



# **ANNUAL REPORT 2003-2004**



The Hon Peter Toyne MLA  
Attorney-General  
Parliament House  
State Square  
DARWIN NT 0800

Dear Attorney-General

Pursuant to section 16 of the *Anti-Discrimination Act 1992*, please find attached the Annual Report on the operations of the Anti-Discrimination Commission for the period 1 July 2003 to 30 June 2004.

Yours sincerely

A handwritten signature in blue ink, which appears to read "Tony Fitzgerald". The signature is stylized and cursive.

Tony Fitzgerald

30 September 2004

## CONTENTS

LETTER TO THE MINISTER .....	1
AGENCY ACCESS .....	4
FROM THE COMMISSIONER .....	5
FUNCTIONS OF THE COMMISSIONER .....	10
CONCILIATION, POLICY, AND LAW .....	14
PUBLIC EDUCATION .....	34
PUBLICATIONS.....	41

## Agency Access

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## From the Commissioner



Tony Fitzgerald  
Commissioner

The Anti-Discrimination Commission has responsibility for administration of the NT *Anti Discrimination Act* (“the Act”), elimination of unfair discrimination and harassment pursuant to the provisions of the Act, and promotion of social change through community education.

For the 25 years I’ve lived in the Territory, significant numbers of the population come and go, and significant others (and increasing) have resided in remote areas. These demographic realities, and our aim to ensure that every individual’s right to equal opportunity is respected, mean that our education and training division must continue to push out its message.

This year our training statistics show a move towards workplace training and away from our still popular advertised formal training program. Requests for workplace training involve ‘tailoring’ to meet individual workplace needs and accordingly require more preparation – so I am pleased to report that the shift has resulted in significant increases in training ‘participant hours’. It is also pleasing that the shift suggests a realisation by managers of their vicarious liability obligations under the Act.

An ongoing challenge for our trainers is to adjust the way people think about disability. Most people with disabilities are disabled by external factors – in particular the attitudes of other members of our community. We strive to educate workplaces and the wider community to focus on the ability of individuals and how they can contribute, rather than restricting people according to their disability.

It is with pleasure that I can report that the remote awareness raising component of our public education strategy is beginning to bite. Our information video, produced in the most commonly spoken NT indigenous languages with the assistance of the Aboriginal Interpreter Service, has been widely distributed and we are accepting invitations to visit remote communities (including the larger outstations).

Sport is proving to be a popular vehicle for the advancement of many of the principles for which we stand. We work closely with the NT Office of Sport and Recreation to promote harassment free sport amongst players, coaches, officials and spectators at all levels throughout the Territory. The ‘Play by the Rules’ strategy includes online training and accredited Member Protection Officer training provided by my trainers.

During the year we received approximately the same number of complaints as last year, and the distribution through the categories remained fairly constant (impairment, race, sex, and age being the most prevalent), but the number of enquiries received jumped by 12.5%. Many enquiries are resolved over the phone with staff assistance before they acquire formal complaint status. Complaints continue to be resolved well

within our legislative mandates and (even stricter) office targets with average resolution time standing at 5.5 months. 54% of all complaints and 97.5% of complaints which proceed to formal conciliation are resolved through conciliation.

Complaint resolution through conciliation lies at the heart of our Act, and we are confident that our conciliation model helps people resolve their own differences quickly and amicably. Many of those who fear it is impossible to meet their antagonist (either face to face or through “shuttle” conciliation) are persuaded otherwise when they understand that our conciliations take place in a safe environment – with rules of discussion managed by a neutral conciliator where the parties are able to enlist the support of friends/carers/advocates.

Of concern is that we receive very few complaints from our Alice Springs office, and relatively few complaints from indigenous Territorians. The Alice Springs situation will probably not improve until we can persuade Government to provide full time staff in Central Australia. Our awareness raising campaign for indigenous Territorians, rolls on subject to remote travel budgetary constraints.

On the brighter side I am pleased to observe that the increase in enquiries indicates a readiness by more and more people, including a growing number of managers/employers to seek advice from our professionals about their rights and obligations under the Act before complaints arise. Employers now realise that the ADC is a valuable source of assistance in planning and reviewing work practices, policies and grievances procedures as well as helping them to avoid costly complaints.

The commencement of new information and privacy legislation in the NT has required us, along with all the other government agencies, to establish information procedures and review our privacy procedures to ensure compliance with the legislation and best practice.

Our co-location arrangement with Office of the Information Commissioner is beginning to realise some economies in resource sharing. In theory the ADC and the Information Commission also share hearing functions. As yet it has not been necessary to delegate any hearings to the Information Commissioner but it is comforting to know that he is at our disposal should I be unavailable or conflicted in some way.

Our continued ability to operate at a high level professionally within our tight budget is due to strict and capable financial management and the talent and commitment of our staff. I thank them heartily for their effort.

## **Summary of Activities**

### **Community Visitor Program Manager**

A full-time program manager has now been appointed. The program is established under the *Mental Health and Related Services Act*. Community Visitors and Community Visitor’s Panels are engaged to inspect and enquire into the adequacy of service and facilities at approved mental health treatment centres in the NT, and to

respond to requests/complaints from consumers. The program is located at the ADC to ensure its independence from mental health services.

### **Advices to Government**

Advices and briefings were provided to government on a range of topics including:

- merit -based employment principles in the public sector
- special measures in employment
- review of the NT *Anti-Discrimination Act*
- government's indigenous employment strategy
- law reform in the areas of sexuality, de facto relationships, and age of consent
- the ALRC report on the protection of human genetic information
- incorporation of Aboriginal customary law in the NT.

### **Speaking Engagements**

Addresses were given to:

- NT Criminal Lawyers biennial conference
- NT Community Advisory Group on Mental Health
- Australian Association of Special Educators (27<sup>th</sup> National Conference)
- Brothers Rugby League Clubs' National Confraternity; Consumer Affairs Council
- Darwin City Council Disability Advisory Committee
- all ATSIC regional councils in the NT
- NT Aids Council; most major NT indigenous organisations
- Industrial Relations Society of the NT.
- Charles Darwin University, Indigenous Pre-law Program
- Law Week
- Indigenous Employment Forums held in all regions
- Making a Difference Conference for Disability Support Workers.

### **Meetings**

- Mayors of Alice Springs, Katherine and Darwin
- Various HREOC Commissioners
- Federal Minister for Immigration, Multicultural and Indigenous Affairs
- NT independent statutory officers
- NT Attorney-General
- NT Minister for Employment
- NT Administrator
- Fay Miller MLA
- HREOC President
- Department of Justice Executive Directors.

### **Engagement of work experience student**

A very capable third year law student was engaged on a voluntary basis during the January holidays.

### **Committees**

- Australian Council of Human Rights Agencies (hosted Darwin meeting and travelled interstate)
- National Mediation Conference Organisers (hosted 320 Delegates at Darwin conference)
- CDU School of Education Visiting Advisory Committee.
- Offenders Aid and Rehabilitation Service
- Community Justice Centre Advisory Committee
- Palmerston and Beyond Access Advisory Committee
- NTPS Willing & Able Implementation Team
- Police Ethnic Advisory Group.

### **Visits**

Schools; town camps; remote communities and outstations; Local Government Councils; citizenship ceremonies.

### **Enquiries**

Oral submissions given to NT government reviews of custodial services and the status of aboriginal customary law.

### **Successful Education and Training Programs**

Our high quality programs continue to attract considerable positive feedback. Training strategies included formal training, awareness raising talks, community events, toll free telephone advice, new conveniently-sized poster, newsletters, massive mailing list, information sheets, training packages, awareness raising video, and website. Training programs were attended by 4696 people and we conservatively estimate that our other activities enabled us to reach another 10000 people. Whilst revenue raising is not our principal focus (a range of training programs are offered free of charge) the revenue raised from training fees part funded the public education strategy for the benefit of the community.

### **Partnerships**

- Information Commission (share Darwin premises and some resources)
- Ombudsman (share Alice Springs offices)
- Office of Sport and Recreation (joint promotion of harassment-free sport through "Play by the Rules" strategy)
- Police Fire and Emergency Services (assisted in the implementation of NTPFES equity and diversity plan).

## Future

The year ahead will be challenging because of our many commitments and plans and our limited resources. Hopefully our resources will be enhanced by the addition of a more accessible shop front office in Casuarina. Our negotiations with government in that regard are continuing. There is also the possibility of a new Anti-Discrimination Act as the discussion paper seeking public comment (which has regrettably been a long time coming) is nearing completion.

Tony Fitzgerald  
Commissioner

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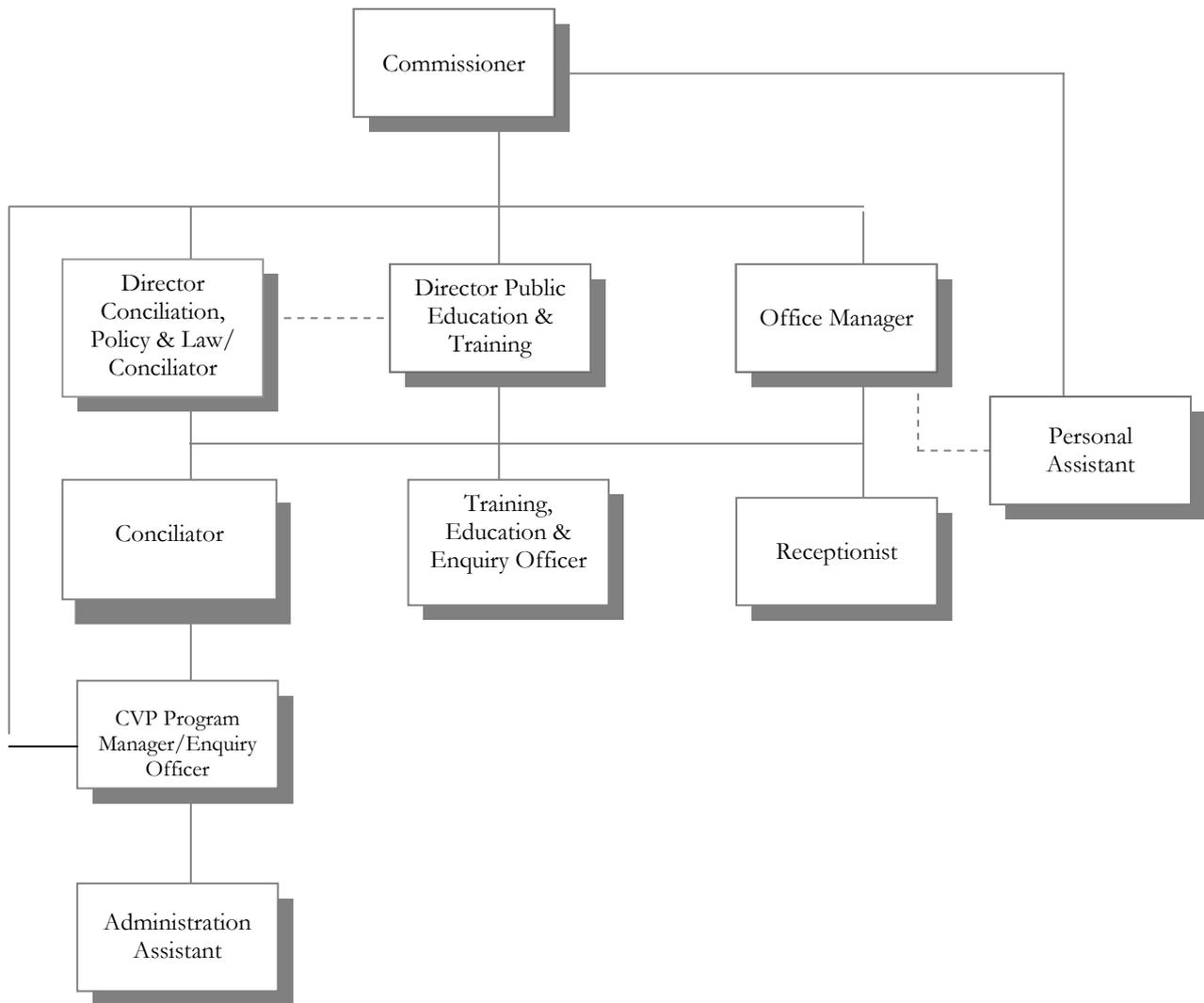
## Functions of the Commissioner

- (1) The Commissioner has the following functions:
  - (a) to carry out investigations and hearings into complaints and endeavour to effect conciliation;
  - (b) to examine Acts and regulations and proposed Acts and regulations of the 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;
  - (c) to institute, promote or assist in research, the collection of data and the dissemination of information relating to discrimination and the effects of discrimination;
  - (d) 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;
  - (e) to research and develop additional grounds of discrimination and to make recommendations for the inclusion of such grounds in this Act;
  - (f) 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;
  - (g) to promote in the Territory an understanding and acceptance, and public discussion, of the purposes and principles of equal opportunity;
  - (h) to promote an understanding and acceptance of, and compliance with, this Act;
  - (j) to promote the recognition and acceptance of non-discriminatory attitudes, acts and practices;
  - (k) to promote within the public sector the development of equal opportunity management programs;
  - (m) to prepare and publish guidelines and codes of practice to assist persons to comply with this Act;
  - (n) to provide advice and assistance to persons relating to this Act as the Commissioner thinks fit;

- (p) to advise the Minister generally on the operation of this Act;
- (q) 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;
- (r) such functions as are conferred on the Commissioner by or under this or any other Act; and
- (s) such other functions as the Minister determines.

*Section 13 Anti-Discrimination Act 1992*

**APPROVED STAFFING ESTABLISHMENT  
(as at 30 June 2004)**



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## Conciliation, Policy and Law



Terry Lisson  
Director

The Conciliation, Policy and Law Unit of the Anti-Discrimination Commission is now a small team consisting of the Director, a Conciliator/Complaints Officer and one Administrative Assistant. This team handles all complaints, investigations, conciliations, policy advices, and the Commission's legal work. As can be seen from the report below, the results over the past year have been impressive, with a very high rate of successfully resolved complaints and a quick and efficient turn-around time for finalisation of complaints.

### Enquiries

For most people the first contact they have with the Anti-Discrimination Commission is when they make an enquiry. The Commission provides free and confidential advice in response to these enquiries. The Commission's website is also used by many to obtain information that might otherwise be obtained by using the telephone or by coming in person to the Commission's office.

This year the Commission handled 896 telephone and walk-in enquires and continued its excellent response time in relation to enquiries with 99% responded to in less than 24 hours. Enquiries often involve follow-up calls to provide general information and to attempt to resolve disputes before they become full-blown complaints.

The Commission also operates a dedicated "Helpline for Managers and Supervisors" (NT Freecall number 1800 501 288), which aims to prevent discriminatory conduct by providing advice to assist managers in dealing effectively with complaints.

### Complaints

One of the Anti-Discrimination Commissioner's functions is to "*carry out investigations and hearings into complaints and endeavour to effect conciliation.*" In performing this function the Anti-Discrimination Commission is a neutral body which does not represent either side in a complaint. The Commission does not assist or advocate for Complainants. The function of the Commission in relation to complaints is to impartially assess, investigate, conciliate, and, if necessary, conduct hearings to determine complaints.

The *Anti-Discrimination Act 1992* ('the Act') provides that if the Commissioner has been involved in the investigation or conciliation of a complaint he cannot conduct a hearing into that matter. For this reason the Commissioner delegates the powers to investigate and conciliate complaints to senior Commission officers. The Delegates' functions include receiving complaints; deciding whether to accept or reject complaints; conducting investigations; making decisions as to whether or not a

complainant has established a *prima facie* complaint; and endeavouring to conciliate complaints including conducting conciliation conferences. If a complaint is not resolved through conciliation it may be referred to a hearing before the Commissioner.

In the past the Commission tended to refuse permission for parties to have legal representation during the complaint-handling process. This policy was changed several years ago and the normal practice now is to permit representation unless a particular detriment to a party can be demonstrated. We have found that allowing legal representation often results in prompter investigation of complaints and a quicker achievement of reasonable settlements without the need to refer matters to hearing. If parties, particularly respondents, are permitted legal representation at all stages of a complaint, they are more inclined to feel that the process is fair and their rights adequately protected.

However, in general, the complaint-handling process is still intended to accommodate unrepresented parties and parties are encouraged to avoid the cost of legal representation by taking advantage of the impartial services of the Commission's conciliators.

### **Summary of Complaint-Handling in 2003/2004**

The number of files opened by the Commission (150) is similar to the previous year. It is significant that the number of conciliated complaints continues to increase from 59 last year to 80 this year. The time taken to finalise complaints continues to be short, with the average time from acceptance to resolution this year being 5.5 months.

The high rate of conciliated settlements achieved, and the timely provision of service, is a reflection of the continued refinement and improvement of the processes of the Conciliation, Policy and Law section, particularly in the areas of:

- earlier and better communication with complainants and respondents
- early intervention and preliminary conciliation conferences held prior to a respondent making a formal response
- more flexible processes including voluntary conciliation conferences at any appropriate stage
- permitting legal representation
- prompt and well-reasoned decisions rejecting complaints which do not meet the criteria for acceptance under the Act.

### **Complaint Process (Overview)**

#### **a. Discrimination, Prohibited Conduct and Areas of Activity**

The Act prohibits discrimination in any of the areas covered by the Act (see below) on the ground of any of the following attributes:

- (a) race
- (b) sex
- (c) sexuality
- (d) age
- (e) marital status
- (f) pregnancy
- (g) parenthood
- (h) breastfeeding
- (j) impairment
- (k) trade union or employer association activity
- (m) religious belief and activity
- (n) political opinion, affiliation and activity
- (p) irrelevant medical records
- (q) irrelevant criminal record
- (r) association with a person who has, or is believed to have, an attribute referred to in this section.

The Act also sets out other forms of prohibited conduct including:

- (a) refusing to allow guide dogs
- (b) sexual harassment
- (c) failure to accommodate a special need
- (d) victimisation
- (e) seeking unnecessary information
- (f) discriminatory advertising
- (g) aiding contravention of the Act.

Discrimination on the basis of any of these grounds is only unlawful if it occurs in one of the following areas of activity set out in the Act:

- (a) education
- (b) work
- (c) accommodation
- (d) goods, services and facilities
- (e) clubs
- (f) insurance and superannuation.

Many misunderstandings concerning discrimination arise from a misconception that the *Anti-Discrimination Act 1992* covers any conduct that may be described as discrimination. It is important to note that unlawful discrimination is limited to the attributes and areas set out in the Act. People often complain about forms of unfair treatment or harassment that are not based on any attribute under the Act or do not occur in an area of activity covered by the Act. They are advised that not all conduct that appears to be discriminatory is unlawful, only matters defined by the Act. Matters not covered under the Act are often referred to the Community Justice Centre or other appropriate agencies, such as Consumer & Corporate Affairs or Workplace Relations.

**b. Acceptance of Complaints (Sections 65, 66, 67 and 68)**

Complaints alleging discrimination or other prohibited conduct must be made in writing by the person aggrieved, must set out in detail the alleged prohibited conduct and identify the Respondent, and must be made not later than 6 months after the alleged prohibited conduct took place.

Once the Commission receives a written complaint, an initial decision is made as to whether the complaint should be accepted or rejected. The Act requires this decision to be made within sixty days of receipt of the complaint.

A complaint must be made within six months, however the Act does give discretion to accept complaints outside the time limit when it is "*appropriate*" to do so. This discretion will generally be exercised if a complainant is able to demonstrate that the justice of the case requires an extension. Conduct that occurred out-of-time will also usually be allowed to form part of a complaint if it is shown that it is part of a continuing pattern of prohibited actions.

A complaint must also be rejected if the Delegate reasonably believes that it is frivolous, vexatious, trivial, misconceived, lacking in substance or if it fails to disclose any prohibited conduct. If this appears to be the case, the Commission will often utilise the 60 day period to make preliminary inquiries regarding the complaint. Complainants may be asked to provide further information in support of their complaint and potential respondents may be contacted at this stage, particularly if it appears that the information provided by the complainant is incomplete or if the complaint is outside the 6-month time limit. If further information is obtained at this early stage, all parties are given an opportunity to comment on it before a decision is made regarding acceptance. It is worth noting that often, by making early contact with a potential respondent to discuss the complaint, disputes can be defused and a satisfactory resolution can be achieved, without the need to proceed through the formal complaint-handling process.

Once a complaint is accepted, it is the Commission's general practice to contact the Respondent by telephone before sending out the formal complaint notification letter. This initial contact is used to explain the nature of the complaint, why it was accepted, and the Commission's complaint-handling processes. Speaking to a respondent at this early stage often helps to allay any concerns or misconceptions held by respondents, in particular the most common misconception, which is that the Commission represents a complainant or is promoting a claim.

The Act requires that complaints be accepted or rejected within sixty days of being received and in practice this decision is generally made within two weeks of a complaint receipt. If a complaint is rejected the Commission must notify the complainant in writing of the reasons for the rejection.

Of the 149 complaints finalised this year, 44 were rejected at the outset.

**c. Investigation**

After acceptance a complaint is investigated to determine if the complainant has established a *prima facie* case of discrimination. The investigation phase of complaint handling gives the parties the opportunity to comment on any of the issues which may affect their interests. This is consistent with the principles of natural justice. It involves giving parties time to gather relevant information, allowing them to answer allegations, and to clarify the issues.

A Delegate has wide discretion in the form of investigation to be conducted under the Act, subject to the requirements of procedural fairness. The Delegate may interview witnesses, seek medical or business records, and obtain other relevant records. If necessary, production of records may be compelled or a person may be compelled to attend proceedings under the Act.

In recent years the Commission has encouraged early conciliation of complaints. It is important to note that the investigation and conciliation phases of complaint handling are viewed as running concurrently, not consecutively. That is, conciliation does not have to take place at the conclusion of an investigation, but rather at any time that the parties can reach an acceptable resolution of the complaint.

**d. Section 76 Prima Facie Decisions & Section 102 Decisions**

At the end of the investigation stage, if the matter has not been conciliated, the Delegate makes a *prima facie* decision from information gathered in the investigation. This decision is not a finding of fact or liability, but rather a finding made after testing whether there is sufficient *prima facie* evidence of the alleged prohibited conduct. *Prima facie* evidence is evidence which, if uncontradicted, would sustain the complaint.

Of the 149 files completed this year 10 were dismissed at the *prima facie* stage on the basis that there was insufficient *prima facie* evidence.

Complaints may also be discontinued pursuant to section 102 of the Act if the Delegate or Commissioner finds that the complaint is frivolous, vexatious, trivial, misconceived, lacking in substance or fails to disclose any prohibited conduct. Section 102 tends to be used to deal with complaints that were initially accepted but were subsequently found not to disclose prohibited conduct, or to be lacking in substance.

Of the 149 files closed this year, 6 were discontinued under section 102.

**e. Conciliation**

The conciliator's functions are to assist, as a neutral party, in the conciliation process by providing impartial advice, explaining options, helping to identify problems and legal issues and giving general advice regarding possible, probable and desirable outcomes for resolving complaints.

Conciliation processes take many forms, including formal confidential conciliation conferences that allow the parties to meet together with a conciliator to discuss the issues in the complaint and explore possible resolutions. Conciliation conferences may be held at various stages of the complaint-handling process. The most common conferences are voluntary ones which are held at any appropriate time in the process.

The Act provides that, after a *prima facie* decision, the Delegate may refer a complaint to a compulsory conciliation conference. However, no compulsory conciliation conferences have been held at the Commission in the past year. This is a reflection of the fact that parties have confidence in the fair and impartial processes of the Commission and are therefore willing to attend voluntary conferences.

If the parties are able through conciliation to resolve a complaint to their mutual satisfaction it is usual for a written settlement agreement to be prepared by the Commission for execution by the parties. Typical conciliated settlements might include such things as an apology, an agreement by a respondent to participate in anti-discrimination training, a commitment to change policies and practices, re-instatement in employment, and payment for damages in any amount agreed upon by the parties.

Of the 80 complaints that proceeded to the conciliation stage during this year, 78 settled and 2 failed to conciliate and were referred to hearing. This represents a settlement rate for complaints proceeding to conciliation of 97.5%, which increased to 100% because the 2 matters that did proceed to hearing within this financial year settled by conciliation during the hearing.

Overall, of the 149 files closed this year, 44 were rejected at the outset, 6 were withdrawn, 10 were dismissed at the *prima facie* decision stage, 6 were discontinued pursuant to section 102, 3 lapsed due to lost interest, and 80 were accepted for investigation and conciliation. This means that, out of all complaints finalised this year, 46% were rejected, withdrawn or dismissed, and 54% were resolved by conciliation (a significant increase over the 35% that were settled by conciliation last year).

#### **f. Hearings**

If an accepted complaint is not resolved by conciliation the Delegate refers it to hearing for determination by the Commissioner.

The hearing process begins with a Directions Conference during which the parties meet before an Anti-Discrimination Commission Registrar to establish dates for the complainant to file Points of Claim which set up the substance of the complaint, and for the respondent to file Points of Defence, which set out the nature of the defence. The parties also discuss with the Registrar whether or not they wish to be legally represented, the number of witnesses they intend to call, how much hearing time they estimate will be needed, a suitable hearing date and any other matters that need clarification.

The hearing process is in many ways, similar to proceedings heard in courts or before tribunals. However, in practice, Anti-Discrimination Commission hearings are less formal and the Commissioner is not bound by the rules of evidence. The Act requires

the Commissioner to “*act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms*”.

At hearing, the complainant must prove the case on the balance of probabilities. The Commissioner then has the power to award damages of not more than the maximum amount prescribed in the Regulations to the Act (which is currently \$60,000.00). The Commissioner may also order apologies, anti-discrimination training, that a respondent not repeat or continue a prohibited conduct, or that a person be employed, promoted or reinstated, etc.

The Act provides that if, at any time during a hearing, the Commissioner considers that a complaint may be resolved by conciliation he, “*may endeavour to resolve the complaint by conciliation.*” This has occurred in of all of the 3 hearings (dealing with 10 complaints in total) heard before the present Commissioner. That is, all of the hearings in the past two years were adjourned, with the consent of the parties, before completion of evidence, to enable the parties to meet at a conciliation conference with a Delegate which led to a conciliated settlement agreement.

In the past there were often substantial delays in bringing complaints to hearing, but it is now common practice for the Registrar’s conference to take place within two weeks, and the hearing within 3 months, of the date of referral to hearing.

The backlog of hearings carried over from previous reporting periods has now been cleared with the exception of two matters (*McDonnell v Richards* and *Bernabe v Myers*), which are currently before the Commissioner on applications for decisions under section 102 of the *Anti-Discrimination Act 1992*.

### Hearings conducted or finalised during 2003/2004

<b>Matter</b>	<b>Outcome</b>
McDonnell v Richards	Currently before the Commissioner awaiting section 102 decision.
Bernabe v Myers	Currently before the Commissioner awaiting section 102 decision.
Blackham-Davison v Joils	The Hearing was conducted in April 2004. After evidence was heard, the parties participated in a conciliation conference at which the Respondent agreed to pay the Complainant \$750 damages.
Davison v Joils	The Hearing was conducted in April 2004. After evidence was heard, the parties participated in a conciliation conference at which the Respondent agreed to pay the Complainant \$750 damages.

### Decisions by the Commissioner during 2003/2004

<b>Matter</b>	<b>Outcome</b>
Robert Kennedy & Ors v Northern Territory of Australia (Office of Ethnic Affairs) and Top End Women's Legal Service	Discontinued pursuant to section 102 on the basis that the complaints "fail to disclose any prohibited conduct". *(Decision has been appealed by the Complainants)

## Appeals

Pursuant to section 106 of the Act some decisions of the Commissioner or his Delegates may be appealed to the Local Court. This includes decisions to reject complaints, decisions to dismiss complaints at the *prima facie* decision-making stage, section 102 decisions to discontinue, or decisions at the hearing stage.

A number of recent decisions of the Magistrates and Supreme Court make it apparent that appeals to the Local Court from Anti-Discrimination Commission decisions will generally be decided by way of a re-hearing on the written material that was before the Commission and not as a *de novo* (new) hearing.

### Appeals finalised during 2003/2004

Greg Gedling v Anti-Discrimination Commission & Charles Darwin University – Appeal from a section 66/67 decision to reject the complaint.	Appeal allowed. Returned to the Commission for further investigation.
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## Example Complaints

### Impairment

The Complainant obtained work as a cook on a mining site. She had been doing this type of work for various employers over the past 20 years. After she arrived on site to commence work, the employer arranged for her to undergo a medical assessment. The doctor's report indicated that she "*had the capacity to perform proposed job, but there are one or more definable risks associated with this*". The definable risk identified was that the Complainant had asthma. The employer reacted to this medical information by dismissing the Complainant on the basis that they had a "duty of care" not to allow her to work in such a situation. The Complainant argued that she had always been an asthmatic and had nevertheless always worked on mine sites without any medical problems. She was very distressed to have been told that she "failed her medical" and she was out of work for over two weeks until she obtained work at another mine.

After discussions with the ADC conciliator about the provisions of the *Anti-Discrimination Act 1992* relating to discrimination on the basis of impairment and reasonable accommodation of special needs, the parties were able to reach a settlement on the following terms:

- The Respondent agreed to provide education and training for its employees regarding discrimination issues and the requirement to make reasonable accommodation of special needs arising from impairment.
- The Respondent paid the Complainant the sum of \$4000.00 to compensate her for lost earnings and the hurt and distress she suffered.

### Race

The Complainants were Aboriginal visitors to Darwin who caught a taxi to their hotel from the airport. They alleged that the driver subjected them to a "tirade" about Aboriginal persons in Darwin and how they abused the health system and hospital services and were generally "no good." The Complainants felt that the comments by the driver were directly aimed at them due to their Aboriginality and amounted to harassment on the basis of their race.

As a result of receiving the complaint the taxi company agreed to implement a program of education and training on discrimination and harassment issues for all of their drivers. The taxi driver involved apologised to the Complainants and also attended at the ADC for counselling and education about harassment and race discrimination.

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## Pregnancy

The Complainant alleged that her employers unreasonably failed to accommodate a special need arising from parenthood when they refused to extend a period of part-time work which she requested after returning to work following maternity leave. The employer claimed that it was not possible or reasonable to accommodate the Complainant's request for part-time work, due to the nature and requirements of the job. The Complainant did not wish to work full-time and so, as there was no opportunity to work part-time in the employ of the Respondent, she found work elsewhere.

After several conciliation conferences the parties were able to reach a settlement on the basis that:

- The Respondent implemented a new policy regarding part-time work which recognised employee's needs to balance family and work responsibilities and the employer's obligation to accommodate these needs. (This policy was developed in consultation with the parties and the Anti-Discrimination Commission.)
- The Respondent paid to the Complainant the sum of \$2500.00 as compensation for any distress and humiliation she suffered.

## Age

The Complainant believed that a club had refused his application for membership. He wasn't sure of the reason, but thought perhaps it was age discrimination.

The ADC Conciliator contacted the Respondent to make preliminary inquiries and discovered that the club had not intended to refuse the application and there had been a misunderstanding arising from the club telling him that he didn't need to become a member if he didn't plan on attending more than three times a year. The club's intention had been to save the Complainant membership fees. This was explained to the Complainant and the Club apologised for having upset him due to the misunderstanding. The Complainant decided he did want to pay the membership fee and become a member, even if it might have been more economical not to, and the Club accepted his membership.

The complaint was resolved in this amicable manner in only three days.

**Sexual Harassment**

The Complainant was a young waitress who alleged that two older males, the chefs in the kitchen, harassed her at work by making sexually explicit remarks, telling offensive jokes, and making comments about her clothing. At a conciliation conference she asked the Respondents to think about how they would feel if their young daughters ended up working in a workplace where such remarks were made, even if it was intended to be "all in fun" as the Respondents claimed.

The Respondents apologized to the Complainant and agreed to change their behaviour. They also participated in personal education and counseling sessions with an Anti-Discrimination Commission training and education officer.

**Sexual Harassment - Dismissed at Prima Facie**

The Complainant was employed as a cleaner for a large company. On the occasion in question she and four other workers traveled together in a car to do an off-site job. She sat in the middle in the back seat between a man and a woman. The man's wife was also in the car but sat in the front seat with the driver. It was agreed by all the people in the car that there had been joking and 'horseplay' in the car, including leaning into each other as the car went around corners. The Complainant alleged that during this playing-about the Respondent suddenly reached out and firmly grabbed her breast. She said that no comment or joke was made about his touching her, but that he simply reached out and grabbed her once.

The Respondent absolutely denied the allegation, and the witnesses in the car were equally adamant that nothing like that had occurred. Investigation revealed that the Complainant and Respondent had been working together for a year without any incident of any kind between them. The Complainant agreed that in the past she had little to do with the Respondent and that he had never said or done anything towards her that could be regarded as sexual in nature. The Respondent was regarded by everyone in the workplace as a 'good sort' of person, happily married, and never before known to have done anything that could be characterised as inappropriate behavior or sexual harassment.

In the circumstances there was virtually no prospect that the Complainant could prove on the balance of probabilities that sexual harassment had occurred. The complaint was therefore discontinued on the basis that there was insufficient evidence to establish a *prima facie* case.

## Performance Reporting

The Anti-Discrimination Commission functions can be broadly divided into three main activities – investigation of complaints of discrimination received in accordance with the *Anti-Discrimination Act 1992*; assisting in the resolution of complaints through conciliation and by conducting hearings; and providing education and training regarding anti-discriminatory practices and human rights generally. Reflecting these functions, the Commission's outputs are divided into two groups, Complaints and Investigations, and Training and Public Awareness. Each output group is subdivided to allow analysis of the major activities within the function.

### Complaints and Investigation

This describes the complaint acceptance, investigation, conciliation and hearing function of the Commission which operates to achieve the resolution of complaints in accordance with the provisions and requirements of the *Anti-Discrimination Act 1992*.

#### Answer enquiries

Telephone, electronic mail, written or in person enquiries about rights and obligations				
Performance measures	Unit of Measure	2002 – 03 Actual	2003 –04 Actual	2004-05 Target
Quantity	Number of Enquiries	795	894	840
Quality	Negative comments to ADC supervisor	0	0	0
Timeliness	Average under 24 hours	99%	99%	99%

#### Quantity of Complaints

	2002 – 03 Actual	2003 –04 Actual	2004-05 Target
Complaints Received	150	151	150
Complaints Closed	170	149	150
Complaints Open at 30 June	50 (est.)	49	50

#### Assess Complaints

The acceptance or rejection under section 66 of written complaints lodged with the Commission.				
Performance measures	Unit of Measure	2002 –03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of Complaints Accepted	96	107	100
	Number of Complaints Rejected	54	44	50
Quality	Successful appeals against rejection to Local Court	6*	1	1
Timeliness	% Under statutory limit (60 days)	95%	98%	96%

\*All six complaints arose from the same set of facts, but six separate ADC files were created because there were six complainants

**Disposition of Accepted Complaints**

Lapsed or Lost Interest under section 72 Withdrawn under section 71				
Performance measures	Unit of Measure	2002 -03 Actual	2003-04 Actual	2004-05 Target
Quantity	Lapsed or Lost Interest	2	3	3
	Withdrawn	21	6	10
Quality	Negative comments to ADC supervisor	0	0	0

Discontinued under section 102 Dismissed under section 76				
Performance measures	Unit of Measure	2002 -03 Actual	2003-04 Actual	2004-05 Target
Quantity	Discontinued Under s102	1	6	4
	Dismissed at Prima Facie	10	10	10
Quality	Successful appeals against Discontinuance or Dismissal to Local Court	0	0	0
Timeliness	Average time from acceptance to conclusion by Discontinuing or Dismissing	Discontinued 8.5 mths Dismissed 7.5 mths	Discontinued 7.4 mths Dismissed 8.8 mths	Discontinued 7.5 mths Dismissed 8 mths

Referred to Conciliation pursuant to section 78				
Performance measures	Unit of Measure	2002 -03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of Complaints conciliated	59	80	60
Quality	% settled by conciliation	96%	100%	95%
Timeliness	Average time from acceptance to conclusion	3.6 mths	5.2 mths	6 mths

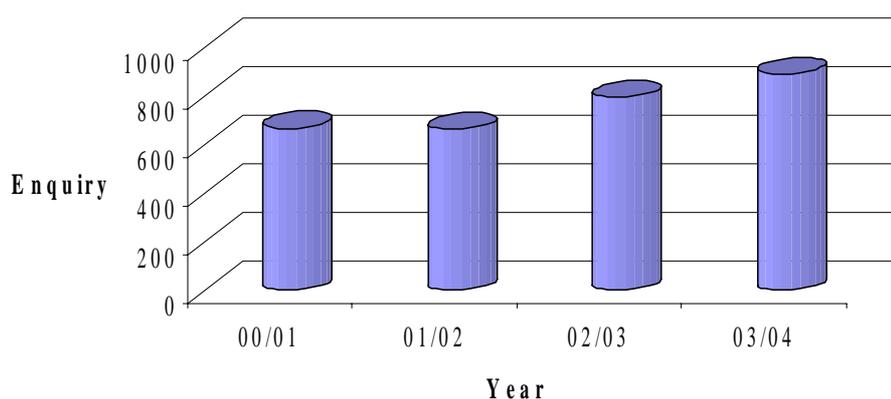
Referred to Hearing under section 83				
Performance measures	Unit of Measure	2002 -03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of Complaints Heard	8	2	4
Quality	Number of successful appeals against decision to Local Court	0	0	0
Timeliness	Average time from reference to conclusion.	6 mths	3.5 mths	6 mths

**Enquiry Statistics Financial Year July 1 2003 - June 30 2004**

Comparison – Number of Enquiries Received by Month &amp; Year

	00/01	01/02	02/03	03/04
July	60	57	54	<b>57</b>
August	85	49	62	<b>75</b>
September	62	64	66	<b>76</b>
October	56	74	63	<b>91</b>
November	59	65	90	<b>69</b>
December	51	36	63	<b>61</b>
January	32	65	48	<b>64</b>
February	52	55	63	<b>77</b>
March	49	42	93	<b>113</b>
April	46	60	62	<b>79</b>
May	62	60	55	<b>68</b>
June	56	39	77	<b>66</b>
<b>Total</b>	<b>670</b>	<b>666</b>	<b>796</b>	<b>896</b>

Comparison - Number of Enquiries



## Average Time Spent On An Enquiry

	Average Time in Minutes
July	24
August	24
September	15
October	19
November	20
December	23
January	29
February	33
March	25
April	27
May	27
June	24
<b>Average time 2003 – 04</b>	<b>24 min</b>

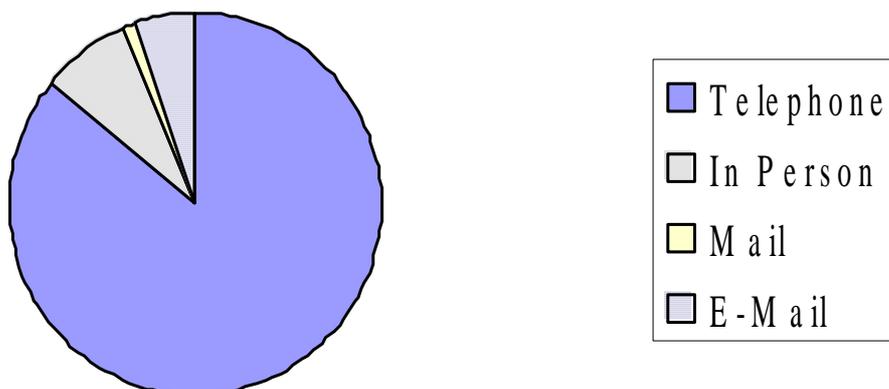
## TYPE OF ENQUIRY

	Professional	General Information	Total
July	9	48	57
August	8	67	75
September	20	56	76
October	18	73	91
November	17	52	69
December	15	46	61
January	8	56	64
February	21	56	77
March	35	78	113
April	18	61	79
May	12	56	68
June	19	47	66
<b>TOTAL 2003-2004</b>	<b>200</b>	<b>696</b>	<b>896</b>

## MODE OF ENQUIRY

	Telephone	In Person	Mail	E-Mail
July	46	9		2
August	64	10		1
September	68	1	2	5
October	74	11	2	4
November	62	3	1	3
December	53	3		5
January	54	1	1	8
February	55	10		2
March	98	7	2	6
April	70	5		4
May	59	3	3	3
June	57	7		2
<b>TOTAL 2003-2004</b>	<b>760</b>	<b>70</b>	<b>11</b>	<b>45</b>

## Mode of Enquiry



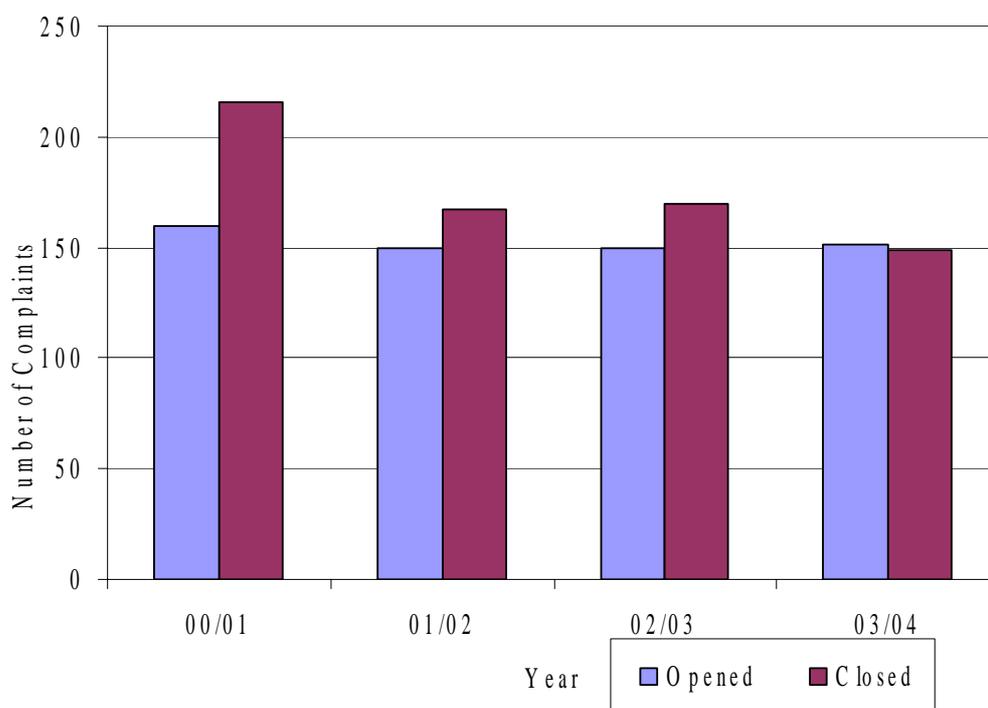
**Complaints – (Areas of Activities) 1 July 2003 – 30 June 2004**

PROHIBITED CONDUCT – DISCRIMINATION Grounds/Attributes	Education	Work	Accommodation	Goods/Service/ Facilities	Clubs	Insurance/ Superannuation	Not Under Act	Total
Age	1	14	1		1			17
Association with a person		5		3				8
Breastfeeding				1				1
Trade Union Activity		4		1				5
Impairment	1	16		16		2		35
Irrelevant Criminal Record		6						6
Irrelevant Medical Record		3						3
Marital Status		5						5
Parenthood		4		1				5
Political Opinion/ Affiliation/Activity		1						1
Pregnancy		2						2
Race	2	14		18	1			35
Religious Belief/ Affiliation/Activity				3				3
Sex		20		2				22
Sexuality		10	2		1			13
Trade Union Affiliation/Activity		7						7
Not Under Act				1			4	5
<b>Total</b>	<b>4</b>	<b>111</b>	<b>3</b>	<b>46</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>173</b>
OTHER PROHIBITED CONDUCT Grounds	Education	Work	Accommodation	Goods/Service/ Facilities	Clubs	Insurance/ Superannuation	Not Under Act	Total
Aiding Contravention of Act								
Discriminatory Advertising								
Failure to Accommodate a Special Need		1		8				9
Sexual Harassment		19		2				21
Seeking Unnecessary Info		9						9
Victimisation		1						1
<b>Total</b>		<b>30</b>		<b>10</b>				<b>40</b>
<b>TOTAL COMPLAINTS FOR 2003/2004</b>								<b>213</b>

**Complaints Statistics Financial Year July 1 2003 - June 30 2004**

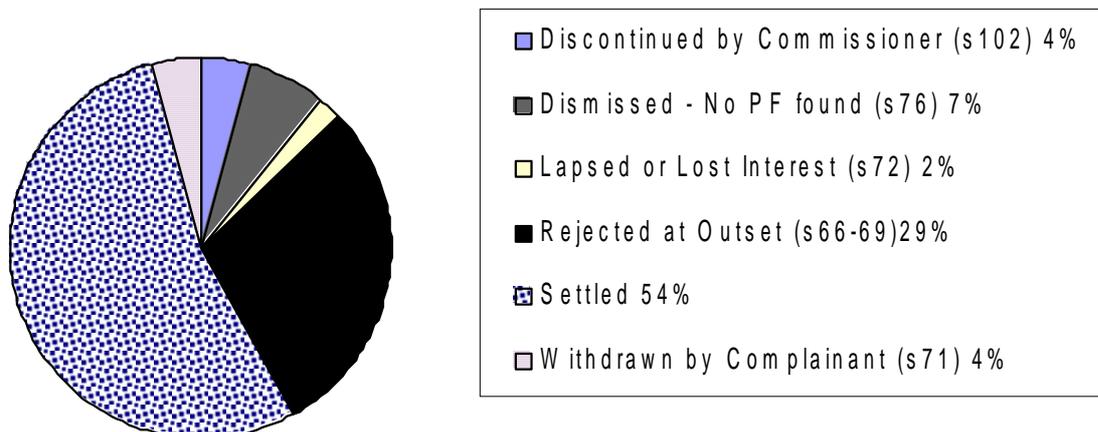
COMPLAINTS – Opened and Closed by month

	OPENED				CLOSED			
	00/01	01/02	02/03	03/04	00/01	01/02	02/03	03/04
July	8	16	14	8	49	15	18	3
August	8	9	9	20	12	24	13	14
September	13	15	14	23	16	21	17	18
October	9	8	16	21	21	18	9	12
November	15	22	9	10	19	17	16	8
December	6	11	17	9	18	9	23	10
January	20	13	7	7	13	9	11	12
February	22	13	17	7	15	5	7	8
March	12	6	16	8	26	13	15	18
April	7	10	14	13	8	9	22	9
May	12	13	13	12	12	19	9	19
June	28	14	4	13	7	8	10	18
<b>Total</b>	160	150	150	151	216	167	170	149

**Comparison - Opened & Closed Files**

**Outcomes of Complaint Files**

Discontinued by Commissioner (s102)	6
Dismissed - No PF found (s76)	10
Lapsed or Lost Interest (s72)	3
Rejected at Outset (s66-69)	44
Settled	80
Withdrawn by Complainant (s71)	6
<b>Total</b>	<b>149</b>

**Outcomes of Closed Complaint Files by Percentage**

<b>Complainants by Region</b>	
Darwin	90
Alice Springs	14
Palmerston & Rural	21
Arnhem & Tiwi	3
Katherine	6
Tennant Creek	3
Alyangula	1
Jabiru	
Interstate	13

<b>Complainant Profile</b>	
Female	64
Male	84
Non-English Speaking Background	16
Disability	30
Aboriginal	27

<b>Respondent Profile</b>	
Individual	49
Company	47
Community	4
Club	4
Government	36
Association	2
Local Government	3
NGO	3

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## Public Education



Sue Rhodes  
Director  
Public Education & Training

### Objectives of the Public Education Unit:

- Promote an understanding and acceptance of, and compliance with, the Act including the principles of equal opportunity
- Support the NT Government's commitment to equal opportunity for all people in the Northern Territory by promoting fairness
- Provide people with enough information so that they can recognise the potential for discrimination and harassment in their community
- Empower people to prevent, confront and resolve discrimination and harassment issues themselves
- Consult with organisations, departments, local government, community government bodies and associations to promote recognition and acceptance of non-discriminatory attitudes, acts and practices.

### Strategies

Throughout 2003/2004, the Commission's public education and training strategies included:

- Formal training programs
- Workplace training
- Awareness raising sessions and talks
- Community involvement and public events
- Promotion of the toll free Helpline for Managers and Supervisors
- Development of a new logo, and new posters
- Implementation of the "Play by the Rules" Harassment Free Sports strategy
- Development of an improved Remote Area Aboriginal Strategy

- Publication and distribution of regular newsletters called "Fair Go"
- Production and distribution of fact sheets in many languages and in large print for the visually impaired
- Supply of "Talking tapes" on the fact sheets and the Act
- Liaison and consultation with all levels of Government, peak community groups, Aboriginal organisations, employer/employee groups and advocates
- Distribution of publications through peak Aboriginal groups, Chamber of Commerce and Industry, libraries, local government bodies, schools, Office of Ethnic Affairs, Multicultural Community Services of Central Australia, Multicultural Council of the Northern Territory and voluntary organisations
- Training packages designed for Aboriginal people in remote communities on their "rights" and "responsibilities" under the Act. Specific training material has been produced in the most common Aboriginal languages
- Regular regional visits involving training and community consultation
- Supply of information on the Commission to the electorate offices of all Members of the Legislative Assembly
- Contact with Legal Aid and Advocacy Services throughout the Territory
- The Commission's toll free telephone 1800 813 846 is widely advertised
- The Commission has an extensive web site contained at [www.adc.nt.gov.au](http://www.adc.nt.gov.au)
- A Telephone Typewriter (TTY) is available for hearing impaired clients.

This year emphasis has been placed on the development of an improved strategy for the delivery of anti-discrimination, human rights and equal opportunity information to remote areas of the Northern Territory. Fundamental components of this strategy are the co-operation of the Aboriginal Interpreter Service in providing its interpreters for equal opportunity and anti-discrimination training, and the recruitment of an additional enquiries/education officer. Once this strategy has been completed we hope to visit many outlying areas accompanied by interpreters to conduct awareness training so that people understand their rights and responsibilities. This part of the strategy is supported by the provision of training to all advocates and supporting organisations such as Aboriginal Community Police Officers, health workers, teachers, lecturers, support staff and legal advocates etc.

### **Anti-discrimination formal training**

This is the regular programmed training delivered by the Commission on rights and responsibilities under the *Anti-Discrimination Act 1992* to public and private sector.

Performance measures	Unit of Measure	2002 –03 Actual	2003 –04 Actual	2004-05 Target
Quantity	Number of “participant-hours” of training provided	1075	677	500
Quality	Positive feedback from participants	98%	98%	98%

The formal training program is produced biannually and circulated throughout the Territory. The main focus is to provide an introduction to Equal Opportunity or Anti-Discrimination laws. Courses are widely available to everyone. Participants on courses have included senior executives and employees of large government agencies and private enterprise, owners, managers and employees of private sector businesses, people with disabilities, and students.

The courses include:

- Introduction to Anti-Discrimination Law
- Harassment –What is it and what can you do about it?
- Recruitment Seminar
- Introductory Contact Officer Training
- Grievance Handling -for managers and supervisors

Regional visits are an important component of public education, not only in raising public awareness but also in providing crucial feedback to the Commissioner on issues that may be affecting groups in regional and remote areas.

Regional centres visited this year for community consultation, public education and training have included:

- Alice Springs
- Tennant Creek
- Katherine
- Nhulunbuy
- Batchelor.

The Commission organises visits to remote communities and regional centres as the need is identified and requests are made. Remote communities visited this year are Galinwin’ku, Mata Mata outstation and Kalkaringi. Invitations and requests to visit other outlying remote communities areas will be received once the remote area information strategy “kicks in”.

Each training session is evaluated and reviewed to ensure that the content meets the needs of the participants. The Commission consistently receives positive feedback about its education and training.

### Anti-discrimination workplace training

The training delivered by the Commission on rights and responsibilities under the *Anti-Discrimination Act 1992* to individual workplaces at the request of that workplace.

Performance measures	Unit of Measure	2002-03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of "participant-hours" of training provided	1139	4235	2 000
Quality	Positive feedback from participants	98%	98%	98%
Timeliness	Weeks from desired date by client to delivery of program	2	2	2

There has been a gradual movement towards developing and providing individual workplace training packages as managers better understand their legislative obligations. The Commission addressed this trend with the appointment of an additional enquiries/training officer. The training also provides managers and employees with the ability to identify, respond to and manage instances of discrimination and harassment in their workplace.

The packages include:

- tailor made training developed specifically to meet organisational and employee needs using training material focusing on their industry needs and incorporating their organisational EEO policies and procedures
- assistance in the development of discrimination and harassment policies and grievance handling procedures
- involvement and training of all staff, usually within their workplace, anywhere within the Northern Territory
- development of pro-active workplace training strategies to reflect the number of work place complaints
- provision of a toll free "*Helpline for Managers and Supervisors*" for confidential and free advice on all aspects of discrimination and harassment. Managers and Supervisors can ring the Helpline as they are confronted with issues in their workplace
- participation in October Business Month- offering training designed specifically for business and industry to keep them up to date with the *NT Anti-Discrimination Act*.

### Anti-discrimination rights-based training

The training delivered by the Commission which focuses on improving knowledge of rights under the *Anti-Discrimination Act 1992* to people in the Northern Territory.

Performance measures	Unit of Measure	2002-03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of "participant-hours" of training provided	1578	1810	2 000
Quality	Positive feedback from participants	98%	98%	98%
Timeliness	Weeks from desired date by client to delivery of program	2	2	2

These sessions aim to:

- raise awareness of rights and responsibilities of employees, students, customers, and other members of the public
- present a range of options for complaint handling
- provide a source of information for people with disabilities, Aboriginal people from remote communities, people from non-English speaking backgrounds, community service providers and other members of the public.

The Commission continues to be committed to the principle of free "rights based" training to ensure that the information on rights is available for all people in the Territory.

### Anti-discrimination public awareness activities

There are activities undertaken which raise public-awareness of rights and responsibilities under the *Anti-Discrimination Act 1992*.

Performance measures	Unit of Measure	2002-03 Actual	2003-04 Actual	2004-05 Target
Quantity	Number of participant hours of public awareness work	678	567	1 500
Quality	Positive feedback from participants	98%	98%	98%
Timeliness	Weeks from desired date of engagement by client to attendance by official	1	1	1

As well as participating in public events, Public Education focused on developing and publicising the Aboriginal education strategy, developing and circulating educational material in a range of multimedia formats, updating the website, launching a new

poster and regularly publishing the newsletter. The Commission is yet to capture statistically the true impact of this shift in priorities.

Some of the public events in which the Commission participated include:

- Women's Health Day for NESB (people of non-English speaking backgrounds)
- Humans Rights Week
- National Youth week activities
- Refugee Week
- Law Week
- National Aboriginal and Islander Day of Celebration (NAIDOC)
- Making-Difference Conference for Disability Support Workers
- Career Expos – Darwin and Katherine.

## **Remote Indigenous Strategy**

This public education strategy is this year's priority for the Anti-Discrimination Commission and aims at improving the delivery of information relating to rights and responsibilities under anti-discrimination legislation to indigenous persons living in remote communities.

Implementation strategies include the updating and re-issue of the Commission's video which demonstrates common incidents of discrimination and harassment that affect indigenous people in the Northern Territory and also provides general information about the Commission. The video, made in the Territory using indigenous actors, has been produced in 8 Aboriginal languages and English. Languages currently available are:

- Burrarra
- Murrinh-Patha
- Djambarrpuynu/Gupapuyngu
- Kriol
- Warlpiri
- Western Arrernte
- Southern Arrernte
- Pitjantjatjara.

The Commission is working in conjunction with the Aboriginal Interpreter Service to produce the video in a further 6 Aboriginal languages. These are:

- Kunwinjku
- Modern Tiwi
- Anindilyakwa
- Alyawarra
- Warumungu
- Eastern Arrernte.

The Commissioner has attended ATSiC Council meetings in all NT ATSiC regions and Northern and Central Land Council meetings to raise awareness of the strategy.

Working in partnership with these Councils, relevant information including Fact Sheets, indicative case examples, posters and the video in the appropriate language have been forwarded to remote communities (including outstations) of thirty or more permanent inhabitants.

In June, the Commissioner was invited to visit North East Arnhem Land and speak at Mata Mata and Galiwin'ku.

The strategy also includes continuing public education throughout the Northern Territory across all sectors, for example:

- schools for teachers and students
- advocates training such as health workers, Aboriginal Community Police Officers, trainee teachers,
- interpreter training
- training of all police officers and community services,
- Batchelor Institute for Indigenous Tertiary Education (BIITE) and regional annexes for students and lecturers
- Charles Darwin University relevant courses
- NTPS Indigenous apprentices
- Participating in the Territory –wide Indigenous employment forums in all regional centres



## Implementation of the Play by the Rules Campaign

In June this year The Australian Council of Human Rights Agencies and the National Standing Committee on Recreation and Sport endorsed the ongoing development and promotion of Play by the Rules website with a shared commitment of resources and staffing.

The Director Public Education and Training has been nominated onto the national management committee in recognition of the fact that The Northern Territory Office of Sports and Recreation and Anti-Discrimination Commission staff have been working closely together for the past 18 months to implement and promote harassment free sport at every opportunity right across the Territory resulting in the Northern Territory being in the forefront

The website is an invaluable resource for anyone involved in sport and recreation clubs and associations. The aim is to provide:

- accessible and relevant information on harassment, discrimination and child protection to all participants in the sport and recreation industry at an individual club and association level.
- coaches, umpires, administrators and participants with the knowledge and skills to prevent recognise and respond to harassment, discrimination and child abuse in by providing Member protection policies, codes of conducts and training
- a risk management tool for sport and recreation clubs and associations to manage undesirable and unlawful behaviour.

The ADC is now the accredited training provider for all Harassment Free Sports courses in the Northern Territory and Member Protection Officers training weekends are regularly offered in all regions.

The Member Protection Officer is the first point of contact in a club for any complaints or concerns around harassment and abuse in sports. The MPO provides confidential information and support for the person alleging the harassment. Most complaints are effectively resolved at this level if the person is competent and adequately trained.

**Play by the Rules website:** [www.playbytherules.com.au](http://www.playbytherules.com.au)

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## ADC Publications

### FACTSHEETS

- Fair Go For All Territorians
- Functions Of The Commissioner
- Sexual Harassment
- Eliminating Sexual Harassment – Guidelines for Employers
- Are You Treated Unfairly Because You Are Aboriginal
- People With An Impairment (Disability)
- How We Handle Complaints
- A Guide on Conciliation Conferences within the Anti-Discrimination Commission

Most Fact sheets are available in seven languages:

- Tagalog
- Portuguese
- Mandarin
- Japanese
- Large type is available for the visually impaired
- Vietnamese
- Indonesian
- Thai
- "talking tapes" are also available

### POSTERS

- New Anti-Discrimination Commission Logo
- Fair Go – This is what it's really about!
- Fair Go – Creating a Fair Go for everyone!
- Sexual Harassment – Nobody has to put up with it!
- Know Your Rights, Know Your Responsibilities – Top End
- Know Your Rights, Know Your Responsibilities – Central Australia
- Welcome to my Country
- Play by the Rules

### TRAINING CALENDAR

A schedule of formal training programs offered by the Commission is published twice a year.

### WEB SITE

The Commission has an extensive web site located at [www.adc.nt.gov.au](http://www.adc.nt.gov.au)