



ANNUAL REPORT 2022 - 2023

NT ANTI-DISCRIMINATION
COMMISSION





ACKNOWLEDGEMENT OF COUNTRY

The Northern Territory Anti-Discrimination Commission acknowledges the traditional owners of the country on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we acknowledge the continuing connection of Aboriginal and Torres Strait Islander people to land, sea and community.

We recognise that Aboriginal and Torres Strait Islander people are disproportionately affected by discrimination and harassment, and acknowledge our shared responsibility to prevent and address discrimination and harassment in the Territory.

Artwork front page
Artist: Nadira Yasmin Neela
Title: *Women's Rights to Mental Health*

Artwork page 14
Artist: Eva San Yen Keng
Title: *Let's Make Our Future a Sanctuary*

Artwork page 23
Artist: Trevor Jenkins
Title: *Man on the Street, Begging*

Artwork page 51
Artist: Katharina Fehring
Title: *Many Streets*

30 September 2023

The Hon Chanston Paech MLA
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, I am pleased to present the Annual Report on the operations of the Northern Territory Anti-Discrimination Commission for the period 1 July 2022 to 30 June 2023.

Yours sincerely,



Jeswynn Yogaratnam
Anti-Discrimination Commissioner



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A/COMMISSIONER'S MESSAGE

It is an honour to present the 2022/23 Annual Report, as Acting Commissioner.

2022/23 has been a year of significant change.

The first of those changes is the departure of Sally Sievers as Anti-Discrimination Commissioner in January 2023. The longest serving Commissioner in the 30 years of operation, she brought significant and welcome change to the Commission. She served for 10 years.

Sally Sievers worked tirelessly, being omnipotent within the Northern Territory community, spending weekends and evenings at events, meetings, information sessions, to keep connected with needs of Territorians. Her name has become synonymous with the ADC brand.

She was a fierce advocate, never afraid to speak up on tough issues, and prepared to give a voice to those who could not speak up.

Personally it has been an honour to work alongside her. I and others at the ADC have learnt so much from her intelligence, her hard work ethic and personal integrity. Integrity that is reflected not only in her work but in who she is as a person. Her presence and energy within the team is very much missed.

The second significant change is the passing of reforms to *Anti-Discrimination Act 1992*. These reforms have been a long time coming, and are a result of the persistence and dedication of Sally Sievers. Time will demonstrate what an important legacy she leaves for Territorians.



For the Anti-Discrimination Commission (ADC) it has been an exciting time as we engage with stakeholders to talk about the potential of the reforms. Considerable work has also been done preparing the office internally for the changes, as well as work in updating our training in readiness for the reforms. I would like to thank the staff who have worked with such positive energy and willingness as we have worked through these changes.

In terms of the work of the ADC I note the high use of our complaint service by people living with a disability. This is heartening to see. The ADC continually strives to provide a service that all Territorians can use. It is hoped this increase in use indicates we are providing the supports people need.

Also of note is sex as the highest ground of complaint for the first time in the history of the ADC. Sex is an attribute that has been high for a number of years but has not in the last few years been surpassed race or



impairment complaints. Sex discrimination is a persistent issues in the Northern Territory, as is sexual harassment.

In 2022/23 the Department of Territory Families, Housing and Communities, provided limited funding to ADC to deliver free training to Aboriginal controlled organisations and non-government sector in the Top end, focusing on Darwin, in relation to sexual harassment and bystander intervention. It is hoped that this training will be a start to addressing the high number of sex discrimination and sexual harassment complaints we see at ADC.

Lastly, I finish up as Acting Commissioner in August, when we will welcome in our new Commissioner Jeswynn Yogaratnam. The ADC team is excited to see what comes next. I would like to thank my colleagues at ADC who have given me unwavering support as Acting Commissioner. It has been an honour to lead you through this change.

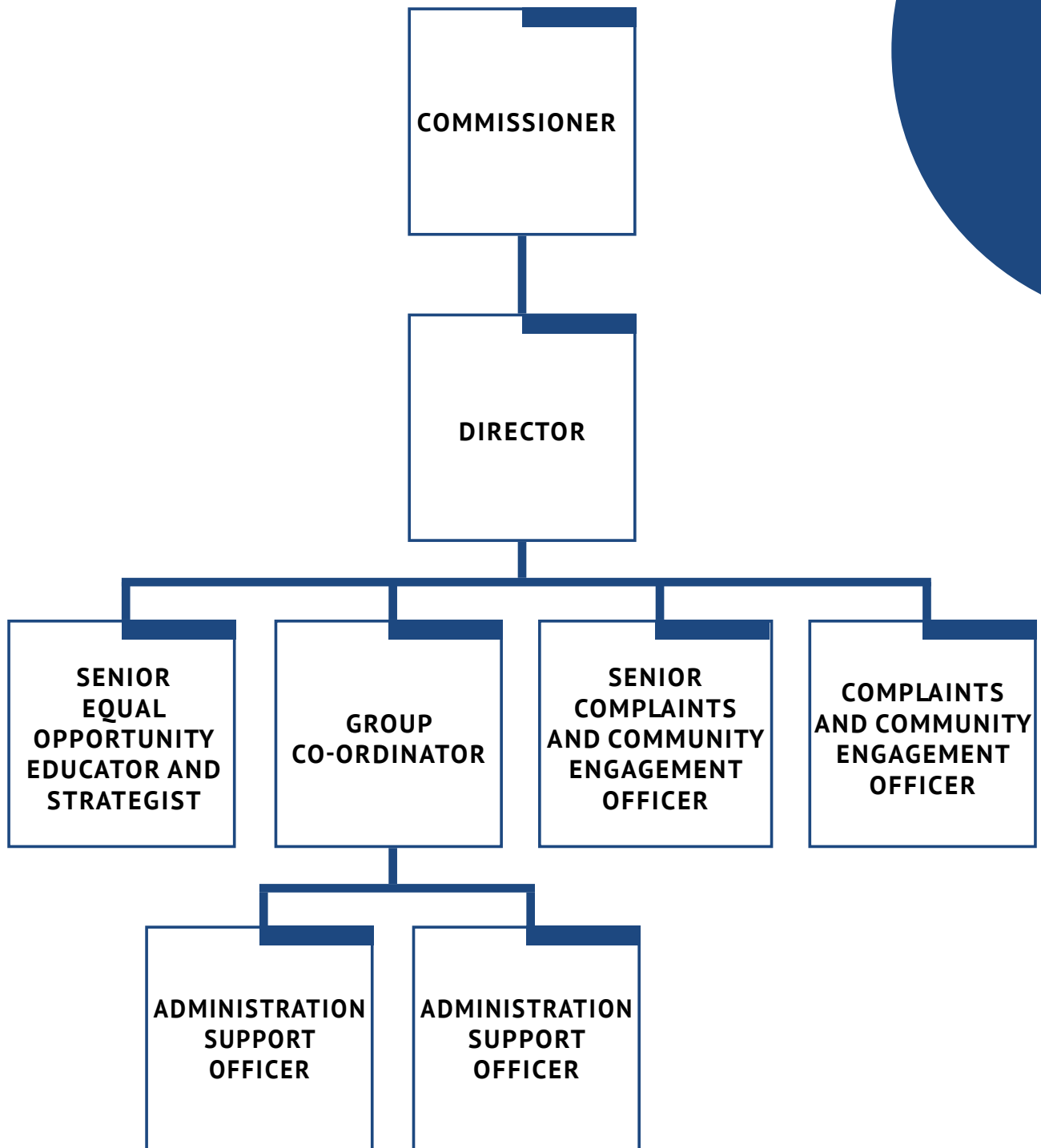


Sally Sievers
Former Northern Territory
Anti-Discrimination
Commissioner

An abstract, monochromatic artwork in various shades of blue. It features two hands, one larger and one smaller, reaching towards each other in a gesture of support or care. Two stylized eyes are visible, one in the upper right and one in the lower right, both looking towards the center. The background is composed of geometric shapes, including a large circle at the top left and a checkered pattern on the right. The overall mood is contemplative and hopeful.

THE OFFICE OF THE ANTI-DISCRIMINATION COMMISSION

ORGANISATIONAL CHART



FUNCTIONS OF THE OFFICE

01

Educate & Train

Provide public education through:

- Formal public training
- Customised training.

02

Complaints & Enquiries

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

03

Community Engagement & Advocacy

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

An abstract, monochromatic artwork in various shades of blue and green. The composition features two hands in the center, one reaching towards the other, set against a background of geometric shapes, including large circles and rectangles. Stylized, elongated eyes are visible in the upper left and lower right corners, looking towards the central hands. The overall style is reminiscent of mid-century modern graphic design.

EMERGING ISSUES

REFORMS TO ANTI-DISCRIMINATION ACT

Since Covid-19 many organisations and individuals have adjusted to receiving their training online. Online training can enable participation of employees who are remote, it can be cheaper and be more efficient time wise. It can be a useful tool for some training. In 2022/23 we offered some of our public training online.

Online training however can also allow some participants to disengage. It allows people to keep doing other work such as emails and texting. Disruptors that would not happen if training was face to face.

We found the greater attendance and demand was for our face to face training. Face to face training is important as it allows group conversations about the issues presented and space to reflect on yourself and organisational practice. This reflection is more likely to happen in person than online.

New attributes:

- Subject to domestic Violence
- Gender Identity
- Language, including sign language
- Sex Characteristics
- Accommodation status
- Employment status
- Employment in sex work
- HIV/Hepatitis status

Re-named attributes:

- Sexual orientation
- Relationship status
- Carer responsibilities
- Disability



New vilification laws (offensive behaviour because of an attribute) based on all attributes.

The first phase also introduces the new attribute of the administration of laws and government programs. This reform is likely to clarify ongoing issues with the scope of “services” as it applies to government services such as police and corrections. A significant number of matters before Northern Territory Civil and Administrative Tribunal (NTCAT) have been in relation to the scope of this phrase.

The first phase also clarifies that education includes child care and training in correctional facilities. It also clarifies that work includes volunteers. The licensing requirement from clubs is also removed, ensuring that ADA has greater coverage of clubs, than previously existed.

On 3 January 2024 Phase 2 will commence including:

- Representative complaint model
- Positive duty to eliminate discrimination, sexual harassment and victimisation

DISABILITY

Disability features strongly in 2022/23 complaints. It was the second highest ground of complaint along with race and failure to accommodate a special need.

In the last 2 years it has been the highest ground of complaint. It also represents a majority of the failure to accommodate a special needs complaints.

It also presents strongly in who is complaining to us. In 2022/23 49% of complainants identified as living with a disability. Some complainants don't identify as living with a disability so don't select this identifier, and some complaints are made on behalf of someone with a disability. Including this co-

hort, 52% of people who complained to ADC in 2022/23 had a disability. This is more than half.

A majority are people who identify as living with poor mental health (25%), 23% identify as having a physical disability and 20% as neurodiverse.

Most complaints were about work and goods, services and facilities

Disability continues to feature highly in ADC work.



TRAINING

Since Covid-19 many organisations and individuals have adjusted to receiving their training online. Online training can enable participation of employees who are remote, it is cheaper, can be more efficient with time. It can be a useful tool for some forms of training. In 2022/23 we offered some of public training online.

However what we found was that the greater attendance was at our face to face training. Online training can work for some topics, especially where all you need is information. It can also allow some participants to disengage. It allows people to keep doing other work, such as emails and texting, tasks that would not happen if they were in face to face training.

The type of training provided by ADC is best delivered in person. This is because it is not just about getting information, it is also about:

- discussion key ideas and themes with other people
- asking questions
- connecting with other people and hearing their stories and experiences
- practising and implementing the ideas presented.

However most important, it is about having a conversation about the issues presented, and reflecting on self and organisational practice. This is better done in person than online.



An abstract, monochromatic artwork in various shades of blue and green. The composition features several hands reaching towards the center, some with fingers spread. There are also stylized eyes, some appearing as if they are part of the hands or emerging from the background. The background is filled with geometric shapes, including large circles and rectangles, creating a layered, collage-like effect. The overall mood is contemplative and mysterious.

COMPLAINTS

ENQUIRIES

339

enquiries were made to ADC in 2022/23.
This is a 12% decrease from 2021/22.

71%

of enquiries were received by phone, 22% by email,
6% in person, and 1% by website or letter.

88%

of enquiries were from the general public. Organisations asking
for information on the act were 11% of enquirers.
2021/22 saw an increase of organisations seeking information
about the Act. This increase was the same in 2022/23. It is
positive organisations engage with ADC to ensure compliance.

75%

of enquiries were from Darwin, with 10% from Alice Springs,
4% from interstate, 3% from Rural NT, approximately
2% from Katherine, Palmerston, remote NT and Tennant Creek,
and .5% from Nhulunbuy.



ENQUIRY SERVICE

The ADC has a free and confidential enquiry service for the public and organisations. We provide information about the ADA and the complaints process.

The enquiry service can help people self-advocate if able, or tell them how to make a formal complaint to ADC. The ADC may refer an enquirer to another body better suited to address their issue.

ADC assists organisations with practical information to assist with compliance of the ADA. For example how to use special measures when recruiting.

Access to the enquiry service is by phone, email, website or in person. In 2023/24 we will have a further avenue which is a report discrimination mechanism on our website. People can make an anonymous report of discrimination they witness or experience. They can also request ADC contact them with further information about options available.

CONTACT

Free call	1800 813 846
Landline	(08) 8999 1444
Email	antidiscrimination@nt.gov.au
In person	Level 9 NT House, Darwin
Website	https://adc.nt.gov.au



WHAT GROUNDS DID PEOPLE ENQUIRE ABOUT?



32%

of enquiries were about attributes not under the ADA. The enquiry process can be effective in directing complaints to the right body. It also helps people know this before making a formal complaint. 19% of enquiries were about disability discrimination, 17% about race discrimination and 6% about sex discrimination.



37%

of enquiries were about work, 33% were about goods, services and facilities and 21% were enquiries where there was no public area under the Act.



18%

of all enquiries were about disability discrimination while receiving a good, service or facility. Of these enquiries about good, service or facility:

- 54% of enquiries were about disability discrimination,
- 50% about race discrimination. Note some enquirers raised both attribute.



18%

10% of all enquiries were about failure to accommodate a special need in the workplace. Of these enquiries:

- 28% were about accommodations required at work.
- 26% were about race discrimination.

COMPLAINTS

220

new complaints about individual and organisations were made in 2022/23. This is a small increase compared to 2021/22 when 218 new complaints were received.

305

complaints against individual and organisations were handled during 2022/23. Complaints handled include complaints carried over from the 2021/22 reporting period. This is a 13% increase.

181

complaints against individuals and organisations were finalised in 2022/23. This is similar to 2021/22 when 180 complaints were finalised.

2021/
22

was a very high year for complaints due to high volumes of Covid-19 related complaints. Complaints remain high in 2022/23, despite Covid-19 complaints being low.

FINALISED MATTERS

64

complaints against individuals and organisations were declined. This is a 31% decrease from 2021/22. In 2021/22 a high number of declines related to complaints about Covid-19 that were not covered under the ADA.

64

complaints against individuals and organisations were settled. This is a 39% increase compared to 2021/22 when 46 matters settled.

7

complaints against individuals and organisations resulted in no further action being taken. This is a slight decrease from 2021/22 when no further action was taken on 12 complaints.

29

complaints against individuals and organisations were withdrawn in 2022/23, an increase from 25 in 2021/22.

8

complaints against individuals and organisations were not referred to evaluation in contrast to 3 in 2021/22. A complainant elects if they wish to refer their complaint to evaluation.

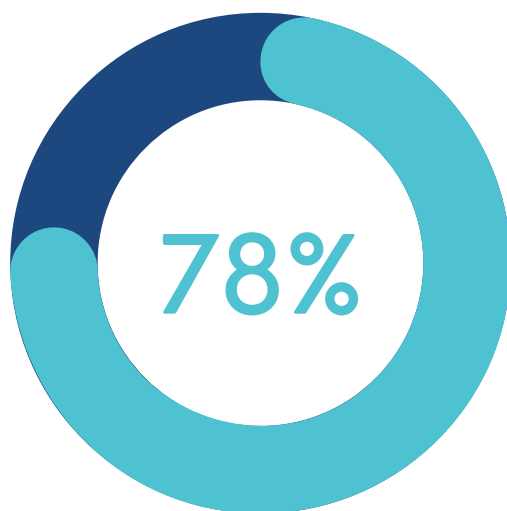
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complaints against individuals and organisations were referred to NTCAT, the same as 2021/22. There were 5 matters against individuals and organisations not referred to NTCAT in contrast to 7 in 2021/22.

TIMELINESS

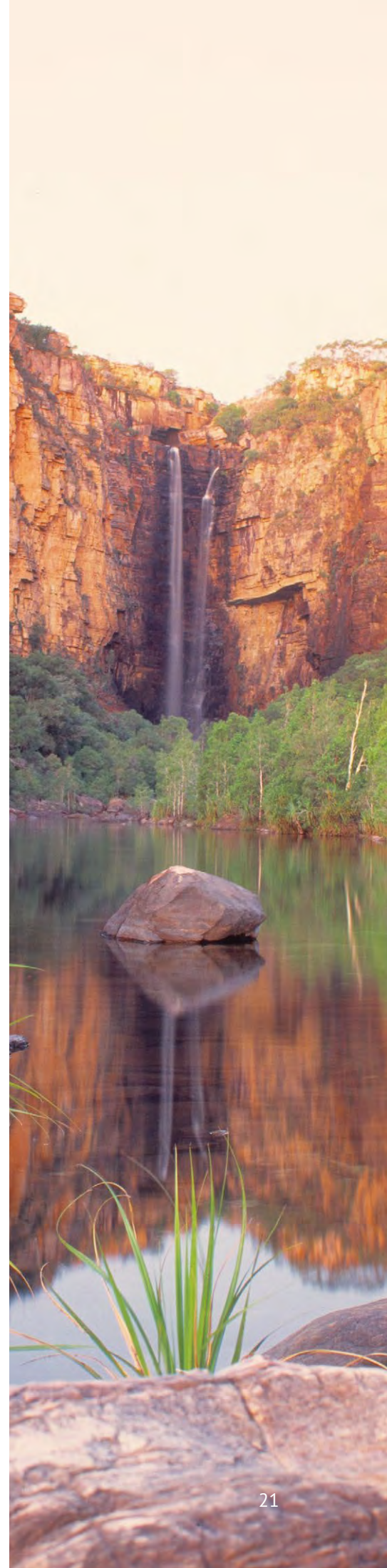
78% of complaints were finalised within 6 months. A decrease from 2022/23 when 82% were finalised within 6 months. For matters finalised outside 6 months delays were due to:

- Meeting accessibility needs of a party
- Lack of access to a party due to locations. 42% of complaints finalised outside 6 months lived outside the Darwin/Palmerston area.
- ADC staff levels
- Ongoing backlog from 2021/22 due to high volumes of Covid-19 complaints, as identified in our previous Annual Report.



ADC was short staffed in the complaint team for the first 6 months of 2022/23. This resulted in slower responses, and a back log of evaluations to be written. Staff issues were addressed in the second half of the year, but a backlog of work has continued into the next reporting period. We are working to address this. We continue to respond to most matters within time, despite these challenges.

High volume and the complex nature of complaints being received by the ADC in contrast to the resources we have to manage them, continues to put a strain on our desired service levels. We work hard to meet this demand and to minimise impact on the community.



ATTRIBUTES

77

allegations about sex discrimination. This reflects 77 allegations in 2021/22. In 2022/23 this was the most complained about attribute. A majority (53%) were from women, a majority related to work.

74

allegations about disability discrimination, 42% being about discrimination while receiving goods, services and facilities, 34% were about work. This is a 36% decrease from 2021/22.

74

allegations about race discrimination, 50% being about receiving a good, service or facility, 32% being at work. This is a small decrease from 75 allegations in 2021/22.

71

allegations were about failure to accommodate a special need with 48% relating to goods, services and facilities, 19% at work. This is a 39% decrease from 2021/22 with 116 allegations.

In 2022/23 complainants selected less attributes (e.g. race) and areas (e.g. work) in their complaints resulting in 35% decrease in the number of over allegations made compared to 2021/22. This means there are less ambit complaints being made. An ambit complaint is where a complainant randomly selects multiple attributes and areas, sometimes all attributes and areas in their complaint. The selection is then not reflected in the story of discrimination they tell. In 2022/23 complainants were more considered and complainants were more likely to limit their complaint to what was relevant.

For example a person may complain about race and age which is reflected in their story of discrimination, rather than tick every attribute that pertains to them as a person or that they think might be relevant, irrespective of their story of discrimination.

This may suggest improved understanding of discrimination in the community and complaint processes. The ADC does educate the community on both.

AREAS

264

allegations were about goods services and facilities. While this is a decrease of 41% from 2021/22 it remains the highest area of complaint, representing 41% of complaints. In 2021/22 many complaints related to Covid-19, this is not true for 2022/23. Complaints about discrimination about goods, services and facilities has been steadily increasing over the years.

218

allegations were about work, representing 35% of all complaints. This is a 66% decrease from 2021/22. Complaints about work were high in 2021/22 due to Covid-19.

94

allegations were about accommodation, representing 15% of all complaints.

35

allegations were about education, representing 6% of all complaints.



WHO WAS COMPLAINING?

53%

of complainants in 2022/23
identified as male

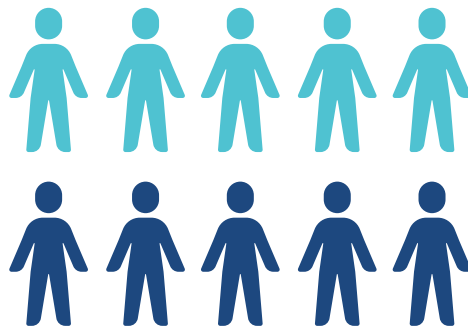
41%

identifying as female and
6% identifying as X.

Male complaints continued to be higher than female complainants, representing 53% of complaints, 41% identifying as female and 6% identifying as X. The data is not demonstrative of any major trend due to some repeat complainants effecting this data.

49%

of complainants
identified as
living with a
disability



49% of complainants identified as living with a disability, an increase from 37% in 2022/23, this is a significant portion of people making complaints. This represents people who identify as living with a disability. Many complainants did not identify as living with a disability, but it was clear from their complaint they did. The latter group is not in this data, indicating a majority of people who complained to ADC in 2022/23 were people with a disability. Not all made complaints of disability discrimination. Of the 49%, men represented 55% of these complainants and women 32%, men were more likely to be repeat complainants. Of the 49%, 34% identified as Aboriginal or Torres Strait Islander and 24% from a non-English speaking background.

25%

identified as
being from a non-
English speaking
background.

37%

were against
government, 20%
against companies,
35% against
individuals, 4%
non-government
organisations, 2%
Local Government,
1% clubs. There was
a noticeable increase
of complaints against
government (was
33% last year) and
decrease against
companies (was 31%
last year).



29% of complainants
identified as Aboriginal
or Torres Strait Islander.
This is a slight decrease
from 2021/22 where 32%
identified as Aboriginal or
Torres Strait Islander.



HEARINGS, REVIEWS AND APPEALS

2022/23 there was the first appeal to the Supreme Court under s106 ADA. This was the matter of Gibson v NTA (details below), the decision of the Supreme Court is still pending.

There were no matters subject to an internal review at NTCAT.

HEARINGS

11 Hearings were before NTCAT, 1 matter was referred in 2022/23. There were 5 hearings in the reporting period and 6 decisions, including a matter heard in the prior report period, not yet reported.

The Applicant v Northern Territory Government

The applicant was a 26 old Aboriginal male in a correctional facility. He alleged he was discriminated against based on his race and religion when he was strip searched in the presence of a female officer. He was a traditional initiated male and he said it was against his culture for a women to be present.

To succeed he had to show that the strip search was a “service” for the purpose of the ADA. The Tribunal found that in this instance it was not a service that the purpose of the search was to locate contraband, not to protect the applicant. The matter was dismissed.

Baker v Northern Territory of Australia (Department of Education)

The applicant was a young child living with a range of disabilities who was non-verbal and used a wheelchair. The complaint was brought by their mother.

The allegations were that the child’s school had failed to accommodate the special needs of the child, and discriminated against the child based on disability in the area of education by:

- In purchasing a school bus that was not wheelchair accessible
- Limiting his access to school excursions and programs.

The Tribunal dismissed the complaints finding:

- The purchase of the bus was reasonable.
- Factually the second ground was not made out.

Baker v Northern Territory of Australia (Department of Education)

The applicant complained about victimisation experienced, in particular a Trespass Notice that was issued, following the making of a complaint to the ADC.

The Tribunal dismissed this complaint finding no causal link between the making of the complaint and the issuing of the Trespass Notice.

Gibson v Northern Territory of Australia (Department of Territory Families, Housing and Communities)

The applicant was a 17 year old traditional Aboriginal male from central Australia, in the care of youth detention facilities. He complained the Respondent failed to accommodate his special needs relating to race and religious beliefs in relation to goods, services and facilities, when they transferred him on more than one occasion from Alice Springs Detention Centre to Don Dale Youth Detention Centre. He says he had special needs relating to culture and therapeutic needs that were not met by the Respondent.

The Tribunal found:

- the acts of transferring or refusing to transfer were exempt from the ADA under section 53
- the acts of transferring or refusing to transfer were not “services” for the purpose of the Act
- the acts of transfer or refusing to transfer were not unreasonable
- the applicant had not established a failure to accommodate a special need in relation to allegation 2.

This decision is subject to an appeal in the Supreme Court.

Gibson v Northern Territory of Australia (Department of Health) & Ors

The applicant complained that she was discriminated against by the Respondent when seeking treatment for a physical injury. She says she was not believed because of her history of mental health.

The Tribunal dismissed the complaint on the basis of lack of evidence to substantiate this view.

Lynch v Northern Territory of Australia (Commissioner of the Darwin Correctional Centre)

The applicant complained he was discriminated against when the Respondent refused his no shaving chit to allow him to maintain a shortly clipped beard while incarcerated. The applicant had benign lesions on his face. He said the respondent failed to accommodate his special need.

The Tribunal dismissed the complaint finding there was no area under the ADA, and had some doubts there was an attribute.

An abstract, monochromatic artwork in various shades of blue and green. The composition features two hands reaching towards each other in the center, with a face partially visible behind them. Several stylized eyes are scattered throughout the image, some appearing to be part of the hands or the face. The background is filled with organic, flowing shapes and patterns, creating a sense of depth and movement. The overall style is reminiscent of mid-20th-century abstract art.

PUBLIC EDUCATION

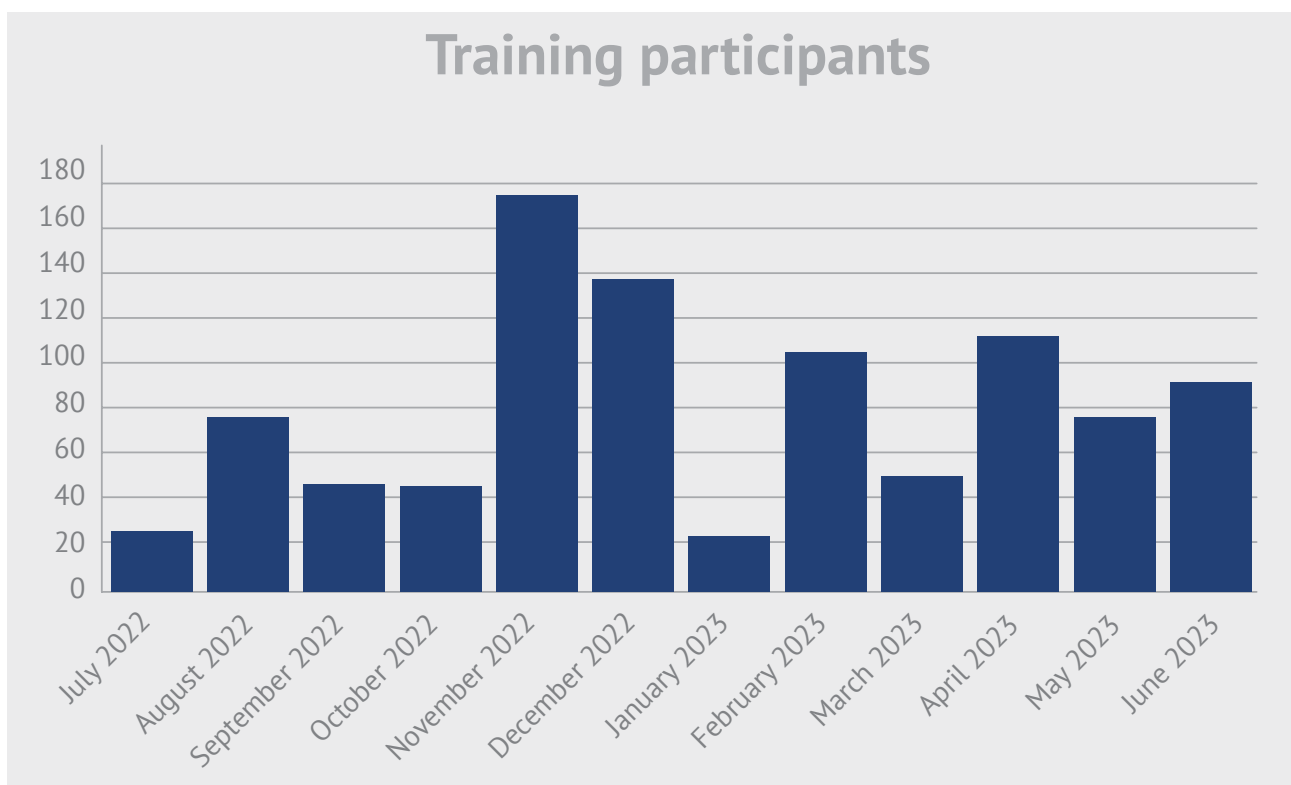
PUBLIC EDUCATION & TRAINING

2022/23 was another big year for training, with requests coming from around the Territory for a range of our products. Our highest months were November, December and April. ADC delivered a total of 281 hours of training.

In 2022/23 we received funding from Department of Territory Families, Housing and Communities to deliver free training on Sexual Harassment Bystander Intervention to Aboriginal Controlled Organisations and Non-Government Organisations. A pool of trainers with a diversity of backgrounds were trained to support delivery of this product.

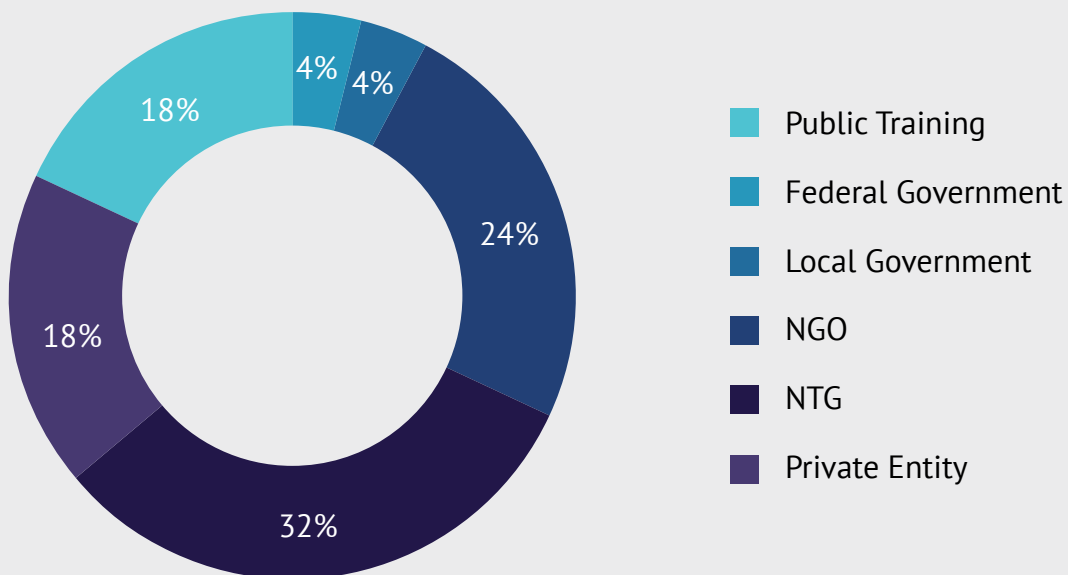
The balance and majority of the funds will be expended in 2023/24. So far this training has been well received.

Work was also undertaken to update all our training to ensure it reflects the new reforms which commence on 3 July 2023 and 3 January 2024.





Demand remains high across different types of organisations. Northern Territory Government is the biggest user of our training, followed by Non-government sector and private companies. Our public training that allows individuals to attend a training session also remain popular, having seen an increase from 2021/22.



TRAINING PACKAGES OFFERED

ADC provides customised training and public training. The aim of our training is to provide raise awareness, educate, challenge and encourage positive dialogue on how we as a community and individually eliminate discrimination and sexual harassment. We travel throughout the Northern Territory, and offer public training for individuals and Darwin and Alice Springs. Below are the training packages we offer:

Anti-Discrimination, Harassment & Bullying

Covers discrimination, harassment and bullying, sexual harassment and victimisation. How to deal with inappropriate behaviour in the workplace. Impact of discrimination on staff well-being and workplace culture. NT *Anti-Discrimination Act 1992* and the role of the Commission.

Unconscious Bias

Includes organisational benefits of inclusion and diversity. What unconscious bias is and where it comes from. The impact of unconscious bias on staff well-being and workplace culture. Strategies to reduce and manage unconscious bias, including person bias, organisational strategies and organisational cultural change.

Sexual Harassment Bystander Intervention

This course covers what constitutes sexual harassment, the drivers and impacts of sexual harassment. Barriers faced to bystander intervention, as well as bystander role and skills.

Contact Officer

This looks at the functions of a contact officer as the first point of contact for workers with a grievance. It covers, discrimination, harassment and bullying, sexual harassment and victimisation. Participants will review relevant policies and procedures and do some skills practice as a contact officer. Explain the Northern Territory Anti-Discrimination Act 1992 and the role of the Commission.

Contact Officer Refresher

This is a shorter version of the contact officer training for those looking to refresh their knowledge.



Trans and Gender Diverse People

Looks at biological sex, gender identity and changing language. The Northern Territory *Anti-Discrimination Act 1992* and TGD people. Covers transition, medical and legal, documentation of sex and or gender in the workplace and at school. Unconscious bias, diversity and inclusion in workplaces and service delivery.

Preventing Discrimination, Harassment & Bullying for Managers and Supervisors

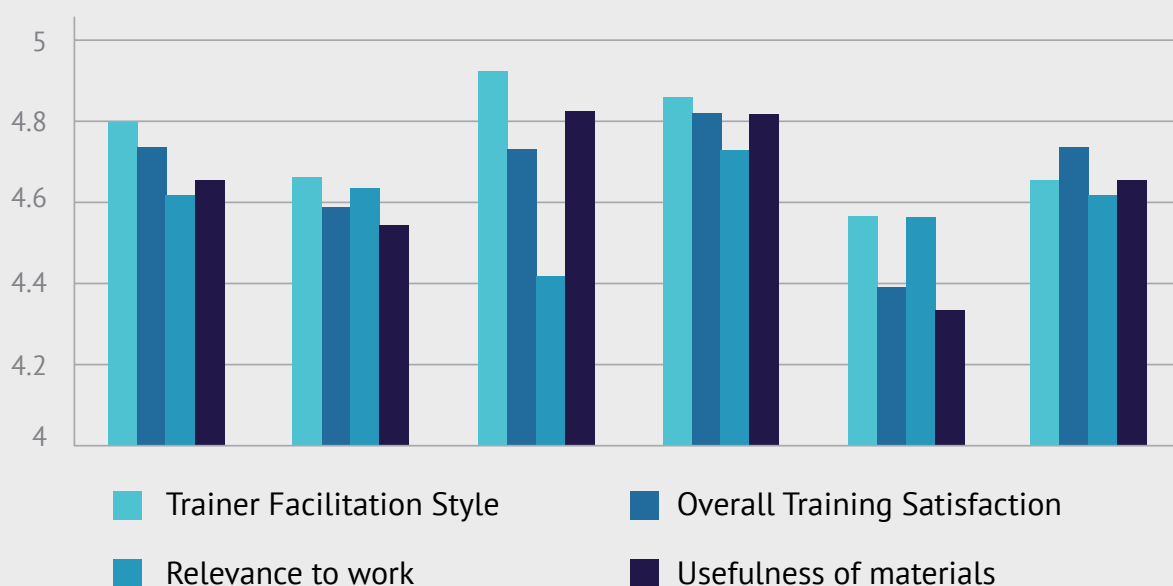
Covers Discrimination, harassment, bullying, sexual harassment and victimisation. Northern Territory *Anti-Discrimination Act 1992* and the role of the Commission. Looks at the roles and responsibilities of managers and supervisors including their:

- Duty of Care
- Positive workplace culture
- Dealing with inappropriate workplace behaviour
- Vicarious liability

Participant Feedback

- Very knowledgeable, professional and engaging
- Easy to listen and comprehend
- Excellent – great delivery
- Clear, thorough, well-informed. Examples and activities were excellent.
- Exceptional, has a great ability to show empathy without appearing condescending or “fake”

Participant Feedback by Training Course



Training Satisfaction 2021-22

*ADHB: Anti-Discrimination Harassment and Bullying

PDHB: Preventing Discrimination, Harassment and Bullying for Managers and Supervisors

CO: Contact Officer

UB: Unconscious Bias

SHBI: Sexual Harassment Bystander Intervention

PUB: Police Unconscious Bias



An abstract artwork in various shades of blue and green. It features two hands reaching towards each other in the center. There are stylized eyes with spiral pupils, one in the top left and one in the bottom right. The background is composed of overlapping geometric shapes like circles and rectangles, and some leaf-like patterns. The word "COMMUNITY" is written in white capital letters across the middle.

COMMUNITY

2022 HUMAN RIGHTS AWARDS

The Northern Territory Human Rights Awards acknowledge and highlight the work of Territorians in progressing human rights. The awards are made to individuals and organisations in each category. The categories are:

- Promoting human rights and peace through education, sports or other practical activities and/or advocacy.
- Increasing community understanding or human rights for the promotion of greater respect, diversity, inclusion and harmony.
- Challenging human rights barriers or breaches.

THE FITZGERALD DIVERSITY AWARD

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



Individual Winner

Brenda Nangala Smith

Level 4 NAATI accredited Pintupi-Luritja interpreter. She has worked tirelessly to go above and beyond to protect and fulfil the human rights of Pintupi-Luritja First Language Speaking Territorians. To ensure her people can fully understand and duly express themselves in all communications with professionals in Legal, Health and Social Services interactions.



Organisation Winner

Connected Women

They were created by and for migrant women and families. Helping women to overcome barriers to economic and social participation, and decrease isolation through engagement in the wider community by increasing capacity, skills and knowledge.



THE FITZGERALD AWARD FOR ADVANCING THE HUMAN RIGHTS OF YOUNG PEOPLE

For a person or organisation for advancing the human rights of young people.



Individual winner

(A)manda Parkinson and Zizi Averill

For their work on 50+ stories for NT News this year, amplifying the voices of community leaders and advocates in three key areas:

1. Raising the age of criminal responsibility.
2. Spit hoods
3. Mental health of young people in Territory detention centres.



Organisation Winner

Henbury Learning Precinct

The Henbury Learning Precinct is a transition to work initiative developed by Henbury School including an Op shop and Café. Used to develop students work and other life skills, for their students who have wide range of mild disabilities to profound disabilities, and multiple disabilities.

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

Jackie Mahoney & Pam Corbett, both respected leaders and tireless advocates from Alpururulam (Lake Nash), who have been at the forefront of the community's fight for their right to safe and palatable drinking water for over 12 years.



Organisation Winner

Sex Worker Outreach Program (SWOP) and Sex Worker Reference Group (SWRG). Over a four-year period SWOP and SWRG have undertaken high level strategic advocacy to bring about a new Sex Industry Act 2019. The act underpins full decriminalisation of the sex industry for the Northern Territory.

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

Kathleen Ruth Hutcheson, known as aunty Kate has devoted her life to community service, including many years in the Aboriginal justice movement as a senior field officer and Board member of Aboriginal Legal Aid service (now NAAJA) in various forms.



Organisational Winner

Darwin Community Legal Service (DCLS). DCLS celebrated 30 years of service to Darwin and NT community. It was started in 1991 by a core group of volunteer lawyers. DCLS is a not-for-profit, confidential service that supports members of the community to protect their legal rights.

An abstract artwork in various shades of blue and green. It features two hands reaching towards each other in the center. There are stylized eyes integrated into the composition, one in the upper left and another in the lower right, both with detailed, spiral-like pupils. The background is composed of overlapping geometric shapes, including large circles and rectangular blocks, creating a layered, collage-like effect. The overall mood is contemplative and artistic.

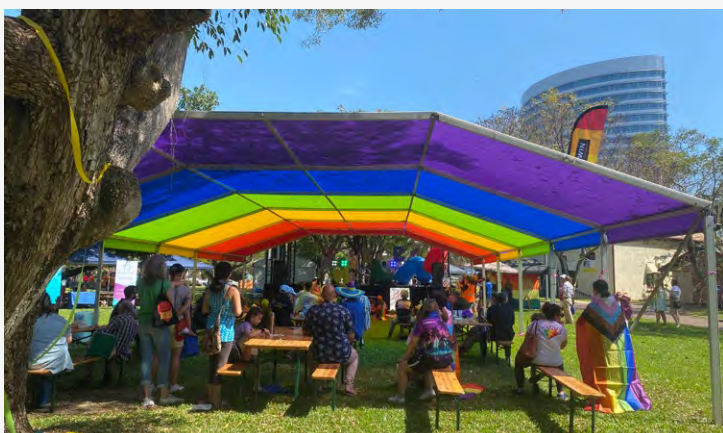
OUT AND ABOUT

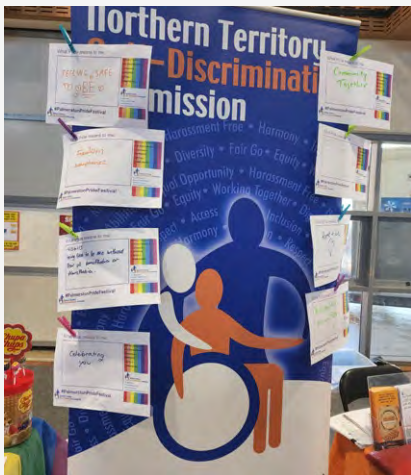
OUT AND ABOUT





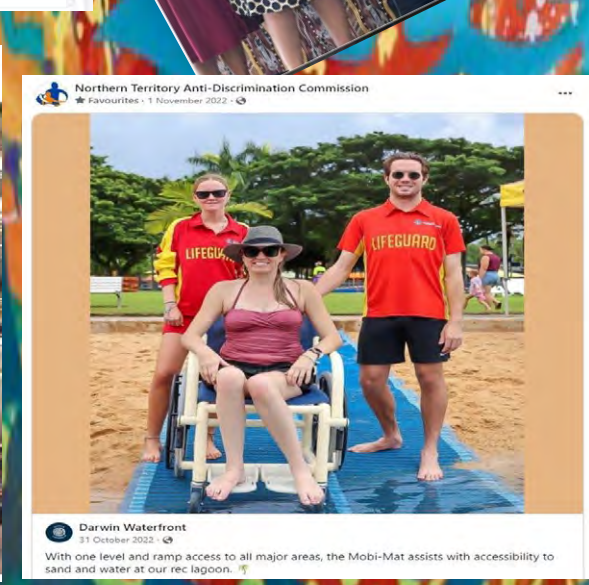
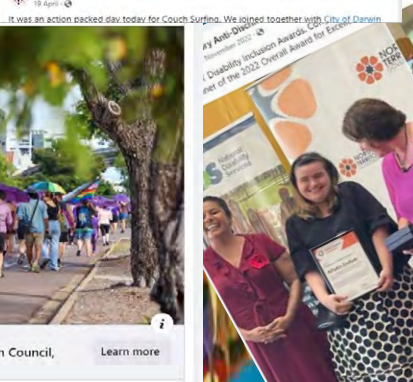
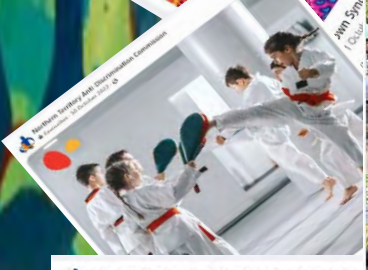
OUT AND ABOUT





An abstract, monochromatic artwork in various shades of blue. The composition features two hands in the center, one slightly above the other, with fingers spread. Two stylized eyes are visible: one in the upper right and another in the lower right, both looking towards the center. The background is composed of overlapping geometric shapes, including a large circle at the top left and various rectangular blocks. Thin, leafy branches with small leaves are scattered throughout the scene, particularly around the hands and eyes. The overall style is graphic and layered.

SOCIAL MEDIA



An abstract, monochromatic artwork in various shades of blue and teal. The composition features two hands, one larger and one smaller, reaching towards each other in a gesture of connection or offering. Two stylized eyes are visible, one in the upper right and one in the lower right, both looking towards the center. The background is composed of overlapping geometric shapes, including a large circle in the top left and various rectangular blocks. The overall style is reminiscent of mid-century modern graphic design.

APPENDICES

KEY PERFORMANCE INDICATORS

Key deliverables	2022/23 Estimate	2022/23 Actual	2021/22 Actual	2020/21 Actual
Public education sessions	70	93	97	129
Public education hours	80	306	348	525
Complaints (including carried over)	200	305	270	248
Conciliated Complaints	50%	55%	47%	61%
Complaints closed within 8 months	50%	48%	90%	89%

SUBMISSIONS AND POLICY

Submission on consultation Bill – Modernisation of Anti-Discrimination Act

Raise the age of criminal responsibility

Trespass Act

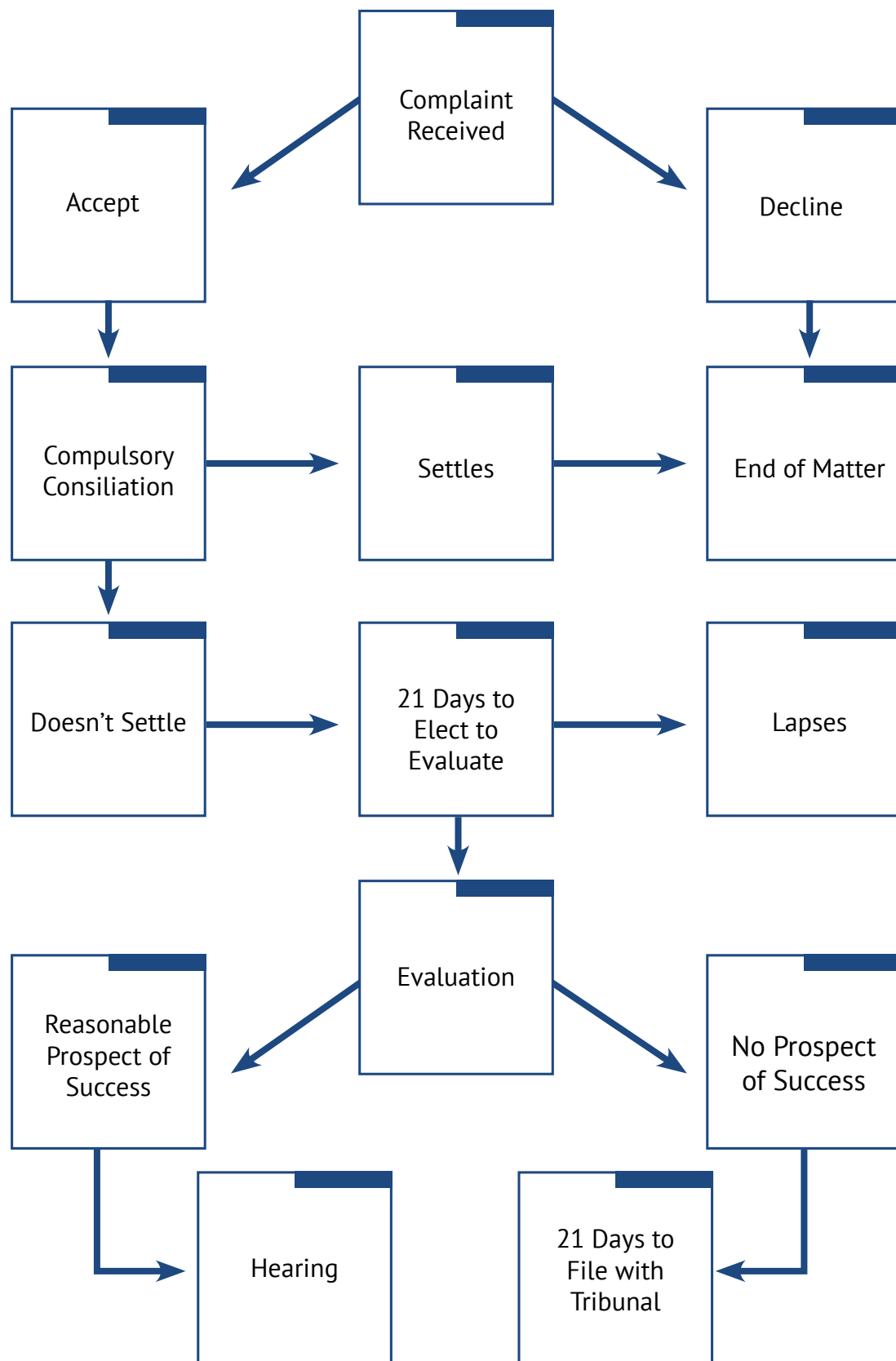
Legislative Ban on Spit Hoods

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 the NTCAT.
- 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 councils 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.

COMPLAINT PROCESS



COMPLAINT SUMMARIES

Please note that the below summaries have been written to de-identify parties, to achieve this some of the accounts have been factually reframed, we have aimed to retain the essence of the issues people complained about.

Discrimination on the basis of disability in the area of goods, services and facilities

Edwina rang to book transport. She advised the person on the phone that she had a disability and had special needs to get into the vehicle. Her needs required nothing of the service other than patience for her to enter. The staff member advised her they did not take passengers with disabilities.

Edwina made a complaint to ADC. Her matter resolved with agreement that the employee would be disciplined for this response and be required to undertake discrimination training.

Discrimination on the basis of race in the area of goods, services and facilities

Phil is an Aboriginal Territorian. He was in town visiting from a remote community. His goal was to purchase a tablet for his son. He went into an electronics store. In the store was a queue of people waiting to be served, and Phil took his place in the queue. When it was his turn to be served he was told that he could not be sold a tablet, even though it was clear they had been selling them to other clients in the queue, who were not Aboriginal. Later his son, who had fairer skin went in and made the same request and was served and sold a tablet.

Phil complained to ADC. The matter resolved with Phil receiving a free tablet.

Discrimination on the basis of race at work

Olga was in training for a new job. She had been doing workplace training for 6 months with her colleagues. During the 6 months she had only received positive feedback. At the end of the 6 months everyone had to sit an assessment. She passed all the assessments. After the training all of her colleagues were placed in permanent roles and on a higher wage. She was advised she would remain on probation and at the training wage. When she asked why she was told that her English could be better. She had not received any feedback during the training to this effect.

Olga brought a complaint to ADC. The matter resolved with Olga:

- Being placed in a permanent role
- An agreement to develop an employment development plan for her
- A statement of regret
- Discrimination training for the organisation.



Discrimination on the basis of disability at work

Carl had started a new role in the community sector. He advised his new boss that he had episodes of poor mental health and that at times this would make it difficult for him to focus. He requested instructions and feedback in writing so he could better manage his mental health and work commitments. His manager provided all instructions and feedback orally. He made several requests for information in writing, despite the request, all information was provided orally. A week before his probation finished his manager advised him that he was terminated.

He made a complaint to the ADC. His matter settled privately.

Discrimination on the basis of sex, sexual harassment at work

Frida was out grocery shopping when she ran into a senior leader from her workplace. He asked her to sleep with him, saying it would help her get a promotion. She raised concern with her workplace but got no meaningful response.

Frida made a complaint to ADC. Her complaint settled privately.

Discrimination on the basis of disability at work

Layla applied for an internship set up for people who identify as neurodiverse. She was advised she was successful. She quit her job and turned up to work for her first day to be advised there had been an error and that she had no job.

Layla complained to ADC. The matter settled with Layla being offered an alternative internship.

Discrimination on the basis of sex, sexual harassment at work

Keith was being continually approached by his manager who made it clear that she wanted a sexual relationship with Keith. He kept refusing her advances. This behaviour went on for a lengthy period of time. He made a complaint about sexual harassment to a higher manager and they laughed at him. He says his complaint was not taken seriously.

Keith brought a complaint to ADC and his matter resolved for a payment of \$16,000.

Failure to accommodation a special need in relation to disability in accommodation

Alfie lived in supported accommodation. He lived with incontinence due to a stress condition. He asked regularly for incontinent pads and was advised by workers that they had run out. He went without pads for 3 nights. During this time he wet his bed and was required to sleep in the wet bedding.

Alfie made a complaint to ADC. His matter resolved providing:

- Agreement a regular supply of incontinent pads would be made available
- An air-conditioner would be placed in his room
- He would be placed in a single occupancy room

Discrimination on the basis of age at work

Coral starting working in a retail store. She undertook training with her manager. Her manager praised her work and told her she was particularly good and dressing the mannequins and making the clothes look attractive. She said she would only have praise to tell the manager when it came to the end of her probation.

One Friday night the staff were having drinks after work to celebrate a colleague's birthday. Coral was asked how old she was and she said 72. Everyone responded with great surprise, her manager said you are too old to be working still. Her manager said she was going to advise the owner. The manager put in poor probation report advising that Coral should not be continued.

Coral made a complaint to ADC. Following a conciliation of her complaint the matter resolved as follows:

- \$12,000 in compensation
- Statement of Service

AREAS AND ATTRIBUTES

- Race
- Sex
- Sexuality
- Age
- Marital Status
- Pregnancy
- Parenthood
- Breastfeeding
- Disability
- Trade Union or employer association activity
- Religious belief or activity Political opinion, affiliation or activity
- Irrelevant medical record
- Irrelevant criminal record
- The person's details being published under section 66M of the Fines and Penalties (Recovery) Act 20s01.
- Association with a person who has, or is believed to have, an attribute referred to in this section
- Education
- Work
- Accommodation
- Goods, Services and Facilities
- Clubs
- Insurance and Superannuation





COMPLAINANT AND RESPONDENT FEEDBACK

“ —

Thank you so much for your help today. It was a great facilitation by you, and we appreciated all your advice and help both before and during the session.

“ —

We look forward to receiving the settlement papers and will turn it around at our end promptly so we can get onto welcoming our customers back in store sooner!”

“ —

I just wanted to say that it was great to co-present with Tito today at STEPS Casuarina, we had a great session. Thanks for sharing your resources with us to make the session happen. I look forward to running the session again with Tito next week.”

“ —

“I want to thank you again for all your dedication and assistance in getting an exceptional outcome resolution to our complaint.”

Contact details



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