-DISCRIMINATION COMMISSION
Statement of Changes in Equity
for the year ended 30 June 2015

	Accumulated Surplus	Contributed Equity	TOTAL
	\$'000	\$'000	\$'000
Balance as at 1 July 2013	1,224	337	1,561
Operating result from continuing operations	(75)	-	(75)
Balance as at 30 June 2014	1,149	337	1,486
Balance as at 1 July 2014	1,149	337	1,486
Operating result from continuing operations	(42)	-	(42)
Balance as at 30 June 2015	1,107	337	1,444

The accompanying notes form part of these statements.

ANTI-DISCRIMINATION COMMISSION
Statement of Cash Flows
for the year ended 30 June 2015

QAO
certified statements

	Notes	2015 \$'000	2014 \$'000
Cash flows from operating activities			
<i>Inflows:</i>			
User charges and fees		201	148
Grants and other contributions		5,151	5,045
Interest receipts		21	37
GST input tax credits from ATO		231	198
GST collected from customers		20	19
Other		38	12
<i>Outflows:</i>			
Employee expenses		(3,445)	(3,387)
Supplies and services		(1,803)	(1,784)
Grants and subsidies		(10)	(10)
GST paid to suppliers		(222)	(202)
GST remitted to ATO		(21)	(18)
Other		(26)	(29)
Net cash provided by (used in) operating activities	13	135	29
Cash flows from investing activities			
<i>Inflows:</i>			
Sales of plant and equipment		1	-
<i>Outflows:</i>			
Payments for plant and equipment		(445)	(224)
Payments for intangibles		-	1
Net cash provided by (used in) investing activities		(444)	(223)
Net increase (decrease) in cash and cash equivalents		(309)	(194)
Cash and cash equivalents at beginning of financial year		475	669
Cash and cash equivalents at end of financial year	7	166	475

The accompanying notes form part of these statements.

ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

Objectives and Principal Activities of the Commission

- Note 1: Summary of Significant Accounting Policies
- Note 2: Other Revenues
- Note 3: Employee Expenses
- Note 4: Key Management Personnel and Remuneration Expenses
- Note 5: Supplies and Services
- Note 6: Other Expenses
- Note 7: Cash and Cash Equivalents
- Note 8: Receivables
- Note 9: Intangible Assets
- Note 10: Plant and Equipment
- Note 11: Payables
- Note 12: Accrued Employee Benefits
- Note 13: Reconciliation of Operating Result to Net Cash from Operating Activities
- Note 14: Commitments for Expenditure
- Note 15: Budget vs Actual Comparison

Objectives and Principal Activities of the Commission

The *Anti-Discrimination Act 1991* (the Act) aims to promote equality of opportunity for everyone by protecting them from unfair discrimination in various areas of public life, from sexual harassment and from other conduct such as discriminatory advertising and victimisation.

The commission's functions are set out in section 235 of the Act and they fall into two broad categories. The first category is a redress function:

- to inquire into complaints, attempt to conciliate complaints of discrimination and sexual harassment; and
- to carry out investigations relating to contraventions of the Act.

The second category is a set of broad, systemic and proactive community relations and policy functions:

- to undertake research and educational programs to promote the purposes of the Act;
- to consult with various organisations on ways of improving services and conditions affecting groups subjected to contraventions of the Act; and
- to promote an understanding and acceptance and the public discussion of human rights in Queensland.

The commission is predominantly funded through parliamentary appropriations via a grant from the Department of Justice and Attorney-General.

The commission provides some services on a fee for service basis with respect to:

- publications; and
- training workshops.

1. Summary of Significant Accounting Policies

(a) Statement of Compliance

The Anti-Discrimination Commission has prepared these financial statements in compliance with section 43 of the *Financial and Performance Management Standard 2009*.

These financial statements are general purpose financial statements, and have been prepared on an accrual basis in accordance with Australian Accounting Standards and Interpretations. In addition, the financial statements comply with Queensland Treasury's Minimum Reporting Requirements for the year ending 30 June 2015, and other authoritative pronouncements.

With respect to compliance with Australian Accounting Standards and Interpretations, the Anti-Discrimination Commission has applied those requirements applicable to not-for-profit entities, as the Anti-Discrimination Commission is a not-for-profit entity. Except where stated, the historical cost convention is used.

(b) The Reporting Entity

The financial statements include the value of all income, expenses, assets, liabilities and equity of the commission. The commission does not control any other entities.

(c) User Charges and Fees

User charges and fees controlled by the commission are recognised as revenues when the revenue has been earned and can be measured reliably with a sufficient degree of certainty. This involves either invoicing for related goods/services and/or the recognition of accrued revenue. User charges and fees are controlled by the commission where they can be deployed for the achievement of commission objectives.

(d) Grants and Contributions

Grants, contributions, donations, and gifts that are non-reciprocal in nature are recognised as revenue in the year in which the commission obtains control over them (control is generally obtained at the time of receipt). Where grants are received that are reciprocal in nature, revenue is progressively recognised as it is earned, according to the terms of the funding agreements.

(e) Cash and Cash Equivalents

For the purposes of the Statement of Financial Position and the Statement of Cash Flows, cash assets include all cash and cheques received but not banked at 30 June as well as deposits at call with financial institutions.

(f) Receivables

Trade debtors are recognised at the amounts due at the time of sale or service delivery i.e. the agreed purchase/contract price. Settlement of these amounts is required within 30 days from invoice date.

The collectability of receivables is assessed periodically with provision being made for impairment. All known bad debts were written-off as at 30 June.

Other debtors generally arise from transactions outside the usual operating activities of the commission and are recognised at their assessed values. Terms are a maximum of three months, no interest is charged and no security is obtained.

(g) Inventories

Inventories held for sale are valued at the lower of cost and net realisable value.

Cost is assigned on a weighted average basis and includes expenditure incurred in acquiring the inventories and bringing them to their existing condition, except for training costs which are expensed as incurred.

Net realisable value is determined on the basis of the commission's normal selling pattern.

Expenses associated with marketing, selling and distribution are deducted to determine net realisable value.

(h) Acquisitions of Assets

Actual cost is used for the initial recording of all non-current physical and intangible asset acquisitions. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use. However, any training costs are expensed as incurred.

Assets acquired at no cost or for nominal consideration, other than from an involuntary transfer from another Queensland Government entity, are recognised at their fair value at the date of acquisition in accordance with AASB 116 *Property, Plant and Equipment*. The commission did not acquire any assets at no cost or for nominal consideration from another Queensland Government entity.

(i) Plant and Equipment

Items of plant and equipment with a cost or other value equal to or in excess of \$5,000 are recognised for financial reporting purposes in the year of acquisition. Items with a lesser value are expensed in the year of acquisition.

Plant and equipment is measured at cost in accordance with Queensland Treasury's *Non-Current Asset Policies for the Queensland Public Sector*.

(j) Intangibles

Intangible assets with a cost or other value equal to or greater than \$100,000 are recognised in the financial statements. Items with a lesser value are expensed. Each intangible asset, less any anticipated residual value, is amortised over its estimated useful life to the commission. The residual value is zero for all the commission's intangible assets.

It has been determined that there is not an active market for any of the commission's intangible assets. As such the assets are recognised and carried at cost less accumulated amortisation and accumulated impairment losses.

No intangible assets have been classified as held for sale or form part of a disposal group held for sale.

Internally Generated Software

Expenditure on research activities relating to internally-generated intangible assets is recognised as an expense in the period in which it is incurred.

Costs associated with the development of computer software have been capitalised and are amortised on a straight line basis over the period of expected benefit to the commission.

(k) Amortisation and Depreciation of Intangibles and Plant and Equipment

All intangible assets of the commission have finite useful lives and are amortised on a straight line basis.

Plant and equipment is depreciated on a straight-line basis so as to allocate the net cost or revalued amount of each asset, less its estimated residual value, progressively over its estimated useful life to the commission.

Assets under construction (work-in-progress) are not depreciated until they reach service delivery capacity. Service delivery capacity relates to when construction is complete and the asset is first put to use or is installed ready for use in accordance with its intended application. These assets are then reclassified to the relevant classes with plant and equipment.

Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset to the commission.

For each class of depreciable asset the following depreciation and amortisation rates were used:

Class	Rate %
Plant and equipment:	
Computer equipment	7 to 20
Office equipment	11 to 20
Leasehold improvements	8 to 20
Other	20
Intangible assets:	
Software Internally Generated	10

(l) Impairment of Non-Current Assets

All non-current physical and intangible assets are assessed for indicators of impairment on an annual basis. If an indicator of possible impairment exists, the commission determines the asset's recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

The asset's recoverable amount is determined as the higher of the asset's fair value less costs to sell and depreciated replacement cost.

An impairment loss is recognised immediately in the Statement of Comprehensive Income.

Where an impairment loss subsequently reverses, it is recognised as income.

(m) Leases

The commission has entered into a number of operating leases under which the lessor retains substantially all the risks and benefits incidental to ownership.

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

Incentives received on entering into operating leases are recognised as liabilities. Lease payments are allocated between rental expense and reduction of the liability.

The commission does not have any finance leases.

(n) Payables

Trade creditors are recognised upon receipt of the goods or services ordered and are measured at the nominal amount i.e. agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30 day terms.

(o) Financial Instruments

Recognition

Financial assets and financial liabilities are recognised in the Statement of Financial Position when the commission becomes party to the contractual provisions of the financial instrument.

Classification

Financial instruments are classified and measured as follows:

- Cash and cash equivalents - held at fair value through profit or loss - Note 7
- Receivables - held at amortised cost - Note 8
- Payables - held at amortised cost - Note 11

The commission does not enter into transactions for speculative purposes, nor for hedging. Apart from cash and cash equivalents, the commission holds no financial assets classified at fair value through profit or loss.

(p) Employee Benefits

Employer superannuation contributions, annual leave and long service leave levies are regarded as employee benefits.

Payroll tax and workers' compensation insurance are a consequence of employing employees, but are not counted in an employee's total remuneration package. They are not employee benefits and are recognised separately as employee related expenses.

Wages, Salaries, Recreation Leave and Sick Leave

Wages, salaries and recreation leave due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates.

For unpaid entitlements expected to be paid within 12 months, the liabilities are recognised at their undiscounted values. Entitlements not expected to be paid within 12 months are classified as non-current liabilities and recognised at the present value of the future cash flows.

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to continue in future periods. Accordingly, it is unlikely that existing accumulated entitlements will be used by employees and no liability for unused sick leave entitlements is recognised.

As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

Long Service Leave

Under the Queensland Government's long service leave scheme, a levy is made on the commission to cover the cost of employees' long service leave. The levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

No provision for long service leave is recognised in the commission's financial statements, the liability being held on a whole-of-Government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation scheme for Queensland Government employees, at rates determined by the Treasurer on the advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable. The commission's obligation is limited to its contribution to QSuper.

The QSuper scheme has defined benefit and defined contribution categories. The liability for defined benefits is held on a whole-of-Government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Key Management Personnel and Remuneration

Key management personnel and remuneration disclosures are made in accordance with section 5 of the Financial Reporting Requirements for Queensland Government Agencies issued by Queensland Treasury. Refer to note 4 for the disclosures on key management personnel and remuneration.

ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

(q) Insurance

The commission's non-current physical assets and other risks are insured through the Queensland Government Insurance Fund, premiums being paid on a risk assessment basis. In addition, the commission pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

(r) Taxation

The commission is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Anti-Discrimination Commission. GST credits receivable from, and GST payable to the Australian Tax Office (ATO), are recognised (refer to Note 8).

(s) Issuance of Financial Statements

The financial statements are authorised for issue by the Anti-Discrimination Commissioner and Manager, Corporate Services at the date of signing the Management Certificate.

(t) Accounting Estimates and Judgements

The preparation of financial statements necessarily requires the determination and use of certain critical accounting estimates, assumptions and management judgements that have the potential to cause a material adjustment to the carrying amounts of assets and liabilities within the next financial year. Such estimates, judgements and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised and in future periods as relevant.

Estimates and assumptions with the most significant effect on the financial statements are outlined in the following notes:

Plant and Equipment - Note 1(i) and Note 10; and

Depreciation and Amortisation - Note 1(k), Note 9 and Note 10.

Further, the matters covered in each of those notes (except for Depreciation and Amortisation) necessarily involve estimation uncertainty with the potential to materially impact on the carrying amount of the commission's assets and liabilities in the next reporting period. Reference should be made to the respective notes for more information.

(u) Other Presentation Matters

Currency and Rounding - Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required.

Comparatives - Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

Current/Non-Current Classification - Assets and liabilities are classified as either 'current' or 'non-current' in the Statement of Financial Position and associated notes. Assets are classified as 'current' where their carrying amount is expected to be realised within 12 months after the reporting date. Liabilities are classified as 'current' when they are due to be settled within 12 months after the reporting date, or the commission does not have an unconditional right to defer settlement to beyond 12 months after the reporting date. All other assets and liabilities are classified as non-current.

(v) New and Revised Accounting Standards

The commission did not voluntarily change any of its accounting policies during 2014-15. The Australian Accounting Standard applicable for the first time as from 2014-15 that had the most significant impact on the commission's financial statements is AASB 1055 *Budgetary Reporting*.

AASB 1055 became effective from reporting periods beginning on or after 1 July 2014. In response to this new standard, the commission has included in these financial statements a comprehensive new note 'Budget vs Actual Comparison' (note 15). This note discloses the commission's original published budgeted figures for 2014-15 compared to actual results, with explanations of major variances, in respect of the commission's Statement of Comprehensive Income, Statement of Financial Position and Statement of Cash Flows.

(v) New and Revised Accounting Standards (cont'd)

The commission is not permitted to early adopt a new or amended accounting standard ahead of the specified commencement date unless approval is obtained from Queensland Treasury. Consequently, the commission has not applied any Australian Accounting Standards and Interpretations that have been issued but are not yet effective. The commission applies standards and interpretations in accordance with their respective commencement dates.

From reporting periods beginning on or after 1 July 2016, the commission will need to comply with the requirements of AASB 124 *Related Party Disclosures*. That accounting standard requires a range of disclosures about the remuneration of key management personnel, transactions with related parties/entities, and relationships between parent and controlled entities. The commission already discloses information about the remuneration expenses for key management personnel (refer to note 4) in compliance with requirements from Queensland Treasury. Therefore, the most significant implications of AASB 124 for the commission's financial statements will be the disclosures to be made about transactions with related parties, including transactions with key management personnel or close members of their families.

All other Australian accounting standards and interpretations with future commencement dates are either not applicable to the Anti-Discrimination Commission's activities, or have no material impact on the commission.

2. Other Revenues

Interest	21	37
Services to Human Rights & Equal Opportunity Commission	5	10
Payroll tax refund	27	-
Other	6	2
Total	59	49

3. Employee Expenses

Employee Benefits

Wages and salaries	2,587	2,533
Annual leave expense*	300	299
Employer superannuation contributions*	351	344
Long service leave levy*	61	59
Other employee benefits	8	5

Employee Related Expenses

Workers' compensation premium*	30	31
Payroll tax*	127	151
Other employee related expenses	18	32
Total	3,482	3,454

* Refer to Note 1(p)

The number of employees as at 30 June, including both full-time employees and part-time employees, measured on a full-time equivalent basis (reflecting Minimum Obligatory Human Resource Information (MOHRI)) is:

	2015	2014
Number of employees:	33	33

ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

4. Key Management Personnel and Remuneration Expenses

(a) Key Management Personnel

The following details for key management personnel include those positions that had authority and responsibility for planning, directing and controlling the activities of the commission during 2014-15. Further information on these positions can be found in the body of the Annual Report under the section relating to Executive Management.

Position	Responsibilities	Current Incumbents	
		Contract classification and appointment authority	Date appointed to position (Date resigned from position)
Anti-Discrimination Commissioner	Accountable officer responsible for leading the commission in performing its functions under the <i>Anti-Discrimination Act 1991</i> .	SES3/ <i>Anti-Discrimination Act 1991</i>	7th February 2011
Deputy Commissioner	Provide high level advice to enhance the delivery of strategic and operational targets within a human rights framework.	SO(2)/ <i>Public Service Act 2008</i>	16th February 2004
State Director, Complaints Management	Strategic management of complaints under a statutory complaints framework.	SO(1)/ <i>Public Service Act 2008</i>	23rd February 2004
Manager, Corporate Services	Provide strategic advice and manage the delivery of corporate services within the commission.	AO8/ <i>Public Service Act 2008</i>	30th March 2009
Manager, Community Relations	Manage the commission's training and community engagement programs	AO7/ <i>Public Service Act 2008</i>	18th April 2011

(b) Remuneration Expenses

Remuneration policy for the commission's key management personnel is set by the Queensland Public Service Commission as provided for under the *Public Service Act 2008*, with the exception of the Anti-Discrimination Commissioner who is appointed under the *Anti-Discrimination Act 1991*. The remuneration and other terms of employment (including motor vehicle entitlements) for the key management personnel are specified in employment contracts.

For the 2014-15 year, remuneration packages of key management personnel increased by 2.2% in accordance with government policy.

The following disclosures focus on the expenses incurred by the commission during the respective reporting periods, that is attributable to key management positions. Therefore, the amounts disclosed reflect expenses recognised in the Statement of Comprehensive Income.

ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

4. Key Management Personnel and Remuneration Expenses (cont'd)

(b) Remuneration Expenses (cont'd)

Remuneration expenses for key management personnel comprise the following components:-

- Short term employee expenses which include:
 - salaries, allowances and leave entitlements earned and expensed for the entire year or for that part of the year during which the employee occupied the specified position.
 - Non-monetary benefits - consisting of provision of vehicle together with fringe benefits tax applicable to the benefit, only applicable to SES officers.
- Long term employee expenses include amounts expensed in respect of long service leave entitlements earned.
- Post employment expenses include amounts expensed in respect of employer superannuation obligations.
- Termination benefits are not provided for within individual contracts of employment. Contracts of employment provide only for notice periods or payment in lieu of notice on termination, regardless of the reason for termination.

Performance bonuses are not paid under the contracts in place.

1 July 2014 - 30 June 2015

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post Employment Expenses	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Anti-Discrimination Commissioner	192	-	4	20	-	216
Deputy Commissioner	127	-	2	16	-	145
State Director, Complaints Management	116	-	2	15	-	133
Manager, Corporate Services	110	-	2	14	-	126
Manager, Community Relations	108	-	2	13	-	123

ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

4. Key Management Personnel and Remuneration Expenses (cont'd)

(b) Remuneration Expenses (cont'd)

1 July 2013 - 30 June 2014

Position	Short Term Employee Expenses		Long Term Employee Expenses	Post Employment Expenses	Termination Benefits	Total Expenses
	Monetary Expenses \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Anti-Discrimination Commissioner	191	-	3	20	-	214
Deputy Commissioner	121	-	2	15	-	138
State Director, Complaints Management	112	-	2	15	-	129
Manager, Corporate Services	111	-	2	14	-	127
Manager, Community Relations	99	-	2	12	-	113

	2015 \$'000	2014 \$'000
5. Supplies and Services		
Tenancy	689	756
Property outgoings	117	99
Printing and postage	58	54
Inventory sold	12	18
Professional services	44	57
Travel	46	52
Operating level agreement	145	153
Computing	368	218
Motor vehicle	42	45
Telephones	71	63
Subscription and publications	19	20
Stores and stationery	31	17
Other	28	49
Total	1,670	1,601

6. Other Expenses

External audit fees *	20	24
Insurance Premiums - QGIF	3	4
Losses from disposal of plant & equipment	1	1
Special payments - Ex-gratia payments	1	-
Sponsorships	2	1
Total	27	30

* Total audit fees paid to the Queensland Audit Office relating to the 2014-15 financial statements are estimated to be \$21,900 (2014: \$24,000). There are no non-audit services included in this amount.

7. Cash and Cash Equivalents

Imprest accounts	2	2
Cash at bank	164	193
Term deposits	-	280
Total	166	475

Term deposits with the Commonwealth Bank earned interest at rates between 1.75% and 3.24% (2014: 3.20% and 3.75%).

The commission does not trade in foreign currency and is not materially exposed to commodity price changes. The commission is exposed to interest rate risk through its cash deposited in interest bearing accounts. The commission does not undertake any hedging in relation to interest risk and manages its risk as per the liquidity risk management strategy. If interest rates would change by +/-1% from the year-end rates applicable to the commission's financial assets, with all other variables held constant, the commission would have a surplus and equity increase/(decrease) of \$2,000 (2014: \$5,000).

ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

	2015	2014
	\$'000	\$'000
8. Receivables		
Trade debtors	48	31
GST receivable	15	23
Long service leave reimbursements	11	29
Sundry debtors *	48	72
Total	122	155

* Refer to Note 11

9. Intangible Assets

Software Internally Generated		
At cost	712	487
Less: Accumulated amortisation	(235)	(167)
Total	477	320

Intangibles Reconciliation

	Software Internally Generated		Total	
	2015	2014	2015	2014
	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	320	340	320	340
Transferred from work in progress	225	26	225	26
Amortisation	(68)	(46)	(68)	(46)
Carrying amount at 30 June	477	320	477	320

10. Plant and Equipment

Plant and equipment:		
At cost	2,559	2,223
Less: Accumulated depreciation	(1,175)	(999)
	1,384	1,224
Work in Progress:		
At cost	20	150
Total	1,404	1,374

Plant and equipment is measured at cost in accordance with Queensland Treasury's *Non-Current Asset Policies for the Queensland Public Sector*.

10. Plant and Equipment (cont'd)

Plant and Equipment Reconciliation	Work in Progress		Plant and Equipment		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
Carrying amount at 1 July	150	-	1,224	1,398	1,374	1,398
Acquisitions	432	202	13	21	445	223
Disposals	-	-	(1)	-	(1)	-
Transfers between classes	(337)	(26)	337	26	-	-
Transferred to Intangibles	(225)	(26)	-	-	(225)	(26)
Depreciation	-	-	(189)	(221)	(189)	(221)
Carrying amount at 30 June	20	150	1,384	1,224	1,404	1,374

The commission has no plant and equipment with a written down value of zero still being used in the provision of services.

	2015 \$'000	2014 \$'000
Trade creditors	44	98
Payroll tax payable*	-	12
Other	1	-
Total	45	110

11. Payables

* Payroll tax receivable of \$13,577.99 for 2014-15 is reported under Sundry Receivable. Refer to Note 8.

12. Accrued Employee Benefits

Current

Wages outstanding	24	11
Recreation leave	265	251
Long service leave levy payable	15	14
Total	304	276

Non-Current

Recreation leave	87	84
Total	87	84

The discount rates used to calculate the present value of non-current annual leave is 1.9% (2014: 2.5%).

ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

	2015	2014
	\$'000	\$'000
13. Reconciliation of Operating Result to Net Cash from Operating Activities		
Operating result	(42)	(75)
Depreciation and amortisation expense	257	267
Net losses on disposal of plant and equipment	1	-
Change in assets and liabilities:		
(Increase)/decrease in trade receivables	(17)	24
(Increase)/decrease in GST input tax credits receivable	8	(2)
(Increase)/decrease in LSL reimbursement receivables	18	2
(Increase)/decrease in other receivables	24	(69)
(Increase)/decrease in inventories	6	(4)
(Increase)/decrease in prepayments	(15)	(41)
Increase/(decrease) in lease incentive liability	(70)	(69)
Increase/(decrease) in accounts payable	(65)	(58)
Increase/(decrease) in accrued employee benefits	31	54
Net Cash from operating activities	135	29

14. Commitments for Expenditure

(a) Non-Cancellable Operating Lease

Commitments under operating leases at reporting date are inclusive of anticipated GST and are payable as follows:

Not later than one year	732	900
Later than one year and not later than five years	182	676
Total	914	1,576

Operating leases are entered into as a means of acquiring access to office accommodation and storage facilities. Lease payments are generally fixed, but with inflation escalation clauses on which contingent rentals are determined.

15. Budget vs Actual Comparison

Statement of Comprehensive Income

	Variance Notes	Original Budget 2015 \$'000	Actual 2015 \$'000	Variance \$'000	Variance % of Budget
Income from Continuing Operations					
Revenue					
User charges and fees	1	155	194	39	25%
Grants and other contributions		5,151	5,151	-	0%
Other Revenues		60	59	(1)	(2%)
Total Income from Continuing Operations		5,366	5,404	38	1%
Expenses from Continuing Operations					
Employee expenses		3,659	3,482	(177)	(5%)
Supplies and services	2	1,382	1,670	288	21%
Grants and subsidies		10	10	-	0%
Depreciation and amortisation		287	257	(30)	(10%)
Other expenses		28	27	(1)	(4%)
Total Expenses from Continuing Operations		5,366	5,446	80	1%
Operating Result from Continuing Operations		-	(42)	(42)	-
Other Comprehensive Income		-	-	-	-
Total Comprehensive Income		-	(42)	(42)	-

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2014-15

15. Budget vs Actual Comparison (cont'd)

Statement of Financial Position

	Variance Notes	Original Budget 2015 \$'000	Actual 2015 \$'000	Variance \$'000	Variance % of Budget
Current Assets					
Cash and cash equivalents	3	1,003	166	(837)	(83%)
Receivables		110	122	12	11%
Inventories		14	12	(2)	(14%)
Other current assets	4	43	99	56	130%
Total Current Assets		1,170	399	(771)	(66%)
Non-Current Assets					
Intangible assets	5	244	477	233	95%
Plant and equipment	6	981	1,404	423	43%
Total Non-Current Assets		1,225	1,881	656	54%
Total Assets		2,395	2,280	(115)	(5%)
Current Liabilities					
Payables	7	169	45	(124)	(73%)
Other financial liabilities		70	70	-	0%
Accrued employee benefits	8	185	304	119	64%
Total Current Liabilities		424	419	(5)	(1%)
Non-Current Liabilities					
Other financial liabilities	9	289	330	41	14%
Accrued employee benefits	10	121	87	(34)	(28%)
Total Non-Current Liabilities		410	417	7	2%
Total Liabilities		834	836	2	0%
Net Assets		1,561	1,444	(117)	(7%)
Total Equity		1,561	1,444	(117)	(7%)

15. Budget vs Actual Comparison (cont'd)

Statement of Cash Flows

	Variance Notes	Original Budget 2015 \$'000	Actual 2015 \$'000	Variance \$'000	Variance % of Budget
Cash flows from operating activities					
<i>Inflows:</i>					
User charges and fees	11	155	201	46	30%
Grants and other contributions		5,151	5,151	-	0%
Interest receipts		49	21	(28)	(57%)
GST input tax credits from ATO		-	231	231	-
GST collected from customers		-	20	20	-
Other		11	38	27	245%
<i>Outflows:</i>					
Employee expenses		(3,659)	(3,445)	214	(6%)
Supplies and services	12	(1,472)	(1,803)	(331)	22%
Grants and subsidies		(10)	(10)	-	0%
GST paid to supplies		-	(222)	(222)	-
GST remitted to ATO		-	(21)	(21)	-
Other		(28)	(26)	2	(7%)
Net cash provided by (used in) operating activities		197	135	(62)	(31%)
Cash flows from investing activities					
<i>Inflows:</i>					
Sales of plant and equipment		-	1	-	-
<i>Outflows:</i>					
Payments for plant and equipment	13	(30)	(445)	(415)	1,383%
Net cash provided by (used in) investing activities		(30)	(444)	(415)	1,383%
Net increase (decrease) in cash and cash equivalents		167	(309)	(476)	(285%)
Cash and cash equivalents at beginning of financial year		836	475	(361)	(43%)
Cash and cash equivalents at end of financial year		1,003	166	(837)	(83%)

15. Budget vs Actual Comparison (cont'd)

Explanations of Major Variances

Statement of Comprehensive Income

- 1 Demand for education programs was higher than anticipated particularly in the Cairns and Townsville regions.
- 2 This variance mainly relates to the costs of managing information and communication systems. The commission decided to trial outsourcing management of these facilities following the retirement of the staff member who had responsibility for this function. This occurred after the budget was set.

Statement of Financial Position

- 3 Part of the variance for Cash and Cash Equivalents (\$0.361 million) is attributable to a lower actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual cash flows for the previous financial year. The remainder of the variance is substantially due to investment in the construction of fit out assets in Townsville and upgrade of computer software. Cost estimates of these investments were not available at the time the budget was set.
- 4 Part of the variance for Other current assets (\$0.041 million) is attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual prepayments for the previous financial year. The remainder of the variance is substantially due to prepayments of software and support licenses. Cost estimates of this investment were not available at the time the budget was set.
- 5 Part of the variance for Intangible assets (\$0.028 million) is attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual investment for the previous financial year. The remainder of the variance is substantially due to investment in the upgrade of computer software. Cost estimates of this investment were not available at the time the budget was set.
- 6 Part of the variance for Plant and equipment (\$0.184 million) is attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual investment for the previous financial year. The remainder of the variance is substantially due to investment in the construction of fit out assets in Townsville. Cost estimates of this investment were not available at the time the budget was set.
- 7 Part of the variance for Payables (\$0.059 million) is attributable to a lower actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual cash flows for the previous financial year. The remainder of the variance is substantially due to the receipt of invoices for a software upgrade. The timing of this project was not known at the time the budget was set.
- 8 The variance for Accrued employee benefits is mainly attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual leave accrual for the previous financial year (\$0.091 million).
- 9 Part of the variance for Other financial liabilities (\$0.021 million) is attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual write down of the liability for the previous financial year. The remainder of the variance is due to the budget for the annual write down of the liability being higher than the actual write down. The liability is a lease incentive relating to fit out assets that have had their useful life extended. The effect of this is that the lease incentive liability is written down over a longer term at a lower annual rate.
- 10 The variance for Accrued employee benefits (non-current) is mainly attributable to a lower actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual leave accrual for the previous financial year (\$0.037 million).

Statement of Cash Flows

- 11 Demand for education programs was higher than anticipated particularly in the Cairns and Townsville regions.
- 12 This variance mainly relates to the costs of managing information and communication systems. The commission decided to trial outsourcing management of these facilities following the retirement of the staff member who had responsibility for this function. This occurred after the budget was set.
- 13 This variance is due to investment in the construction of fit out assets in Townsville and upgrade of computer software. Cost estimates of these investments were not available at the time the budget was set.

CERTIFICATE OF THE ANTI-DISCRIMINATION COMMISSION

These general purpose financial statements have been prepared pursuant to section 62(1) of the *Financial Accountability Act 2009* (the Act), relevant sections of the *Financial and Performance Management Standard 2009* and other prescribed requirements. In accordance with Section 62(1)(b) of the Act we certify that in our opinion:

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects;
- (b) the financial statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Anti-Discrimination Commission of Queensland for the financial year ended 30 June 2015 and of the financial position of the commission at the end of that year; and
- (c) these assertions are based on an appropriate system of internal controls and risk management processes being effective, in all material respects, with respect to financial reporting throughout the reporting period.



Warren Edwards
Manager, Corporate Services

14 August 2015



Kevin Cocks AM
Anti-Discrimination Commissioner

14 August 2015

INDEPENDENT AUDITOR'S REPORT

To the Anti-Discrimination Commission

Report on the Financial Report

I have audited the accompanying financial report of the Anti-Discrimination Commission, which comprises the statement of financial position as at 30 June 2015, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and certificates given by the Anti-Discrimination Commissioner and the Manager, Corporate Services.

The Commissioner's Responsibility for the Financial Report

The Anti-Discrimination Commissioner is responsible for the preparation of the financial report that gives a true and fair view in accordance with prescribed accounting requirements identified in the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, including compliance with Australian Accounting Standards. The Commissioner's responsibility also includes such internal control as the Commissioner determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on the audit. The audit was conducted in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. Those standards require compliance with relevant ethical requirements relating to audit engagements and that the audit is planned and performed to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control, other than in expressing an opinion on compliance with prescribed requirements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Anti-Discrimination Commission, as well as evaluating the overall presentation of the financial report including any mandatory financial reporting requirements approved by the Treasurer for application in Queensland.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

The *Auditor-General Act 2009* promotes the independence of the Auditor-General and all authorised auditors. The Auditor-General is the auditor of all Queensland public sector entities and can be removed only by Parliament.

The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

Opinion

In accordance with s.40 of the *Auditor-General Act 2009*:

- (a) I have received all the information and explanations which I have required
- (b) in my opinion:
 - (i) the prescribed requirements in relation to the establishment and keeping of accounts have been complied with in all material respects
 - (ii) the financial report presents a true and fair view, in accordance with the prescribed accounting standards, of the transactions of the Anti-Discrimination Commission for the financial year 1 July 2014 to 30 June 2015 and of the financial position as at the end of that year.

Other Matters - Electronic Presentation of the Audited Financial Report

Those viewing an electronic presentation of these financial statements should note that audit does not provide assurance on the integrity of the information presented electronically and does not provide an opinion on any information which may be hyperlinked to or from the financial statements. If users of the financial statements are concerned with the inherent risks arising from electronic presentation of information, they are advised to refer to the printed copy of the audited financial statements to confirm the accuracy of this electronically presented information.



R W HODSON CPA
as Delegate of the Auditor-General of Queensland

Queensland Audit Office
Brisbane

