

ANNUAL REPORT

07/08



ANTI DISCRIMINATION  
COMMISSION QUEENSLAND

**Copyright**

The Anti-Discrimination Commission Queensland gives permission for this material to be reproduced for non-commercial educational purposes, provided acknowledgement is made to the Anti-Discrimination Commission Queensland ISSN 1441-5747

**English:** If you'd like us to arrange an interpreter for this report, please call us on 1300 130 670

**Spanish:** Si usted quiere que le busquemos un intérprete para este reporte, por favor llámenos al teléfono número 1300 130 670

**Mandarin:** 如果閣下希望我們為這份報告安排傳譯，請撥電 1300 130 670，跟我們聯絡。

**Vietnamese:** Neáu quý vị vò muoán chuùng toâi thu xeáp ñeà coù ngöôøi phieân dòch baùo caùo naøy, xin vui loøng goïi cho chuùng toâi qua soá 1300-130-670

**Arabic:** ا رغبتم ا قو حن بتهنة مترجم لأغراض هذا آ تقرير فنرجو آلاتصال بنا على رقم هاتف

**Farsi:** در صورت تمایل به داشتن ترجم برای ترجمه این تن، طفا با ا با شماره تلفن ۱۳۰۰۱۳۰۶۷۰ تماس حاصل فرمائید.

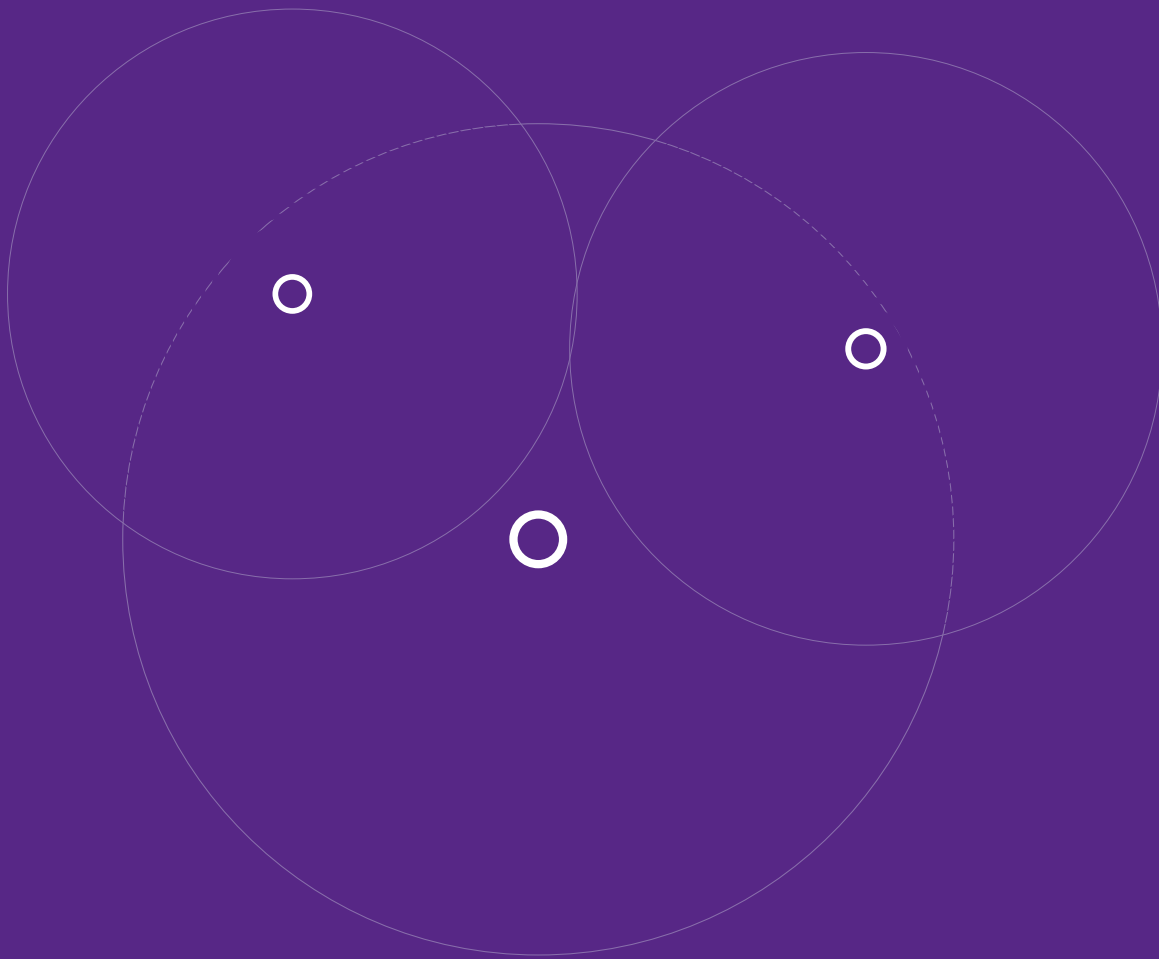
---



# Contents

---

Upholding and Advancing Human Rights	<b>2</b>
At a Glance	<b>3</b>
Commissioner's Report	<b>4</b>
Human Rights Promotion	<b>6</b>
Community Relations	<b>7</b>
Complaint Management	<b>13</b>
Reports from the Regions	<b>20</b>
Support Services	<b>26</b>
Anti-Discrimination Tribunal	<b>27</b>
Appendices	<b>33</b>



## Upholding and Advancing Human Rights

---

### Our Vision

A society reflecting individual and cultural diversity and equality of opportunity for all.

### Our Mission

Human Rights Leadership in Queensland through:

- Upholding rights
  - Complaint Resolution
  - Complaint Determination
- Promoting rights
  - Information Services
  - Community Engagement
- Protecting rights
  - Human Rights Advocacy
  - Enhancing Governance

### Our Services

- enquiry and complaint management
- advice and information services
- community relations
- human rights promotion

### Our Goals

#### Complaint resolution

- To assess, conciliate and resolve complaints of discrimination, sexual harassment and vilification through an accessible, fair, effective and timely complaint resolution process

#### Complaint Determination

- To facilitate the effective determination of complaints, exemptions and opinions in an accessible, fair and timely manner within the Anti-Discrimination Tribunal

#### Information Services

- To provide authoritative and expert information about discrimination and human rights law

#### Community Engagement

- To promote understanding, acceptance and public discussion of human rights

#### Human Rights Advocacy

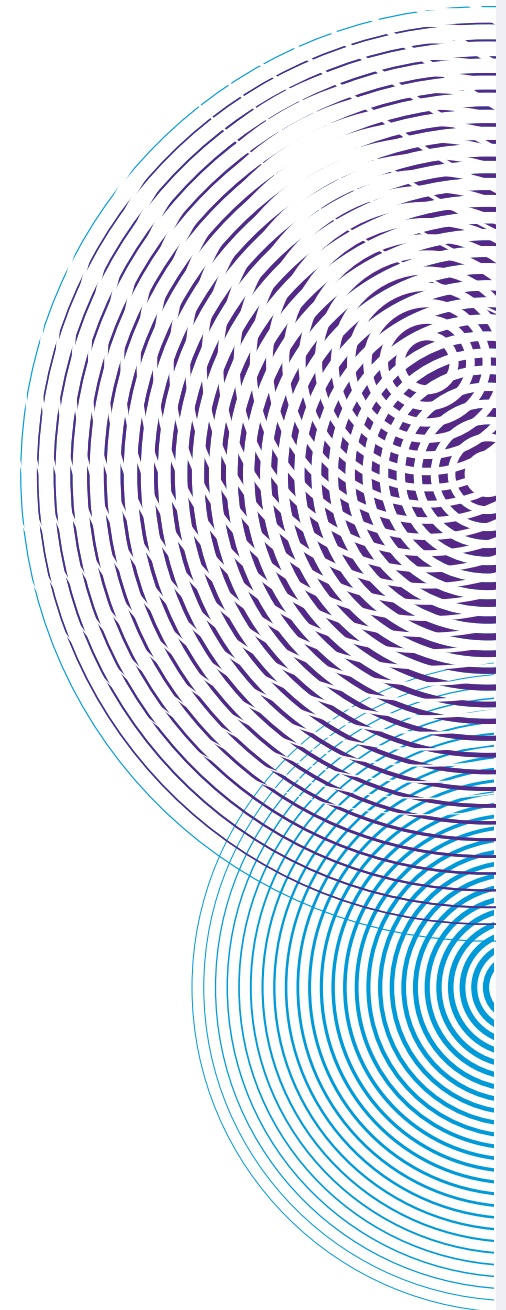
- To identify human rights issues within Queensland and then influence, advocate and effect change through innovative, proactive, independent leadership

#### Enhancing Governance

- To foster alliances and partnerships within public sector agencies to optimise human rights

#### Organisational Capability

- To facilitate an organisational culture of performance, management accountability, staff capability and capacity for change



## At a Glance

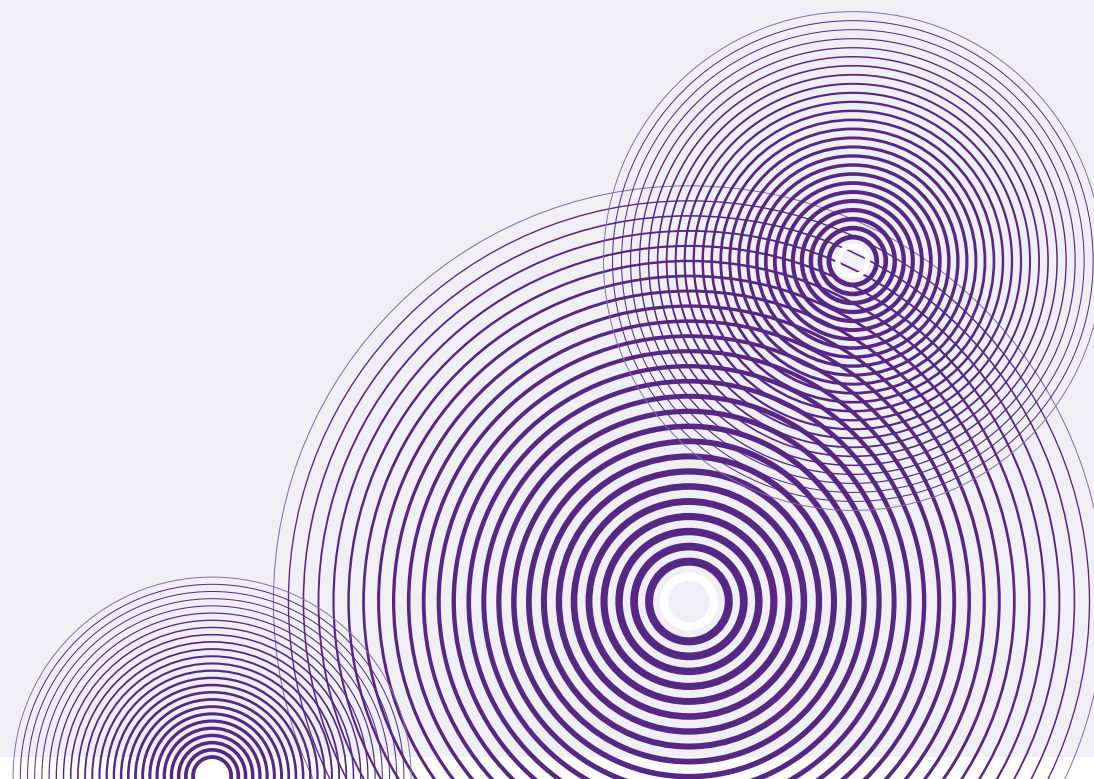
---

The Anti-Discrimination Commission was established in December 1996 to administer the Queensland *Anti-Discrimination Act 1991*.

The Commission is an independent statutory body and employs 38.1 full-time equivalent staff, including a Commissioner, Susan Booth.

We have an office in Brisbane, and run three regional offices in Rockhampton, Townsville and Cairns.

In the 2007-08 financial year we received a grant of \$4.454M from the Queensland government.



## Commissioner's report

---

This year, new challenges have been met and the high standards set in recent years, maintained.

The Commission has adopted a 'continuous improvement' approach to complaint management based on rigorous assessment of complaints. High settlement rates achieved in the previous year have been sustained, with 60% of accepted complaints being settled in the Commission.

Feedback from advocates for both respondents and complainants indicates very high levels of satisfaction with the complaint process.

This year, training demands were different from previous years. Greater demand for in-house training, rather than on-site training, and significant uptake on the Commission's training CD-ROM *Fairness - Everyone's Business* has provided a guide to our future work. We will provide more in-house sessions, particularly to the community sector where there continues to be significant unmet demand, and the CD-ROM will be improved and updated to ensure it remains a relevant resource for employers.

Nationally, the election of a new federal government has brought significant change to the human rights and anti-discrimination

environment. The first important event was the Stolen Generations apology; a momentous and emotional journey for many Aboriginal and Torres Strait Islander Queenslanders and the wider community. Signing and ratification of the *Convention on the Rights of Persons with Disabilities* has great potential to improve the rights of all Australians by improving the human rights of people with disabilities.

From a practical point of view, the new Australian Government is indicating a strong interest in legislative review. Two important processes have begun this year. The first is the possibility of harmonisation of state and federal anti-discrimination laws. The Commission has been active in discussions and will support harmonisation where the legislative basis for any new laws does not diminish rights for Queenslanders and further, that strong service delivery in regional Queensland is maintained.

As well, this year a significant review of the federal *Sex Discrimination Act 1984* looks beyond the current Act to what needs to be done in the 21st century to address gender discrimination and sexual harassment.

The likely outcome is that the state discrimination laws will change. It is too early to predict the extent and timing of those changes. The Commission will participate fully in these processes and will assess whether

there is a need for a significant legislative review of the Queensland legislation.

During this reporting period there have been two legislative challenges to the primacy of human rights in Queensland. Both have sought to override the *Anti-Discrimination Act 1991*.

The first concerns the federal and Queensland legislation that establishes the *Family Responsibilities Commission*. These Acts of the Commonwealth and Queensland Parliaments seek to implement welfare reforms in certain communities in Queensland. (It is possible to deliver these services in ways that are allowable under current laws, if the wishes and aspirations of the relevant Indigenous communities are respected.) I have made representations about reinstatement of the *Anti-Discrimination Act 1991* and sought ongoing discussions to provide me with some confidence that the Commission's views are being taken into account.

Proposed amendments of the *Corrective Services Act 2006* are presently before the Queensland parliament. Without consultation with the Commission, the Bill would allow prisoners to be the subject of discrimination in certain circumstances. Managing prisoners is a challenge, and the Commission, as experts in human rights in Queensland, has sought appropriate consultation. In my view,

appropriate consultation would preserve human rights while assisting fair and non-discriminatory management of complaints by prison authorities.

In the Brisbane office we are preparing to move into new premises in 53 Albert Street. Co-locating with other similar agencies, the Commission for Children and Young People and Child Guardian, the Ombudsman (Commonwealth and State) and Health Quality and Complaints Commission, sharing facilities and reception will provide the public with a better service and significant cost savings.

In 2008 the Queensland Government announced its intention to create a new civil and administrative tribunal (QCAT) by the end of 2009. It has been determined that the Anti-Discrimination Tribunal will be included in the new tribunal in a human rights division.

I have also assumed the role of chairing the Australian Council of Human Rights Agencies (ACHRA), the peak body for state, territory and national human rights commissions. I take this opportunity to acknowledge the contribution of Ms Linda Matthews, South Australia's Commissioner for Equal Opportunity, (and former ACHRA chair) for her tireless efforts and support for human rights in Australia.

Finally, this report can only capture a small part of the enthusiasm and dedication to human rights of the staff of the Commission. This year we have also formed a climate change group in ADCQ. This group has provided leadership to ensure our office and our new premises work not just for us but for our environment too. I would like to acknowledge the work of all staff and their contribution to the many achievements outlined in this report.

Susan Booth  
Commissioner



## Human rights promotion

The Commission influences and raises awareness about human rights issues. This includes working with both the State and Commonwealth governments when they are developing legislation or policy that may affect human rights, and working with the public and private sectors to identify and address issues of systemic discrimination.

In the past year the Commission worked with:

- The Department of Disability Services and Department of Communities in developing policy associated with the introduction of a Queensland companion card for people with a disability to allow free or discounted admission for their carer to accompany them to participating venues
- Queensland Fire and Rescue Services to assist in developing the policy framework for providing government funds for people with hearing impairments to purchase alternative fire alarms
- Multicultural Affairs Queensland regarding the legal and policy issues surrounding the provision by non government organisations of interpreter services to clients who have difficulty communicating in English

- The Queensland Studies Authority on equity issues for primary and secondary students across Queensland.
- a number of public sector agencies about the development of an accessible procurement policy.

The Commission has lodged submissions with:

- The Department of Disability Services regarding the development of policy and legislation in response to the Carter Report, to improve responses and support services for adults with an intellectual or cognitive disability who exhibit severely challenging behaviours
- the Review of the Disability Transport Standards.

In the promotion of human rights and anti discrimination laws, the Commissioner and the Deputy Commissioner have spoken at numerous conferences and forums throughout the year including the:

- Conference of Association of Heads of Australian Universities Colleges and Halls
- Queensland Police Service *Harassment Don't Cop It* conference

- 2020 Summit held during Pride week
- Real Estate Institute of Queensland, Brisbane forum for rental market and property managers
- University of Sunshine Coast *Racisms in the New World Order* conference

The Commission continues to work both proactively and reactively with government and the private sector in Queensland to prevent discrimination and to protect human rights.



Let us Know is launched

## Community Relations

### Overview

Community relations work incorporates training development and delivery, project management, publications, community engagement, Aboriginal and Torres Strait Islander outreach and website development and maintenance.

### Highlights for 2007-08 included:

- delivery of 295 training sessions
- development of new resources
- production of a promotional CD-ROM for *Fairness – Everyone's Business*
- sale of more than 70 copies of the training package *Fairness – Everyone's Business* CD-ROM
- expansion of specific client groups
- upgrade of library resources for more effective research

### Training

Training sessions were delivered throughout Queensland by staff from all four offices.

Venues ranged from Cloncurry to the Gold Coast, Tarong to Yarrabah, Innisfail to Toowoomba and places in between.

While numbers and types of sessions were consistent with last year, there were a few noticeable variations.

One was the increase in the number of 'in-house' sessions delivered. These are the sessions offered by the Commission in our training rooms rather than on-site at the client's premises.

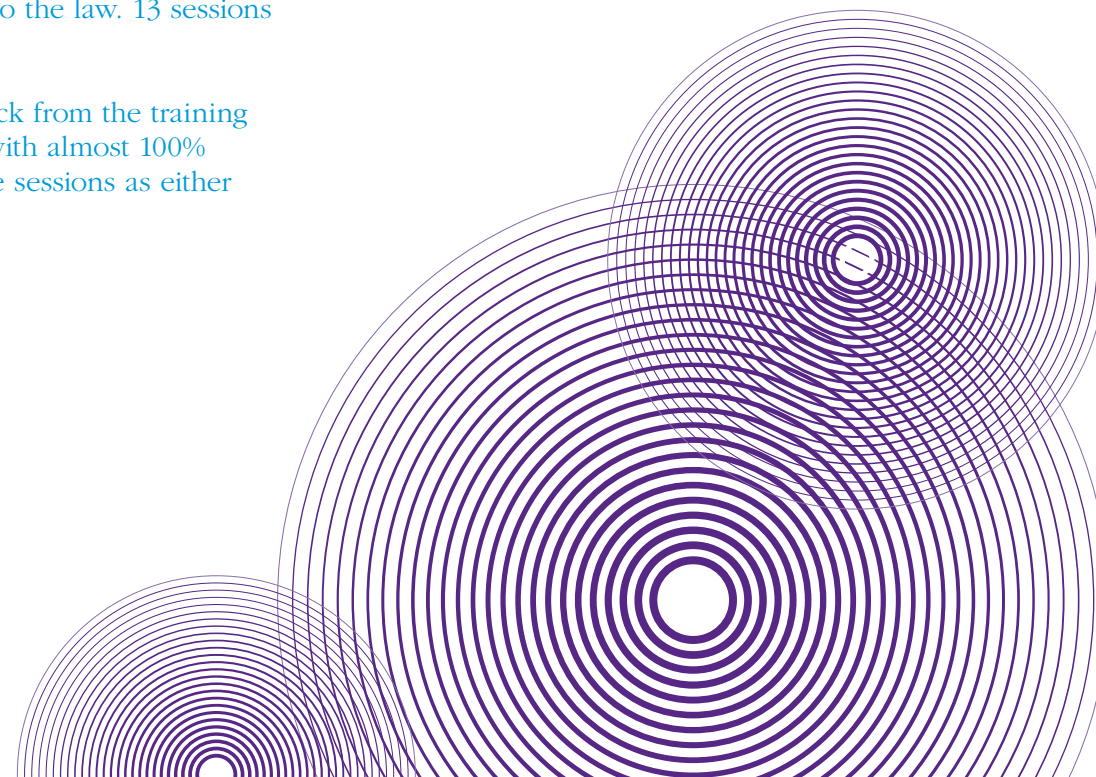
Last year, we presented 23 'in-house' sessions covering the range of courses on offer, while this year, 37 were delivered, an increase of 60%. The increase was due to two things, one being the rise in demand for training from community organisations, and the other being delivery of sessions for advocates in a regional area.

As well, a new type of training called *Ten Things* was developed to respond to a demand for a brief introduction to the law. 13 sessions were delivered.

As in past years, feedback from the training has been outstanding, with almost 100% of participants rating the sessions as either excellent or very good.



Trainer in Vodcast development.



**Training**

Delivery of training by sector

	South-East	Central	North	Far North	Total
Private	84	19	20	7	130
Public	69	2	5	10	86
Community	25	9	2	6	42
In-house	22*	-	5	10	37
<b>Total</b>	<b>200</b>	<b>30</b>	<b>32</b>	<b>33</b>	<b>295</b>

\*includes three in-house sessions specifically for community organisations

**Training**

Type of sessions

	South-East	Central	North	Far North	Total
The law	121	14	15	22	172
Contact officer	51	15	14	6	86
Advocates	6	-	-	4	10
<i>Fairness – Everyone’s Business</i>	3	-	1	-	4
10 things (about the Act)	13	-	-	-	13
Other	6	1	2	1	10
<b>Total</b>	<b>200</b>	<b>30</b>	<b>32</b>	<b>33</b>	<b>295</b>

## Training

Details of sessions

	South-East	Central	North	Far North	Total
No of people	3778	252	351	366	4747
Hours of delivery	481.5	94.5	102.5	82.5	761
<b>Revenue</b>	<b>\$103,490</b>	<b>\$19,679</b>	<b>\$31,500</b>	<b>\$12,848</b>	<b>\$167,517</b>

## Marketing

This year, the Commission introduced a range of marketing and advertising strategies to increase awareness of our work.

These include:

- development of an advertising campaign involving four designs for use in community newspapers and other publications
- production of a series of four rights cards for young people, Muslim communities, lgbti (lesbian, gay, bi-sexual, transgender and intersex) communities, and Aboriginal and Torres Strait Islander communities
- development of a range of community announcements for Aboriginal radio
- production of freestanding banners and A-frames for use in indoor and outdoor functions
- production of fridge magnets and stickers
- production of a vodcast presentation on a hospitality website
- production of two new posters, one a simplified version of the United Nations *Declaration of Human Rights*, and the other for Aboriginal and Torres Strait Islander communities
- advertisements placed in a range of publications including *Queensland Pride*, *Rockhampton Bulletin*, *Townsville Bulletin*, *Kid Streetsmart* and *Outrageous*
- development of two specific brochures for Aboriginal and Torres Strait Islander communities.
- production of a series of cartoons.

## Fairness – Everyone’s Business

This is a ‘ready to go’ training product on discrimination law. It comprises

- powerpoint slides
- trainer’s notes
- visual scenarios
- case law
- handouts
- activities
- tips for trainers
- sections of the Act
- glossary of terms

The package has been designed for the in-house trainer, but can be accompanied by a full day’s training for those who wish to use it.

As part of the marketing strategy, a promotional CD-ROM was also produced and sent to potential purchasers.

To date, more than 70 copies of the product have been sold, and more than 30 individual trainers have attended the familiarisation session with the Commission. Development of this product, the first of its kind in Australia, has proven to be a strategic and timely response to training demand.

### Specific client groups

As a result of both targeted and ongoing general training, opportunities are becoming available to work with specialised groups.

Over this financial year, three distinct client pools have emerged – the purchasers of *Fairness – Everyone’s Business*, community organisations, and Contact Officers.

Because of increasing demand from community organisations for training in discrimination law, extra sessions have been scheduled. All have been fully booked, and we now have more than 100 individual organisations which have undertaken training with us over the last year.

Contact Officer training has been part of our core business for many years, and we are ‘growing’ an ever-increasing pool of trained Contact Officers who may benefit from further training or networking opportunities.

Purchasers of *Fairness – Everyone’s Business* now form a large pool of potential clients.

Currently, we are undertaking a survey of users and a review, update and expansion of the materials.

In the coming year, we intend to focus on these three groups with a view to providing further training or support.

### Community engagement

Our engagement with community agencies and involvement in events is on the increase.

This year, we participated in the following:

- NAIDOC week (information stalls in each region, flag raising ceremony)
- International Women’s Day (several speeches, information stall, attendance at breakfast)
- Pride month (several speeches, information stall at Fair Day, information session for employers on LGBTI-friendly workplaces,)
- International Human Rights Day events (launch of rights card for Muslim communities, *Living Books* event)
- Ethnic Communities Council of Queensland/ Queensland Police Service Soccer Cup (information stall, sponsorship and presentation of runner-up trophy)

- Orientation weeks at tertiary institutions (information stalls)

In addition, on more than 150 occasions, staff visited community agencies, attended graduations, launches, awards presentations, festivals and open days, participated in international days and conducted liaison sessions within specific communities.

Almost half of these networking functions (about 65) involved Aboriginal and Torres Strait Islander communities, but others included multicultural communities, disability agencies, employment organisations and local community groups.

### Advisory Committees

The Commission continues to provide support for its five advisory committees, the membership of which is largely drawn from the community. The committees: LGBTI (lesbian, gay, bi-sexual, transgender and intersex) disability, advocates, unions and youth, meet twice a year with the Commissioner to exchange views and to keep each other up to date on current issues. This year, the Committees have participated in a number of consultations and reviews initiated by the newly elected federal government. The committees continue to provide ‘grass-roots’ contact and engagement with communities in a way that nothing else can.

### Aboriginal & Torres Strait Islander Unit

The Unit has focussed on two main issues this year; maintaining contact within Aboriginal and Torres Strait Islander communities, and finalising the development of the *Tracking Your Rights* training and information package.

As mentioned above, visits were made to 65 agencies throughout Queensland, during 2007-08. Organisations included community legal services, housing providers, schools and tertiary institutions, youth services and health agencies.

One of the most important trips was to Palm Island, where staff met with Council, the justice group and separately with men's and women's agencies.

A great deal of effort has gone into finalising the *Tracking Your Rights* package. By June 2008, the training component had been completed and delivered in a number of agencies, while the information sheets are well on the way, and should be up on the website early in the next financial year.

Staff also developed a range of scenarios for broadcast on 4AAA, an Indigenous radio station based in Brisbane. The scripts were recorded and aired for a month to a wide Aboriginal and Torres Strait Islander audience.

### Other highlights for the Unit included:

- attendance at the National Conciliators/Educators/Legal Officers Conference, Hobart (involving all human rights agencies in Australia)
- involvement in the Reconciliation Project with a multicultural organisation
- participation in the Northside Negotiation Table: a partnership comprising the Anti-Discrimination Commission, the Aboriginal and Torres Strait Islander Policy Unit and the Residential Tenancy Authority, on discrimination issues in the private rental market
- participation in a broad range of functions and events for NAIDOC Week, throughout Queensland
- development of two specific brochures and one specific poster for Aboriginal and Torres Strait Islander communities.

### Library resources

During 2007-08, library software was upgraded to provide online access through the Commission intranet to catalogues, decisions, non-print resources and online subscriptions. As a result, we now enjoy a more efficient use of resources and can engage in better quality research.

The Commission's website provides basic information in 24 community languages. Session numbers continue to increase.



Members of the Aboriginal and Torres Strait Islander Unit.

**Community language website statistics 2007-08**

Arabic	1019
Creole	976
Indonesian	953
Farsi	921
Bosnian	901
Spanish	890
Russian	874
Tagalog	864
Italian	863
Polish	861
French	857
Croatian	820
Vietnamese	789
Chinese	751
Albanian	744
Somali	733
Samoan	708
Japanese	703
Serbian	697
Cook Islands	675
Amharic	635
Swahili	603
Dinka	578
Khmer	515
<b>Total</b>	<b>18930</b>

**Website visits 2007-08**

July	6003
August	28186
September	17668
October	24310
November	23032
December	19106
January	22116
February	24632
March	25618
April	28984
May	28030
June	17014
<b>Total</b>	<b>264699</b>



## Complaint Management

### Overview

The Commission has continued to provide high quality complaint management services. This year there was a slight decrease in complaints lodged. Assessment of complaints is rigorous, ensuring the confidence of both complainants and respondents that accepted complaints have satisfied the statutory threshold requirements.

Together with careful assessment of complaints, the complaint management team has continued to achieve high settlement rates across the state at the same time as continuing very high rates of client satisfaction. As a result, fewer complaints are being referred for formal hearing in the Anti-Discrimination Tribunal.

### Statewide Trends

Across Queensland 832 complaints were lodged in 2007-08. This is a slight decrease from 2006-07 when 903 complaints were lodged. The majority of complaints, 65%, arose in the work area, showing a small but consistent trend upwards over the previous three years. 63% of those originated in South-East Queensland. About 56% of all complaints lodged were accepted. The other 44% of complaints lodged fell outside the jurisdiction of the Commission and complainants were referred elsewhere.

This year complaints were accepted on 667 grounds.

The main grounds of accepted complaints include impairment, sexual harassment, sex, race, family responsibilities and victimisation. This pattern is similar to recent years although the proportion of race discrimination and victimisation complaints have declined by about 2% each, while the proportion of sex discrimination complaints has increased by 4%.

Impairment discrimination constituted 26% of accepted grounds of complaints which is similar to last year. Sexual harassment complaints have remained steady at 15%.

Family responsibilities made up 7% of accepted complaints, which suggests a small but continuing trend upward. Vilification complaints have dropped to 1%, continuing a slow downward trend. All five of these complaints arose in South East Queensland.

The second most common area of complaint was in the goods and services area, representing 15% which is consistent with last year. Complaints in the area of state laws and programs have dropped slightly to 7%, from 9% last year. While the proportion of complaints in the education area remains relatively steady at 5%, complaints in the accommodation area have increased slightly to 5%.

### Conciliation Conferences

During the year 360 conciliation conferences were held across the state. Of those 214 (59%) were held in South-East Queensland with the balance of conferences being held in regional offices. This is consistent with the statewide approach to complaint management which facilitates the speedy resolution of complaints.

Complaint resolution rate by conciliation is significant at 60%. This maintains the record settlement rates set last year. This reflects the Commission's emphasis on the effective resolution of complaints.

Overall, 82% of accepted complaints were finalised within the Commission which is the third consecutive increase in the past four years. Only 18% of accepted complaints were referred to the Tribunal. This is a direct reflection of the greater settlement rates being achieved in the Commission.

Satisfaction with the complaint management process increased to 88% from 84% in 2006-07. This continues the consistently high satisfaction rates over the past four years.

### Timeliness

With rigorous assessment of complaints before acceptance, the number of complaints which can be assessed within the 28 day legislative timeframe has decreased slightly to 52%. The

remaining 48% of complaints did not contain sufficient information to enable a decision to be made to accept or reject the complaint and further information was sought from the complainant in relation to these.

74% of accepted complaints were conferenced within the 42 days statutory timeframe, consistent with previous years. Delays in holding conferences in other matters frequently occurred where the parties were unavailable or too ill to attend earlier.

62% of accepted complaints were finalised within three months of acceptance, up slightly on the previous two years. A total of 87% of accepted complaints were finalised within six months, up from 83%, and a total of 95% of complaints were finalised within nine months of acceptance, up from 93%. The improvement in the timeliness of the finalisation of complaints after acceptance shows the continued efficiency of complaint management processes in the Commission.

#### Lodgements Queensland-wide

	South-East	Central	North	Far North	Statewide
Received	521	91	91	129	832
Finalised	481	96	88	130	795

#### Complaints Queensland-wide

	South-East	Central	North	Far North	Statewide
Received	275	48	45	64	432
Finalised	286	63	55	64	468
Conferences	214	47	44	55	360

#### Complaint outcomes Queensland-wide

Outcomes	SEQld	Central	North	Far North	Statewide	%
Conciliated	192	33	38	42	305	59.1
Declined	7	2	-	4	13	2.5
Inconciliable	10	6	1	-	17	3.3
Lapsed	19	3	1	4	27	5.2
Referral to Trib	55	16	12	8	91	17.6
Terminated				4	4	0.8
Withdrawn	32	8	5	14	59	11.4
<b>Total</b>					<b>516</b>	<b>100</b>

**Queensland-wide  
Complaints accepted (by ground and area)**

	Work	Goods/ services	State laws/ programs	Accomm- odation	Pre-work	Education	Other	Club	Total	%
Impairment	88	35	19	7	9	17		1	176	26.4
Sexual harassment	90	2	3	1		1	5		102	15.3
Sex	78	10	5	1	1	2		1	98	14.7
Family responsibilities	35		3	5	2	1			46	6.9
Race	27	7	4	4	2		1		45	6.7
Victimisation	29	5	1	1	1	1	5		43	6.4
Pregnancy	35		1	1					37	5.5
Age	24	1		1	1				27	4.0
Sexuality	16	3	1	1					21	3.1
Unnec info	5	2	1	1	5				14	2.1
Gender identity	3	11							14	2.1
Relig belief	5	2	2		1	2			12	1.8
Parental status	5			2	1				8	1.2
Lawful sexual activity		5		1					6	1.0
Breastfeeding	2	1	1			1			5	.5
Trade union	3								3	.4
Assoc with		2		1					3	.4
Relationship status	2								2	.3
Relig vilification							2		2	.3
Sexuality vilification							1		1	.2
Gender id vilification							1		1	.2
Racial vilification							1		1	.2
<b>Total</b>	<b>447</b>	<b>86</b>	<b>41</b>	<b>27</b>	<b>23</b>	<b>25</b>	<b>16</b>	<b>2</b>	<b>667</b>	<b>100%</b>

### **Complaint trends in South-East Queensland**

Impairment complaints remain the greatest proportion of complaints at 27% of accepted complaints, down slightly from 29%. It is expected that impairment complaints will continue to remain high.

Sexual harassment complaints have risen slightly again to 15%, together with sex discrimination complaints which have also risen to 15%. Sexual harassment remains the second biggest ground for complaint with the majority of those complaints arising in the workplace.

The majority of accepted complaints arise from the area of work at 61%, up from 59%, while 16% of complaints in south-east Queensland came from the goods and services area. This is similar to the statewide pattern for accepted complaints.



**Accepted complaints (by ground) 2007-08  
South-East Queensland**

Ground	Number	%
Impairment	116	27.1
Sex	64	15.0
Sexual harassment	64	15.0
Family responsibilities	29	6.8
Race	25	5.8
Victimisation	24	5.6
Age	20	5.0
Pregnancy	20	5.0
Gender identity	14	3.0
Unnecessary info requested	11	2.6
Religious belief or activity	10	2.3
Sexuality	9	2.0
Lawful sexual activity	6	1.4
Breastfeeding	3	0.7
Trade union activity	3	0.7
Association with	2	0.5
Parental status	2	0.5
Religious vilification	2	0.5
Gender identity vilification	1	0.2
Racial vilification	1	0.2
Relationship status	1	0.2
Sexuality vilification	1	0.2
<b>Total</b>	<b>428</b>	<b>100</b>

**Accepted complaints (by area)  
South-East Queensland**

Work	169	57.3
Goods and services	47	15.9
State laws and programs	26	8.8
Pre-work	10	3.4
Education	21	7.1
Other (no area needed)	12	4.1
Accommodation	9	3.1
Club membership	1	0.3
<b>Total</b>	<b>295</b>	<b>100</b>

**Main grounds for accepted complaints  
South-east Queensland**

South-East Queensland	2007-08	%	2006-07	%
Impairment	116	27.1	143	28.5
Sexual harassment	64	15.0	71	14.1
Sex	64	15.0	56	11.2
Family responsibilities	29	6.8	24	4.0
Race	25	5.8	42	8.4
Victimisation	24	5.6	39	7.8

### **Advocates' Training**

The complaint management team provided training to advocates from a broad range of legal and non-legal backgrounds in relation to the *Anti-Discrimination Act 1991* (the Act). Training courses have been held in both Brisbane and Cairns with a view to assisting advocates to better understand and advise their clients about the unique provisions relating to complaints under the Act. Advocates' training has been a welcome initiative which has been well received by lawyers, union and community advocates alike.

### **Conciliated Outcomes**

#### ***Impairment in goods and services***

A man had an impairment which required him to use crutches.

He was keen to attend a sporting function, and because he hadn't been to the venue before, checked the access issues before booking tickets. He was assured that the venue had a designated viewing area for people with a disability, that all the entries, exits and toilets were accessible, and that there was provision made for parking for people with disabilities.

On that basis, he booked tickets.

When he arrived, he asked a staffer to show him where the parking was and how he could get to the viewing area. The staffer said he

didn't know about any arrangements for people with a disability. As a result, the function was less than enjoyable for the man, and he lodged a complaint of discrimination.

The promoters, in their response to the complaint, assured the Commission they had policies in place and that they valued patrons with disabilities. After some investigation of the issues, they advised that despite having excellent policies, their training of staffers in helping people with disabilities, could be improved.

They offered an apology to the man, free tickets to the next event and some sporting merchandise.

#### ***Sexual harassment and sex discrimination in work***

Soon after a woman started a new job, she was subjected to demands for sex by her boss. The demands continued, despite her strong objections, and progressed to physical touching.

When the business owner allegedly offered the woman money to engage in sex with him, she took leave and didn't go back to the job. She said she couldn't return to work because of the threatening environment, and so had been constructively dismissed.

The owner denied all allegations and claimed

the woman had left because of her poor work performance. She was able to point out that she had never been counselled or spoken to about her work.

The complaint was settled with a statement of regret to the woman, and a monetary payment for her pain and humiliation.

#### ***Sexual Harassment at work***

A complaint was lodged by a female staff member of a club alleging that a member of the management board of the club had touched her bottom while she was cleaning tables. She also alleged that a comment of a sexual nature was made.

The woman said that although she had raised the issue with the board of the club she thought it had not been addressed. Her employer had told her that the matter had been appropriately dealt with but did not tell her the outcome of her complaint.

The complaint to the Commission was resolved at a conciliation conference with a written apology being provided to the woman from both the individual respondent and the employer, the resignation of the board member being tendered, an amount of compensation paid to the woman, the appointment of a contact officer within the organisation and the implementation of a sexual harassment policy.

***Impairment in goods and services  
(Representative Complaint)***

A complaint was lodged by a group of people with disability against a transport company. The complainants alleged that they had been subjected to excessive delays in response times for accessible taxis.

All parties attended the conciliation conference with a view to holding a productive discussion to achieve a positive outcome.

The company was able to describe the internal despatch system they had in place to respond to calls and, more particularly, the type of service necessary for clients using wheelchairs. The company was also able to describe its limitations and talk about proposed improvements to the system.

The parties agreed to form a working group of people representing the class of people who had lodged the complaint and the company delivering the service. The working group would meet regularly to identify issues and work toward resolving issues that impact on the service delivery of the company for wheelchair users. They agreed on a date and time for the first meeting and a contact person for the representatives of the complaint.

This outcome was achieved at minimal cost to the public purse and provided the complainants

with a forum to have their concerns heard together with an opportunity for the respondent service provider to explain processes proposed improvements.

***Impairment in work***

A worker took leave for surgery and returned to work with a medical clearance after he had recovered.

On his return to work, he was given different tasks which were more physically demanding than his previous job, particularly for someone with his impairment. He was also paid at a lower rate.

As a result, he was forced to take lengthy leave without pay.

He lodged a complaint of discrimination.

At the conciliation conference, settlement was reached with an amount of compensation to the man, plus wages owing and a statement of service, to help him find a new job.

***Breastfeeding in education***

A student who was breastfeeding her new baby was allegedly told she was not allowed to do so, because it would embarrass and disturb other students.

A complaint was lodged.

The parties came to an agreement allowing the student to bring her baby to classes for a short period of time until she no longer needed to breastfeed at that time of day. The mother also agreed to leave the room if the baby was disrupting the class.

## Reports from the Regions

### Far North Queensland Region

#### *Community Relations*

This year the region has focused on increasing the profile of the Commission in the Far North, through guest speaking roles, media interviews, panel discussion and facilitation of a regional celebration of International Human Rights Day.

A highlight for the office was the hosting of the inaugural International Human Rights Day *Living Books* event in Cairns on 10 December. Radio and television interviews with the Regional Manager and each of the *Living Books* provided an opportunity to promote the Commission and its role in the community. A particular feature was the live broadcast of the entire event by a radio station.

The Anti-Discrimination Act was promoted:

- at International Women's Day celebrations through involvement of the Regional Manager in a radio panel discussion
- at a national conference of more than 150 health workers where the Regional Manager was guest speaker
- through travel to various regional centres delivering brochures and other information to Aboriginal and Torres Strait Islander agencies, community based organisations and government departments.

#### *Training and Education*

The region has been able to maintain the previous year's increase in training sessions and number of people trained. 33 sessions were delivered reaching more than 350 participants throughout the private, community and public sectors.

Cairns hosted two, in-house block sessions during the year, delivering training about the Act and the Contact Officer role. We were also able to provide the much sought after *Getting in on the Act* course for both legal and non-legal advocates working within the jurisdiction.

Training sessions were provided to several secondary schools and to the region's only university, where the Cairns office has an ongoing commitment to provide regular training sessions.

#### *Complaint Handling*

The main ground for accepted complaints continues to be impairment at 24.7% (23 complaints). The only change to recent trends is in the number of accepted complaints on the basis of victimisation, which has increased to 11 from 4 last year.

Work related complaints have increased from 54.2% in the previous year to 68.1% of all complaints accepted in the 2007-08 financial year.



Living Books celebrate International Human Rights Day

**Accepted complaints (by ground)  
Far North Queensland**

Ground	Number	%
Impairment	23	24.7
Victimisation	11	11.8
Sex	10	10.8
Sexual harassment	10	10.8
Race	9	9.7
Family responsibilities	7	7.5
Pregnancy	7	7.5
Sexuality	6	6.5
Age	4	4.3
Parental status	4	4.3
Unnecessary info requested	2	2.2
<b>Total</b>	<b>93</b>	<b>100</b>

**Accepted complaints (by area) Far North Queensland**

Area	Number	%
Work	47	68.1
Goods and services	10	14.5
Accommodation	5	7.2
Pre-work	4	5.8
State laws and programs	2	2.9
Club membership and affairs	1	1.4
<b>Total</b>	<b>69</b>	<b>100</b>

**Main grounds for accepted complaints  
Far North Queensland**

Ground	2007-08	%	2006-07	%
Impairment	22	24.7	23	24.7
Victimisation	11	11.8	4	4.2
Sexual harassment	10	10.8	11	11.8
Sex	10	10.8	10	10.8
Race	9	9.7	10	10.8

## **North Queensland Region**

### ***Community Relations***

The Commissioner, Regional Manager and Co-ordinator of the Aboriginal and Torres Strait Islander Unit visited several Palm Island organisations including the Men's Group, Kootana Women's Centre, the Justice Group and Council. One of the outcomes was the delivery of two information sessions, one to which the whole community was invited and the other to the staff of a local community organisation.

NAIDOC week was recognised in July with a successful information stall at Central Park. Traditional dances, performances and food lent a festive air to the day.

### ***Training and Education***

Townsville's annual week long training was conducted in July. Participants across the region trained in Discrimination Law, Contact Officer (Introduction and Advanced), Investigations and *Fairness – Everyone's Business* courses. Business, government and community organisations were represented. This service is well supported each year and has become a regular and anticipated event.

Overall 32 training sessions were held across the Northern Region, helping to fulfil the Commission's commitment to deliver education sessions to regional and country Queensland. More than 350 people participated in these sessions.

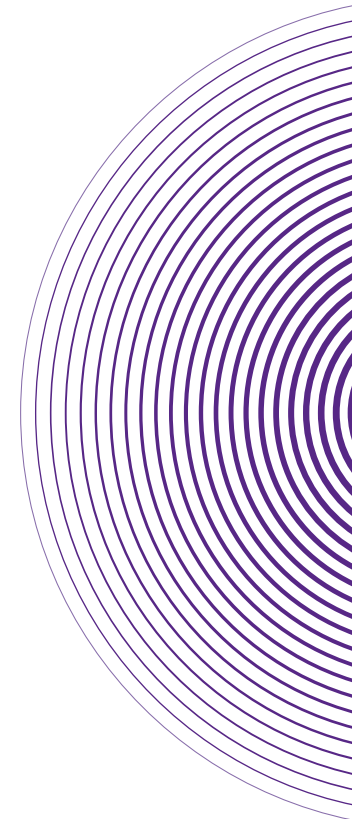
### ***Complaint Handling***

The percentage of complaints for impairment, sexual harassment and sex are similar to last financial year. However, at 9% race complaints have increased significantly from last year and return to the pattern of the past 10 years.

The percentage of work complaints has decreased to 10% from last year.

Conciliation rates were very high with 67% of complaints settled.

Again complaints were handled in a timely manner, with the majority of complainants notified in writing within 14 days whether their complaint was accepted or not. Most complaints were dealt with within three months. With a staff of three, the office has delivered timely, effective and cost efficient services.



**Accepted complaints (by ground)  
North Queensland**

Ground	Number	%
Impairment	20	25.6
Sexual harassment	17	21.8
Sex	14	17.9
Race	7	9.0
Pregnancy	6	7.7
Victimisation	6	7.7
Family responsibilities	3	3.8
Age	2	2.6
Parental status	1	1.0
Religious belief	1	1.0
Sexuality	1	1.0
<b>Total</b>	<b>78</b>	<b>100</b>

**Accepted complaints (by area)  
North Queensland**

Area	Number	%
Work	34	68.0
Goods and services	5	10.0
State laws and programs	4	8.0
Accommodation	4	8.0
Other (no area needed)	2	4.0
Pre-accommodation	1	2.0
Pre-work	1	2.0
<b>Total</b>	<b>50</b>	<b>100</b>

**Main grounds for accepted complaints  
North Queensland**

Ground	2007-08	%	2006-07	%
Impairment	20	25.6	20	25.6
Sexual harassment	17	21.8	17	21.8
Sex	14	17.9	14	17.9
Race	7	9.0	6	7.7
Victimisation	6	7.7	6	7.7

## **Central Queensland Region**

### ***Community Relations***

This year, staff in Central Queensland worked with a range of groups, focussing on Aboriginal and Torres Strait Islander organisations, disability support and lesbian and gay support groups. Getting out into the community is an important beginning to building mutual trust and respect, so that people feel confident to make or respond to complaints.

The Commission also responded to stories making local headlines and radio chat shows by providing advice on policy and legislation to the print and electronic media. This was through media releases, letters to the editor, radio interviews and an article for an online magazine. In an electronic, instant news age, this has proven an effective way of delivering our message.

### ***Training and Education***

Central Queensland regional staff have successfully satisfied increasing demand for training. The local coal mining companies are keen to provide training for contact officers on each of their mine sites. Also, we have trained small businesses in the construction and agricultural areas.

Commission educators are in demand to provide training to community groups, such as youth support groups and carers' associations,

for both their staff and volunteers. These free awareness sessions are an important aspect of our long-term strategy to foster the cultural changes that improve people's lives.

Creating and sustaining links with all sectors in our diverse community means that education and training can work both ways. As relationships have been developed with local organisations, Commission staff have also been learning how to fine tune our processes to better serve different sectors of the community. For instance, this year the Commission provided training to Lifeline on anti-discrimination law in Rockhampton and Lifeline provided training to Commission staff on understanding and managing clients with mental illness.

### ***Complaint Handling***

Complaint handling continues to be a major part of regional activities. The majority of complaints (77%) were in the area of work, with 10 % relating to accommodation, and another 10% to provision of goods and services. 54% of the complainants dealt with in Central Queensland were resolved by conciliation.

One-quarter of complaints related to impairment, a proportion that has been consistent for the last three years. The other major grounds for complaint were sexual harassment and sex discrimination at 16% and

15%, a rise of 5% over three years. Ten per cent of complaints were about discrimination because of family responsibilities, with sexuality, pregnancy and race comprising the remainder.

**Accepted complaints (by ground)****Central Queensland**

<b>Ground</b>	<b>Number</b>	<b>%</b>
Impairment	17	25.0
Sexual harassment	11	16.2
Sex	10	14.7
Family responsibilities	7	10.3
Sexuality	5	7.0
Pregnancy	4	5.9
Race	4	5.9
Breastfeeding	2	3.0
Victimisation	2	3.0
Age	1	1.5
Association with	1	1.5
Parental status	1	1.5
Relationship status	1	1.5
Religious belief	1	1.5
Unnecessary information requested	1	1.5
<b>Total</b>	<b>68</b>	<b>100</b>

**Accepted complaints (by area)****Central Queensland**

<b>Area</b>	<b>Number</b>	<b>%</b>
Work	37	77.1
Accommodation	5	10.4
Goods and Services	5	10.4
Education	1	2.1
<b>Total</b>	<b>48</b>	<b>100</b>

**Main grounds for accepted complaints****Central Queensland**

<b>Ground</b>	<b>2007-08</b>	<b>%</b>	<b>2006-07</b>	<b>%</b>
Impairment	17	25.0	17	25.0
Sexual harassment	11	16.2	11	16.2
Sex	10	14.7	17	25.0
Family responsibilities	7	10.3	8	6.7
Sexuality	5	7.0	6	5.0

## Support Services

---

The Commission's Support Services team provides the Commission with the following services

- strategic and operational planning advice and support
- human resource management
- financial management (including monthly and annual reporting, budget management, accounts receivable and accounts payable)
- administrative management (including reception, recordkeeping and database management systems)
- information technology (through management of a services contract with an external services provider)

### **Achievements for 2007-2008**

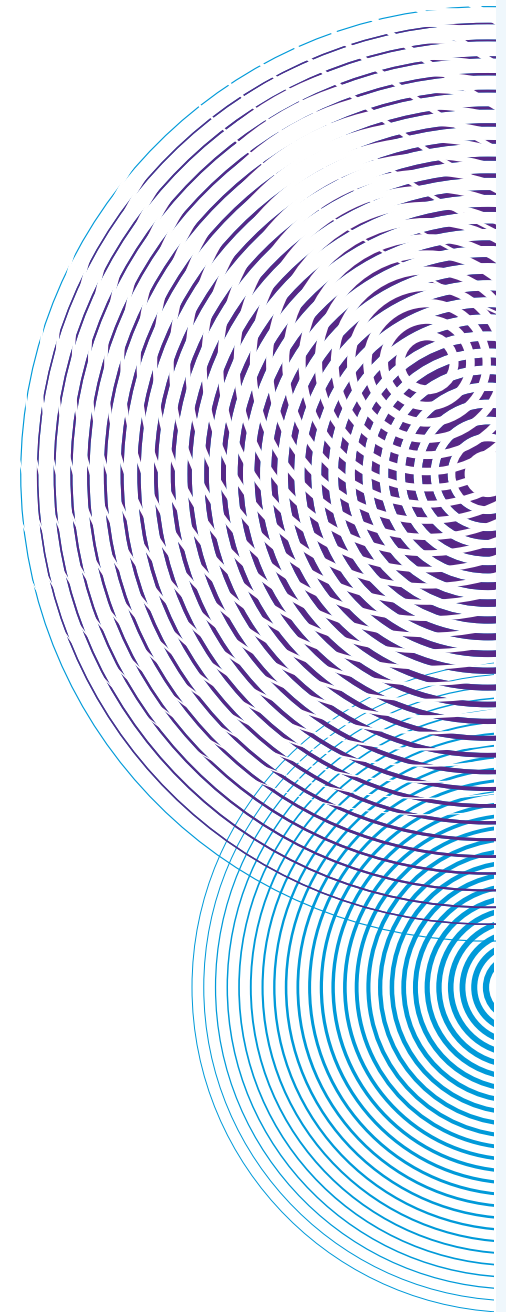
- work continued on the evaluation of business requirements in preparation for the implementation of a new complaints management system
- considerable progress has been made in relocating the Commission's Brisbane office with three other complaints-based agencies (Queensland Ombudsman, Health Quality and Complaints Commission and the Commission for Children and Young People and Child Guardian) to new premises under construction at 53 Albert Street Brisbane

- we assessed our needs for a new recordkeeping system and have begun preparatory work to develop it.

### **Financial Statements**

The Commission's financial statements are provided in the CD-ROM inside the back cover of this report.

Please phone the Commission on 1300 130 670 if you'd like a paper copy of the financial statements.



## Anti-Discrimination Tribunal

The Tribunal hears and determines complaints of discrimination, harassment, vilification and victimisation which are referred to it by the Commission.

It may also grant exemptions from the Act, provide opinions to the Commissioner about the application of the Act, grant interim orders and review the Commissioner's decision to lapse complaints for delay.

The Tribunal is like a court, but its processes are less formal. People can represent themselves or be represented by lawyers or advocates with the Tribunal's permission.

### The Tribunal Members

There are eight members based in Brisbane, two in Cairns and one in Townsville.

Jean Dalton SC completed her term as Tribunal President at the end of the financial year, and will be replaced by Douglas Savage SC. The other members are: David Boddice SC, Tracy Fantin, Colin Forrest, Jenny Hogan, Marjorie Pagani, Andrew Philp SC, Darryl Rangiah, Peter Roney, Robert Wensley QC and Elizabeth Wilson. During the year Peter Murphy SC was promoted to the Family Court and consequently resigned from his position as Tribunal member.

This year 90 complaints were referred to the Tribunal by the Commission and a total of 150 complaints (received in this or previous financial years) were finalised.

In 2007-08, 80% of matters finalised at the Tribunal were resolved before the final hearing by conciliation, settlement, withdrawal or an interlocutory hearing. Of these, the majority were settled at a conciliation conference or by negotiation between the parties. Forty-five percent of matters conciliated, settled at the conference.

Twenty-eight matters proceeded to a final public hearing, including one matter that settled after the hearing started, and four hearings that continued from the previous year.

Fourteen complaints heard in this or previous years were finalised by a decision delivered after a final public hearing. Of these final hearings:

- five complaints were upheld
- nine complaints were dismissed

There have also been 14 decisions delivered following interlocutory hearings or hearings related to non-final orders such as production of documents, costs or quantum.

In two Supreme Court appeals, the Court upheld the decision of the Tribunal. In *Black & White (Quick Service) Taxis Ltd v Sailor Anr* [2008] QSC 77, the Supreme Court upheld the order of the Tribunal to dismiss an application by the Respondent to join a further party to the proceedings. In *N (on behalf of another) v State of Queensland (acting through the Department of Education and the Arts)* [2007] QSC 208, the Supreme Court upheld the decision of the Tribunal to order costs against the Complainant who had not appeared at a final hearing.

In *Byrne v Public Trustee of Queensland* [2007] QSC 102, the Supreme Court struck out the Notice of Appeal on the basis that it was not in accordance with the *Anti-Discrimination Act 1991*.

### Exemptions

One application for exemption was received in 2007-08, but it was withdrawn prior to a hearing. Two were decided from previous years. The exemptions were granted in both cases. *Exemption application re: AMACSU, QSU, FCUNQ and UNITAB* [2007] QADT 18 related to calculation of redundancy severance payments on the basis of age.

*Exemption application re: Raytheon Australia Pty Ltd & Ors* [2008] QADT 1 related to employment of people in a business of

commercially supplying defence articles, services and products. The Anti-Discrimination Commission Queensland, Queensland Council of Unions and Ethnic Communities Council of Qld opposed the granting of an exemption.

As a result of submissions from these agencies, the applicant reframed the exemption to make it narrower and to demonstrate a need for the exemption. The exemption was sought to enable the applicants to comply with the restrictions imposed upon their business activities by the laws of the United States of America including the provision of information to persons of certain nationalities. The exemption was granted with numerous conditions, for three years, instead of the five years sought.

One application for exemption is awaiting finalisation.

One request for an opinion was received this year. The Tribunal decided that it was not appropriate to provide an opinion in that case because it was in relation to a hypothetical scenario the details of which were not known, and it would prevent a complaint being made under the *Anti-Discrimination Act 1991* by a specific person.

### **Interim orders**

Four applications for interim orders were received this year. One was dismissed, one was withdrawn after a hearing, and two were withdrawn prior to a hearing.

No applications to review the Commissioner's decision to lapse a complaint were received this year.

### **Education & Training**

Training was provided to 19 advocates on Tribunal processes during the year.

### **QCAT**

In early 2008, the Queensland Government announced its intention to create a civil and administrative tribunal (QCAT), to amalgamate almost 30 individual tribunals. The Tribunal is actively participating in ongoing amalgamation plans with QCAT, has had consultations with and made significant submissions to the Review Committee regarding its processes to ensure the effective integration of the Anti-Discrimination Tribunal into QCAT.

**Matters received**

	<b>2007-08</b>	<b>2006-07</b>
Complaints referred	92	110
Exemption application	0	6
Request for opinion	1	0
Interim application	4	1
Miscellaneous	2	8
<b>Total</b>	<b>99</b>	<b>125</b>

**Tribunal  
Matters finalised 2007-08**

	<b>Dismissed</b>	<b>Upheld</b>	<b>Settled/*</b>	<b>Other</b>	<b>Total</b>
Complaints referred	9	5	125	14	151
Exemption applic	-	2	1	-	3
Interim application	1	-	2	1	4
Request for opinion	-	-	-	1	1
Miscellaneous	-	-	-	3	3
<b>Total</b>	<b>11</b>	<b>7</b>	<b>126</b>	<b>18</b>	<b>162</b>

\*conciliated/withdrawn prior to hearing

## Some decisions of the Tribunal

### ***Gauld v Queensland Breweries* [2007] QADT 20 (6 August 2007)(30 October 2007)**

A complaint of impairment discrimination was made by an employee who was dismissed. He claimed his pre-existing degenerative disc condition had been seriously aggravated when he suffered an injury at work. He provided medical certificates indicating he was totally incapacitated for work over a period of almost nine months. His employment was terminated as a result of his inability to perform the inherent tasks of the job and his inability to confirm when he might be able to resume work.

The complaint was dismissed. The Tribunal found that there was neither direct nor indirect discrimination. The member did not make any adverse findings of credibility against the complainant, and subsequently ordered that there be no order as to costs.

### ***GLBTI v Wilks & Anor* [2007] QADT 27 (30 November 2007)**

A letter to the editor published in the *Mission Beach Gazette* was found to be vilification of homosexuals. The editor and publisher of the newspaper was held liable despite publishing a statement in the newspaper that the views of the letter writers were not his views.

Both respondents were ordered to publish an apology and retraction in specific terms. The respondents were also ordered to pay the complainant's costs.

### ***Thompson v Management & Training Corporation Pty Ltd (Borallon Correctional Centre) & Anor* [2007] QADT 34 (20 December 2007)**

A prisoner's complaint of impairment discrimination in the area of state laws and programs was dismissed. He claimed direct and indirect discrimination on the basis of his Hepatitis C condition, when a record was placed on his file indicating that he had failed a drug screen test because he had low urine creatinine levels.

He claimed that these low levels were caused by following a doctor's advice to drink lots of water to treat his Hepatitis C. The Tribunal found that drinking lots of water was not a recognised treatment for Hepatitis C. The Tribunal also found that drinking lots of water or lowered creatinine levels were not general characteristics of a person with Hepatitis C.

The Tribunal did not accept that the complainant had been told by a doctor to drink lots of water to manage his Hepatitis C. No order was made as to costs.

### ***Beanland v State of Queensland and Queensland Studies Authority* [2008] QADT 5 (9 April 2008)**

A complaint of impairment discrimination by a student in the area of education was dismissed.

The student, who suffers from cerebral palsy and cortical visual impairment (CVI), claimed that he was subjected to unlawful discrimination in the assessment requirements imposed on him to study Senior English and German. He claimed the school failed to afford him special consideration to deal with the requirement that he be able to read and write.

The Tribunal did not accept the allegation that the school refused to provide special consideration to him. The Tribunal accepted the school's evidence that it continued to investigate what was available for the student, but that this was ultimately never determined because the student left the school.

The Tribunal found that this occurred while efforts were being made by the school, rather than as a result of the refusal of the school to provide special consideration to the student.

***Sherman & Anor v Grady & Anor* [2008] QADT 7 (23 April 2008)**

A complaint of discrimination on the basis of political belief or activity was upheld by the Tribunal.

The Tribunal determined that Mr Sherman's membership of the Sanctuary Cove Country Club was terminated because he had been involved in 'political activity' against the commercial interests of Sanctuary Cove. The member also found that this termination was part of a campaign to have Mr Sherman withdraw the application for Sanctuary Cove to be admitted to the Queensland Heritage Register.

Mr Sherman's wife was also expelled from Sanctuary Cove Country Club. Her complaint of discrimination on the basis of relationship status and association with or relation to a person identified as having the attribute of political belief or activity, was upheld.

Tribunal sought submissions before final orders made.

***Summers v Mullane & State of Qld* [2008], QADT 10, (10 June 08)**

A complaint by a prisoner on the basis of race was dismissed by the Tribunal.

The Aboriginal and Torres Strait Islander man claimed correctional services officers mistreated him.

The Tribunal found that the named officer had not worked the relevant shift, and that the prisoner was subject to a disciplinary breach hearing arising from another allegation.

The Tribunal awarded costs against the prisoner.

***Yabut v Dartbridge Welding Pty Ltd* [2007] QADT 29**

A complaint of discrimination on the basis of trade union activity was dismissed by the Tribunal.

The complainants were recruited from the Philippines to work in Australia, and alleged their working and accommodation conditions were inferior to Australians in the same workplace. They claimed they were sacked after the employer saw union officials visiting their house.

The findings of the Tribunal included an acceptance that there was no discussion of Australian labour laws, (but that the respondents may not have provided this to any other job applicant); that there was not enough evidence to show the difference in pay was on the basis of race, that the employer did not charge

excessively for the housing provided and that other Filipino workers who were union members were not sacked.

***Foran v Bloom* [2007] QADT 31, (5 December 2007)**

The Tribunal found that an employer who dropped his trousers and discussed sexual matters at work had sexually harassed a female employee.

He was ordered to pay \$3000 in compensation.

Allegations of discrimination based on pregnancy and family responsibilities were dismissed.

***Byrne v Kelly & Anor* [2008] QADT 6**

The complainant has a psychiatric illness (Bipolar Disorder). The Public Trustee was appointed as administrator for his financial affairs and decided to sell his home to repay large debts.

The sale was averted when creditors reduced or wrote off their debts and the mortgagee agreed to a different repayment schedule.

The complaint involved an allegation of impairment discrimination, when the Public Trustee refused to take legal action on the man's behalf against the companies said to owe him money.

The complainant also claimed that a Public Trustee officer refused to listen to him, did not accept his word and ignored material provided by him.

None of the allegations was proved.

The Tribunal found that the decision about the complainant's house was not influenced by the fact that he had a psychiatric illness. Regarding the allegations about the officer, the Tribunal found the officer was acting in the interests of the complainant and it was the complainant's unwillingness to accept the decisions which caused him to think he was being ignored.

The Tribunal ordered that costs be borne by the 'public purse'.

***Veillaris v Pioch* [2008] QADT9 (15 May 2008)**

The case involved an allegation by a prisoner of Indigenous descent that a corrective services officer had made racially motivated comments to him.

The Tribunal accepted that coarse words were used, but not that they were prefaced with the word 'black' or that the language was racially motivated. The Tribunal also found that another officer had probably used the words 'a little black c...' and awarded \$500 to the complainant.

**Judicial Review**

During 2007-08 there was one application to the Supreme Court for review under the *Judicial Review Act 1991*. The application was discontinued at an early stage without a hearing.

## Appendices

### Appendix 1 Location of Commission Offices

#### Brisbane

Level 1, 189 Coronation Drive Milton  
PO Box 2122 Milton Q 4064  
Telephone 1300 130 670 (statewide)  
TTY 1300 130 680 (statewide)  
Facsimile (07) 3247 0960

#### Rockhampton

1st floor, James Larcombe Place  
209 Bolsover Street Rockhampton  
PO Box 1390 Rockhampton Q 4700  
Telephone 1300 130 670 (statewide)  
TTY 1300 130 680 (statewide)  
Facsimile (07) 4938 4459

#### Townsville

Level 2, St James Place,  
155-157 Denham Street  
Townsville Q 4810  
Telephone 1300 130 670 (statewide)  
TTY 1300 130 680 (statewide)  
Facsimile (07) 4799 7021

#### Cairns

McLeod Chambers  
78 Spence Street Cairns  
PO Box 4699  
Cairns Q 4870  
Telephone 1300 130 670 (statewide)  
TTY 1300 130 680 (statewide)  
Facsimile (07) 4039 8609

Email [info@adcq.qld.gov.au](mailto:info@adcq.qld.gov.au)  
Website <http://www.adcq.qld.gov.au>

#### Anti-Discrimination Tribunal

Level 1, 189 Coronation Drive Milton Q 4064  
GPO Box 487 Brisbane Q 4001  
Telephone (07) 3239 6408  
TTY (07) 3239 0718  
Facsimile (07) 3239 6397  
Email [ADT@adcq.qld.gov.au](mailto:ADT@adcq.qld.gov.au)

### Appendix 2 Publications

#### *Guides for employers: available from the website*

- Discrimination in employment
- Discrimination in the provision of goods and services
- Discrimination in the provision of accommodation
- Discrimination in the provision of education services

#### *Brochure series*

- Ten things you should know about fair treatment in Queensland
- Getting to know the law
- Age discrimination
- Impairment discrimination
- Sex discrimination
- Relationship status, parental status and family responsibilities discrimination
- Lawful sexual activity discrimination
- Pregnancy and breastfeeding discrimination
- Gender identity discrimination and vilification
- Sexuality discrimination and vilification
- Racial and religious discrimination and vilification
- Sexual harassment
- Making a complaint
- Responding to a complaint
- All about conciliation conferences

#### *Brochures (in partnership with other Commissions)*

##### *It's OK to complain – in*

- Amharic
- Arabic
- Mandarin
- Croatian
- Dari
- English
- Farsi
- Samoan
- Spanish

- Tigrinya
- Vietnamese

#### **Posters**

Reaching out to Aboriginal and Torres Strait Islander peoples everywhere in Queensland

- Fair treatment – the way to go
- Race discrimination
- Impairment discrimination
- Pregnancy discrimination
- Sexual harassment
- Universal Declaration of Human Rights

*It's OK to complain* (in partnership with other Commissions)

#### **Postcards**

- race discrimination
- sexual harassment

#### **Rights cards**

- Aboriginal and Torres Strait Islander communities
- Sexual harassment
- Young people
- Lgbti (lesbian, gay, bi-sexual, transgender, intersex) communities
- Racial and religious vilification (in Arabic, Bosnian, Indonesian, Farsi and English)

#### **DVD/video/CD series**

- Fair Go (captioned format)
- *Working it Through – the conciliation process* (captioned format)

#### **Newsletter**

Balancing the Act

#### **CD-ROM package**

Fairness – Everyone's Business

#### **Appendix 3**

Organisational Chart

#### **Appendix 4**

Complaint Process

#### **Appendix 5**

Training courses

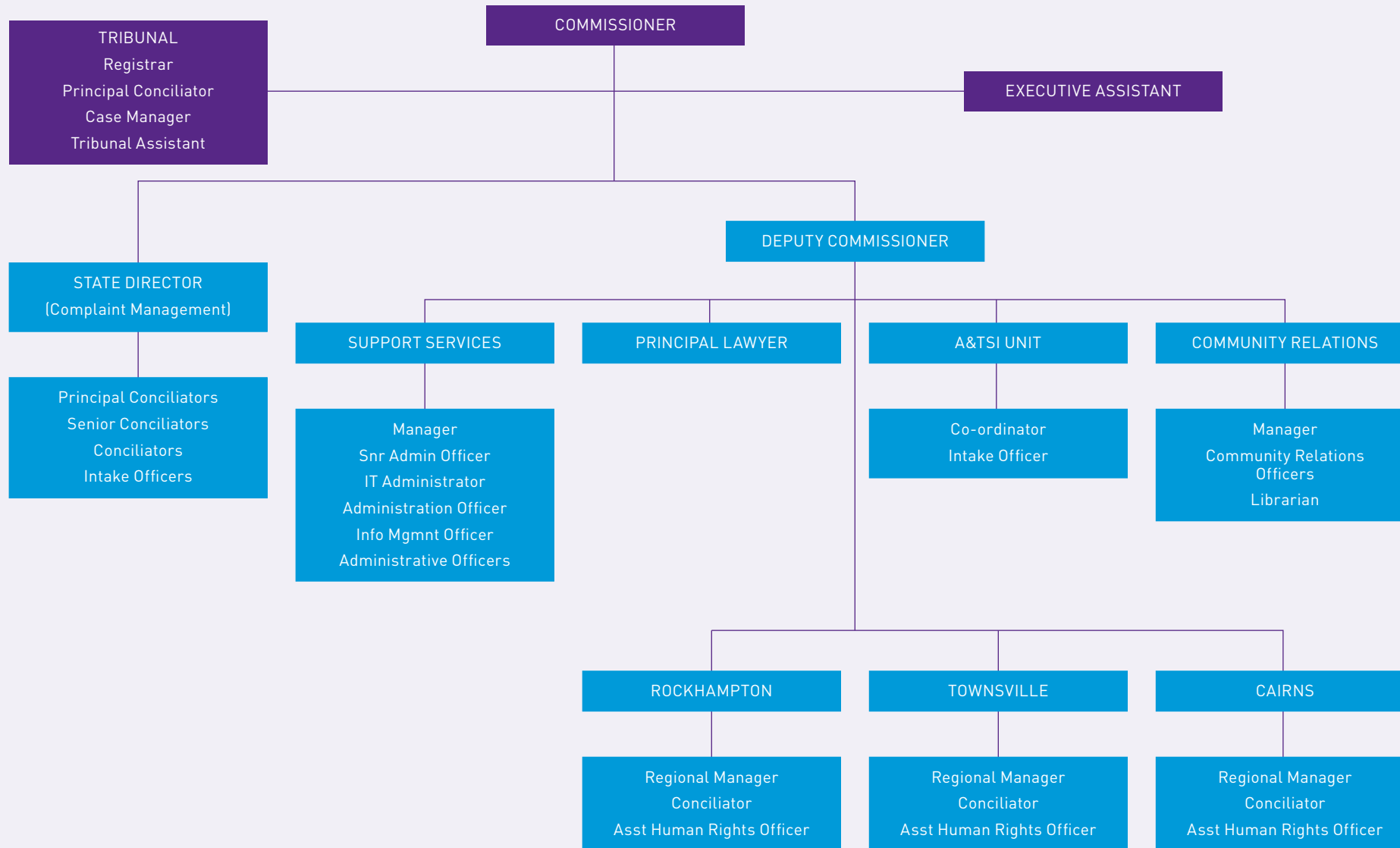
- Discrimination Law – an introduction to the Act
- Ten Things (about fair treatment in Queensland)
- The Contact Officer
  - Introductory
  - Advanced
  - Refresher
- Investigating Complaints
- Disability Issues and the Act
- Fairness – Everyone's Business (for trainers)
- Discrimination Law for Community Organisations
- Getting in on the Act (for advocates)
- Recruitment and Selection
- Harassment-free Sport (management briefing, overview workshop, complaint and conflict resolution for clubs, defusing conflict)

and anger in sport, member protection information officers)

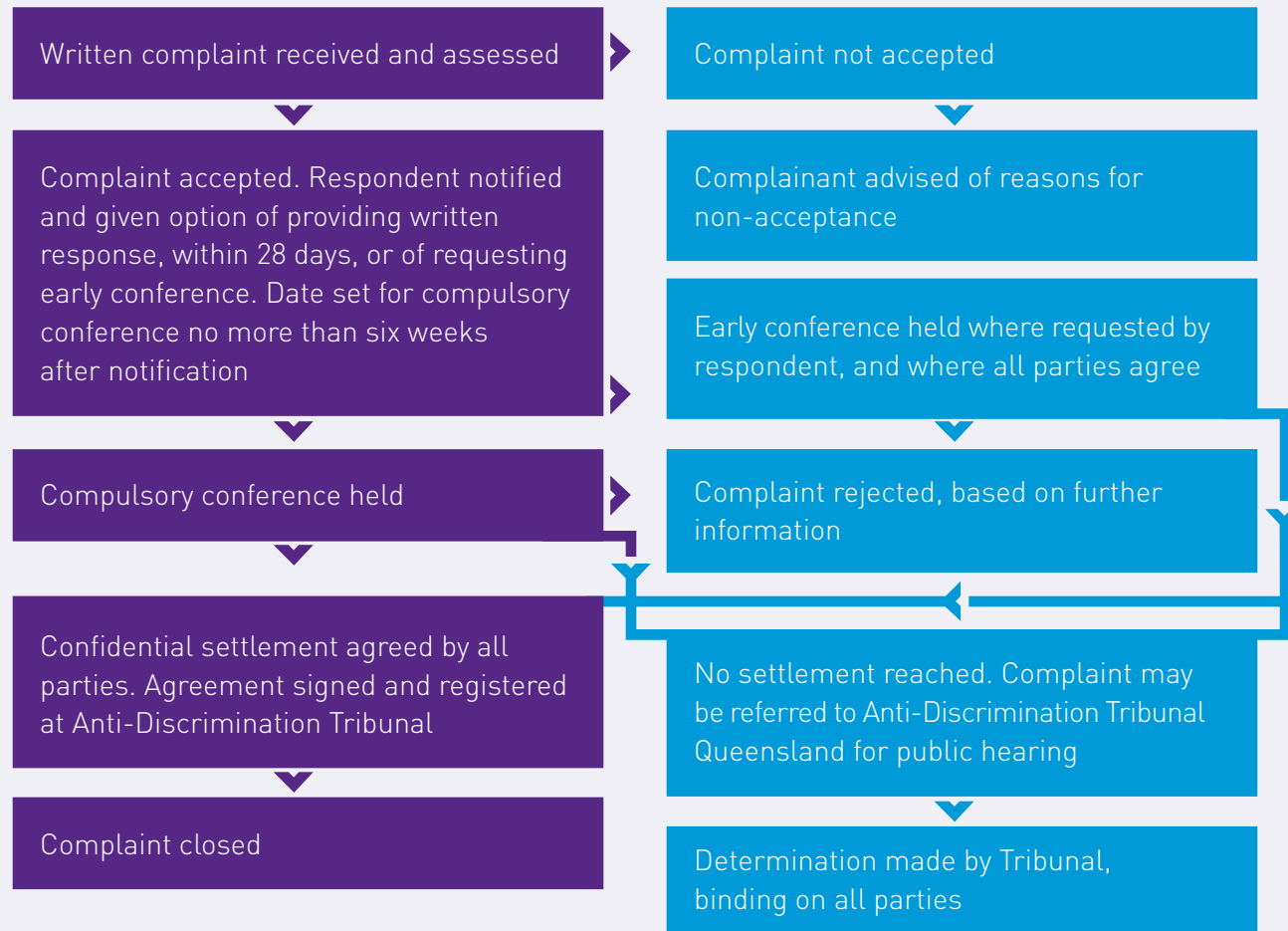
#### **Appendix 6**

Places visited in Queensland 2007-08

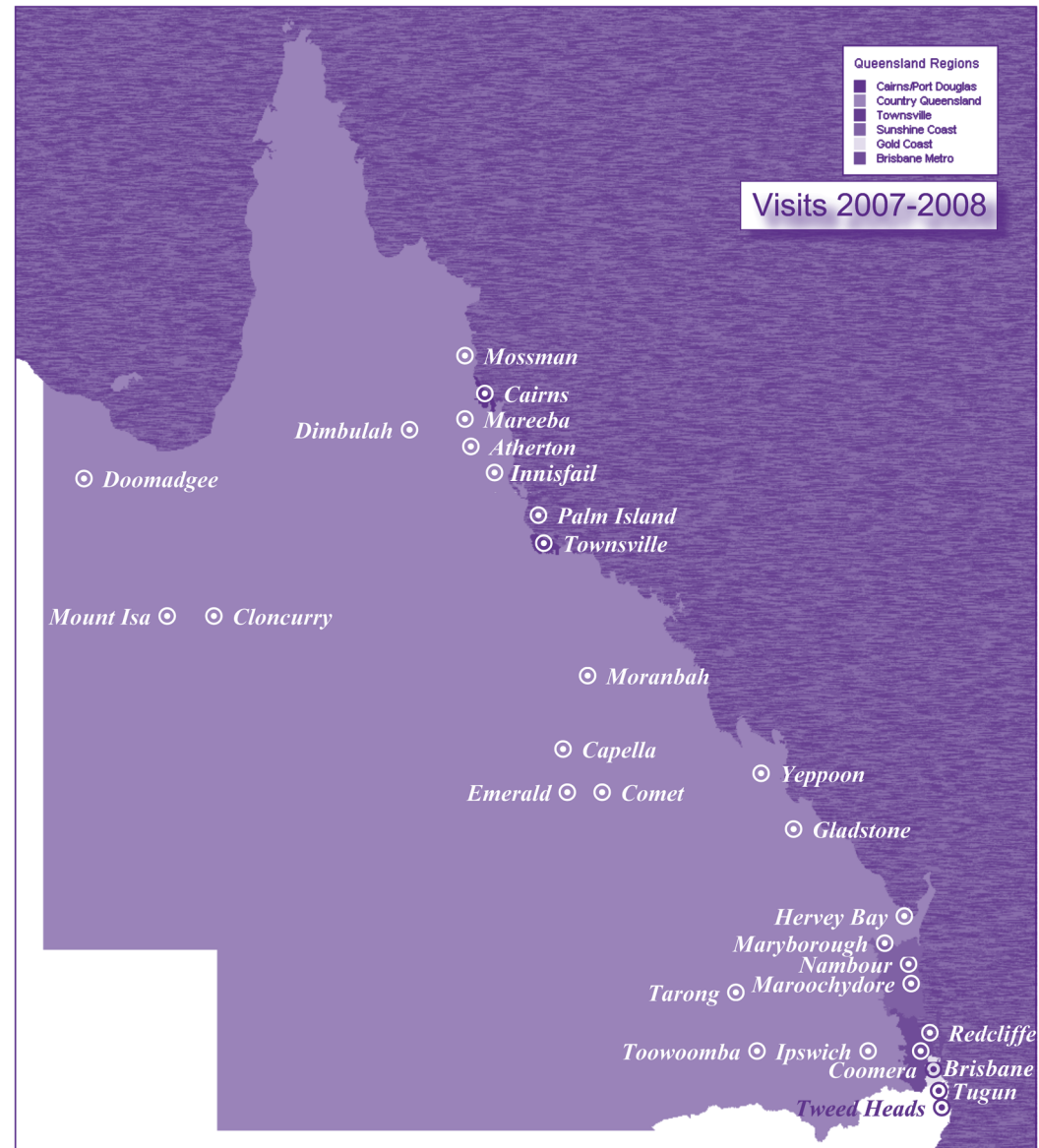
# Organisational Chart



## Complaint Handling Process at the Anti-Discrimination Commission Queensland



# Places visited in Queensland 2007-08







ANTI DISCRIMINATION  
COMMISSION QUEENSLAND

**Tollfree 1300 130 670 (statewide)**

TTY 1300 130 680 (statewide)

Fax 07 3247 0960

[www.adcq.qld.gov.au](http://www.adcq.qld.gov.au)