

ANNUAL REPORT

2018-2019



Anti-Discrimination Commission

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<https://www.facebook.com/pages/Northern-Territory-Anti-Discrimination-Commission/1455365511362695>



https://twitter.com/ADC_Commission

Cover photo: Spun: Power sponsored by the NT Anti-Discrimination Commission at the Darwin Festival 2018.

Image: Helen Orr

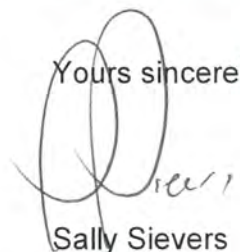
30 September 2019

The Hon Gerry McCarthy MLA
Acting Attorney-General and Minister for Justice
Parliament House
Darwin NT 0800

Dear Minister,








In accordance with the requirements under section 16 of the *Anti-Discrimination Act 1992*, I am pleased to present the Annual Report on the operations of the Northern Territory Anti-Discrimination Commission for the period 1 July 2018 to 30 June 2019.

Yours sincerely,



Sally Sievers
Anti-Discrimination Commissioner

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FROM THE COMMISSIONER



Another full year at the ADC.

Our People

We added to our stable and skilled team a Senior Equal Opportunity Educator and Strategist, who hit the ground running delivering training in Alice Springs in their first week. Training as you will see has been delivered across the NT, in a user pays model. With many lives changed and long held views influenced in the popular customised and publicly available training.

The Educator has been well supported by our dedicated and patient administrative team. I have also been very fortunate to have a skilled and stable team working hard to achieve the aims of the *Anti-Discrimination Act 1992* in a time of diminishing resources lead ably and with great empathy by our Director Traci Keys.

Accommodation

We moved in October 2018 and are now in temporary accommodation at 69 Smith St. Finding alternative accessible accommodation combined with the physical move was a huge and disruptive experience after 26 years in our old digs. I thank all of the team for their patience and teamwork in chipping in with the move.

We also thank the public for their patience as our temporary accommodation does not enable us to respond to face to face unplanned visits.

Emerging Issues

The Commission's complaint resolution work and media commentary was dominated by the ongoing issue of race based discrimination, both in Territory work places and increasingly in the provision of goods, services and facilities. Another area of emerging concern is age discrimination and the gendered nature of that discrimination.

Disability discrimination complaints remain high and while NDIS still dominates the conversations, the advocacy services' capacity and involvement with the Commission has increased this year. Like the rest of Australia, disability advocacy services and particularly advocacy services provided by people with a disability are crucial to ensure access and inclusion.

Equity in the roll out of the NDIS and the ongoing vulnerability to discrimination of people with a disability is an area we continuously monitor and an area of ongoing community engagement for the Commission. A series of workshops co-ordinated from the Commission won the 2018 Disability Services and Inclusion Award for Excellence in Advocacy and Promotion of Human Rights. I thank Deb Hall & Rachel Kroes and all of the young people and their families who participated.

It has been a demanding year again as we commented and provided advice on legalisation, policy and strategy frameworks that impact on groups vulnerable to discrimination across the NT including:

- Aboriginal Youth;
- People living with a disability;
- LGBTIQ community; and
- Seniors etc.

I acknowledge the courage of those who raised matters with us either by making a complaint or providing information to the Commission. It is something most people are reluctant to do, whether on their own behalf or on behalf of others. I also thank and acknowledge advocates working in this area for providing advice and assisting people and groups to advocate for more equality across the Territory.

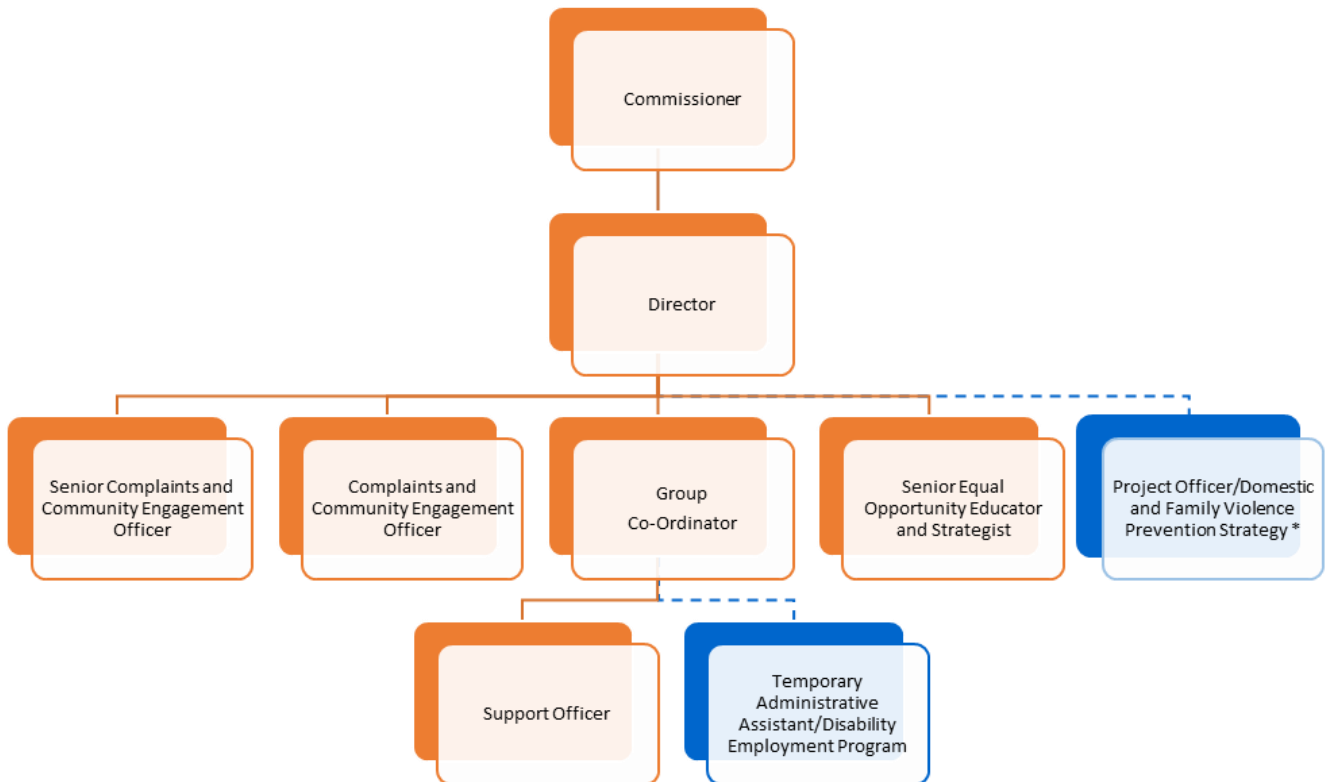


Building for Success with NDIS wins the NT Disability Services & Inclusion Award for Excellence in Advocacy and Promotion of Human Rights - October 2018

THE OFFICE OF THE ANTI-DISCRIMINATION COMMISSION



ORGANISATION CHART



*This position ended on 15 February 2019.



WHO ARE WE AND WHAT DO WE DO?

Educate & Train

Provide public education through:

- Formal public training.
- Customised training.

Complaints & Enquiries

- Free, confidential enquiry service for individuals and organisations to contact ADC about rights and obligations under the *Anti-Discrimination Act 1992* (ADA).
- Take and resolve formal complaints about discrimination breaches under the ADA.

Community engagement & Advocacy

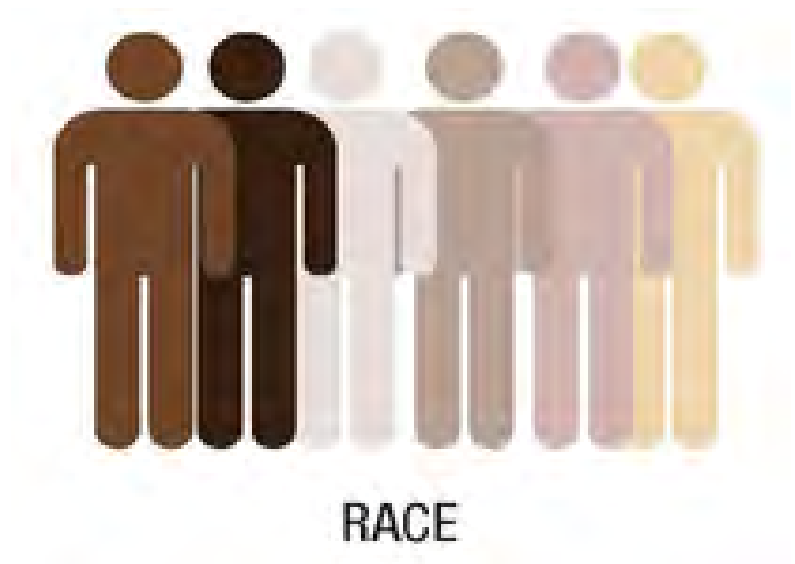
- Participate in relevant community events.
- Advocate on systemic issues relevant to ADC work, including submissions on new laws and policy.
- Speak up for other groups who may not have a voice.

EMERGING ISSUES



Alice Springs Beanie Festival

RACE



77

Complaints handled were about race, making it the most complained about issue. This was also reflected in enquiries received. This was made up of 33 (43%) race complaints being about work and 31 (40%) being about goods, service and facilities. This is the second year in a row it has been the highest ground of complaint.

31%

New complaints received were from Complainants identifying as Aboriginal, 8% identified as Asian, 7% as Middle Eastern and 6% as European.

48%

New complaints where the Complainant identified as Aboriginal were about discrimination issues experienced with government and 33% were about companies. Also of note is 40% of these Complainants also identified as having a disability.

Race discrimination continues to be the biggest issue in the Northern Territory. Themes emerging from complaints included:

- Offensive name calling
- Typecast thinking based on racial stereotypes
- Lower standards of service

Often those who have complained say that they experience discrimination based on race on a regular basis. They make a complaint either because they want it to change or because a particular incident has caused significant harm or shame to the Complainant. Many of the complaints suggest broader systemic issues are at play. Individual complaints may give a person an opportunity to have their story heard and to contribute to systemic organisational change.

AGEISM & WOMEN

- Discrimination against women is emerging as a growing issue for older Australian women and is expected to grow alongside our ageing population.
- Many of the issues arising for older women are a result of historical sex discrimination and the impacts on their financial and social status as they age.

31%

Increase in last 5 years of older women experiencing homelessness (6,866) (729 Northern Territory) (2016 ABS data).

63%

Increase in older women accessing specialist homelessness services over five years (2017-18). Main reasons: family and domestic violence, housing issues, financial difficulty.



Elder abuse—2017 Australian Law Reform Commission released *Elder Abuse — A National Legal Response* identified there was some evidence to indicate that being female increased the risk of elder abuse.

We note and welcome Darwin Community Legal Service's expanded advocacy in relation to disability and NDIS appeals as well as the elder abuse project.

Future issues. It is anticipated that submissions to the Royal Commission into Violence, Abuse, Neglect and Exploitation of people with Disability and the Royal Commission into Aged Care Quality and Safety are likely to reveal discrimination based issues for older women. Interim reports for each are due in October 2020 and October 2019 respectively.

GOODS, SERVICES AND FACILITIES



Complaints about service continue to be a large portion of ADC's work, not just through complaints but in the stories shared with us.

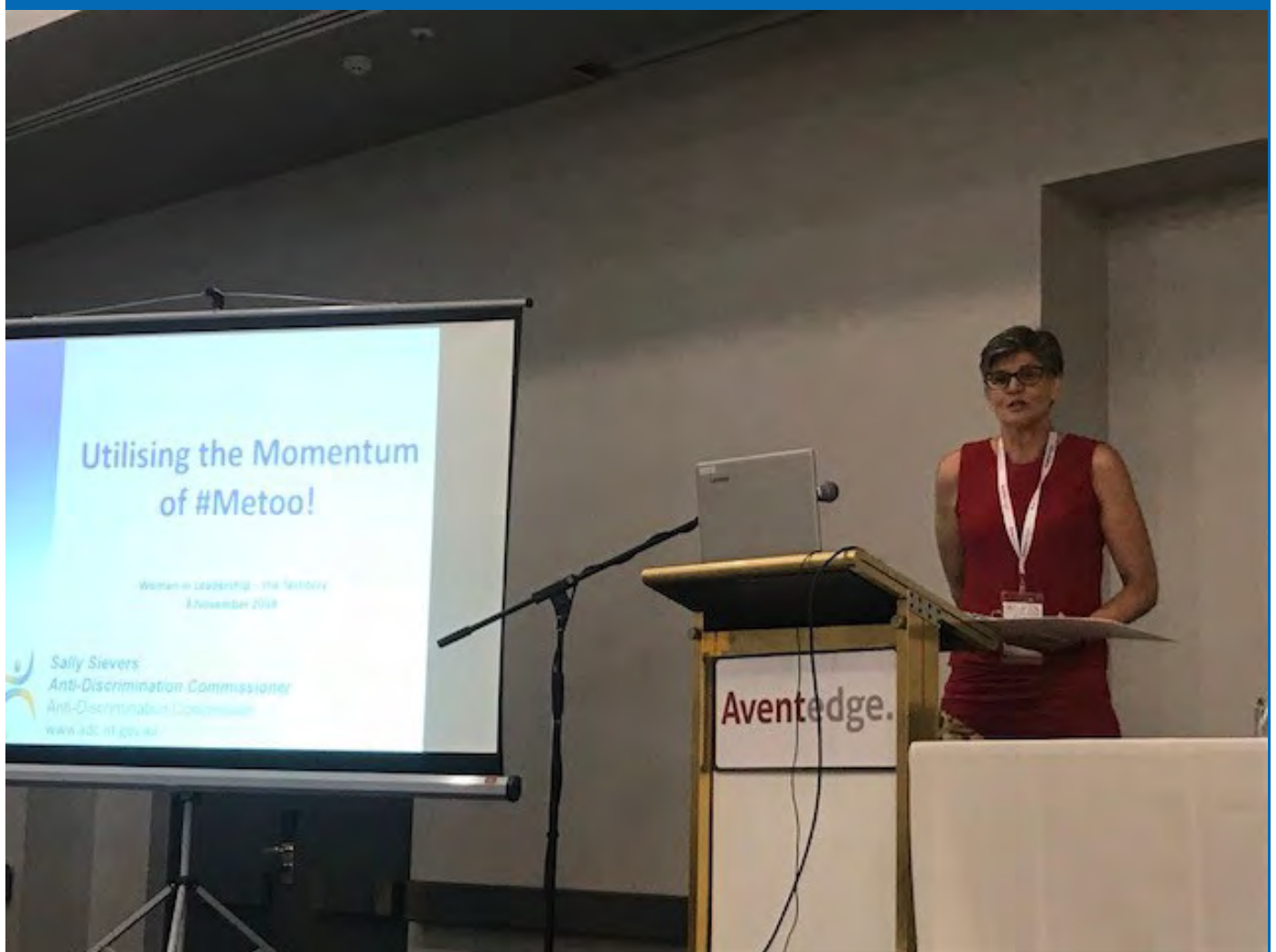
A trend analysis of complaints handled in 2018-19 show that these complaints are about disability, race and failures to accommodate special needs (often in relation to a disability). This reflects the stories we also hear.

In 2018-19 there was media locally and nationally about discrimination in the hospitality/accommodation sector in regard to race. In response to this media and concerns raised by the broader community we conducted training in partnership with the Chamber of Commerce in Alice Springs.

The ADC hears many stories about race discrimination in the hospitality/accommodation setting. Limitations with the current *Anti-Discrimination Act 1992* preclude us taking formal complaints if the issues are raised by individuals who were not the target of the behaviour. A representative complaint model, as proposed in the modernisation of the *Anti-Discrimination Act 1992* could go some way to addressing this issue. In the meanwhile we have to find other ways to respond to these concerns.

Our response to addressing these concerns has been to start educating the community about rights and obligations. To this end in 2018-19 we now provide training for businesses about their obligations under the Act in relation to providing a service.

COMPLAINTS



ENQUIRIES

341

Enquiries made in 2018-19. Enquiries can be made to the Anti-Discrimination Commission to ask questions about rights and obligations under the *Anti-Discrimination Act 1992* (ADA) or about the complaint process. There was a 17% increase in enquiries compared to 2017-18 in which 291 enquiries were received.

75%

Enquiries were made by phone. 16% in person and 9% by email.

82%

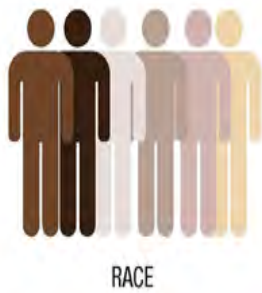
General enquiries, while 18% were professional enquiries. Enquiries can be made by the general public or by organisations seeking information on how to comply with their obligations under the ADA.

MORE ABOUT OUR ENQUIRY SERVICE

The enquiry service enables the general public to gather information to decide how they may address their issue and to provide alternative referrals if required. It also supports organisations in meeting their obligations under the ADA.

The enquiry service is operated by senior staff at the Anti-Discrimination Commission and is free and confidential. The ADC will make arrangements to ensure this service is accessible, including the use of sign and language interpreters.

The service can be accessed via email: antidiscrimination@nt.gov.au; phone 8999 1444 or Freecall 1800 813 846 or in person at our offices at Level 5, 69 Smith St, Darwin.



21% of enquiries were about race discrimination. This was followed by disability (19%), failure to accommodate a special need (12%) and sex (9%). This pattern is consistent with enquiries in 2017-18, though there has been a slight increase for each attribute.

40%

Of enquires were about the workplace, with 36% being about services received and 6% about education.

10%

Enquiries were about race and work, and 9% were about sex and work or impairment and work.

OBSERVATIONS

Individuals often ring to find out if the experience they are having could be discrimination. For many it is an opportunity to check that their story is one that fits discrimination legislation. Bringing a formal complaint or raising issues of discrimination can be very daunting. Through the enquiry line we are able to give people a framework within which to view and understand their story.

It is a good opportunity for an individual to ask lots of questions about the complaint process and to find out what services might exist to support them.

While we would never tell someone they cannot bring a complaint we can advise a caller of some of the obstacles they may face. If we are not the right service we can direct their enquiry elsewhere.

COMPLAINTS

134

New Complaints against Respondents were received in 2018-19 period, an 8% increase from 2017-18 when 124 new complaints against Respondents were received

171

Complaints against Respondents were **handled** in 2018-19, this includes new complaints and those not finalised in 2017-18. This is an 11% increase from 2017-18 when 154 were handled.

138

Complaints against Respondents **finalised**. This is a 10% decrease from 2017-18 when 154 complaints were finalised.

Disability – Goods, Services and Facilities

Jamie was a young man with a neurological disorder that caused his speech to slur.

Jamie liked to relax with a couple of beers at his local hotel most evenings. One evening a new barman was on duty who did not know Jamie. Later that evening Jamie went to order a second drink and the barman refused, telling Jamie he should go home as he had already had enough. Jamie was very embarrassed and offended. He made a complaint to the ADC.

The matter was settled when Jamie was given a written apology and the hotel agreed to provide anti-discrimination training for all bar staff.

HOW MATTERS WERE FINALISED

50

Settled. In 2017-18 there were 43 settlements. This is a slight increase from that period.

51

Declined. In 2017-18 there were 45 complaints declined. There has been a slight increase in declines.

3

No further action. In 2017-18 there were 4 matters finalised because no further action could be taken.

16

Withdrawn. In 2017-18 there were 7 complaints withdrawn. There has been a notable change in withdrawals during 2018-19. It is unclear what has contributed to this increase. 50% were complaints outside the Darwin region, and a significant majority (88%) were handled within 6 months. For those that were not, the delay was due to parties not the ADC.

5

Not referred to evaluation. This is an increase from 2017-18 where only 2 complaints were not referred to evaluation.

8

Referred to NTCAT. In 2018-19, 2 complaints were not referred to NTCAT. Further details of matters referred to hearing can be found later in this report.

TIMELINESS

91%

Complaints were finalised within 6 months, being 126 complaints against Respondents. In 2017-18 this was 98%, but equated to 115 Complaints.

9%

Complaints finalised outside this time frame. 12 complaints against Respondents. A majority of these matters (7 out of 12) were from outside Darwin. The logistics of contacting parties or arranging conciliations outside Darwin may on some occasions be a source of delay. Some matters irrespective of where the parties are also need more time than other matters.

APPEALS & JUDICIAL REVIEW

1

Judicial review finalised, see details below. There were no appeals during this period.

LAVERY v NORTHERN TERRITORY OF AUSTRALIA & ADC [2018] NTSC 78

Ms Lavery sought judicial review of a decision of the ADC delegate to decline her complaints about discrimination based on her being a parent. She was a foster carer for Territory Families.

She said that in declining the complaint the delegate had made an error in law, improperly exercised their powers, had denied her natural justice and made the decision contrary to law.

The Supreme Court upheld the decision of the ADC delegate.

HEARINGS

6

New referrals to NTCAT against 8 Respondents. The ADC intervened in all new matters referred during this period. This represents only 6% of complaints handled.

11

Hearings before NTCAT during this period, against 14 Respondents. ADC was an intervenor in all matters except 1.

2

Matters against 3 Respondents were listed for hearing (details below). No decisions were handed down during this period. Decisions are expected in the next reporting period and will be reported on then.

DETAILS OF HEARINGS

Sultan v Gap View Hotel & Or

Mr Sultan alleges he was racially discriminated against when a staff member of the Gap View Hotel refused to serve him because they said he smelt.

A decision is expected in 2019-20.

Wolfe v Northern Territory of Australia (Northern Territory Police)

Ms Wolfe alleges she was discriminated against based on her disability (knock kneed) during training and assessment for her to become a constable.

A decision is expected in 2019-20.

ATTRIBUTES

77

Complaints were about **race discrimination**.

72

Complaints were about **disability discrimination**.

49

Complaints were about **failure to accommodate a special need**.

11

Complaints were about **sex discrimination**.

Race discrimination and service

Ms Bilati wanted to apply for instore credit to buy a refrigerator. Ms Bilati could only speak a little English.

She was advised by the finance manager that she had not been successful in obtaining credit. Ms Bilati was very upset but did not understand the reason why, nor understand any of the paperwork provided to her. She asked if they could provide an interpreter and they said no.

Ms Bilati made a complaint to the ADC. In making the complaint she sought an explanation about why she was refused, requested cross-cultural training for the organisation and that they re-consider their policy on the use of interpreters.

AREAS

300

Complaints about **work**.

185

Complaints about **goods, services and facilities**.

22

Complaints about **accommodation**.

12

Complaints about **education**.

Sex discrimination and sexual harassment at work

Sarah had just turned 18 when she accepted a job in retail. She had a male boss and he showed a keen interest in her as soon as she started. He would ask her personal questions about her relationship with her boyfriend. He appeared to keep a track on her movements after work, always knowing what she was up to on the weekend.

He would often stand very close to her and make unwanted physical contact, even when she told him to stop. He would often comment on her good looks and say she helped bring in the male customers.

She complained to her boss and was terminated shortly after.

Sarah brought a complaint to the ADC and received \$15,000 in compensation at conciliation.

WHO IS COMPLAINING AND ABOUT WHOM?



Of complaints handled, 92 (54%) identified as male, 76 (44%) female and 3 (2%) as X.



Complaints handled were against; government 73 (43%) (including local government), 41 (24%) against companies, 21 (12%) non-government organisations and 8 (5%) against clubs.

52%

Increase in complaints against government, while there was a 29% decrease in complaints against companies. This is the opposite to 2017-18.



Complaints handled came mostly from the Darwin region making up 106 (62%) complaints (including complaints from the Palmerston region). A small portion 8 (5%) were from interstate.

66

Complaints came from outside the Darwin region, representing a 57% increase from 2017-18. This included complaints from the following regions: 17 Alice Springs, 8 Katherine, 9 Tennant Creek, 13 other remote, and 9 from rural areas.

PUBLIC EDUCATION



<h1>ADHB</h1>	<p>Anti-Discrimination, Harassment and Bullying</p> <ul style="list-style-type: none"> • How to deal with inappropriate behaviour in the workplace • Discrimination, Harassment and Bullying Sexual Harassment; Victimisation • NT <i>Anti-Discrimination Act</i> and the role of the Commission <p><i>Duration:</i> 3.5 hours <i>Who:</i> All staff, especially anyone who wishes to become a Contact Officer or Trainer</p> <p>2018/19 18 workshops delivered in Darwin and surrounds, Nhulunbuy, Katherine Region, and Central Australia.</p>
<h1>PDHB</h1>	<p>Preventing Discrimination, Harassment and Bullying for Managers and Supervisors</p> <ul style="list-style-type: none"> • Role and responsibilities of Managers and Supervisors • Positive workplace culture • Dealing with inappropriate workplace behaviour • Vicarious liability • Discrimination, Harassment and Bullying Sexual Harassment; Victimisation • NT <i>Anti-Discrimination Act</i> and the role of the Commission <p><i>Duration:</i> 3.5 hours <i>Who:</i> Managers and Supervisors, Human Resources staff</p> <p>2018/19 11 workshops delivered in Darwin and surrounds, Nhulunbuy, Katherine Region, and Central Australia.</p>
<h1>UB</h1>	<p>Challenging Unconscious Bias</p> <p>Organisational benefits of Inclusion and Diversity Strategies to reduce and manage unconscious bias:</p> <ul style="list-style-type: none"> • personal bias • organisational strategies • organisational cultural change <p>What unconscious bias is and where it comes from Impact of unconscious bias in the real world</p> <p><i>Duration:</i> 3.5 hours <i>Who:</i> All staff, especially those involved in recruitment</p> <p>2018/19 13 workshops delivered in Darwin and surrounds, Nhulunbuy, and Central Australia.</p>

<p>CO</p>	<p>Contact Officer</p> <ul style="list-style-type: none"> • Functions of a Contact Officer; first point of contact for workers with a grievance • Review of organisation policies and procedures • Discrimination, Harassment and Bullying Sexual Harassment; Victimisation • NT <i>Anti-Discrimination Act</i> and the role of the Commission <p><i>Duration:</i> Full day workshop – 7 hours <i>Who:</i> New Contact Officers, and those who haven't done training in a while</p> <p>2018/19 8 workshops delivered in Darwin and surrounds, Katherine Region, and Central Australia.</p>
<p>TtT</p>	<p>Fair Go at Work: Train the Trainer</p> <ul style="list-style-type: none"> • Strategies to deliver training on Anti-Discrimination, harassment, sexual harassment, and bullying, in line with organisational policies • NT <i>Anti-Discrimination Act</i> and the application of fair, reasonable and respectful behaviour in the workplace <p><i>Duration:</i> Full day workshop – 7 hours <i>Who:</i> Staff who will present training on Anti-Discrimination best practice in their own workplace; NB must have qualifications/ experience in adult education.</p> <p>2018/19 1 workshop delivered in Darwin and surrounds.</p>
<p>NTP UB</p>	<p>NT Police Unconscious Bias</p> <ul style="list-style-type: none"> • Police operations-based and focused on operational effectiveness, workplace relations, and service delivery • Personal and organisational strategies to reduce and manage personal and institutional bias <p>Examples and activities relating directly to policing.</p> <p>2018/19 10 workshops for detectives and investigators, 2 workshops for Police Auxiliary Liquor Inspectors (PALIs) delivered in Darwin.</p>
<p>Tailored</p>	<p>2018/19 7 specially tailored workshops were delivered to organisations in Darwin and surrounds, Arnhem Land, and Central Australia. Topics included:</p> <ul style="list-style-type: none"> • Accommodating special needs • Providing services to people with 'invisible' impairment • The NT Anti-Discrimination Act at School • Unconscious Bias and LGBTIQ+ people

Training Participants 2018-2019

Total: 932

**Darwin and
surrounds**

650

Arnhem Land

81

**Katherine
region**

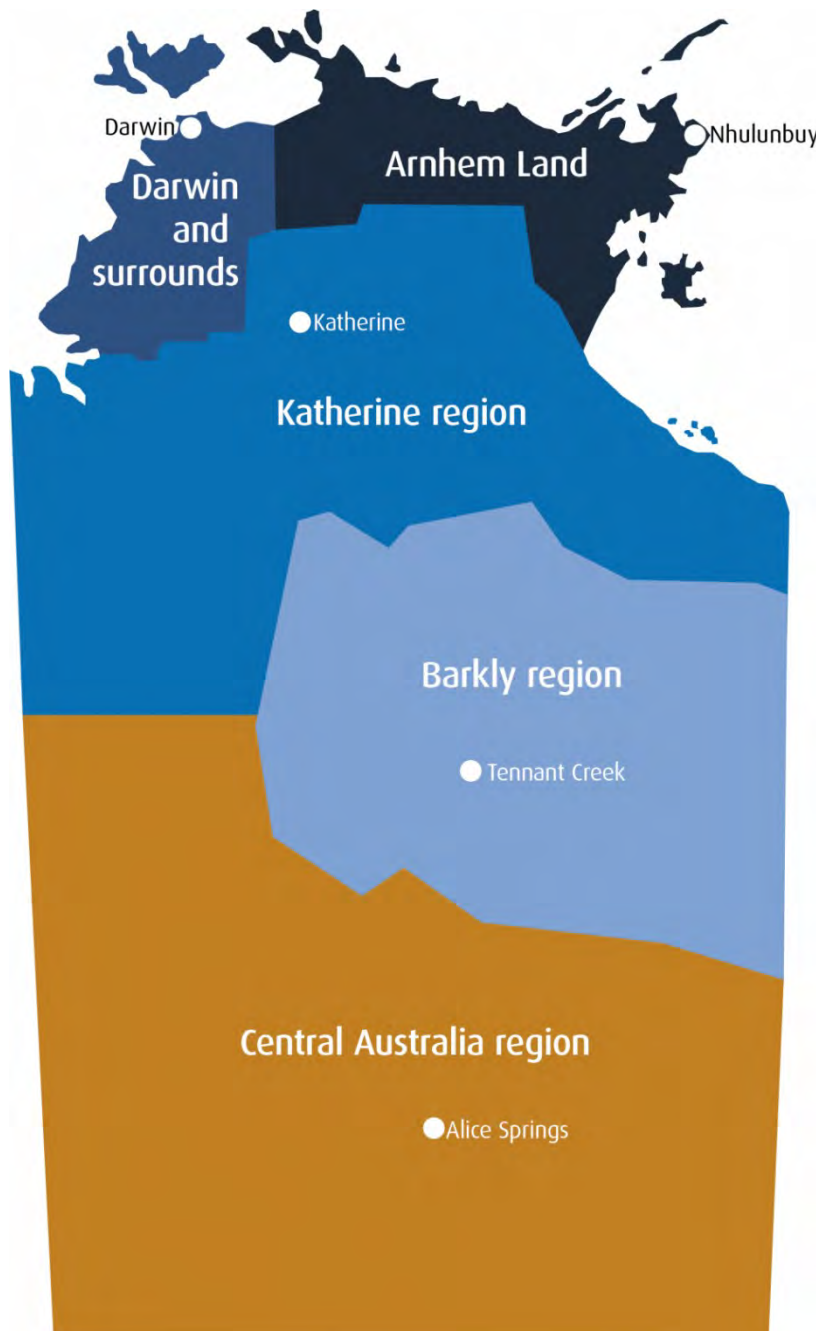
61

Barkly

0

**Central
Australia**

140



Picture credit: <http://www.ntgpe.org/become-gp-registrar/nt-regional-profiles>

ADHB and PDHB were delivered to organisations in Darwin and surrounds, Nhulunbuy, Katherine Region, and Central Australia.

UB was delivered to organisations in Darwin and surrounds, Nhulunbuy, and Central Australia.

CO was delivered in Central Australia, Katherine Region, and Darwin and surrounds.

Training feedback

The facilitator is
DEADLY
(Aboriginal Health
Organisation)

Bloody Wonderful
session

Excellent! Interesting,
funny and informative.
Great group work

How all training should
be

Important information
that *everyone* should
know

Everyone needs the
courage to speak up—I
have that now

Easy to follow,
interesting examples. I
could keep listening all
day

Senior Equal Opportunity Educator and Strategist



Australian Human Resources Institute Conference, Darwin 2019. Panel discussion: 'Building Inclusion at Work'.

Commenced in August 2018.

Sujay Kentlyn is a sociologist who has spent more than ten years in research and writing, and developing and delivering education and training for government and community services, community organisations and the general public, university students and academics. Their work has focused on diversity and inclusion; human rights, discrimination and equal opportunity; social determinants of health; and understanding disadvantage, marginalisation and social participation. This has largely been in relation to LGBTIQ+ health and ageing, in policy and service delivery, with a special interest in gender identity. Sujay identifies as non-binary and uses the pronouns they/them/their.

Since joining the ADC, Sujay has been working on:

Review and redesign of all training modules

- Dual focus on workplace and service delivery, emphasising diversity and inclusion
- Tailoring materials to particular sectors: Education; Health; Legal and Policing; Mining and Construction; Local Councils; Public sector
- Specific inclusion of disadvantaged groups and stigmatised identities, such as Aboriginal people, people with disabilities, LGBTIQ+ people, young people and older people, and people in rural, regional and remote areas
- Finding decisions, case studies, and examples which are recent and relevant to the NT and organisational context
- Less 'death by powerpoint', more hands-on activities and highly interactive discussions

Delivery of training

- customised to the organisation
- designed to deal constructively with existing issues and problems
- giving people the knowledge, skills and confidence to address discrimination, harassment, bullying, sexual harassment and victimisation in their daily lives
- getting out of Darwin and learning first-hand from the people on the ground about the strengths, specific contexts and challenges throughout the Territory.

Police Unconscious Bias Training Project

Project to develop Unconscious Bias training module for NT Police and roll out to all sworn members over two financial years.

Focused on operational effectiveness, workplace relations, and service delivery.

Personal and organisational strategies to reduce and manage personal and institutional bias.

Examples and activities relating directly to policing.

2018/19 10 workshops for detectives and investigators, 2 workshops for Police Auxiliary Liquor Inspector (PALI) trainees delivered in Darwin.

2019/20 will be rolled out to all other officers, with workshops taking place in Katherine, Tennant Creek and Alice Springs, as well as Darwin.

Designing and drafting the ADC's equal opportunity public education strategy.

For me, it's all about people. Real people, ordinary people. So they can feel safe, respected and happy – at work, using services, going about their daily lives. Sharing information about the Act and how to make a complaint is important. But the really crucial stuff is thinking about how we treat each other, and what that means for other people. And when something goes wrong between people – as it inevitably will at some point – how do we repair the damage, restore the relationship, and all move forward? I think the knowledge, skills and strategies to do this are the greatest contribution we can make to the lives of others.



COMMUNITY



2018 NT Human Rights Awards



The Fitzgerald Diversity Award

For Individuals or organisations whose activities focus on promoting, protecting and fulfilling human rights of diverse communities in the NT.

Individual winner **Jodie Clarkson** for promoting rights, respect and understanding in Alice Springs.



Organisation Winner **Aboriginal Housing Northern Territory** a peak body representing linguistically and geographically diverse Aboriginal people and communities.



The Fitzgerald Youth Award

For a person or organisation living or based in the NT who has taken action to ensure the promotion, protection and fulfilment of human rights of young people.

Individual Winner **Rainer Chlandra** Youth Support Worker from Central Australia.



Organisation Winner **Corrugated Iron Youth Arts**

For delivering creative programs for youth across the Top End for over 30 years.



The Fitzgerald Social Change Award

For a person or organisation living or based in the NT who has taken action to achieve or ensure the promotion of social change in the area of human rights.

Individual winner Rob Wesley-Smith activist for Human Rights in numerous areas since the 1970s.



Organisation Joint Winners

Tangentyere Women's Family Safety Group a family and domestic violence early intervention and primary prevention program based in Alice Springs.



Aboriginal Medical Services Alliance Northern Territory (AMSANT) the Peak Body for 26 Aboriginal Community Controlled Health Organisations in the NT.



The Fitzgerald Justice Award

For a person or organisation living or based in the NT who has taken action to ensure the promotion, protection and fulfilment of human rights in the area of justice.

Individual Winner Siobhan Mackay a passionate lawyer and advocate for Aboriginal people in the Katherine Region .



Organisation Winner YWCA Women of Worth Program supports women involved in the justice system to implement positive lifestyle changes, re-engage with the community and reduce re-offending.

OUT & ABOUT



Chinese New Year

NT Disability Services & Inclusion Awards



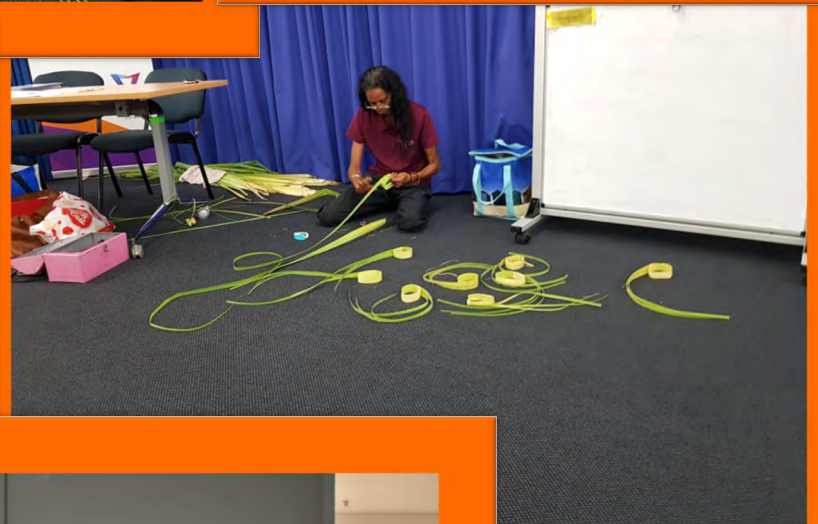
Democracy Dash June 2019



World Aids Day



Vietnamese Community In Australia NT Chapter



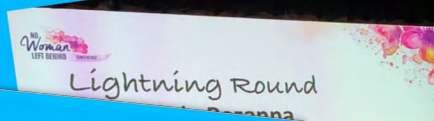
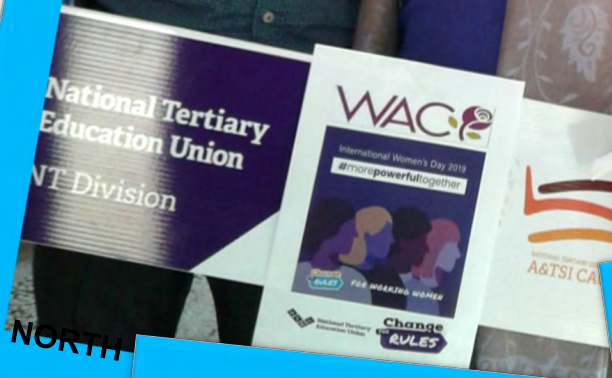
VISITORS



INVESTING IN OUR FUTURE

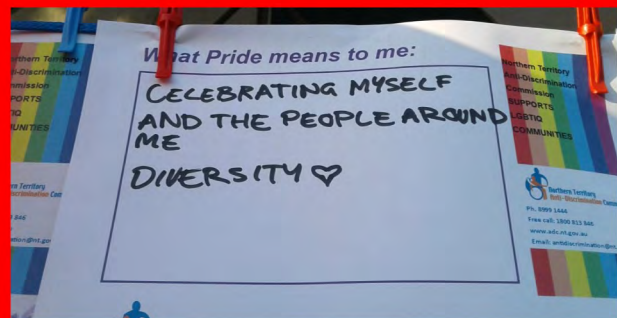


INTERNATIONAL WOMEN'S DAY





PRIDE FESTIVAL



SPUN 25TH ANNIVERSARY ADC



DEMOCRACY DASH



SOCIAL MEDIA

Northern Territory Anti-Discrimination Commission
8 April · 🌐



Top End Women's Legal Service Inc.
8 April · 🌐

TEWLS, Northern Territory Anti-Discrimination Commission and YWCA Australia Darwin Region's Women of Worth team combined to deliver a Community Legal Education ...

Northern Territory Anti-Discrimination Commission
Published by NT Anti-Discrimination Commission (P) · 15 July at 17:58 · 🌐

The Northern Institute
15 July at 13:06 · 🌐

Congratulations Ambassador Julie-Ann Guivarra!

Ambassador Guivarra, who is both Aboriginal and Torres Strait Islander, is a pioneer: she was the first in her fa...

See more




SBS.COM.AU

From Cairns to Madrid: The first female Indigenous ambassador takes her charm to Spain

227 People reached 40 Engagements Boost Unavailable

Northern Territory Anti-Discrimination Commission
Published by Janet Bell (P) · 14 June · 🌐



Australian Human Rights Commission
13 June · 🌐

Sport should be a welcoming space that provides empowering experiences for all, Kate Jenkins - Australian Sex Discrimination Commissioner said at the launch of ...

See more

69 People reached 2 Engagements Boost Unavailable



June Oscar, Aboriginal & Torres Strait Islander Social Justice Commissioner
25 June · Geneva, Switzerland · 🌐

feeling proud at United Nations Office at Geneva.

Hear Us, See Us - an exhibition about the Wiky Yarni U Thurgara (Women's Voices) project will be launched here in Geneva tomorrow as part of the UN Human Rights ...

See more

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Published by NT Anti-Discrimination Commission (P) · 11 April · 🌐



International Year of Indigenous Languages

Northern Territory Anti-Discrimination Commission
Published by NT Anti-Discrimination Commission (P) · 14 July · 🌐

Northern Land Council
14 July · 🌐

Good words from Dan Bourchier here.



ABC.NET.AU

I work with language every day, but I don't know the words my ancestors spoke


145 People reached 7 Engagements Boost Unavailable

Northern Territory Anti-Discrimination Commission
Published by NT Anti-Discrimination Commission (P) · 19 July at 13:49 · 🌐

Dr Niki Vincent, Commissioner for Equal Opportunity - South Australia
19 July at 12:19 · 🌐

Karlie Noon, a young Gamilaroi woman with an array of facial piercings and a vibrant sense of style, does not conform to the stereotypical image of a scientist....

See more



WORKINGAGENDA.COM.AU

Breaking the mould with mathematician & physicist Karlie Noon

214 People reached 23 Engagements Boost Unavailable

Northern Territory Anti-Discrimination Commission
Published by NT Anti-Discrimination Commission (P) · 22 May · 🌐

Australian Gender Equality Council
22 May · 🌐

Today is International Flexible Working Day. 6 in 10 people have experienced 'flexism' & felt discrimination for working flexibly. What is driving this? Mindsets, attitudes, and biases? #FWD2019 #FlexWorkFullLife #GenderFlexGap #TackleFlexism #agec



FLEXIBLEWORKINGDAY.COM

Flex Work. Full Life.

Join us this Flexible Working Day to celebrate how flexible working ...



ABC Alice Springs
12 July · 🌐

How cool is this? !?

Just in time for NAIDOC week, the first ever set of Indigenous emojis are soon to be released.

They have been made by young people on Arrer...

See more



DARWIN WATERFRONT Harmony Soiree
4:00 - 8:30pm SATURDAY 25 MAY Darwin Waterfront Precinct

Celebrate Darwin's cultural diversity with live music, dancing, and delicious food from around the world.

Decorate a floating totem with live music, dancing, and delicious food from around the world.

Spectate spectacular group performances and fireworks display to end the night.

Northern Territory Anti-Discrimination Commission
Published by Janet Bell (P) · 1 May · 🌐

A big Congratulations to everyone at Santa Teresa Ltyentye Apurte!



Keep Australia Beautiful
5 April · 🌐

OVERALL WINNER 2019

Santa Teresa (Ltyentye Apurte)
NORTHERN TERRITORY

Drumroll please. The 2019 Australian Sustainable Communities - Tidy Towns Overall winner is SANTA TERESA (Ltyentye Apurte) #SantaTeresa #LtyentyeApurte NT #NT #BY ...

See more

90 People reached 9 Engagements Boost Unavailable

Northern Territory Anti-Discrimination Commission
Published by NT Anti-Discrimination Commission (P) · 1 July · 🌐

Starwin Shopfront
30 June · 🌐

What a special achievement

#careerspathways #youthleadership



ABC.NET.AU

How the man believed to be the first Yolngu doctor achieved his dream

299 People reached 30 Engagements Boost Unavailable

APPENDICES



KEY PERFORMANCE INDICATORS

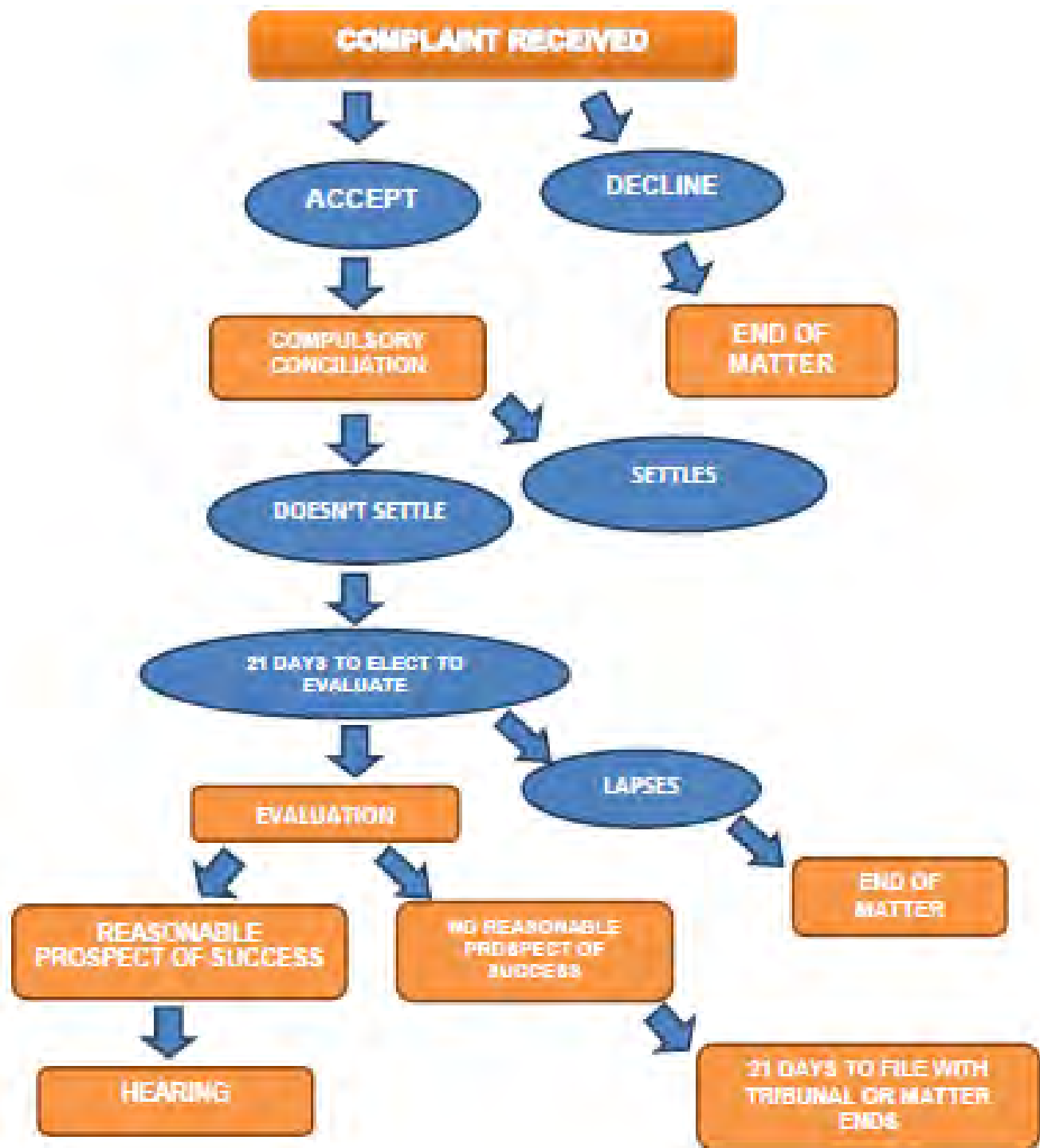
Key deliverables	Current Year		Targets	Previous Years	
	2018-19 Estimate	2018-19 Actual	2019-20 Estimate	2017-18 Actual	2016-17 Actual
Public awareness / community-based events, development of educational resources and training (hours)	80	425	80	269	184
Public awareness / community-based events, development of educational resources and training (sessions)	30	65	30	83	70
Complaints (includes complaints carried over)	200	171	200	154	217
Complaints conciliated	50%	57%	50%	60%	52%
Complaints closed within 8 months of receipt	50%	98%	50%	100%	95%

FUNCTIONS OF THE COMMISSIONER

The Anti-Discrimination Commissioner is appointed by the Administrator under section 6 of the Act. The functions of the Commissioner are set out in section 13 of the Act.

- To assess complaints, conduct conciliations in relation to complaints and evaluate and refer complaints for hearing by Tribunal.
- To examine Acts and regulations and proposed Acts and regulations of the Northern Territory to determine whether they are, or would be, inconsistent with the purposes of this Act, and to report the results of such examinations to the Minister.
- To institute, promote or assist in research, the collection of data and the dissemination of information relating to discrimination and the effects of discrimination.
- To consult with organisations, departments and local government and community government bodies and associations to ascertain means of improving services and conditions affecting groups that are subjected to prohibited conduct.
- To research and develop additional grounds of discrimination and to make recommendations for the inclusion of such grounds in this Act.
- To examine practices, alleged practices or proposed practices of a person, at the Commissioner's own initiative or when required by the Minister, to determine whether they are, or would be, inconsistent with the purposes of this Act, and, when required by the Minister, to report the results of the examination to the Minister.
- To promote in the Northern Territory an understanding and acceptance, and public discussion, of the purposes and principles of equal opportunity.
- To promote an understanding and acceptance of, and compliance with, this Act.
- To promote the recognition and acceptance of non-discriminatory attitudes, acts and practices.
- To promote within the public sector the development of equal opportunity management programs.
- To prepare and publish guidelines and codes of practice to assist persons to comply with this Act.
- To provide advice and assistance to persons relating to this Act as the Commissioner thinks fit.
- To advise the Minister generally on the operation of this Act.
- If the Commissioner considers it appropriate to do so, to intervene in a proceeding that involves issues of equality of opportunity or discrimination with the leave of the court hearing the proceeding and subject to any conditions imposed by the court.
- Such functions as are conferred on the Commissioner by or under this or any other Act; and such other functions as the Minister determines.

COMPLAINTS PROCESS



COMPLAINT SUMMARIES

Disability and goods, services and facilities

Jamie was a young man with a neurological disorder that caused his speech to slur.

Jamie liked to relax with a couple of beers at his local hotel most evenings. One evening a new barman was on duty who did not know Jamie. When Jamie went to order a second drink the barman refused, telling Jamie he should go home as he had already had enough. Jamie was very embarrassed and offended. He made a complaint to the ADC.

The matter was settled when Jamie was given a written apology and the hotel agreed to provide anti-discrimination training for all bar staff.

Race discrimination and service

Ms Bilati wanted to apply for instore credit to buy a refrigerator. Ms Bilati could only speak a little English.

She was advised by the finance manager that she had not been successful in obtaining credit. Ms Bilati was very upset but did not understand the reason why, nor understand any of the paperwork provided to her. She asked if they could provide an interpreter and they said no.

Ms Bilati made a complaint to the ADC. In making the complaint she sought an explanation about why she was refused, requested cross-cultural training for the organisation and that they re-consider their policy on the use of interpreters.

Marital status and goods, services and facilities

The Complainant was required to pay a fee to access a service provider. The complainant was charged the “couple” rate despite explaining that she was single and no longer married.

Upon receipt of the complaint, prior to compulsory conciliation, the service provider agreed to refund in full the fees paid by the complainant.

Irrelevant criminal record & seeking unnecessary information at work

The Complainant was employed casually as a customer service officer. The employee was working approximately 60 hours per week. The workplace manager received an anonymous email revealing that the employee had a criminal history. Immediately the employee was told there wasn't enough work available and shifts would not be offered in the future.

The parties attended a compulsory conciliation.

The employer paid compensation for hurt and humiliation and loss of wages.

Impairment & failure to accommodate a special need at work

The Complainant applied online for a position and was shortlisted for an interview. The Complainant requested a face to face interview as he was dyslexic and experienced difficulty reading the interview questions which were to be supplied in writing immediately prior to the interview. He explained having the questions read to him orally would be better than being provided in writing. The request was denied and the job interview was cancelled without explanation.

Upon receipt of the complaint the General Manager reviewed the complainant's resume and requested a face to face meeting. After meeting with the Complainant the General Manager offered the Complainant a position within the company.

Impairment & failure to accommodate a special need at work

The Complainant suffered with PTSD and anxiety. Further trauma significantly increased these symptoms. The Complainant told a work supervisor about their deteriorating mental health. The supervisor told them "to ignore it and get on with life and not let it affect the Complainant". The Complainant tried to manage their mental health however was unable to, resulting in their resignation within their probation period.

A complaint was lodged against the employer.

All parties attended a compulsory conciliation.

The employer agreed to pay for the Complainant to attend 6 counselling sessions.

Sex discrimination and sexual harassment at work

Sarah had just turned 18 when she accepted a job in retail. She had a male boss and he showed a keen interest in her as soon as she started. He would ask her personal questions about her relationship with her boyfriend. He appeared to keep a track on her movements after work, always knowing what she was up to on the weekend.

He would often stand very close to her and make unwanted physical contact, even when she told him to stop. He would often comment on her good looks and say she helped bring in the male customers.

She complained to her boss and was terminated shortly after.

Sarah brought a complaint to the ADC and received \$15,000 in compensation at conciliation.

Race discrimination at work

Assi was born in Lebanon and lived the last five years in Australia. She worked in a small office. She heard one day that one of her fellow colleagues had been speaking about her behind her back and making comments about her birth nationality, saying she had links with Terrorism.

She complained to the ADC and as a result of complaining was able to resolve her issues with her workplace privately.

Age discrimination at work

Mabel worked for a large non government organisation. She was one of several gardeners used to maintain the organisation's properties. She was 64 and had recently had some health issues, all of which she had recovered from. She loved her work and the people she worked with.

One day she was approached by her supervisor and it was suggested it was time for her to retire.

She brought an age discrimination complaint to the ADC. As a result of her complaint she received \$20,000 in compensation and agreement that processes would be put in place to better manage retirement.

AREAS AND ATTRIBUTES

SECTION 19 – LIST OF ATTRIBUTES

- Race
- Sex
- Sexuality
- Age
- Marital status
- Pregnancy
- Parenthood
- Breastfeeding
- Impairment
- Trade union or employer association activity
- Religious belief or activity
- Political opinion, affiliation or activity
- Irrelevant medical record
- Irrelevant criminal record
- Association with a person who has, or is believed to have, an attribute referred to in this section
- The person's details being published under section 66M of the *Fines and Penalties (Recovery) Act*.

SECTION 28 – LIST OF AREAS

- Education
- Work
- Accommodation
- Goods, Services and Facilities
- Clubs
- Insurance and Superannuation.

SUBMISSIONS

- Australian Human Rights Commission consultation on protecting the human rights of people born with variations in sex characteristics in the context of medical intervention
- NT Social Policy Scrutiny Committee re *Births, Deaths and Marriages Registration and Other Legislation Amendment Bill* 2018
- Senate Standing Committee on Legal and Constitutional Affairs re Legislative exemptions that allow faith based educational institutions to discriminate against students, teachers and staff
- National Inquiry into Sexual Harassment in Australian Workplaces
- NT Social Policy Scrutiny Committee re *National Disability Insurance Scheme (Authorisations) Bill* 2019
- NT Social Policy Scrutiny Committee re *Youth Justice and Related Legislation Amendment Bill* 2019
- Licensing NT consultation on Reforming Regulation of the Sex Industry in the Northern Territory
- Expert Panel consultation on the Religious Freedom Review
- NT Economic Policy Scrutiny Committee re the Liquor Bill 2019