



Anti-Discrimination Commission Queensland

Annual Report 2015–16



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1 September 2016

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

Dear Attorney-General

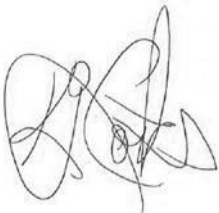
I am pleased to present the Annual Report 2015–2016 and financial statements for the Anti-Discrimination Commission Queensland.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, and
- the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kevin Cocks', with a stylized, cursive script.

Kevin Cocks AM
Commissioner
Anti-Discrimination Commission Queensland

Welcome to the Anti-Discrimination Commission Queensland's Annual Report for 2015–16.

The Anti-Discrimination Commission Queensland has a legislative requirement, and is committed to strengthening the understanding, promotion and protection of human rights in Queensland. We do this work through receiving and managing complaints, training and education, research and submissions, and a broad range of activities to engage and inspire the community.

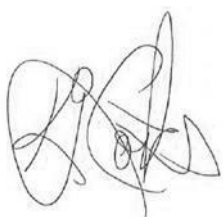
Our annual report provides an overview of our progress towards achieving a fair and inclusive Queensland through the delivery of our core services. The report reflects our commitment to transparent corporate governance by giving an account of our revenue, and how we have used public funds.

This is my fifth annual report since being appointed as the Queensland Anti-Discrimination Commissioner. Reflecting upon the achievements of the Commission in the past financial year provides me with great satisfaction and pride in the ADCQ team.

I am particularly proud of the ADCQ team's commitment to:

- delivering highly compassionate customer service as reflected through client feedback
- giving life to our strengths-based model of operation that enables us to build capacity within our organisation, within communities and across boundaries
- having high expectations of themselves, our teams and leadership within our organisation and the community
- taking calculated risks, and
- building trusting relationships and empowering individuals and communities at the grassroots level to create opportunities for human rights to flourish.

It is an honour and privilege to serve the people of Queensland in building a more fair and inclusive society.

A handwritten signature in black ink, appearing to read 'Kevin Cocks', with a stylized, cursive script.

Kevin Cocks AM
Commissioner

Our vision

A fair and inclusive Queensland.

Our purpose

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

Our objectives

The Commission's key objectives are to:

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

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

Building safe, caring and connected communities:

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

Delivering quality frontline services:

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

Creating jobs and a diverse economy:

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

Our values

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

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

The way in which the Commission delivers services, develops and supports staff and engages with the community also reflects the Queensland public service values of putting customers first, translating ideas into action, unleashing potential, being courageous and empowering people.

Our functions

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

- to inquire into complaints and, where possible, to effect conciliation
- to carry out investigations relating to contraventions of the Act
- to examine Acts and, when requested by the Minister, proposed Acts, to determine whether they are, or would be, inconsistent with the purposes of the Act, and to report to the Minister the results of the examination
- to undertake research and educational programs to promote the purposes of the Act, and to coordinate programs undertaken by other people or authorities on behalf of the State
- to consult with various organisations to ascertain means of improving services and conditions affecting groups that are subjected to contraventions of the Act
- when requested by the Minister, to research and develop additional grounds of discrimination and to make recommendations for the inclusion of such grounds in the Act
- such functions as are conferred on the Commission under another act
- such functions as are conferred on the Commission under an arrangement with the Commonwealth under part 3 of the *Anti-Discrimination Act 1991*
- to promote an understanding and acceptance, and the public discussion, of human rights in Queensland
- if the Commission considers it appropriate to do so — to intervene in a proceeding that involves human rights issues with the leave of the court hearing the proceeding and subject to any conditions imposed by the court
- such other functions as the Minister determines
- to take any action incidental or conducive to the discharge of the above functions.

Our services

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

Our services include:

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

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

Our people

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

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

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

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

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

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

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

- leads and manages the ADCQ's administrative, financial, human resource, information technology, facilities and governance services, and

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

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

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

Performance statement 2015–16

The ADCQ performed strongly throughout the 2015–16 financial year, meeting or exceeding the majority of performance targets across core service delivery areas. Highlights included:

- resolving 59% of accepted complaints, with 88% of clients being satisfied with the complaint handling service
- delivering training to 3850 people, and achieving an average 99% satisfaction rate
- responding to 2909 enquiries about the *Anti-Discrimination Act 1991* and ADCQ services
- developing a new face-to-face training module on the financial benefits of diverse and inclusive workplaces
- conducting over 300 community engagement activities
- enhancing discussion and understanding of contemporary human rights issues through submissions to a variety of state and federal inquiries and Parliamentary Committees, and
- promoting understanding and public discussion of human rights through the delivery of public information sessions about the Human Rights Act for Queensland parliamentary inquiry.

Table 1: Service standards

| Service standards | Notes | 2015–16 Target/est. | 2015–16 Actual |
|--|-------|---------------------|----------------|
| Percentage of accepted complaints resolved by conciliation | — | 55% | 59% |
| Percentage of clients satisfied with complaint handling service measured via client survey | 1. | 85% | 88% |
| Percentage of clients satisfied with training sessions measured via client survey | 1. | 95% | 99% |
| Percentage of accepted complaints finalised within the Commission | | 75% | 74% |
| Percentage of complaints where time from acceptance notice to complaint being closed is: | | — | — |
| • within three months | — | 60% | 67% |
| • within six months | — | 20% | 23% |
| • within nine months | — | 10% | 8% |
| • within 12 months | — | 5% | 1% |
| • over 12 months | — | 5% | 1% |

Notes

1. This is a measure of overall satisfaction with the services provided by the ADCQ. Complaint parties and training clients are surveyed to determine their satisfaction with the services they receive including, for example, relevance, impartiality, content and professionalism. The measure is calculated by dividing responses where clients indicate they are either satisfied or very satisfied by total responses and then expressing the result as a percentage.

Community engagement and education

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

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

Table 2: Community Engagement Strategy

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

Engagement, community development and major projects

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

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

The ADCQ aims to actively identify, direct, and support the capabilities of individuals and groups to achieve positive outcomes, and create spaces where human rights can flourish. ADCQ's role is to provide information, connect people, build networks, and coordinate community projects and events.

Major achievements in this area throughout 2015–16 include:

Community Assistance Project

The Government provided the Commission with additional funding of \$293,000 over three financial years until 2017–18 to deliver community assistance activities. These activities are directed at supporting communities to build capacity to develop solutions to local human rights issues with the support of relevant government agencies, local business and community organisations.

To guide the project, a new temporary position of Coordinator, Community Engagement was introduced in November 2015. This position is responsible for coordinating the community engagement activities that fall under the umbrella of the project as well as developing and trialling new impact measurement tools. These quantitative and qualitative measurement tools will enable the Commission to critically assess the impact of the current strengths-based model of community engagement on social cohesion in identified locations.

To date the Community Assistance Project has delivered the following key activities:

- Facilitation of a community conversation series about creating an inclusive community on the Sunshine Coast in partnership with Sunshine Coast University
- Partnered with Sunshine Coast Council in the delivery of their state government funded Multicultural Conversations project
- Continuation and expansion of multi-faith and multicultural relationship building activities on the Gold Coast
- Finalisation of the evaluation of the Lockyer Valley community development project which took place between 2012 and 2015.

Human Rights Month

In November 2015, the Commission launched the inaugural Human Rights Month campaign to get Queensland workplaces involved in learning, talking, sharing, planning and undertaking activities about diversity and inclusion. The theme of the month-long campaign was *Fair and Inclusive Workplaces*. Organisations were asked to pledge their commitment to creating fair and inclusive workplaces by nominating workplace champions and identifying specific actions they would undertake throughout the month. Response to the campaign was positive with 91 champions from 55 organisations taking an active role in the campaign. The campaign will be run on an annual basis.

Aboriginal and Torres Strait Islander Optimal Health Project

In mid-2014 the Far North Queensland office of the ADCQ joined with major stakeholders in the field of health service provision to identify and address barriers to achieving health outcomes for Aboriginal and Torres Strait Islander people that are commensurate with those of their non-Indigenous counterparts. The project is limited to the geographical areas serviced by the Cairns and Hinterland Hospital and Health Service (CHHS).

The Commission's role in the project is to provide expertise about discrimination, inclusion and diversity, as well as to facilitate discussion between the stakeholder groups. External stakeholders are all experts in their respective health related fields. Initial members of the project team included representatives of CHHS executive management and community controlled health services operating in Cairns, Cape York and Yarrabah. The stakeholder group has grown significantly this

financial year to include representatives from the CHHHS Board, James Cook University and Mulungu Aboriginal Corporation Primary Health Care Service, which services the Atherton Tablelands.

The project works by providing a facilitated yet informal forum for discussion and collaboration that otherwise wouldn't exist. To date, significant positive change has occurred within CHHHS as a result of the collaboration between stakeholders. Achievements include:

- An Aboriginal and Torres Strait Islander Community Engagement Committee has been established. This task was commenced last year and has now been completed.
- A new identified position, Director, Aboriginal and Torres Strait Islander Health Strategy, System Support, Performance and Accountability, has been established within CHHHS and the position has been filled.
- An Aboriginal member has been appointed to the CHHHS Board.

Speaking engagements

Staff of the Commission regularly accepts invitations to speak to students, community groups, lawyers, employee and employer groups, and at community events. Speaking topics range from very specific issues in anti-discrimination law to a broad overview of human rights and anti-discrimination instruments. In 2015–16, a total of 42 official speaking engagements were undertaken including presentations to:

- Royal Australasian College of Surgeons' Annual Scientific Congress
- Australian Competition and Consumer Commission's National Consumer Congress
- Consumer Resource Unit (CRU) 2016 Conference
- International students at Griffith University Asia Institute
- Conversations about Supporting Women in the Public Sector conference
- LawSense seminar: Law for School Counsellors and Guidance Officers 2016

Web and social media

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

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

The Commission's website remains a popular means for Queenslanders to access information about discrimination law and the services of the ADCQ. In 2015–16 there were 144,370 visitors to the Commission's website, a significant increase from the previous year's total of 98,901 visitors. New visitors made up 79.6% of all website visits this financial year.

Table 3 shows the top twenty most visited pages on the Commission's website in 2015–16. This list shows that visitors to the site are continuing to locate general information products and resources developed by the Commission as well as information on the law and making a complaint. New 'fair and inclusive workplaces' resources proved popular, making the top 20 list after only being available for approximately 8 months' of the year. Increases in demand for information about sexual harassment, race discrimination and bullying were also notable.

Table 3: Top 20 most visited website pages

| | | | |
|----|--|----|--|
| 1 | Fact sheets — direct and indirect discrimination | 11 | Guidelines – discrimination in education |
| 2 | Guidelines — discrimination in employment | 12 | Legal information |
| 3 | Case studies - sexual harassment | 13 | Sample policy – discrimination and sexual harassment |
| 4 | Brochures and guides | 14 | Fact sheets - bullying |
| 5 | Complaints — discrimination | 15 | Diversity in the workplace |
| 6 | Legislation | 16 | Resources for students and teachers |
| 7 | Resources for employers | 17 | Fair and inclusive workplaces |
| 8 | Complaints – making a complaint | 18 | Frequently asked questions |
| 9 | Employers’ rights and responsibilities | 19 | Case studies - race |
| 10 | Contact us | 20 | Complaints – sexual harassment |

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

Partnerships and networks

As a small organisation, the ADCQ is increasingly aware that the establishment of strong and productive partnerships and networks is an effective strategy for achieving outcomes across a broader range of issues, stakeholder groups, and geographical areas. The ADCQ is involved in key networks and partnerships throughout Queensland. Through these we provide information on human rights issues and legislation, and in-kind support for actions and initiatives, while gaining a deeper understanding of the issues, challenges and achievements within the community. The key partnerships and networks in which ADCQ was an active member in 2015–16 were:

Police Ethnic Advisory Group (PEAG)

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

Queensland Police Service and Muslim Community Reference Group

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

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

Senior Officers Group on Multicultural Affairs (SOGMA)

The Senior Officers Group on Multicultural Affairs (SOGMA) was established in 2016 in response to the introduction of the Multicultural Recognition Act and associated Multicultural Queensland

Charter. SOGMA provides whole-of-government strategic leadership and advice on key elements to implement the Queensland Multicultural Recognition Act.

Community Legal Education Legal Assistance Forum

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

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

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

Indigenous networks

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

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

Multicultural networks

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

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

Disability networks

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

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

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

Community and other networks

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

- Townsville Community Network
- Burdekin Community Network
- Pride in Diversity Network
- Townsville Organisational Networking forum
- Queensland Law Society's Equalising Opportunities in the Law (EOL) Committee
- Cairns Transition Network
- Play by the Rules – safe, fair and inclusive sport professional network

Information products and services

✧ Products

The Commission produces a wide range of print and non-print publications including guidelines, fact sheets, information brochures, rights cards, videos, and audio files. In 2015–16 a range of new posters were introduced covering topics including sexual harassment, diversity, inclusion and discrimination. All publications are available online, and many in hard copy by request.

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

✧ Services

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

This year the Commission answered 2,909 telephone, email, postal and personal enquiries about anti-discrimination laws, a slight reduction from the 2,927 last year. By far the majority of enquiries continue to be made by telephone, although the number of email enquiries has been steadily increasing, as well as contact initiated through social media.

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

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

✧ Marketing and promotion

The ADCQ mostly relies on our established and developing networks to communicate with stakeholders and the broader community. No professional marketing services were engaged in 2015–16.

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

Events

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

- Citizenship ceremonies in Cairns, Townsville, Brisbane and Rockhampton
- Multicultural festivals and Harmony Day events in Mareeba, Brisbane, Townsville, Rockhampton, Yeppoon and Cairns
- NAIDOC week events in Brisbane, Ipswich, Rockhampton, Townsville, Inala and Cairns
- Palm Island careers expo
- LGBTI fair days in Rockhampton, Townsville and Brisbane
- Refugee Week events in Brisbane and Townsville

Major events which ADCQ hosted or co-hosted in 2015-16

✧ Beach Day Out

As part of Disability Action week celebrations, the Commission's Central Queensland office co-hosted the Beach Day Out event which attracted a strong crowd to the new location at Emu Park. The Commission has been involved in running this inclusive event since it began in 2012. As the lead agency for the 2013 and 2014 events, the ADCQ managed to grow the event, and establish it as a key community event in Central Queensland. Following the repeated success of this event, the Livingstone Shire Council took over as the lead agency for the 2015 event, with the ADCQ remaining a key partner in the running of the event.

The event aims to:

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

In recognition of his work with organising Beach Day Out, ADCQ's Central Queensland Regional Manager, Ben Cooke, received the award for 'Outstanding Individual' in the 2015 Spinal Life Australia Inclusive Community Champions Awards. The awards acknowledge the outstanding achievements of individuals and business in encouraging inclusive communities. Beach Day Out also won the award for Excellence in tourism, entertainment or recreation.

✧ Harmony Cricket

In December 2015, the ADCQ partnered with the Islamic Society of Central Queensland, Multicultural Development Association, Queensland Police Service and Rockhampton Regional Council to organise the Harmony Cricket Match. Designed to build on the principles of Harmony Day – such as inclusiveness, respect and belonging – the event reflected true harmony in the way it was played, allowing everyone to participate with a two over bowling and batting limit for all players. The game concluded with a free community barbeque for players and supporters.

✧ Cairns Inclusive Sports and Games Day

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

The games day was a free, fully inclusive event open to all ages and abilities. Attended by more than 200 people, the event highlighted the importance of inclusion, challenged stereotypes about people with disability and acknowledged the skills and resilience of people with disabilities.

Participants were able to take part in a variety of activities including goal ball, bocce, wheelchair basketball and Zumba supported by sporting mentors including the Hoopsnakes Wheelchair Basketball Team.

✧ Mabo Oration

On 10 August 2015, the ADCQ hosted the sixth biennial Mabo Oration in partnership with the Queensland Performing Arts Centre. Presented by Dr Dawn Casey, the oration was titled *The Mabo judgment: Was it the agent for change and recognition?* Commentary was provided by Dame Quentin Bryce and local Indigenous artists Chris Tamwoy, Kristal West and Saul West. The event attracted an audience of over 400 attendees, consistent with attendance numbers for previous events.

✧ Townsville International Women's Day forum

For the second consecutive year, the ADCQ partnered with the North Queensland Women's Legal Service to host a community event celebrating the achievements of local women as part of International Women's Day. The event, titled *Achieve, Acknowledge, Celebrate*, was attended by almost 100 people and included speeches and performances by local women.

Media

In 2015–16, the ADCQ provided information and public comment to a variety of mainstream, regional and independent media outlets including 89.1 Cairns Community Radio, Channel 10, The Courier-Mail, Capricorn Coast Mirror, Daily Mail Australia, The Morning Bulletin, Southern Star and ABC radio and television. Topics of interest included workplace diversity, exploitation of seasonal farmworkers, a Human Rights Act for Queensland, and discrimination on the basis of age, race, religion, impairment and breastfeeding.

Education

The ADCQ delivers training courses based on the *Anti-Discrimination Act 1991* as well as topics related to diversity, inclusion and stereotypes. The primary objectives of training are to educate people in Queensland about their rights and responsibilities under the Act, encourage inclusive attitudes and practices and to support organisations to adopt best practice methods for preventing and managing discrimination and harassment in the workplace. Training is provided on a fee-for-service basis, with reduced rates offered to small community organisations that demonstrate limited capacity to pay. Training services are delivered primarily on client demand, with only intermittent email marketing undertaken.

State-wide training performance

In 2015–16 we delivered 256 training sessions to almost 4,000 people. This was a slight decrease from the previous year's total of 282 sessions. Training demand from the private sector increased significantly in South-East Queensland but declined in both North and Far North Queensland. This decline appears to have resulted primarily from a downturn in the mining industry where much of the previous years' training had been delivered.

An increase in training demand from the public sector in South-East Queensland resulted in part from the Human Rights Month campaign where training demonstrations were provided free of charge and fee-for-service discounts were offered to participating organisations. A slight increase in demand from the public sector also occurred in Cairns, but Central and North Queensland declined with Central Queensland delivering no public sector training this financial year.

Training in the community sector remained steady across all regions.

Table 4: Delivery of training by sector, by region

| | South-East | Central | North | Far North | Total |
|----------------|------------|-----------|-----------|-----------|------------|
| Private sector | 53 | 17 | 13 | 1 | 84 |
| Public sector | 45 | 0 | 11 | 9 | 65 |
| Community | 18 | 3 | 2 | 20 | 43 |
| In-house | 19 | 13 | 21 | 11 | 64 |
| Total | 135 | 33 | 47 | 41 | 256 |

Table 5: Types of training sessions

| Course | South-East | Central | North | Far North | Total |
|---|------------|-----------|-----------|-----------|------------|
| Introduction to the Anti-Discrimination Act | 57 | 11 | 18 | 20 | 106 |
| The Contact Officer (standard and refresher course) | 23 | 9 | 10 | — | 42 |
| Managing complaints | 2 | 1 | — | 2 | 5 |
| Recruitment and Selection | — | 3 | — | 4 | 7 |
| Tracking your rights — A and TSI | 3 | — | — | — | 3 |
| Introduction to the Anti-Discrimination Act for Managers | 14 | 9 | 11 | 7 | 41 |
| Understanding Discrimination Law (standard and community organisations) | 4 | — | — | — | 4 |
| Unconscious bias | 26 | — | — | 4 | 30 |
| Financial benefits of a diverse & inclusive workplace (new) | 1 | — | — | — | 1 |
| Tailored training | 5 | — | 8 | 4 | 17 |
| Total | 135 | 33 | 47 | 41 | 256 |

Consistent with previous years, the basic *Introduction to the Anti-Discrimination Act* training remains the most popular course, followed by *The Contact Officer* and specialised training for Managers. The new *Unconscious Bias* course was well received in its first full year of offering. The ADCQ's online training module, *Discrimination Awareness in Queensland*, attracted 274 new and return subscribers during this financial period.

Training revenue for 2015–16 exceeded the target of \$180,900 to reach total revenue of \$182,748. This was an excellent result given the overall number of sessions delivered dropped from 282 in the previous year to 256 this financial year.

Table 6: Details of training sessions

| | South-East | Central | North | Far North | Total |
|-------------------|------------|----------|----------|-----------|-----------|
| No. of people | 2,385 | 235 | 728 | 502 | 3,850 |
| Hours of delivery | 420 | 137 | 144 | 118 | 819 |
| Actual revenue | \$90,886 | \$29,394 | \$43,247 | \$19,221 | \$182,748 |

Evaluation

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

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

Overall participant ratings have remained very high with an average satisfaction rating of 99%.

Here is a sample of responses from 2015–16 training participants:

| Do you think some aspect of your behaviour might change as a result of this training? If yes, how? |
|---|
| Be more mindful/aware of managing inappropriate workplace behaviours/practices |
| How I see, listen and respond to discrimination |
| Be more mindful of how I'm treated and how I treat others at work |
| Being aware of unconscious bias and taking some of the simple steps to remove it |
| More aware of how to respond to complaints |
| Checking for unconscious bias at key times (eg. recruitment or staff movements) |
| More circumspect about making broad judgements about groups of people whom I don't know much about |
| I will proactively stand up to bullying behaviour like isolation in my workplace when it is happening |
| Will take biases into account when selecting staff and to understand people of other backgrounds |
| Less ignorant of unintentional discrimination |

| What did you like most about this training? |
|---|
| Flexibility in delivery |
| Helps me understand my rights as an employer |
| Very relevant, informative without being boring |
| The method of training was interactive |
| Trainer very knowledgeable; very interesting and easy to understand |
| Very relevant and relatable, was interesting |
| The presenter – very knowledgeable on all subjects |
| Engaging, well presented and structured |
| Comprehensiveness of content and presentation |
| Delivered well, comprehensive, real life cases to enforce understanding |
| Open discussion and examples |
| Relevant to workplace and dealing with others |
| Supporting documentation, particularly the case law studies |
| Was well presented, informative and not as tedious as most training |
| The information linked back to real cases |

Aboriginal and Torres Strait Islander Unit

The ADCQ Aboriginal and Torres Strait Islander Unit was formally established and launched in November 2003 to meet the demand for Indigenous-specific services to the community. The unit is based in the Brisbane office and is comprised of a Coordinator, and Indigenous Assistant Human Rights Officer. An Indigenous Assistant Human Rights Officer is also based in the Cairns office and receives ongoing professional and cultural support from the Unit Coordinator. The Cairns based officer has been on maternity leave for the full 2015/16 financial year and was not replaced by another Indigenous officer due to a lack of suitable candidates.

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

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

In 2015–16, the unit conducted 43 community engagement activities, delivered three *Tracking Your Rights* training sessions, and coordinated the Mabo Oration in partnership with the Queensland Performing Arts Centre. The Commission also maintained a presence at key community events including NAIDOC week celebrations in Brisbane, Ipswich, Inala, Rockhampton, Townsville and Cairns.

A major part of the A&TSI Unit's work this financial year has centred on the development of a new resource titled, *Aboriginal and Torres Strait Islander People: a brief human rights history*. The resource outlines historical and contemporary events that have had an impact on Aboriginal and Torres Strait Islander peoples in Queensland. It was developed to:

- acknowledge the history, and that certain events took place
- recognise the impacts of historical events still felt today by Aboriginal and Torres Strait Islander peoples
- recognise that these impacts have resulted in discrimination, and breaches of the human rights of Aboriginal and Torres Strait Islander peoples, and
- give insight into Aboriginal and Torres Strait Islander peoples' relationships with non-Indigenous Queenslanders, government agencies, and their representatives.

Complaint management

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

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

The Commission has again met or exceeded its complaint management targets in terms of timeliness of the overall process and conciliation rates. The effective complaint management processes adopted by the Commission mean that satisfaction rates remain high with 91% of all parties evaluating the service as satisfactory or very satisfactory, continuing the consistently high satisfaction rates of past years.

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

State-wide complaint trends

The majority of complaints continue to originate from the South-East Queensland region as shown in Table 7.

This year 636 complaints were received across the state, representing a 2% decrease from the 649 complaints received last year. This small decrease in complaints brings complaint numbers back to the level of previous years which indicates that complaint numbers are remaining reasonably stable with slight variations from year to year.

Of the total complaints assessed this year, 336 were accepted as coming within the Commission's jurisdiction, representing about 52% of complaints received, which is a decrease from the 56% accepted last year, but within the normal long-term acceptance rate range. This demonstrates that the Commission continues to undertake a thorough assessment of complaints at the initial lodgement stage. The remaining complaints assessed during the financial year fell outside the Commission's jurisdiction. Where a complaint does not come within the Commission's jurisdiction, the complainant is generally referred to another agency that can assist them.

The number of complaints finalised this year was 625. This is a significant increase on the 590 finalised last year, an attestation to the ongoing efficiency of the complaint management process.

Table 7: Complaints received, accepted and finalised

| | South-East | Central | North | Far North | State-wide |
|-------------------------------------|------------|---------|-------|-----------|------------|
| Complaints received | 528 | 34 | 36 | 38 | 636 |
| Complaints accepted | 185 | 53 | 45 | 53 | 336 |
| | | | | | |
| Complaints finalised — accepted | 193 | 52 | 44 | 54 | 343 |
| Complaints finalised — not accepted | 170 | 32 | 47 | 33 | 282 |
| Total complaints finalised | 363 | 84 | 91 | 87 | 625 |

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

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

As shown in Table 8, allegations of discrimination are included in 64.8% of accepted complaints which is a slight drop from last year (68.4%). Discrimination complaints involve allegations of less favourable treatment based on an irrelevant attribute which arise in an area of public life covered by the law, such as at work, in accommodation, in education and in obtaining goods and services, including government services.

The breakdown of the attributes on which allegations of discrimination are made in Table 8 clearly shows that discrimination on the basis of impairment remains the dominant ground, comprising 25.4% of all complaints. This is slightly lower but still consistent with the previous year (28.8%). Sex discrimination allegations also remain significant comprising 9.4% of complaints, a slight increase from 8.6% last year. There has been a small drop in race discrimination complaints which now make up 5.3% of discrimination complaints (6.9% last year). Race discrimination complaints are slightly surpassed by family responsibilities, which made up 5.5% of all complaints this year. Age discrimination complaints are still significant at 4.5%. Religious discrimination complaints have dropped to 1% of complaints accepted, down from 2.4% last year. This may be a reflection of the significant work undertaken by the Commission in the area of community engagement to make the community more inclusive for people of all religions.

Table 8 shows that sexual harassment allegations of unwelcome sexual behaviour to or about a complainant are included in 14.2% of accepted complaints (72 complaints), which is an increase from 10.8% last year (59 complaints). The vast majority (60%) of complaints of sexual harassment arise in the workplace, as can be seen from Table 9.

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

The milestone decision of the Full Court of the Federal Court in *Richardson v Oracle* [2014] FCAFC 82 which increased the historical range of damages five-fold in a sexual harassment complaint on the basis that the previous range may be manifestly inadequate judged by reference to prevailing community standards, has not been reflected in decisions of the Queensland Civil and Administrative Tribunal. The decision may therefore not yet have had the deterrent effect in Queensland that it potentially provides particularly with respect to sexual harassment complaints.

Victimisation complaints arise where a complainant or witness feels they have been poorly treated for being involved in a complaint. Victimisation complaints remain at the higher levels experienced over the past three years at 10%. As shown in Table 9, 78% of victimisation complaints arose in the workplace. Because of the continuing relationship between the employer and their employees, there is more opportunity for victimisation complaints to arise after a person makes an initial complaint at work, compared to other areas. Fear of victimisation is also a reason why complainants are sometimes reluctant to lodge complaints until after they leave the workplace, or at all.

Vilification complaints require that the complainant alleges that others have been publicly encouraged to hate, severely ridicule or have severe contempt for them because of their race, religion, sexuality or gender identity. Public vilification complaints remain low with only 3.3% of accepted complaints including allegations of race, religious, sexuality or gender identity vilification. As shown in Table 8, nine of these involved allegations of racial vilification and seven involved allegations of sexuality vilification.

The Commission received seven complaints of whistleblower reprisal, representing 1.4% of all complaints received.

Table 8: State-wide accepted complaints by ground

| Ground | Number | % |
|---------------------------------|------------|--------------|
| Discrimination | | |
| Age | 23 | 4.5% |
| Breastfeeding | 0 | 0.0% |
| Family Responsibility | 28 | 5.5% |
| Gender Identity | 11 | 2.2% |
| Impairment | 129 | 25.4% |
| Lawful Sexual Activity | 0 | 0.0% |
| Parental Status | 10 | 2.0% |
| Political Belief/Activity | 4 | 0.8% |
| Pregnancy | 21 | 4.1% |
| Race | 27 | 5.3% |
| Relationship Status | 8 | 1.6% |
| Religion | 5 | 1.0% |
| Sex | 48 | 9.4% |
| Sexuality | 12 | 2.4% |
| Trade Union Activity | 3 | 0.6% |
| Sub-total Discrimination | 329 | 64.8% |
| Discriminatory Advertising | 0 | 0.0% |
| Request/Encourage a Breach | 6 | 1.2% |
| Sexual Harassment | 72 | 14.2% |
| Unnecessary Questions | 26 | 5.1% |
| Victimisation | 51 | 10.0% |
| Sub-total | 155 | 30.5% |
| Vilification | | |
| Gender identity | 1 | 0.2% |
| Race | 9 | 1.8% |
| Religion | 0 | 0.0% |
| Sexuality | 7 | 1.4% |
| Sub-total Vilification | 17 | 3.3% |
| Whistleblower reprisal | 7 | 1.4% |
| Total | 508 | 100% |

Note: Complaints may be accepted under more than one ground

The number and proportion of work-related complaints shows that workplace fairness is the most significant area of people's lives. Table 9 shows that 65.6% of complaints arose in the workplace or when seeking work. This is consistent with previous years.

12.7% of complaints arose in the area of the provision of goods and services, which includes access to public places and buildings.

The area where there has been an increase in both number and proportion of complaints has been accommodation, which has risen from 19 (3.9%) complaints last year to 25 (5.4%) complaints this year. These complaints generally represent concerns about the fairness of accommodation arrangements such as rental properties and can also include claims by resident-owners of units that body corporates have discriminated against them in their decision making.

Table 9: State-wide accepted complaints by area

Note: Only discrimination breaches require an area

| | Discrimination | Request or encourage a breach | Sexual harassment | Unnecessary questions | Victimisation | Vilification | Whistleblower Reprisal | Total | |
|------------------------------|----------------|-------------------------------|-------------------|-----------------------|---------------|--------------|------------------------|------------|-------------|
| | | | | | | | | # | % |
| Accommodation | 14 | — | — | 5 | 3 | 3 | — | 25 | 5.5% |
| State laws and programs | 16 | — | — | 2 | 1 | — | — | 19 | 4.2% |
| Goods and services | 49 | — | 2 | 2 | 3 | 2 | — | 58 | 12.7% |
| Club membership and affairs | 2 | — | 1 | — | — | 1 | — | 4 | 0.9% |
| Superannuation and insurance | 4 | — | — | — | — | — | — | 4 | 0.9% |
| Disposition of land | — | — | — | — | — | — | — | — | — |
| Work | 178 | — | 63 | 16 | 40 | 2 | — | 299 | 65.6% |
| Education | 13 | — | 1 | — | 1 | 1 | — | 16 | 3.5% |
| Not recorded* | — | 6 | 6 | 1 | 3 | 8 | 7 | 31 | 6.8% |
| Total | 276 | 6 | 61 | 26 | 51 | 17 | 7 | 456 | 100% |

Impairment discrimination continues to dominate complaints in the workplace. Table 10 shows that 60% of impairment discrimination complaints arise at work. Impairment discrimination complaints arising at work include allegations of the refusal of employment because of an applicant's impairment, failure of employers to make reasonable adjustments to accommodate a person's impairment, impairment-based bullying, and forced retirement because of impairment or the impact of impairment.

While Table 10 clearly shows the prevalence of discrimination complaints across most grounds in the workplace, a significant number of complaints of impairment discrimination arose in connection with the provision of goods and services (18.3%) which includes access to public places and buildings. Impairment (39.2%) and sex (14.7%) are the most common bases for discrimination complaints across the total of all areas of complaint. There was a significant increase in complaints of pregnancy discrimination from 12 complaints (3.1%) last year to 21 complaints this year (6.3%) and all in the area of work. There was a drop in complaints of race discrimination from 38 complaints (9.9%) last year to 27 complaints (8.0%) this year although there is no apparent explanation for this.

Table 10: State-wide accepted discrimination complaints by ground, by area

| | Accomm | State laws & programs | Goods & services | Club membership | Super & insurance | Disposal of land | Work | Education | Total | |
|---------------------------|-----------|-----------------------|------------------|-----------------|-------------------|------------------|------------|-----------|------------|-------------|
| | | | | | | | | | # | % |
| Age | 1 | | 3 | | 2 | | 17 | 1 | 24 | 7.1% |
| Breastfeeding | | | | | | | | | 0 | — |
| Family responsibility | 1 | 1 | 2 | | | | 24 | 1 | 29 | 8.6% |
| Gender identity | | 2 | 8 | | | | 1 | | 11 | 3.3% |
| Impairment | 1 | 9 | 24 | 1 | 4 | | 78 | 9 | 131 | 39.0% |
| Lawful sexual activity | | | | | | | | | 0 | — |
| Parental status | 1 | | | | | | 9 | | 10 | 2.9% |
| Political belief/activity | | | 2 | | | | 2 | | 4 | 1.2% |
| Pregnancy | | | | | | | 21 | | 21 | 6.3% |
| Race | 3 | 1 | 6 | | | | 16 | 1 | 27 | 8.0% |
| Relationship status | 1 | 2 | 1 | | | | 5 | | 9 | 2.7% |
| Religion | | 1 | 2 | | | | 2 | | 5 | 1.5% |
| Sex | 1 | 1 | 3 | 1 | | | 42 | 1 | 49 | 14.6% |
| Sexuality | 3 | 2 | 1 | | | | 7 | | 13 | 3.9% |
| Trade union activity | | | | | | | 3 | | 3 | 0.9% |
| Total | 17 | 19 | 52 | 2 | 6 | | 227 | 13 | 336 | 100% |

Settlement of complaints

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

This year saw the settlement rate of 60% exceed the target of 55% which was an increase from the settlement rate last year which met target.

Of accepted complaints, 73.8% were finalised within the Commission, leaving 26.2% of accepted complaints referred to the Queensland Civil and Administrative Tribunal.

Table 41: State-wide outcomes for accepted complaints by region

| | South-East | Central | North | Far North | State-wide | % Outcome for accepted complaints state-wide |
|--------------------------------|------------|-----------|-----------|-----------|------------|--|
| Conciliated | 113 | 34 | 28 | 27 | 202 | 59.4% |
| Lost contact (s169) | 3 | 1 | | 1 | 5 | 1.5% |
| Referred to QCAT | 54 | 11 | 12 | 12 | 89 | 26.2% |
| Lapsed (s168) | 2 | | | 2 | 4 | 1.2% |
| Unconciliable but not referred | 7 | 1 | 1 | 4 | 13 | 3.8% |
| Withdrawn | 13 | 5 | 2 | 7 | 27 | 7.9% |
| Total | 192 | 52 | 43 | 53 | 340 | 100% |

Timeliness

The Commission continued to manage complaints in a timely way, and the overall finalisation of complaints exceeded target.

Sixty-seven-and-a-half percent of complaints were finalised within three months from assessment notification, and a further 22.5% were finalised within six months. This means a total of 90% of complaints were finalised within six months of acceptance. This, together with the high conciliation rate and the large volume of files finalised throughout the year, shows staff's consistent commitment to managing complaints efficiently and effectively.

However, there were two areas where the Commission did not meet timeliness targets, and the reasons for this were largely beyond the control of the Commission. Fifty-six percent of complaints were assessed and notified within 28 days from lodgement, which was below the target of 60%. Many complaints did not contain sufficient information to enable a final decision to be made. For these complaints further information was sought before a decision was made as to whether the allegations fell within the jurisdiction of the Act.

Sixty-five percent of accepted complaints reached conference within the 42-day statutory timeframe from notification of decision until conciliation conference. This was below the target of 70%. Conferences in the remaining matters were generally delayed where parties were unavailable to participate for a variety of reasons.

Conciliated outcomes

The following are examples of complaints made to ADCQ in 2015–16 that were successfully resolved through conciliation.

Sexual harassment and sex discrimination

A woman alleged she had been sexually harassed at work and subjected to sex discrimination. She claimed her manager picked her up and put his face into her breasts. She alleged he rubbed his face on her shoulder when asking her to make him a coffee.

She also claimed her manager imposed strict conditions on the women at work regarding what they could wear that involved undue detail about the underwear they were required to wear.

Through the conciliation process the respondent indicated the complainant asked him to pick her up, and denied putting his face into her breasts. He admitted rubbing his face on her shoulders but asserted that this did not have any sexual connotation. He argued that requirements regarding underwear were only to ensure modesty when female staff wore tights at work which was a "family friendly" venue.

The matter was resolved through an agreement to pay compensation to the complainant, each party was to refrain from making derogatory comments about the other, and the complainant agreed to delete any CCTV footage she had retained which was the intellectual property of the respondent.

Making adjustments for student with diabetes

The complainant had Type 1 Diabetes and was studying a diploma with the respondent educational institution. She was required to monitor her blood glucose levels, self-administer insulin injections and partake of food throughout the day. As there were no suitable facilities available, the complainant conducted blood glucose tests and injected insulin in the classroom. Following an argument with a classroom teacher, the complainant was informed by the CEO of the institution that she should inject insulin in the mothers and babies room or in the toilets, and she was directed not to inject herself in the classroom. The complainant responded that she would not inject herself in public facilities as it was unhygienic. She requested that the institution provide her with a private space with a sharps container to check her blood glucose levels and to inject her insulin. As this was not provided, and she was unable to self-administer treatment in the classroom, she was not able to continue with her education otherwise than on-line. A policy was also released at that time

prohibiting the use of sharps and disposal of sharps on campus. The complainant lodged a complaint of impairment discrimination in education.

After discussions at conciliation, the parties reached an agreement that a suitable dedicated space with a sharps container would be made available for the complainant to monitor her blood glucose levels and to inject insulin. An extension was granted to the complainant so that she could complete her course with the assistance of face-to-face interaction with teachers and students. The organisation agreed to undergo training in anti-discrimination and diabetes education, and to update its policy relating to injecting on campus. The parties also mutually agreed not to disparage the other.

Woman asked to remove headscarf

The complainant alleged that when she entered a venue wearing a headscarf she was asked what she was wearing. The complaint explained that it was for religious reasons and she was told that the venue's rules and regulations do not allow for anything to be worn on the head. She was told she could attend the venue that evening but if it happens on a regular basis, she would be asked to leave. The complainant made a complaint of discrimination on the basis of religious belief or activity in the area of goods and services.

The matter was resolved at conference by the respondent providing a written apology to the complainant, the introduction of cultural awareness training for all the respondent's staff members, and the respondent agreeing to update and implement its Dress Code to allow religious headwear.

Mental health discrimination in life insurance

The complainant alleged that she has post-traumatic stress disorder (PTSD) and depression. She applied for life insurance, disclosing her PTSD and depression, and the insurance was approved over the phone. She later disclosed in a phone call with the insurance agent that her general practitioner suspected she may have schizophrenia and she had been referred to a psychiatrist. One day later she rang the insurance agent and said that the psychiatrist had ruled out schizophrenia and the original diagnosis of PTSD and depression was correct. One day later her policy was cancelled and she later received a letter from the agent stating "the additional medical history...provided in your phone call...precludes us from being able to offer you terms...due to the inconsistencies in your disclosure". She made a complaint to the Anti-Discrimination Commission Queensland and also lodged a complaint with the Financial Ombudsman Service (FOS).

The respondent argued that the cancellation of the policy was because the complainant made many phone calls to the agent company and the information she was providing such as different date of birth, non-smoker to smoker and mental health was inconsistent with her earlier disclosure. They also argued that the type of business model used - a phone application only with no documents required - ruled out complex underwriting and risk assessment based on medical records.

After discussions at conciliation, the parties reached an agreement of financial compensation to the complainant, an undertaking that the respondent would review its policies/procedures/actuarial data/statistical data; and the complainant agreed to withdraw her FOS complaint.

Age discrimination in applying for work

A company advertised that they were struggling to attract qualified staff. The complainant alleged that he rang the manager of the company to apply for a position as an adventure guide as he had previously worked there and was abundantly qualified for the job. The complainant heard the manager make a laughing sound and then said "Aren't you getting a little close to the end of your career?" The complainant answered that he had another 17 years before retirement age and the manager laughed and said "17 years..." and then said they had trouble with another guide, known to the complainant as a person with a long career in the industry, "breaking down". The manager also spoke about the additional risk of hiring someone of the complainant's age. He said to the manager, "I'd hate to think I was missing out on a job because of my age". The manager said they had a training course coming up and were looking for "new blood" and said if employed he would be

put at the bottom of the roster and that he would have a think and talk to the director. When the complainant called the manager again a week later, he was refused employment and the training course was used as justification.

The written response did not dispute that the phone comments were made but argued that the reason for discouraging/rejecting the complainant's application was due to the complainant's performance during the previous period of employment, and lack of employment with the company for over 10 years. During conciliation the manager elaborated that he was speaking to the complainant in a jovial way, but was also discouraging him from applying because he was not a good fit for the company. The manager referred to the complainant's previous employment with the company and said his poor attitude and lack of ambition back then were the reasons for knocking back the application. The manager said that if he said those exact words it would only have been to deflect from his real reasons and to protect the complainant from embarrassment and wasted time in making a formal application that was going to fail anyway.

The matter was resolved at conference by payment of compensation to the complainant, and an agreement for managers and supervisors of the company to attend anti-discrimination and recruitment training.

Evaluation

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

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

A sample of responses from 2015–16 conciliation parties follows.

- Thank you for your professional and competent handling of this matter. (respondent)
- (The conciliator) is the most competent and effective conciliator with whom I have dealt with in 25 years of legal practice. A true credit to the ADCQ! Very balanced and considered; a great communicator. (complainant lawyer)
- I would like to thank (the conciliators) for all the effort they put into the complaint. I have never been involved in anything like this before and it has taught me a lot and given me more confidence. Many thanks to you all. (complainant)
- The process was handled respectfully and managed with fairness and compassion. (respondent)
- (The conciliator) always treated me very well, I have the utmost respect for him, he knows his job very well and does it with respect and understanding. (complainant)
- I am and was impressed with the way things went and the outcome and I know more of what is required of me in running a (business). (respondent)
- (The conciliator) was extremely helpful and thorough throughout the process. She consistently ensured I was kept up-to-date with the requests of the complainant and fairly facilitated the requests and needs of both parties. (respondent)

- Thank you so much for your help. I have finally been treated fairly by the respondent, for the first time in 15 years! (The conciliator) is a gem, and should be promoted. The system is fair, easy to use and I felt I was treated with respect. Thanks to all. (complainant)
- Thank you for everything. You made me feel comfortable and safe. I appreciate your support with my anxiety and nervousness. (complainant)
- Only difficulty was the interpreter via phone, which caused some confusion. Overall the process was smooth and well managed. (respondent)
- (The conciliator) is a credit to the ADCQ. A pleasure to work with. (respondent lawyer)
- I was impressed that ADCQ held a high regard to the injustice I had received and demonstrating which avenues I could pursue. I am most grateful that ADCQ exists to support victims who suffer because of discrimination. ADCQ has proven that nobody is 'above the law'. (complainant)

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

In 2015–16 the Commission provided submissions to various state and federal bodies on the development of government policies and legislation. These included:

Issues Paper: Discrimination, bullying and sexual harassment in the practice of surgery to the Expert Advisory Group, Royal Australasian College of Surgeons

The Commission drew on its experience of over 20 years in dealing with complaints of sexual harassment and discrimination to provide information about training, the impacts of sexual harassment and discrimination, addressing culture, and dealing with complaints.

Civil partnerships – Amendment of the *Relationships Act 2011* to the Attorney-General and Minister for Justice, Minister for Training and Skills, and to the Queensland Parliamentary Legal Affairs and Community Safety Committee

The submission supported the Bill, which restored the option for couples to hold a civil partnership ceremony, adopted the terms civil partner and civil partnership, and changed the name of the legislation back to the Civil Partnership Act.

Workers Compensation and Rehabilitation and Other Legislation Amendment Bill 2015 to the Queensland Parliamentary Finance and Administration Committee

The Commission supported restoring the limitation on access to claims histories by removing the right of prospective employers to obtain the claims histories of job applicants. The Commission also recommended amendment to provisions about disclosing existing injuries during a recruitment process, to better clarify the obligations on employers and job applicants.

Multicultural Recognition Bill 2015 to the Department of Communities

The Commission considered the framework of the legislation, the Charter, the Multicultural Policy and the Action Plan would strengthen multicultural policy across government, and support a more inclusive community where people from culturally and linguistically diverse backgrounds have more equitable access to services and opportunities.

Inquiry into a suitable model for implementation of the National Injury Insurance Scheme to the Queensland Parliamentary Education, Tourism, Innovation and Small Business Committee

The Commission recommended the hybrid model, preserving common law rights of those catastrophically injured in accidents, and a no fault scheme offering lifetime care and support. The hybrid model is consistent with the human rights principles of individual autonomy, independence, and freedom to make choices, which are incorporated in the Convention on the Rights of Persons with Disabilities.

Youth Justice and Other Legislation Amendment Bill 2015 to the Queensland Parliamentary Legal Affairs and Community Safety Committee

The Bill repealed a number of reforms to youth justice introduced by the previous government. The Commission supported the reinstatement of the sentencing principle of detention as a last resort, and the general prohibition of disclosure of identifying information. The Commission also advocated for 17 year olds to be removed from adult prisons, and for justice reinvestment to be part of youth justice policy development.

Review of the *Public Interest Disclosure Act 2010* to the Queensland Ombudsman

Under the *Public Interest Disclosure Act 2010*, the Commission has the function of dealing with complaints of reprisal associated with a disclosure. The Commission provided statistics and an analysis of reprisal complaints received in the five years from commencement of the PID Act in January 2011. The Commission advised issues in dealing with complaints of reprisal, namely, assessing whether there has been a PID, and ambiguous and broad terms.

Youth Justice Reform to the Attorney-General and Minister for Justice, Minister for Training and Skills

The Commission endorsed the Queensland Government's commitment to building a youth justice system using a balanced evidence based approach to reducing youth offending. The Commission focused on the issue of automatically transferring 17-year-olds to adult prisons, where they have six months or more to serve, premised on the basis that 17-year-olds should not be treated as adults in the prison system. The Commission supported the proposal to increase from the age from 17 to 18, before considering transferring a youth from juvenile to adult detention, but considered a transfer should not be automatic, and only proceed after all relevant circumstances have been considered by an entity such as the Children's Court or Queensland Civil and Administrative Tribunal. Where transfer is being considered, the young person should be provided with independent legal representation.

Parliamentary committee system review to the Queensland Parliamentary Committee of the Legislative Assembly

The review was a consequence of a Committee recommendation to introduce fixed four-year terms for Parliament, and was concerned with examining means to strengthen the parliamentary committee system and consider accountability mechanisms such as entrenchment of the committee system. The Commission recommended increasing accountability in the scrutiny of legislation, by incorporating human rights into the objectives of the *Legislative Standards Act 1992* and the definition of fundamental legislative principles, and by establishing a Human Rights Committee to examine Bills and subordinate legislation and report on their compatibility with human rights. The Commission supported entrenchment of the parliamentary committee system provided flexibility in the structure of committees would be maintained.

Review of the *Adoption Act 2009* to the Department of Communities, Child Safety and Disability Services

The Commission advised that same-sex couples should have the same eligibility to adopt as opposite-sex couples, and a person's sexuality should be irrelevant in assessing their suitability as an adoptive parent. The Commission noted the main object of the *Adoption Act 2009* of promoting the best interests of adopted persons throughout their lives, and that there is no credible evidence that same-sex adoption has any detriment or adverse impact on the best interests of the child. The Commission also advised that adoption legislation should provide for the recognition of traditional Aboriginal and Torres Strait Islander adoptions.

Inquiry into the practices of the Labour Hire industry in Queensland to the Queensland Parliamentary Finance and Administration Committee

This submission drew upon the Commission's knowledge and experiences from its community engagement strategy working in the Lockyer Valley, and focused on allegations of exploitation, harassment and other mistreatment of workers employed by contractors, particularly in the horticultural regions of Queensland. The Commission discussed a number of issues raised by the community, including the effectiveness of current laws. The Commission recommended strategies for better communication of rights and responsibilities, the establishment of a contractor licensing authority to operate a licensing scheme for labour providers in regulated sectors, and further investigation into options for improving accommodation for horticultural workers.

Review of expunging criminal convictions for historical gay sex offences to the Queensland Law Reform Commission

The Commission informed the review that in order to be consistent with the *Anti-Discrimination Act 1991* purpose of equality before the law, historical gay sex offences should be expunged in a way that restores a person's position as if they had never been convicted or charged with the relevant offence. Options of pardon or spent conviction would not restore the person's position in this way, and the scheme should cover a broad range of offences, including those of a generic nature. The Commission also said the age of consent for anal intercourse should be included in discussions around criminality for homosexual activity, and urged the removal of discrimination of young male homosexuals by making one age of consent for any type of intercourse.

Human Rights Inquiry to the Queensland Parliamentary Legal Affairs and Community Safety Committee

The Commission made a comprehensive submission addressing all of the terms of reference, including an examination of the effectiveness of current laws and mechanisms and providing case studies demonstrating why a Human Rights Act is necessary and how it would operate. The Commission recommended a Human Rights Act for Queensland that includes:

- protection of civil and political rights, as well as economic , social and cultural rights, property rights, and the right to self-determination for Aboriginal and Torres Strait Islander Queenslanders;
- a process for parliament to explain how new laws impact on human rights, while retaining parliamentary sovereignty;
- compliance with human rights at all levels of government policy and decision-making;
- a process for independent investigation and resolution of human rights complaints;
- a requirement for courts and tribunals to interpret laws consistently with human rights; and
- a stand-alone remedy for breaches of human rights.

The Commission also delivered eleven community information sessions throughout the state and produced a short video explaining what a Human Rights Act would mean for Queensland.

Abortion law reform to the Queensland Parliamentary Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

The Commission referred the Committee to publications by various international human rights bodies identifying human rights issues relating to abortion laws, including discrimination of women, the right to health and privacy, children's rights, and discrimination of people with impairments. Publications include a draft General Comment on Article 6 of the International Covenant on Civil and Political rights (the right to life), which provides that Article 6 does not impose an obligation to recognise the right to life before birth.

Applications to the Queensland Civil and Administrative Tribunal for review

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

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

Judicial Review of decisions

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

There were no new applications for judicial review during the period. An application about an authority for a person to act as agent for a complainant was set down for hearing, and was dismissed.

Intervention in proceedings

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

The Commissioner intervened in and provided submissions in an appeal from a decision of QCAT on a complaint that alleged race discrimination relating to the provision of an interpreter by a government agency. The appeal was heard on the papers and a decision of the appeal tribunal was delivered in May 2016. The appeal was allowed and the decision of the tribunal at first instance was set aside and remitted for reconsideration.

Exemption Applications

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

During the period the Commission made 13 submissions to QCAT on applications for exemption from the operation of the *Anti-Discrimination Act 1991*. The Commission appeared at two directions hearings in QCAT, and undertook consultation ordered by QCAT in one of the applications. This included targeted requests for submissions and publication of the application and call for submissions on the Commission's website.

Queensland Civil and Administrative Tribunal

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

- (a) hearing and determining complaints referred by the Commissioner;¹
- (b) hearing and determining applications for exemptions;²
- (c) hearing and determining applications for interim orders before referral of a complaint;³

¹ *Anti-Discrimination Act 1991*, section 175

² *Anti-Discrimination Act 1991*, section 113

³ *Anti-Discrimination Act 1991*, section 144

- (d) considering applications for review of a decision that a complainant has lost interest;⁴ and
- (e) providing opinions about the application of the Act.⁵

There were 29 decisions published for the period, 10 of which were final hearings, seven appeal decisions, five exemption application decisions, two costs decisions, and five decisions before final hearing.

The following is a selection of the published decisions.

Complaints

Theme park rides

A woman who does not have a left hand, wrist or forearm, complained about the way she was treated at three Gold Coast theme parks in December 2013.

The first incident was at Sea World, where the woman was in a queue for the Sea Viper ride. Although she was wearing an arm band issued by the park authorising her to go on the ride, the attendant pointed at the woman's left arm and shouted to another employee 'has this been checked'. The tribunal found the ride attendant had been insensitive and rude when seeking to clarify whether the woman had been approved to go on the ride, and this was less favourable treatment of her compared to the treatment of people without her impairment. The tribunal awarded \$500 damages.

The second incident occurred a few days later at Wet 'n' Wild when the woman took the Kamikaze ride. There had been a delay in the ride and the woman felt that other patrons were blaming her for the delay because they were pointing at her and making rude comments. At the end of the ride the attendant asked the woman to remove armbands from other parks that she was wearing. The woman asked for help to do that because she has only one hand, and the attendant told her to go to guest services. The tribunal found the attendant had not been rude when he asked the woman to remove the armbands from other parks and that the request was not unfavourable. The tribunal said that in making the request the park did not impose a term on the woman, and even if it was a term, it was reasonable to aid in the safe and efficient provision of services to guests of Wet 'n' Wild. There was no direct or indirect discrimination of the woman.

The third incident occurred the following day at Movie World when the woman attended the guest services office. She complained that the guest services employee used the word 'assessed' several times instead of 'safety-check'. The tribunal found the term 'assessed' was factual, short and not inherently nasty. It said the woman did not suffer any unfavourable treatment and there was no discrimination of her.

Kleinig v Village Roadshow Theme Parks Pty Ltd [2015] QCAT 330

Advertising by a lawful sex worker

A complaint alleging discrimination on the basis of lawful sexual activity in the provision of goods and services, and victimisation was dismissed by the tribunal.

A sex-worker who advertised her services in newspapers published by the APN News & Media claimed discrimination because the charges for advertising in the 'Personal' section of the classifieds are higher than advertisements for other services such as trade services. The tribunal found there were various categories of advertisements in the classifieds, and valid business reasons

⁴ *Anti-Discrimination Act 1991, section 169*

⁵ *Anti-Discrimination Act 1991, section 228*

for the higher charges in the Personal category. The Personal category included headings such as Adult and Escort Services, Social Escort Services, Adult Products, Licensed Brothels, etc. The tribunal found the proper comparator was a person advertising in the Personal category who was not a sex-worker. A person who can place an advertisement in the trades section of the classifieds is not a person whose circumstances are the same or not materially different to those of the complainant. Advertising in the Personal section under any of the various headings was charged at the same rate, therefore there was no direct discrimination.

The complainant also alleged indirect discrimination in her advertisements being placed under the heading 'Adult and Escort Services' in the Personal section of the classifieds and on the internet. She argued this requirement was in breach of the *Prostitution Act* and the Prostitution Licensing Authority Guidelines about the Approved Form for Advertisements for Prostitution. The tribunal considered the guidelines and the legislation and found there was no prohibition on internet advertising (provided it is in the approved form), and no issue with the complainant's advertising being placed under the heading 'Adult-Escort Services'. The tribunal was satisfied that APN did not impose, or propose to impose, a term with which a person with the attribute does not or is not able to comply.

The complainant also alleged that APN victimised her by failing to publish her advertisements, or changed deadlines so that they were not published. She claimed errors were made dozens of times and repeatedly. The tribunal said that for victimisation, the APN employees must have had knowledge of the claims of discrimination, and the because of the claims, acted to the detriment of the complainant. Knowledge of complaints made generally about the service she received from APN or her negative view of APN's services is not sufficient to establish victimisation under section 130 of the *Anti-Discrimination Act*. The tribunal was not satisfied that the employees with whom the complainant dealt had knowledge of her claims of discrimination.

Payne v APN News & Media [2015] QCAT 514
(There is an appeal against the decision.)

Trade union activity

Two Brisbane City Council bus drivers claimed they were dismissed because of their trade union activity. The two bus drivers were dismissed after they abandoned their work and participated in unprotected industrial action. One of them had been driving a City Sights bus and left the passengers stranded at Mount Coot-tha.

The drivers claimed they were treated less favourably than 38 other employees who participated in the industrial action who were given written reprimands and warnings. One of the drivers was a union member and had engaged in issues such as entitlements and disputes over wages and conditions, and the other was a delegate and had engaged in safety issues, advocated for rights, represented members at disciplinary and performance meetings and communicated union news and views.

The tribunal found that the comparator was a person who did not engage in trade union activity who: put passengers off a City Sights bus service to stop work without lawful reason, was not at work when directed to resume work, and had previously been advised that stopping work for an unlawful reason was unacceptable.

Neither of the bus drivers claimed that participation in unlawful, unprotected industrial action is trade union activity, and the tribunal found that such participation would not be trade union activity within the meaning of section 7(k) of the *Anti-Discrimination Act 1991*.

The tribunal found the bus drivers did not establish on the evidence that their employment was terminated because of their trade union activity, or that the reasons given in their termination letters were not the real reasons. There was no direct link between their trade union activity and the termination of their employment, and no evidence from which an inference could properly be

drawn. The tribunal found that the reasons for termination of employment were the reasons set out in the letters of termination.

Stone & Spelta v Brisbane City Council [2015] QCAT 507

No job after probation period because of injury

A woman claimed the Council discriminated against her because of her wrist injury when it did not confirm her employment at the end of a probationary period. The Council claimed the reason for not continuing the employment was that the woman had not been honest in her response to an interview question.

The woman attended two interviews and a pre-employment medical assessment. At the first interview she was asked whether there was any medical or other reason that would prevent her from performing the duties, to which she responded 'No'. Although she had a past injury to her wrist that had been exacerbated by excessive typing in her previous job, she genuinely thought she could perform all the duties of the position.

At the medical assessment the woman completed a questionnaire that disclosed the injury, surgery and subsequent problem with the wrist. The examining doctor reported that there was potential impact on her ability to meet the requirements of the position, and recommended a review by an occupational therapist to determine necessary accommodations and limitations. After receiving the report, Council officers telephoned the woman and discussed the concerns flagged by the doctor in the report, and obtained a report from an occupational therapist. The doctor provided a further report on the adjustments recommended by the therapist.

The woman was then sent an offer of employment, and when she commenced work she was given a work plan outlining restrictions on her duties.

Towards the end of the probation period the Council asked the doctor how long the work restrictions were needed, and the doctor advised the restrictions should remain in place for a minimum of two years to prevent aggravation of the previous injury or create another over-use injury. The Council also asked the woman questions about her previous employment, and asked the previous employer for information about an aggravated injury she had endured.

The tribunal found that questions about the former workplace and to the former employer were unnecessary to the continued safe performance of the woman's work, and were directed to the risk her injuries posed if her injuries were aggravated. The tribunal found the Council had sought unnecessary information on which unlawful discrimination could be based, in contravention of section 124 of the *Anti-Discrimination Act 1991*.

The tribunal also found that the reason for dismissing the woman was her impairment, and the attendant risk of a claim against the Council arising out of an aggravation of her injuries.

The tribunal awarded general damages of \$10,000. The claim for economic loss was not substantiated.

Thorne v Toowoomba Regional Council [2016] QCAT 212
(There is an appeal against the decision.)

Appeal tribunal

Characteristics of race

This was an appeal from a decision of the tribunal on the hearing of a complaint of race discrimination that alleged WorkCover failed to provide an interpreter for a claimant who was of Chinese origin and who had limited ability to communicate in English. The Commission intervened in the appeal and made submissions about language as a characteristic of race and the imposition of a term in indirect discrimination. Section 8 of the *Anti-Discrimination Act 1991* extends the meaning of discrimination to include the characteristics of an attribute.

The decision of the tribunal was set aside on two of the five grounds of appeal, both of which are questions of law. The Appeal Tribunal found:

1. The tribunal was unable to properly consider whether the complainant had demonstrated that a term had been imposed on her, because it did not approach the complaint on the basis that having poor English skills was a characteristic of the attribute of race and that it was possible to indirectly discriminate against a person on the basis of that characteristic.
2. For the direct discrimination claim, the tribunal was incorrect to identify the comparator, by adding to a non-Chinese person, a limited command of English, because this was a characteristic of race that section 8 protects.

In discussion about direct discrimination and section 8, the Appeal Tribunal considered:

- Section 8 should be applied in general terms rather than specifically to the circumstances of the complainant;
- It is a characteristic of race within the meaning of section 8, that a person with the attribute of race may need assistance because they have poor English skills. Not having English as a first language and therefore having poor spoken and written English skills, and therefore possibly needing assistance with English, are often imputed to a person with the attribute of race; and
- The correct hypothetical comparator in this case is a person in the same or not materially different circumstances as the complainant, but without her attribute of race, and without the characteristic of possibly needing assistance because of poor English skills.

The decision to dismiss the complaint was set aside, and the complaint has been remitted for reconsideration before the same tribunal members who heard it at first instance.

Xi v WorkCover Queensland [2016] QCATA (23 May 2016)

Exemption applications

During the period the tribunal published five decisions on applications for exemption from the operation of the Act.

One application was granted, to allow the recruitment of specifically male or female counsellors for an organisation that provides programs to help address domestic and family violence.⁶

An application to allow a provider of disability support services to recruit male support workers was refused on the basis it was not necessary. The tribunal considered the exemption for residential domestic services includes person care provided to clients in their own home.⁷

An application to allow recruitment of female trainees in the underground coal mining industry was refused, also on the basis that it was not necessary. The targeted recruitment to increase female participation in traditional male roles was an act to promote equal opportunity within the meaning of the exemption in section 105 of the *Anti-Discrimination Act*.

Applications to impose age restrictions on the ownership and occupation of homes in two different manufactured home parks were both refused. For a park that was yet to be developed, the tribunal found an exemption was not in the community interest and not necessary as there was already adequate provision of dwellings suited to older groups in the area. The aim of the development to provide a lifestyle environment for older people could be achieved by the type of dwelling, the gated village arrangement, the community facilities and activities, and by targeting marketing if necessary.⁸ For the other existing park, the tribunal said that noise and disruption of young residents was not in itself a reason to grant an exemption. There was no explanation as to why the exemption was necessary after six years of operating, and there is a non-discriminatory way to achieve the purpose of providing retirement accommodation and that is to bring the village within the *Retirement Villages Act 1999*.⁹

Court of Appeal

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

The Court of Appeal delivered a decision about the right of a person who is deaf and relied on an Auslan interpreter, who wanted to be eligible for jury service. The Court held there had not been discrimination of the person when the registrar disqualified her from jury service.

Lyons v State of Queensland & Ors [2015] QCA 159
(An appeal to the High Court was heard in Brisbane on 25 July 2016.)

⁶ *YFS Ltd* [2015] QCAT 295.

⁷ *Centacare Community Services* [2015] QCAT 331.

⁸ *Ghostgum Developments Pty Ltd* [2015] QCAT 500.

⁹ *Savannah FNQ Developments Pty Ltd* [2016] QCAT 160.

Corporate governance is the manner in which an organisation is controlled and governed in order to achieve its strategic goals and operational objectives. It is the cornerstone of sound stewardship and effective management.

Queensland Audit Office, 1999.

Governance framework

The ADCQ's governance framework supports transparent, accountable decision-making by establishing clear lines of authority and requiring monitoring and reporting of operational performance. It is the mechanism through which our strategic goals can be achieved and is based on the following principles:

- effective vision, leadership, and strategic direction
- transparency and disclosure of decision-making processes
- clear lines of responsibility and accountability, and
- participation in the governance process by employees.

These principles ensure that the ADCQ maintains its focus on:

- meeting its statutory responsibilities under the Act
- effective and efficient performance management
- improving service delivery through a process of engagement with key stakeholders, and
- reporting on performance.

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

Managing the ADCQ

Accountability for the ADCQ's operations under the *Financial Accountability Act 2009* resides solely with the Commissioner as the Accountable Officer.

The Commissioner is appointed under section 238 of the *Anti-Discrimination Act 1991* for a term of no longer than seven years. ADCQ employees are appointed under the *Public Service Act 2008*.

Two committees have been established to support the Commissioner in achieving the strategic goals and operational objectives of the ADCQ. They are the Executive Leadership Team (ELT) and the Leadership Group.

The ELT supports the Commissioner by providing advice in the following areas:

- establishing priorities
- developing an overarching fiscal strategy
- maintaining the corporate governance framework
- overseeing major initiatives and projects
- managing external relationships
- setting corporate performance objectives
- fostering an appropriate corporate culture that supports the Commission's values and code of conduct
- ensuring business continuity, and
- providing the strategic focus for corporate communications and marketing.

The members of the ELT are:

- Anti-Discrimination Commissioner (Chair)
- Deputy Commissioner (Deputy Chair)
- Director, Complaint Services
- Director, Corporate Services, and
- Director, Community Engagement.

The Leadership Group is a sub-committee of the ELT. The group is responsible for providing advice to the Commissioner in the following areas:

- overseeing strategic and operational planning processes to ensure that strategies, goals and performance measures address overarching priorities
- monitoring performance to ensure services are being delivered to the required level and quality
- driving the identification and establishment of best practice in all aspects of service delivery
- monitoring the effectiveness of governance practices including policies and procedures
- allocation and management of resources
- ensuring the integrity of reporting systems and that appropriate systems of internal control are in place to manage risk
- ensuring there are adequate processes in place to comply with statutory reporting requirements
- ensuring that planning and performance management processes are based on an understanding of operational issues and constraints, and
- maintaining relationships and partnerships with stakeholders.

The members of the Leadership Group are:

- Anti-Discrimination Commissioner (Chair)
- Deputy Commissioner (Deputy Chair)
- Director, Complaint Services
- Principal Lawyer
- Director, Corporate Services
- Director, Community Engagement
- Manager, Far North Queensland Region
- Manager, North Queensland Region
- Manager, Central Queensland Region
- Manager, Brisbane Complaint Team,
- Coordinator Aboriginal and Torres Strait Islander Unit, and
- Coordinator, Community Engagement.

Commission staff

The ADCQ maintains offices in Brisbane, Cairns, Townsville and Rockhampton. At 30 June 2016, we employed 32.8 equivalent permanent, temporary and casual staff. This figure excludes people on leave without pay. The proportion of permanent staff increased from 89% to 91% over the last year. The permanent staff retention rate during 2015–16 was 91%. The permanent staff separation rate was 9%. Despite the retirement of two employees, the Commission has been successful in retaining permanent staff.

ADCQ is committed to maintaining a diverse and inclusive workplace where the contributions of all staff are valued. Strategies that have been implemented to promote diversity and inclusion include: support of flexible work arrangement like part-time work and working from home; provision of a parenting room; provision of highly accessible workplaces where possible; establishment of a Healthy Workplaces Program with a focus on both mental and physical health; clear induction and performance management policies; professional development of all staff on a continuing basis; and, adoption of a model of service delivery that encourages the creation of multi-disciplinary teams.

The success of these strategies can be seen in the most recent Working for Queensland survey where the responses of staff were in the first quintile (top 20% of responses for the public sector) in all but two areas where responses fell in the second quintile. Some of the key responses in the survey include:

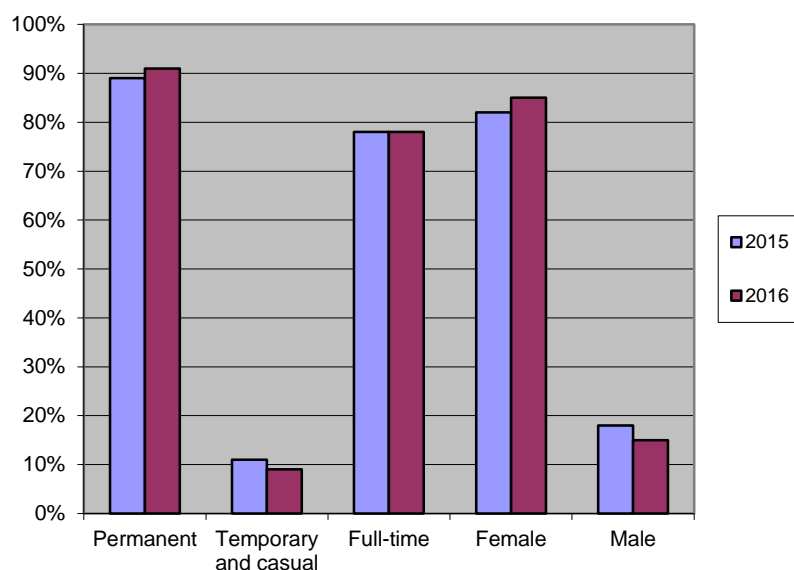
- 97% of responses to questions relating to support for diversity and inclusion were positive;
- 69% of responses indicated use of some form of flexible work arrangement over the course of the year;
- 83% of responses indicated that workgroups cooperated effectively to deliver services;
- 86% of responses indicated that the Commission was open to new ideas;
- 83% of responses indicated an ability to make a difference to the community.

Overall the survey continues the trend in past surveys of respondents having a very positive view of working for the Commission.

Table 5: Staff groups

| Group | Employees |
|------------------------|------------------|
| Executive management | 3 |
| Legal | 1 |
| Corporate support | 4 |
| Information technology | 1 |
| Conciliation | 8 |
| Community relations | 7 |
| Regional services | 9 |
| Total | 33 |

Graph 1: Employee profiles



Shared services

The ADCQ has service level agreements with the Department of Justice and Attorney-General and Queensland Shared Services for the provision of financial, human resource, internal audit and processing services. These arrangements benefit the ADCQ by providing a cost-effective processing environment and access to a greater range of skills than it can maintain internally given its size, and allows the organisation to focus on core business.

Statutory obligations

Ethical behaviour

Prior to 1 June 2011 the ADCQ developed a Code of Conduct in accordance with the requirements of the *Public Service Ethics Act 1994*. The code provided guidance on the way staff should behave in the workplace, and when representing the ADCQ outside the workplace, clearly explaining the standard of conduct expected of all employees.

Amendments to the *Public Service Ethics Act 1994* (PSEA) in 2010 included the introduction of the Code of Conduct for the Queensland Public Service (the Code), applicable to all public service agencies. The *Public Sector Ethics Amendment Regulation (No. 1) 2011* included the ADCQ in the definition of a public service agency, meaning that the Code applied to the ADCQ from 1 June 2011.

The Code applies to every person employed by the ADCQ and breaches of the Code may be subject to appropriate disciplinary action as outlined in the *Public Service Act 2008*. No such disciplinary action was necessary during the reporting period.

Client Complaints

Six complaints about ADCQ service delivery were received during 2015-16 – compared to five in 2014-15. Two complaints were resolved, two were withdrawn and two were rejected as they were misconceived. All complaints were investigated and managed in accordance with the policy and timeframes of the Commission and none indicated the existence of any systemic problems.

Information systems and recordkeeping

The ADCQ recognises the significant value of its information resources to the achievement of corporate goals. Controls are implemented and monitored to safeguard the integrity, availability and confidentiality of information in order to maintain business continuity. Recordkeeping policies and systems are being reviewed to ensure they meet the accountability requirements of the *Public Records Act 2002*, as well as other whole-of-government policies and standards, including Information Standard 40: Recordkeeping.

Internal and external audit

Internal audit services are provided on an “as needed” basis to the ADCQ under a service level agreement with the Department of Justice and Attorney-General. The size of the ADCQ is such that a formal Audit Committee is not required. The responsibilities associated with internal audit and the maintenance of an appropriate internal control framework are discharged by the Executive Leadership Team.

A copy of the external audit report and certificate of our financial statements are supplied with this report. The Auditor-General’s delegate has provided an unqualified certificate indicating the ADCQ’s compliance with financial management requirements and the accuracy and fairness of the financial statements.

Risk management

The ADCQ’s risk management framework ensures risk is managed as an integral part of decision-making, planning and service delivery. This practice aims to reduce vulnerability to internal and external incidents that limit the ADCQ’s ability to achieve strategic objectives and deliver services to the community. Key aspects of the risk management framework include:

- maintenance of an effective system of internal control;
- regular reporting of identified risks to the Executive Leadership Team;
- physical security of ADCQ assets including security access to premises;
- maintenance of security over access to information through network security;
- investment in new information technology infrastructure;
- media monitoring and risk evaluation.

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

During 2015-16 the Commission decided to migrate to a “cloud” based provision of computing services and to replace the current unified communications system. These decisions, when fully implemented, will reduce risks associated with in-house management of computing services and also reduce costs.

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

Consultancies, overseas travel and language services

ADCQ did not engage any consultants during 2015–16.

ADCQ staff did not undertake any overseas travel in 2015–16.

ADCQ incurred approximately \$11,000 in costs for interpreter and translator services in 2015–16.

Early retirement, redundancy and retrenchment

The ADCQ made no payments of this nature during 2015–16.

Overview

The operating result for the ADCQ for 2015–16 was a deficit of approximately \$291, 000.

The deficit was mainly caused by the decision to write-off fitout assets in the Brisbane office and the lease incentive liability associated with these assets. Changes to the lease meant that it was no longer appropriate to recognise these assets and the lease incentive liability. Writing off the assets involves a one-off increase in depreciation costs and a reduction in tenancy costs, with the overall outcome being a deficit.

This has no effect on the cash position of the Commission.

Performance in the remaining budget areas was sound.

The major activities undertaken during the year include:

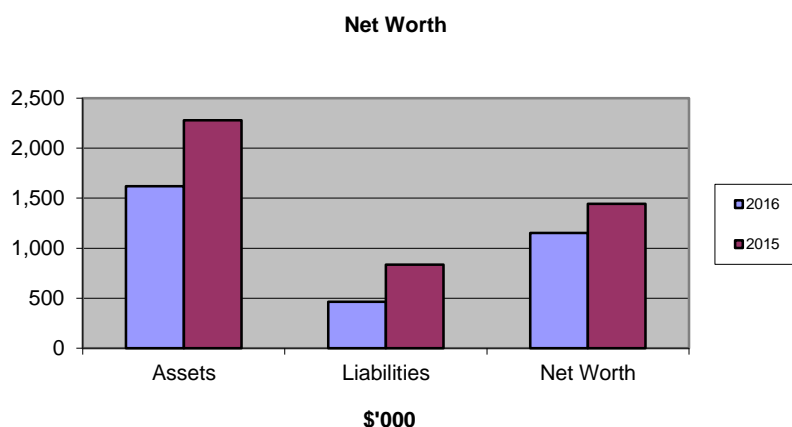
- Enhanced community engagement through initiation of the Community Assistance Project, the delivery of the first Human Rights Month event and co-hosting the Mabo Oration and the inaugural Robert Jones Oration;
- Support for the Parliamentary Inquiry into a Human Rights Act for Queensland including community information sessions and the tabling of ADCQ's submission;
- Finalisation of the upgrade to the Complaint, Training and Contact Management System to a supported software version;
- Preparation for the provision of Information and Communication Technology (ICT) facilities from a "cloud" provider.

The financial effects of these major activities are provided in detail in the audited financial statements provided with this report and on the ADCQ's website (www.adcq.qld.gov.au).

The ADCQ's financial position

The financial position provides an indication of the ADCQ's underlying financial health, or net worth, at 30 June 2016. This provides a measure of our equity level. ADCQ's assets at 30 June 2016 were \$1.6 million and liabilities were \$0.5 million, resulting in a total equity of \$1.1 million. The significant reduction in assets and liabilities is due to the write-off of fitout for the Brisbane Office and the lease incentive associated with it. Changes to the terms of the lease meant that it was no longer correct to recognise either the asset or the lease incentive. The changes had no cash effect and are a technical accounting adjustment. The ADCQ's financial position remains strong.

Graph 2: Net worth



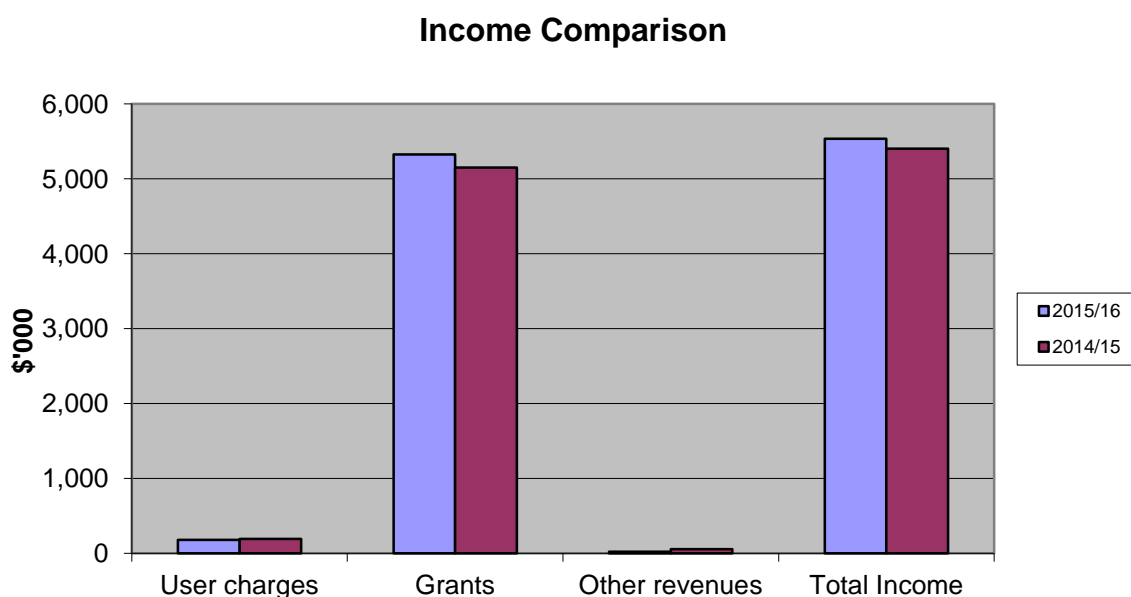
Financial performance

The Income Statement shows the total income for 2015–16 as \$5.536 million and expenditure as \$5.827 million. The ADCQ finished the year with an operating deficit of approximately \$291,000. The deficit relates to one-off factors, primarily increased depreciation costs due to the write-down of fitout assets in the Brisbane office and reduced rental costs associated with the write-down of the lease incentive associated with those assets. Changes to the lease agreement meant that it was no longer correct to recognise either the assets or the lease incentive and they were written off. ADCQ is a statutory body and as such is allowed to operate in deficit.

Income

The ADCQ derives most of its income from the Queensland Government, through a grant paid by the Department of Justice and Attorney-General. The ADCQ also generates funds through investment of surplus cash in interest bearing deposits and the provision of training on a fee-for-service basis.

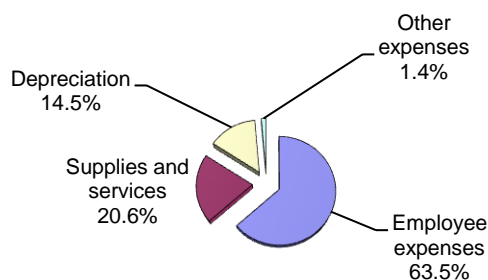
Graph 3: Source of funds 2015–16



Expenses

Total operating expenses for 2015–16 were \$5.827 million. The largest expense category is employee-related costs, which account for almost 64% of total expenses. The second biggest category is supplies and services, which account for approximately 20%. This is down from 30% in 2014-15 due to the write-off of the lease incentive associated with Brisbane fitout assets. The significant increase in depreciation costs relates to the write-off of fitout assets in the Brisbane office.

Graph 4: Application of funds



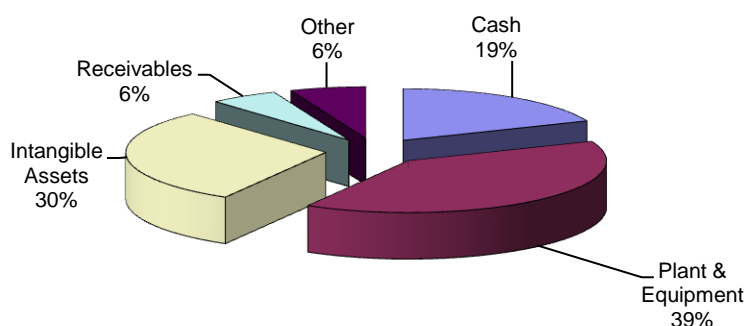
Comparison to budget and actual

Budget and Actual performance together with explanatory notes are provided in detail in Note E1 of the audited financial statements provided with this report and on the ADCQ's website (www.adcq.qld.gov.au).

Assets

Total assets reduced from \$2.3 million at 30 June 2015 to \$1.6 million at 30 June 2016. This change reflects the write-off of fitout assets in the Brisbane office which, due to changes in the lease, were no longer appropriate to recognise as assets. Current assets are valued at \$0.5 million and are available to meet current liabilities which are valued at \$0.4 million. The ADCQ remains well positioned to meet all its obligations as they fall due.

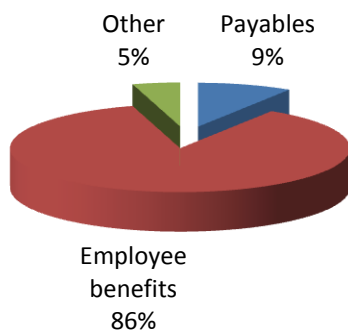
Graph 5: Asset portfolio



Liabilities

Total liabilities at 30 June 2016 were about \$0.5 million. These liabilities mainly relate to accrued employee entitlements and trade creditors.

Graph 6: Liability composition



Financial statements

Certification of financial statements

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

Independent auditor's report

The independent auditor's report accompanies the annual report or can be viewed at www.adcq.qld.gov.au.

Appendix A: Glossary of terms

| Term | Description |
|---------------------------|---|
| the Act | the <i>Anti-Discrimination Act 1991</i> (Qld) |
| ADCQ | Anti-Discrimination Commission Queensland |
| complaint | <p>Means a complaint made under the Act. A complaint must:</p> <ul style="list-style-type: none"> • be in writing • set out reasonably sufficient details to indicate an alleged contravention of the Act • state the complainant's address for service • be lodged with, or sent by post to the Commissioner. <p>A person is only entitled to make a complaint within one year of the alleged contravention of the Act.</p> |
| conciliation | A conciliation conference is a meeting to help parties resolve a complaint. It is the main way in which complaints are resolved. A conciliator from the ADCQ contacts the parties and manages the conciliation conference. Complaints that cannot be resolved through the conciliation process may be referred to the Queensland Civil and Administrative Tribunal for a public hearing to decide whether there has been a breach of the <i>Anti-Discrimination Act 1991</i> , and decide any compensation. |
| Commission | Anti-Discrimination Commission Queensland |
| direct discrimination | Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different. |
| Executive Leadership Team | The Executive Leadership Team is one of the key strategic advisory bodies of the ADCQ. It supports the Commissioner in providing the strategic direction as part of the overall corporate governance framework and oversees the Commission's strategic performance. |
| indirect discrimination | Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term with which a person with an attribute does not or is not able to comply; and with which a higher proportion of people without the attribute comply or are able to comply; and that is not reasonable. |
| Leadership Group | The Leadership Group is a sub-committee of the Executive Leadership Team (ELT). It supports the Commissioner by ensuring that operational activity aligns with the strategic direction of the ADCQ as set by the ELT. |
| LGBTI | Lesbian, gay, bisexual, transgender, intersex |
| QCAT | Queensland Civil and Administrative Tribunal |
| vicarious liability | If a person's workers or agents contravene the Act in the course of work or while acting as agent, both the person and the worker or agent, are jointly and severally civilly liable for the contravention, and a proceeding under the Act may be taken against either or both. It is a defence to a proceeding for a contravention of the Act if the respondent proves, on the balance of probabilities, that the respondent took reasonable steps to prevent the worker or agent contravening the Act. |

Appendix B: Compliance checklist

| Summary of requirement | | Basis for requirement | Annual report reference |
|---------------------------|--|--|-------------------------|
| Letter of compliance | <ul style="list-style-type: none"> A letter of compliance from the accountable officer or statutory body to the relevant Minister/s | ARRs — section 8 | Page 3 |
| Accessibility | <ul style="list-style-type: none"> Table of contents Glossary | ARRs — section 10.1 | Page 2 Appendix A |
| | <ul style="list-style-type: none"> Public availability | ARRs — section 10.2 | Inside cover |
| | <ul style="list-style-type: none"> Interpreter service statement | <i>Queensland Government Language Services Policy</i> ARRs – section 10.3 | Inside cover |
| | <ul style="list-style-type: none"> Copyright notice | <i>Copyright Act 1968</i> ARRs — section 10.4 | Inside cover |
| | <ul style="list-style-type: none"> Information licensing | <i>QGEA — Information Licensing</i> ARRs — section 10.5 | Inside cover |
| General information | <ul style="list-style-type: none"> Introductory Information | ARRs — section 11.1 | Page 5 |
| | <ul style="list-style-type: none"> Agency role and main functions | ARRs — section 11.2 | Page 6 |
| | <ul style="list-style-type: none"> Operating environment | ARRs — section 11.3 | Page 6 |
| Non-financial performance | <ul style="list-style-type: none"> Government objectives for the community | ARRs — section 12.1 | Page 5 |
| | <ul style="list-style-type: none"> Other whole-of-government plans / specific initiatives | ARRs — section 12.2 | N/A |
| | <ul style="list-style-type: none"> Agency objectives and performance indicators | ARRs — section 12.3 | Page 8 |
| | <ul style="list-style-type: none"> Agency service areas, and service standards | ARRs — section 12.4 | Page 8 |
| Financial performance | <ul style="list-style-type: none"> Summary of financial performance | ARRs — section 13.1 | Page 46 |

| Summary of requirement | | Basis for requirement | Annual report reference |
|---|---|--|-------------------------|
| Governance – management and structure | Organisational structure | ARRs — section 14.1 | Appendix E |
| | Executive management | ARRs — section 14.2 | Page 40 |
| | Government bodies (statutory bodies and other entities) | ARRs — section 14.3 | N/A |
| | <i>Public Sector Ethics Act 1994</i> | <i>Public Sector Ethics Act 1994</i> ARRs — section 14.4 | Page 43 |
| | <i>Queensland public service values</i> | ARRs — section 14.5 | Page 5 |
| Governance – risk management and accountability | Risk management | ARRs — section 15.1 | Page 44 |
| | Audit committee | ARRs — section 15.2 | Page 44 |
| | Internal audit | ARRs — section 15.3 | Page 44 |
| | External scrutiny | ARRs — section 15.4 | N/A |
| | Information systems and recordkeeping | ARRs — section 15.5 | Page 44 |
| Governance – human resources | Workforce planning and performance | ARRs — section 16.1 | Page 41 |
| | Early retirement, redundancy and retrenchment | <i>Directive No.11/12 Early Retirement, Redundancy and Retrenchment</i> ARRs — section 16.2 | Page 45 |
| Open Data | Consultancies | ARRs — section 17 ARRs — section 34.1 | Page 45 |
| | Overseas travel | ARRs — section 17 ARRs — section 34.2 | Page 45 |
| | Queensland Language Services Policy | ARRs — section 17 ARRs — section 34.3 | Page 45 |
| Financial statements | Certification of financial statements | FAA — section 62 FPMS — sections 42, 43 and 50 ARRs — section 18.1 | Page 49 Appendix G |
| | Independent Auditors Report | FAA — section 62 FPMS — section 50 ARRs — section 18.2 | Page 44 Appendix G |

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

Appendix C: Publications

Brochures

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

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

- Applying to QCAT for an exemption under the *Anti-Discrimination Act 1991*
- Bullying
- Bystander action
- Direct & indirect discrimination
- Discrimination & religious-based schools and educational institutions
- Exemptions
- Identified positions for Aboriginal & Torres Strait Islander people
- Incapacity and work
- Medical information & recruitment (brief and detailed versions)
- Vicarious liability

- Victimisation
- Vilification & Vilification cases

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

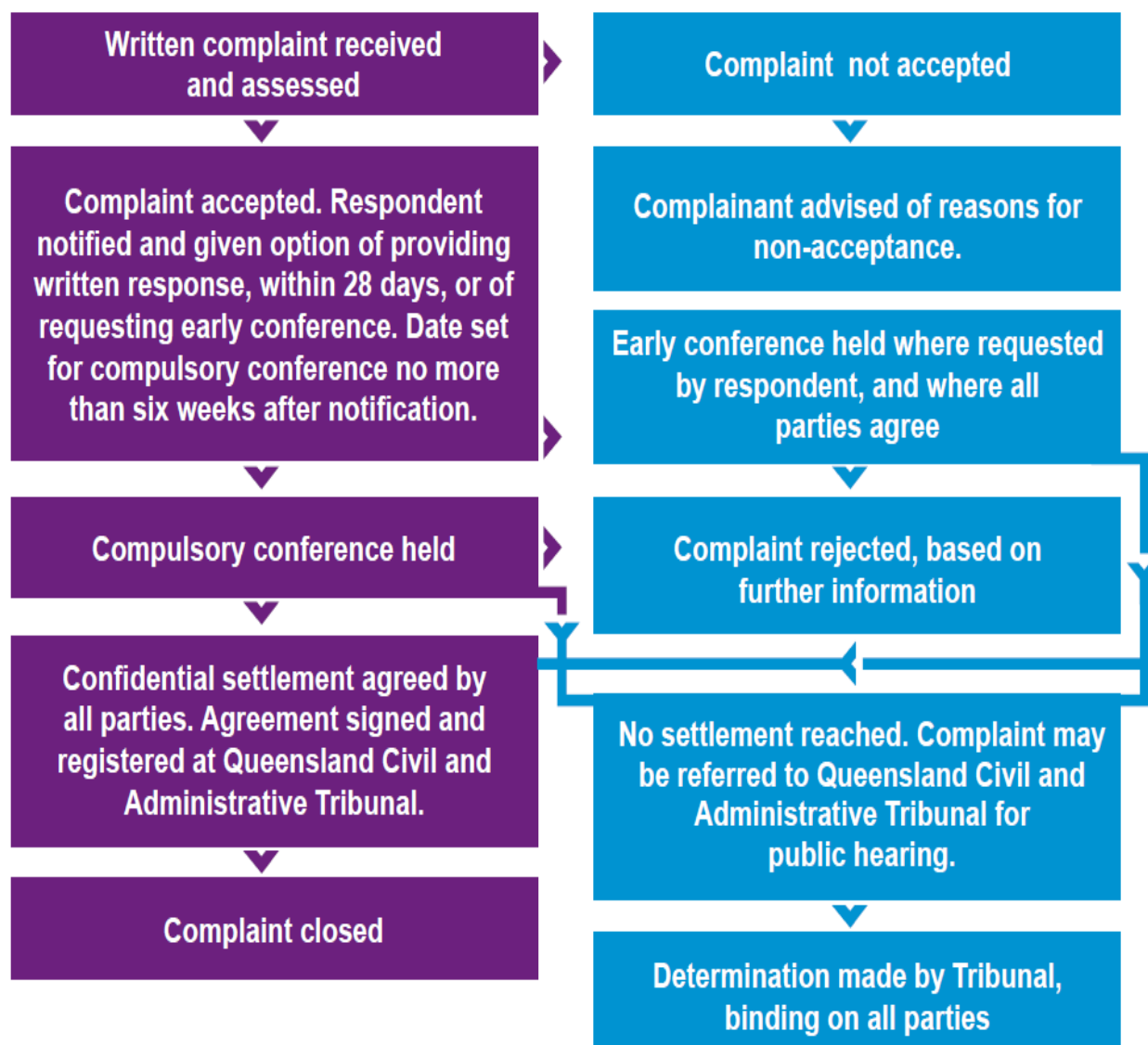
- Answers to 20 questions — small business guide
- Discrimination in accommodation
- Discrimination in education
- Discrimination in provision of goods & services
- Discrimination in employment
- Employers' toolkit
- Small business handbook
- Trans@Work — a guide for trans* employees, their employers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

Posters

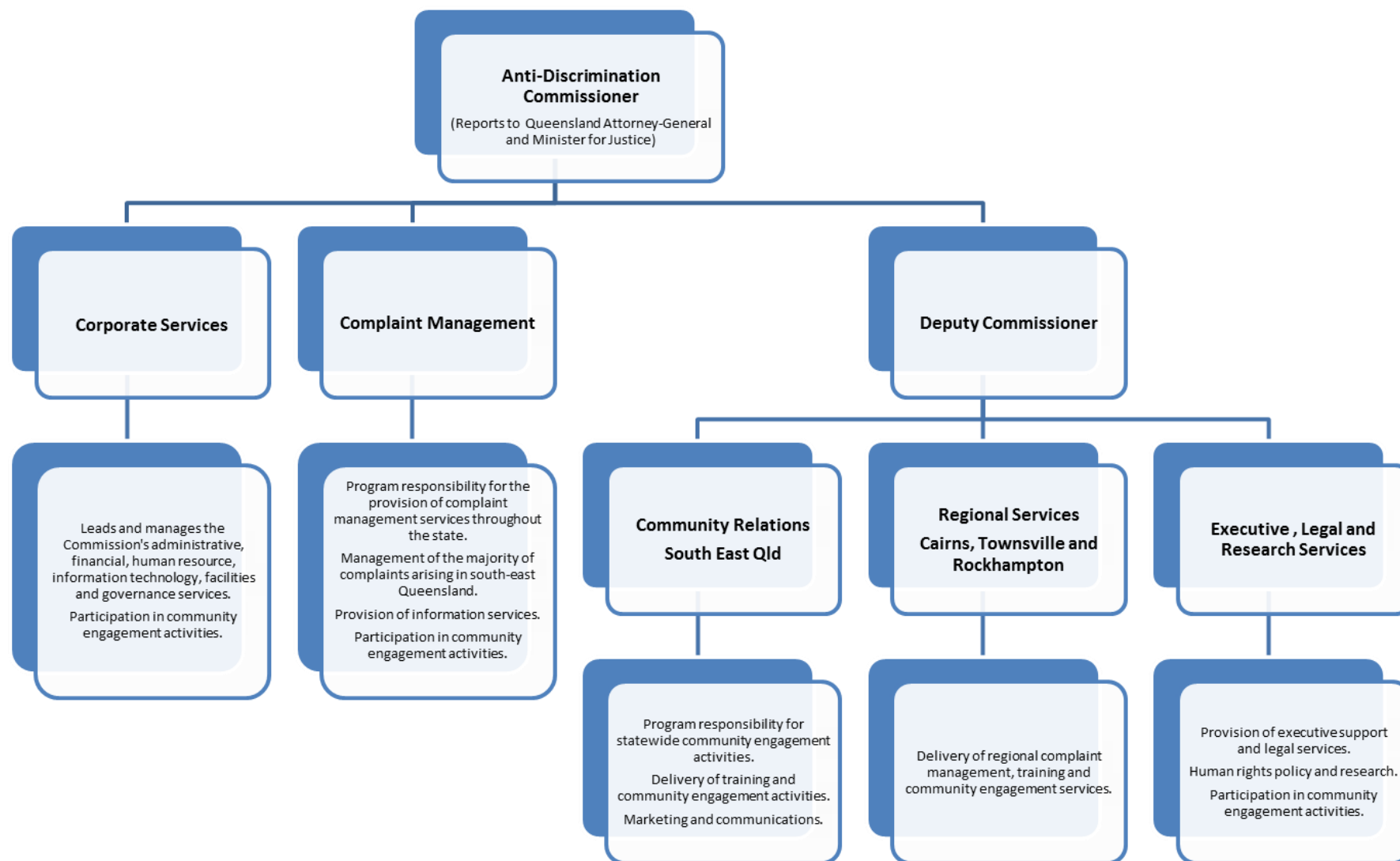
- Reaching out to Aboriginal and Torres Strait Islander peoples...
- Universal Declaration of Human Rights
- Where do human rights begin?
- Discrimination damages people, productivity, profits
- Sexual harassment is unwanted, unacceptable, unlawful
- Diversity delivers different perspectives, capabilities and innovation
- Valuing difference creates inclusion. Everyone benefits
- Discrimination is ugly
- Diversity: our difference is our strength
- Don't be a tool! Sexual harassment is against the law
- A fair go. It's the Queensland way
- Discrimination is so last season. Don't wear it (female and male versions)
- Warning: a lack of diversity may be harmful to innovation

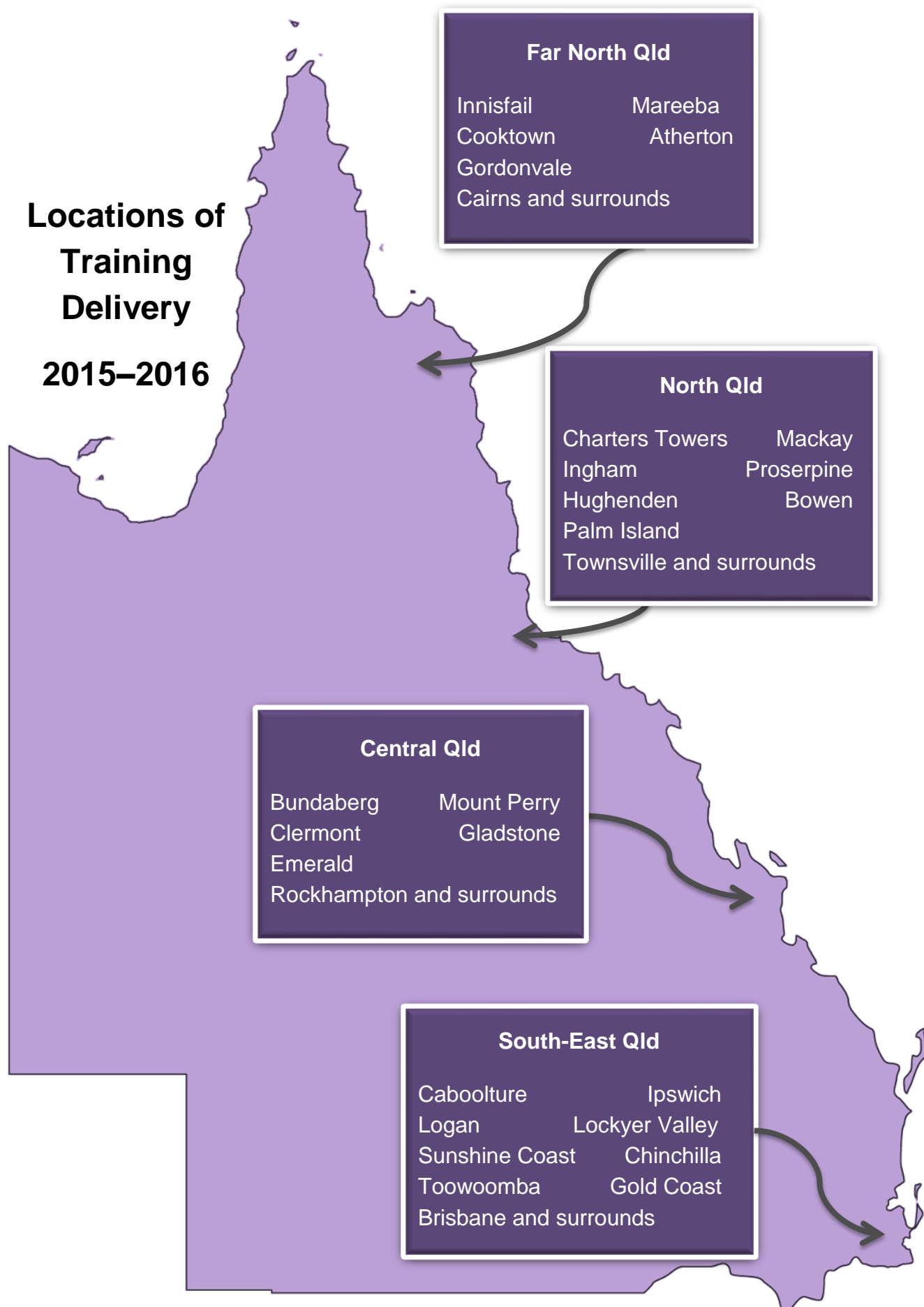
Rights cards

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



Appendix E: Organisational structure







Financial Statements
for the financial year ended
30 June 2016

Anti-Discrimination Commission Financial Statements
For the Year Ended 30 June 2016

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| | Statement of Cash Flows (including Notes to the Statement of Cash Flows) | Page 5&6 |
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| | A1-1 General Information | Page 7 |
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| | B2-2 Supplies and Services | Page 11 |
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| | D1-1 Financial Instrument Categories | Page 18 |
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**Anti-Discrimination Commission
Statement of Comprehensive Income**

Year ended 30 June 2016

| OPERATING RESULT | | 2016 | 2015 |
|--|-------|--------------|--------------|
| | Notes | \$'000 | \$'000 |
| Income from Continuing Operations | | | |
| User charges and fees | | 183 | 194 |
| Grants and other contributions | B1-1 | 5,328 | 5,151 |
| Other revenues | | 25 | 59 |
| Total Revenue | | <u>5,536</u> | <u>5,404</u> |
| Total Income from Continuing Operations | | <u>5,536</u> | <u>5,404</u> |
| Expenses from Continuing Operations | | | |
| Employee expenses | B2-1 | 3,701 | 3,482 |
| Supplies and services | B2-2 | 1,202 | 1,670 |
| Grants and subsidies | | 10 | 10 |
| Depreciation and amortisation | B2-3 | 844 | 257 |
| Other expenses | B2-4 | 70 | 27 |
| Total Expenses from Continuing Operations | | <u>5,827</u> | <u>5,446</u> |
| Operating Result for the Year | | <u>(291)</u> | <u>(42)</u> |
| OTHER COMPREHENSIVE INCOME | | | |
| TOTAL COMPREHENSIVE INCOME | | <u>(291)</u> | <u>(42)</u> |

The accompanying notes form part of these statements.

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**Anti-Discrimination Commission
Statement of Financial Position**

as at 30 June 2016

| | Notes | 2016 \$'000 | 2015 \$'000 |
|--------------------------------------|-------|----------------|----------------|
| Current Assets | | | |
| Cash and cash equivalents | C1 | 305 | 166 |
| Receivables | C2 | 89 | 122 |
| Inventories | | 14 | 12 |
| Other current assets | | 85 | 99 |
| Total Current Assets | | 493 | 399 |
| Non-Current Assets | | | |
| Plant and equipment | C3 | 639 | 1,404 |
| Intangible assets | C4 | 486 | 477 |
| Total Non-Current Assets | | 1,125 | 1,881 |
| Total Assets | | 1,618 | 2,280 |
| Current Liabilities | | | |
| Payables | | 42 | 44 |
| Other liabilities | | 21 | 1 |
| Other financial liabilities | | | 70 |
| Accrued employee benefits | C5 | 317 | 304 |
| Total Current Liabilities | | 380 | 419 |
| Non-Current Liabilities | | | |
| Other financial liabilities | | | 330 |
| Accrued employee benefits | C5 | 85 | 87 |
| Total Non-Current Liabilities | | 85 | 417 |
| Total Liabilities | | 465 | 836 |
| Net Assets | | 1,153 | 1,444 |
| Equity | | | |
| Contributed equity | | 337 | 337 |
| Accumulated surplus | | 816 | 1,107 |
| Total Equity | | 1,153 | 1,444 |

The accompanying notes form part of these statements.

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**Anti-Discrimination Commission
Statement of Changes in Equity**

for the year ended 30 June 2016

| | Contributed Equity | Accumulated Surplus | TOTAL |
|-------------------------------|--------------------|---------------------|--------|
| | \$'000 | \$'000 | \$'000 |
| Balance as at 1 July 2014 | 337 | 1,149 | 1,486 |
| Operating result for the Year | - | (42) | (42) |
| Balance as at 30 June 2015 | 337 | 1,107 | 1,444 |
| Balance as at 1 July 2015 | 337 | 1,107 | 1,444 |
| Operating result for the Year | - | (291) | (291) |
| Balance as at 30 June 2016 | 337 | 816 | 1,153 |

The accompanying notes form part of these statements.

**Anti-Discrimination Commission
Statement of Cash Flows**

for the year ended 30 June 2016

| | Notes | 2016 \$'000 | 2015 \$'000 |
|---|-------|----------------|----------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | | |
| <i>Inflows:</i> | | | |
| User charges and fees | | 235 | 201 |
| Grants | | 5,288 | 5,151 |
| Interest receipts | | 20 | 21 |
| GST input tax credits from ATO | | 174 | 231 |
| GST collected from customers | | 21 | 20 |
| Other | | 5 | 38 |
| <i>Outflows:</i> | | | |
| Employee expenses | | (3,711) | (3,445) |
| Supplies and services | | (1,572) | (1,803) |
| Grants and subsidies | | (10) | (10) |
| GST paid to suppliers | | (171) | (222) |
| GST remitted to ATO | | (21) | (21) |
| Other | | (30) | (26) |
| Net cash provided by operating activities | CF-1 | <u>228</u> | <u>135</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES | | | |
| <i>Inflows:</i> | | | |
| Sales of plant and equipment | | | 1 |
| <i>Outflows:</i> | | | |
| Payments for plant and equipment | | (89) | (445) |
| Net cash provided by (used in) investing activities | | <u>(89)</u> | <u>(444)</u> |
| Net increase (decrease) in cash and cash equivalents | | 139 | (309) |
| Cash and cash equivalents at beginning of financial year * | | 166 | 475 |
| Cash and cash equivalents at end of financial year | C1 | <u>305</u> | <u>166</u> |

* Cash and cash equivalents comprise cash at bank and imprest accounts as disclosed in Note C1.

The accompanying notes form part of these statements.

**Anti-Discrimination Commission
Statement of Cash Flows**

for the year ended 30 June 2016

NOTES TO THE STATEMENT OF CASH FLOW

CF-1 Reconciliation of Operating Result to Net Cash Provided by Operating Activities

| | 2016 | 2015 |
|--|------------|------------|
| | \$'000 | \$'000 |
| Operating Surplus/(deficit) | (291) | (42) |
| <i>Non-Cash items included in operating result:</i> | | |
| Depreciation and amortisation expense | 844 | 257 |
| Net losses on disposal of plant and equipment | 1 | 1 |
| <i>Change in assets and liabilities:</i> | | |
| (Increase)/decrease in trade receivables | 28 | (17) |
| (Increase)/decrease in GST input tax credits receivable | 2 | 8 |
| (Increase)/decrease in LSL reimbursement receivables | (21) | 18 |
| (Increase)/decrease in other receivables | 24 | 24 |
| (Increase)/decrease in inventories | (2) | 6 |
| (Increase)/decrease in prepayments | 14 | (15) |
| Increase/(decrease) in lease incentive liability | (400) | (70) |
| Increase/(decrease) in accounts payables and other liabilities | 18 | (65) |
| Increase/(decrease) in accrued employee benefits | 11 | 31 |
| Net cash provided by operating activities | 228 | 135 |

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 1
ABOUT THE COMMISSION AND THIS FINANCIAL REPORT**

A1 BASIS OF FINANCIAL STATEMENT PREPARATION

A1-1 GENERAL INFORMATION

The Anti-Discrimination Commission Queensland ("the commission") is a Queensland Government commission established under the *Anti-Discrimination Act 1991* and controlled by the State of Queensland, which is the ultimate parent.

The head office and principal place of business of the commission is Level 20, 53 Albert Street, BRISBANE QLD 4000.

A1-2 COMPLIANCE WITH PRESCRIBED REQUIREMENTS

The Anti-Discrimination Commission has prepared these financial statements in compliance with section 43 of the *Financial and Performance Management Standard 2009*. The financial Statements comply with Queensland Treasury's Minimum Reporting Requirements for reporting periods beginning on or after 1 July 2015.

The Anti-Discrimination Commission is a not-for-profit entity and these general purpose financial statements are prepared on an accrual basis (except for the Statement of Cash flow which is prepared on a cash basis) in accordance with Australian Accounting Standards and Interpretations applicable to not-for-profit entities.

New Accounting standards early adopted and/or applied for the first time in these financial Statements are outlined in Note F2.

A1-3 PRESENTATION

Currency and Rounding

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

Comparatives

Comparative information reflects the audited 2014-15 financial statements.

Current/Non-Current Classification

Assets and liabilities are classified as either 'current' or 'non-current' in the Statement of Financial Position and associated notes.

Assets are classified as 'current' where their carrying amount is expected to be realised within 12 months after the reporting date. Liabilities are classified as 'current' when they are due to be settled within 12 months after the reporting date, or the commission does not have an unconditional right to defer settlement to beyond 12 months after the reporting date.

All other assets and liabilities are classified as non-current.

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

A1 BASIS OF FINANCIAL STATEMENT PREPARATION (continued)

A1-4 AUTHORISATION OF FINANCIAL STATEMENTS FOR ISSUE

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

A1-5 BASIS OF MEASUREMENT

Historical cost is used as the measurement basis in this financial report except for inventories which are measured at the lower of cost and net realisable value.

Historical Cost

Under historical cost, assets are recorded at the amount of cash or cash equivalents paid or the fair value of the consideration given to acquire assets at the time of their acquisition. Liabilities are recorded at the amount of proceeds received in exchange for the obligation or at the amounts of cash or cash equivalents expected to be paid to satisfy the liability in the normal course of business.

Net Realisable Value

Net realisable value represents the amount of cash or cash equivalents that could currently be obtained by selling an asset in an orderly disposal.

A1-6 THE REPORTING ENTITY

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

A2 OBJECTIVES OF THE COMMISSION

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

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

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

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

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

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

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

- publications; and
- training workshops.

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 2
NOTES ABOUT OUR FINANCIAL PERFORMANCE**

B1 REVENUE

B1-1 GRANTS AND OTHER CONTRIBUTIONS

| | 2016 | 2015 |
|---|---------------|---------------|
| | \$'000 | \$'000 |
| Recurrent grant from Department of Justice and Attorney-General | 5,288 | 5,151 |
| Goods and services received below fair value | 40 | - |
| Total | 5,328 | 5,151 |

B2 EXPENSES

B2-1 EMPLOYEE EXPENSES

Employee Benefits

| | | |
|---------------------------------------|-------|-------|
| Wages and salaries | 2,715 | 2,587 |
| Annual leave expense | 336 | 300 |
| Employer superannuation contributions | 369 | 351 |
| Long service leave levy | 64 | 61 |
| Other employee benefits | 10 | 8 |

Employee Related Expenses

| | | |
|---------------------------------|--------------|--------------|
| Workers' compensation premium | 20 | 30 |
| Payroll tax | 135 | 127 |
| Other employee related expenses | 52 | 18 |
| Total | 3,701 | 3,482 |

| | 2016 | 2015 |
|---------------------------------|-------------|-------------|
| | No. | No. |
| Full-Time Equivalent Employees: | 34 | 33 |

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

B2 EXPENSES (continued)

Accounting Policy - Wages, Salaries and Recreation Leave

Wages and salaries due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates. For unpaid entitlements expected to be paid within 12 months, the liabilities are recognised at their undiscounted values. Entitlements not expected to be paid within 12 months are classified as non-current liabilities and recognised at the present value of the future cash flows (Refer to Note C5).

Accounting Policy - Sick Leave

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

Accounting Policy - Long Service Leave

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

Accounting Policy - Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation scheme for Queensland Government employees, at rates determined by the Treasurer on the advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable.

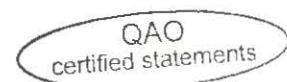
The commission's obligation is limited to its contribution to QSuper. The QSuper scheme has defined benefit and defined contribution categories. The liability for defined benefits is held on a whole-of-government basis and reported in those financial statements pursuant to AASB 1049 Whole of Government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

Accounting Policy - Workers' Compensation Premiums

The commission pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

Workers' compensation insurance is a consequence of employing employees, but is not counted in an employee's total remuneration package. It is not employee benefits and is recognised separately as employee related expenses.

Key management personnel and remuneration disclosures are detailed in Note F1.



**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

B2 EXPENSES (continued)

B2-2 SUPPLIES AND SERVICES

| | 2016 | 2015 |
|-------------------------------|---------------|---------------|
| | \$'000 | \$'000 |
| Tenancy * | 217 | 689 |
| Property outgoing | 106 | 117 |
| Printing and postage | 45 | 58 |
| Inventory sold | 15 | 12 |
| Professional services | 26 | 44 |
| Travel | 58 | 46 |
| Operating level agreement | 127 | 145 |
| Computing | 338 | 368 |
| Motor vehicle | 43 | 42 |
| Telephones | 95 | 71 |
| Subscription and publications | 22 | 19 |
| Stores and stationery | 27 | 31 |
| Other | 83 | 28 |
| Total | 1,202 | 1,670 |

* The decrease is due to the write-off of the lease incentive liability associated with fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise a lease incentive liability and it was written-off in 2015-16. The write-off involves a decrease in Tenancy costs.

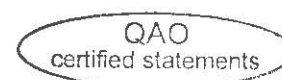
Accounting Policy – Operating Lease Rentals

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred. Incentives received on entering into operating leases are recognised as liabilities. Lease payments are allocated between rental expense and reduction of the liability.

B2-3 DEPRECIATION AND AMORTISATION

| | | |
|---|------------|------------|
| Plant and equipment (Note C3-1) | 793 | 189 |
| Software internally generated (Note C4-1) | 51 | 68 |
| Total | 844 | 257 |

* The increase is due to the write-off of fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise them as non-current assets so they were written-off in 2015-16. This involves a one-off increase in depreciation costs for Plant and equipment.



**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

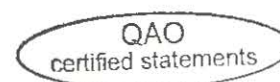
B2 EXPENSES (continued)

B2-4 OTHER EXPENSES

| | 2016 | 2015 |
|--|---------------|---------------|
| | \$'000 | \$'000 |
| External audit fees * | 22 | 20 |
| Goods and services provided below fair value | 40 | - |
| Insurance Premiums - QGIF | 3 | 3 |
| Losses from disposal of plant & equipment | 1 | 1 |
| Special payments - Ex-gratia payments | - | 1 |
| Sponsorships | 4 | 2 |
| Total | 70 | 27 |

Audit Fees

* Total audit fees quoted by the Queensland Audit Office relating to the 2015-16 financial statements are \$21,900 (2015: \$21,900). There are no non-audit services included in this amount.



**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 3
NOTES ABOUT OUR FINANCIAL POSITION**

C1 CASH AND CASH EQUIVALENTS

| | 2016 | 2015 |
|------------------|------------|------------|
| | \$'000 | \$'000 |
| Imprest accounts | 2 | 2 |
| Cash at bank | 303 | 164 |
| Total | 305 | 166 |

Accounting Policy - Cash and Cash Equivalents

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

Term deposits with the Commonwealth Bank earned interest at rates between 1.25% and 2.20% (2015: 1.75% and 3.24%).

The commission does not trade in foreign currency and is not materially exposed to commodity price changes. The commission is exposed to interest rate risk through its cash deposited in interest bearing accounts. The commission does not undertake any hedging in relation to interest risk and manages its risk as per the liquidity risk management strategy. If interest rates would change by +/-1% from the year-end rates applicable to the commission's financial assets, with all other variables held constant, the commission would have a surplus and equity increase/(decrease) of \$3,000 (2015: \$2,000).

C2 RECEIVABLES

| | | |
|-----------------------------------|-----------|------------|
| Trade debtors | 20 | 48 |
| GST receivable | 13 | 15 |
| Long service leave reimbursements | 32 | 11 |
| Sundry debtors | 24 | 48 |
| Total | 89 | 122 |

Accounting Policy - Receivables

Receivables are measured at amortised cost which approximates their fair value at reporting date.

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

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

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

C3 PLANT, EQUIPMENT AND DEPRECIATION EXPENSE

C3 - 1 CLOSING BALANCES AND RECONCILIATION OF CARRYING AMOUNT

| Plant and Equipment Reconciliation | Plant and Equipment | | Work in Progress | | Total | |
|---|---------------------|----------------|------------------|----------------|----------------|----------------|
| | 2016 \$'000 | 2015 \$'000 | 2016 \$'000 | 2015 \$'000 | 2016 \$'000 | 2015 \$'000 |
| Gross | 1,040 | 2,559 | - | 20 | 1,040 | 2,579 |
| Less: Accumulated depreciation | (401) | (1,175) | - | - | (401) | (1,175) |
| Carrying amount at 30 June | 639 | 1,384 | - | 20 | 639 | 1,404 |
| <i>Represented by movements in carrying amount:</i> | | | | | | |
| Carrying amount at 1 July | 1,384 | 1,224 | 20 | 150 | 1,404 | 1,374 |
| Acquisitions | 11 | 13 | 78 | 432 | 89 | 445 |
| Disposals | (1) | (1) | - | - | (1) | (1) |
| Transfers between classes | 38 | 337 | (38) | (337) | - | - |
| Transferred to Intangibles | - | - | (60) | (225) | (60) | (225) |
| Depreciation | (793) | (189) | - | - | (793) | (189) |
| Carrying amount at 30 June | 639 | 1,384 | - | 20 | 639 | 1,404 |

C3-2 RECOGNITION AND ACQUISITION

Accounting Policy - Recognition Thresholds

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

Accounting Policy - Cost of Acquisition

Historical cost is used for the initial recording of all plant and equipment acquisitions. Historical cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use.

C3-3 MEASUREMENT USING HISTORICAL COST

Accounting Policy

Plant and equipment, (that is not classified as major plant and equipment) is measured at historical cost in accordance with the Non-Current Asset Policies. The carrying amounts for such plant and equipment is not materially different from their fair value.

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

C3 PLANT, EQUIPMENT AND DEPRECIATION EXPENSE (continued)

C3-4 DEPRECIATION EXPENSE

Accounting Policy

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

Key Judgement: Straight-line depreciation is used reflecting the progressive, and even, consumption of future economic benefits over their useful life to the commission.

For depreciable assets, residual value is determined to be zero reflecting the estimated amount to be received on disposal at the end of their useful life.

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

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

Depreciation Rates

Key Estimate: For each class of depreciable asset the following depreciation and amortisation rates are used:

| Class | Rate % |
|------------------------|---------|
| Plant and equipment: | |
| Computer equipment | 7 - 20 |
| Office equipment | 11 - 25 |
| Leasehold improvements | 10 - 20 |
| Other | 20 |

C3-5 IMPAIRMENT

Accounting Policy

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

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

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

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

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

C4 INTANGIBLES AND AMORTISATION EXPENSE

C4-1 CLOSING BALANCES AND RECONCILIATION OF CARRYING AMOUNT

| | Software Internally Generated | | Total | |
|---|----------------------------------|------------|------------|------------|
| | 2016 | 2015 | 2016 | 2015 |
| | \$'000 | \$'000 | \$'000 | \$'000 |
| Gross | 772 | 712 | 772 | 712 |
| Less: Accumulated amortisation | (286) | (235) | (286) | (235) |
| Carrying amount at 30 June | 486 | 477 | 486 | 477 |
| <i>Represented by movements in carrying amount:</i> | | | | |
| Carrying amount at 1 July | 477 | 320 | 477 | 320 |
| Transferred from Work in Progress | 60 | 225 | 60 | 225 |
| Amortisation | (51) | (68) | (51) | (68) |
| Carrying amount at 30 June | 486 | 477 | 486 | 477 |

C4-2 RECOGNITION AND MEASUREMENT

Accounting Policy

Intangible assets of the commission comprise purchased software and internally developed software.

Intangible assets with a historical cost or other value equal to or greater than \$100,000 are recognised in the financial statements. Items with a lesser value are expensed. Any training costs are expensed as incurred.

There is no active market for any of the commission's intangible assets. As such, the assets are recognised and carried at historical cost less accumulated amortisation and accumulated impairment losses.

Expenditure on research activities relating to internally-generated intangible assets is recognised as an expense in the period in which it is incurred. Research and development expensed during the period is included in 'supplies and services expenses' (refer to Note B2-2).

Costs associated with the internal development of computer software are capitalised and amortised under the amortisation policy below.

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

C4-3 AMORTISATION EXPENSE

Accounting Policy

All intangible assets of the commission have finite useful lives and are amortised on a straight-line basis over their estimated useful life to the commission. Straight-line amortisation is used reflecting the expected consumption of economic benefits on a progressive basis over the intangible's useful life. The residual value of all the commission's intangible assets is zero.

Useful Life

Key Estimate: For each class of intangible asset the following amortisation rates are used:

| Class | Rate % |
|-------------------------------|--------|
| Intangible assets: | |
| Software internally generated | 7 - 10 |

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

C4 INTANGIBLES AND AMORTISATION EXPENSE (continued)

C4-4 IMPAIRMENT

Accounting Policy

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

Intangibles are principally assessed for impairment by reference to the actual and expected continuing use of the asset by the commission, including discontinuing the use of the software or patent. Recoverable amount is determined as the higher of the asset's fair value less costs to sell and depreciated replacement cost.

C5 ACCRUED EMPLOYEE BENEFITS

Current

| | | |
|---------------------------------|------------|------------|
| Wages outstanding | 46 | 24 |
| Recreation leave | 255 | 265 |
| Long service leave levy payable | 16 | 15 |
| Total | 317 | 304 |

Non-Current

| | | |
|------------------|-----------|-----------|
| Recreation leave | 85 | 87 |
| Total | 85 | 87 |

Accounting Policy - Accrued Employee Benefits

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

The discount rates used to calculate the present value of non-current annual leave is 1.6% (2015: 1.9%).

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 4
NOTES ABOUT RISK AND OTHER ACCOUNTING UNCERTAINTIES**

D1 FINANCIAL RISK DISCLOSURES

D1-1 Financial Instrument Categories

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

Financial instruments are classified and measured as follows:

- Cash and cash equivalents - Note C1
- Receivables at amortised cost - Note C2
- Payables at amortised cost

No financial assets and financial liabilities have been offset and presented net in the Statement of Financial Position.

The commission does not enter into transactions for speculative purposes, nor for hedging.

D2 COMMITMENTS

Non-Cancellable Operating Lease Commitments

Commitments under operating leases at reporting date (inclusive of non-recoverable GST input tax credits) are payable:

| | 2016 | 2015 |
|--|------------|------------|
| | \$'000 | \$'000 |
| Not later than 1 year | 610 | 665 |
| Later than 1 year and not later than 5 years | 109 | 166 |
| Total | 719 | 831 |

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

D3 FUTURE IMPACT OF ACCOUNTING STANDARDS NOT YET EFFECTIVE

At the date of authorisation of the financial report, the expected impacts of new or amended Australian Accounting Standards issued but with future commencement dates are set out below:

AASB 2016-2 Amendments to Australian Accounting Standards - Disclosure Initiative: Amendments to AASB 107

From reporting periods beginning on or after 1 July 2017, this Standard amends AASB 107 *Statement of Cash Flows* and requires entities preparing financial statements in accordance with Tier 1 reporting requirements to provide additional disclosure that enable users of financial statements to evaluate changes in liabilities arising from financing activities. These disclosures will include both cash flows and non-cash changes between the opening and closing balance of the relevant liabilities and be disclosed by way of a reconciliation or roll forward as part of the notes to the statement of cash flows. The measurement of assets, liabilities, income and expenditure in the financial statements will be unaffected.

AASB 9 Financial Instruments and AASB 2014-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)

These Standards will become effective from reporting periods beginning on or after 1 January 2018. The main impacts of these standards on the commission are that they will change the requirements for the classification, measurement, impairment and disclosures associated with the commission's financial assets. AASB 9 will introduce different criteria for whether financial assets can be measured at amortised cost or fair value.

The commission has commenced reviewing the measurement of its financial assets against the new AASB 9 classification and measurement requirements. However, as the classification of financial assets at the date of initial application of AASB 9 will depend on the facts and circumstances existing at that date, the commission's conclusions will not be confirmed until closer to that time. At this stage, and assuming no change in the types of transactions the commission enters into, all of the commission's financial assets are expected to be required to be measured at fair value (instead of the measurement classifications presently used in Note D1-1). In the case of the commission's current receivables, as they are short-term in nature, the carrying amount is expected to be a reasonable approximation of fair value. Changes in the fair value of those assets will be reflected in the commission's operating result.

Another impact of AASB 9 relates to calculating impairment losses for the commission's receivables. Assuming no substantial change in the nature of the commission's receivables, as they don't include a significant financing component, impairment losses will be determined according to the amount of lifetime expected credit losses. On initial adoption of AASB 9, the commission will need to determine the expected credit losses for its receivables by comparing the credit risk at that time to the credit risk that existed when those receivables were initially recognised.

The commission will not need to restate comparative figures for financial instruments on adopting AASB 9 as from 2018-19. However, changed disclosure requirements will apply from that time. A number of one-off disclosures will be required in the 2018-19 financial statements to explain the impact of adopting AASB 9. Assuming no change in the types of financial instruments that the commission enters into, the most likely ongoing disclosure impacts are expected to relate to the credit risk of financial assets subject to impairment.

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

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

D3 FUTURE IMPACT OF ACCOUNTING STANDARDS NOT YET EFFECTIVE (continued)

AASB 16 Leases

This Standard will become effective for reporting periods beginning on or after 1 January 2019. When applied, the standard supersedes AASB 117 *Leases*, AASB Interpretation 4 *Determining whether an Arrangement contains a Lease*, AASB Interpretation 115 *Operating Leases – Incentives* and AASB Interpretation 127 *Evaluating the Substance of Transactions Involving the Legal Form of a Lease*.

Impact for Lessees

Unlike AASB 117 *Leases*, AASB 16 introduces a single lease accounting model for lessees. Lessees will be required to recognise a right-of-use asset (representing rights to use the underlying leased asset) and a liability (representing the obligation to make lease payments) for all leases with a term of more than 12 months, unless the underlying assets are of low value.

In effect, the majority of operating leases (as defined by the current AASB 117) will be reported on the statement of financial position under AASB 16. There will be a significant increase in assets and liabilities for agencies that lease assets. The impact on the reported assets and liabilities would be largely in proportion to the scale of the agency's leasing activities.

The right-of-use asset will be initially recognised at cost, consisting of the initial amount of the associated lease liability, plus any lease payments made to the lessor at or before the commencement date, less any lease incentive received, the initial estimate of restoration costs and any initial direct costs incurred by the lessee. The right-of-use asset will give rise to a depreciation expense.

The lease liability will be initially recognised at an amount equal to the present value of the lease payments during the lease term that are not yet paid. Current operating lease rental payments will no longer be expensed in the Statement of Comprehensive Income. They will be apportioned between a reduction in the recognised lease liability and the implicit finance charge (the effective rate of interest) in the lease. The finance cost will also be recognised as an expense.

AASB 16 allows a 'cumulative approach' rather than full retrospective application to recognising existing operating leases. If a lessee chooses to apply the 'cumulative approach', it does not need to restate comparative information. Instead, the cumulative effect of applying the standard is recognised as an adjustment to the opening balance of accumulated surplus (or other component of equity, as appropriate) at the date of initial application. The commission will await further guidance from Queensland Treasury on the transitional accounting method to be applied.

The Anti-Discrimination Commission has not yet quantified the impact on the Statement of Comprehensive Income or the Statement of Financial Position of applying AASB 16 to its current operating leases, including the extent of additional disclosure required.

AASB 124 Related Party Disclosures

Effective from reporting periods beginning on or after 1 July 2016, a revised version of AASB 124 will apply to the Anti-Discrimination Commission. AASB 124 requires disclosures about the remuneration of key management personnel (KMP), transactions with related parties, and relationships between parent and controlled entities.

The Anti-Discrimination Commission already discloses detailed information about remuneration of its KMP, based on Queensland Treasury's Financial Reporting Requirements for Queensland Government Agencies. Due to the additional guidance about the KMP definition in the revised AASB 124, the commission will disclose its responsible Minister as part of its KMP from 2016-17. The commission does not provide remuneration to Minister, so figures for Ministerial remuneration will not be disclosed by the commission. Comparative information will continue to be disclosed in respect of KMP remuneration.

The most significant implications of AASB 124 for the Anti-Discrimination Commission are the required disclosures about transactions between the commission and its related parties (as defined in AASB 124). For any such transactions, from 2016-17, disclosures will include the nature of the related party relationship, as well as information about those transactions' terms/conditions and amounts, any guarantees given/received, outstanding receivables/ payables, commitments, and any receivables where collection has been assessed as being doubtful. In respect of related party transactions with other Queensland Government controlled entities, the information disclosed will be more high level, unless a transaction is individually significant. No comparative information is required in respect of related party transactions in the 2016-17 financial statements.

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 5
NOTES ON OUR PERFORMANCE COMPARED TO BUDGET**

E1 BUDGETARY REPORTING DISCLOSURES

This section discloses the commission's original published budgeted figures for 2015-16 compared to actual results, with explanations of major variances, in respect of the commission's Statement of Comprehensive Income, Statement of Financial Position and Statement of Cash Flows.

E2 BUDGET TO ACTUAL COMPARISON - STATEMENT OF COMPREHENSIVE INCOME (Controlled Activities)

| | Variance Notes | Original Budget 2016 \$'000 | Actual 2016 \$'000 | Variance \$'000 | Variance % of Original Budget |
|--|-------------------|--------------------------------------|--------------------------|--------------------|--|
| Income from Continuing Operations | | | | | |
| User charges and fees | V1 | 161 | 183 | 22 | 14% |
| Grants and other contributions | | 5,218 | 5,328 | 110 | 2% |
| Other Revenues | V2 | 45 | 25 | (20) | (44%) |
| Total Income from Continuing Operations | | 5,424 | 5,536 | 112 | 2% |
| Expenses from Continuing Operations | | | | | |
| Employee expenses | | 3,720 | 3,701 | (19) | (1%) |
| Supplies and services | V3 | 1,421 | 1,202 | (219) | (15%) |
| Grants and subsidies | | 10 | 10 | - | 0% |
| Depreciation and amortisation | V4 | 245 | 844 | 599 | 244% |
| Other expenses | V5 | 28 | 70 | 42 | 150% |
| Total Expenses from Continuing Operations | | 5,424 | 5,827 | 403 | 7% |
| Operating Result for the year | | - | (291) | (291) | - |

E2-1 Explanation of Major Variances - Comprehensive Income

- V1. Demand for education programs was higher than anticipated particularly for the new Unconscious Bias package.
- V2. Interest revenue was lower than anticipated with rates continuing to be very low.
- V3. The variance is mainly due to the write-off of the lease incentive liability associated with fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise a lease incentive liability and it was written off in 2015-16. The write off involves a decrease in Supplies and services costs.
- V4. The variance is mainly due to the write-off of fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise them as non-current assets so they were written-off in 2015-16. This involves a one-off increase in depreciation costs.
- V5. The variance is mainly due to the provision of an additional fit out in the Brisbane Office paid for by the Department of Housing and Public Works. This has been classified as goods received below fair value.

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for the year ended 30 June 2016

E3 BUDGET TO ACTUAL COMPARISON - STATEMENT OF FINANCIAL POSITION

| | Variance Notes | Original Budget 2016 \$'000 | Actual 2016 \$'000 | Variance \$'000 | Variance % of Original Budget |
|--------------------------------------|-------------------|--------------------------------------|--------------------------|--------------------|--|
| Current Assets | | | | | |
| Cash and cash equivalents | V6 | 460 | 305 | (155) | (34%) |
| Receivables | V7 | 155 | 89 | (66) | (43%) |
| Inventories | | 18 | 14 | (4) | (22%) |
| Other current assets | | 84 | 85 | 1 | 1% |
| Total Current Assets | | 717 | 493 | (224) | (31%) |
| Non-Current Assets | | | | | |
| Intangible assets | V8 | 384 | 486 | 102 | 27% |
| Plant and equipment | V9 | 1,185 | 639 | (546) | (46%) |
| Total Non-Current Assets | | 1,569 | 1,125 | (444) | (28%) |
| Total Assets | | 2,286 | 1,618 | (668) | (29%) |
| Current Liabilities | | | | | |
| Payables | V10 | 111 | 42 | (69) | (62%) |
| Other liabilities | | - | 21 | 21 | - |
| Other financial liabilities | V11 | 70 | - | (70) | (100%) |
| Accrued employee benefits | V12 | 276 | 317 | 41 | 15% |
| Total Current Liabilities | | 457 | 380 | (77) | (17%) |
| Non-Current Liabilities | | | | | |
| Other financial liabilities | V11 | 260 | - | (260) | (100%) |
| Accrued employee benefits | | 83 | 85 | 2 | 2% |
| Total Non-Current Liabilities | | 343 | 85 | (258) | (75%) |
| Total Liabilities | | 800 | 465 | (335) | (42%) |
| Net Assets | | 1,486 | 1,153 | (333) | (22%) |
| Total Equity | | 1,486 | 1,153 | (333) | (22%) |

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

E3 BUDGET TO ACTUAL COMPARISON - STATEMENT OF FINANCIAL POSITION (continued)

E3-1 Explanation of Major Variances - Statement of Financial Position

- V6. The variance for Cash and Cash Equivalents is mainly attributable to a lower actual opening balance compared to what was estimated in the budget because of the difference between estimated and actual cash flows for the previous financial year (\$0.149 million).
- V7. Part of the variance for Receivables (\$0.033 million) is attributable to a higher actual opening balance compared to what was estimated in the budget because of the difference between estimated and actual prepayments for the previous financial year. The remainder of the variance is substantially due to a reduced balance for trade debtors. The balance for trade debtors at 30 June 2015 included a one-off repayment of recreation leave balances relating to staff transferred from other agencies.
- V8. Part of the variance for Intangible assets (\$0.045 million) is attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual investment for the previous financial year. The remainder of the variance is substantially due to investment in the upgrade of computer software. Cost estimates of this investment were not available at the time the budget was set.
- V9. The variance for Plant and equipment is mainly attributable to the write-off of fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise them as non-current assets so they were written off in 2015-16.
- V10. The variance for Payables is mainly attributable to a lower actual opening balance compared to what was estimated in the budget because of the difference between estimated and actual cash flows for the previous financial year (\$0.066 million).
- V11. The variance in Other financial liabilities is due to the write-off of the lease incentive liability associated with fit-out assets in the Brisbane office. Changes to the lease for the Brisbane office mean that it is no longer correct to recognise a lease incentive liability and it was written-off in 2015-16.
- V12. The variance for Accrued employee entitlements is mainly attributable to a higher actual opening balance, compared to what was estimated in the budget, because of the difference between estimated and actual cash flows for the previous financial year (\$0.028 million).

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

E4 BUDGET TO ACTUAL COMPARISON - STATEMENT OF CASH FLOWS

| | Variance Notes | Original Budget 2016 \$'000 | Actual 2016 \$'000 | Variance \$'000 | Variance % of Original Budget |
|---|---------------------------|--|-----------------------------------|----------------------------|--|
| Cash flows from operating activities | | | | | |
| <i>Inflows:</i> | | | | | |
| User charges and fees | V12 | 161 | 235 | 74 | 46% |
| Grants and other contributions | | 5,218 | 5,288 | 70 | 1% |
| Interest receipts | V13 | 34 | 20 | (14) | (41%) |
| GST input tax credits from ATO | | - | 174 | 174 | - |
| GST collected from customers | | - | 21 | 21 | - |
| Other | | 11 | 5 | (6) | (55%) |
| <i>Outflows:</i> | | | | | |
| Employee expenses | | (3,720) | (3,711) | 9 | 0% |
| Supplies and services | | (1,491) | (1,572) | (81) | 5% |
| Grants and subsidies | | (10) | (10) | - | 0% |
| GST paid to supplies | | - | (171) | (171) | - |
| GST remitted to ATO | | - | (21) | (21) | - |
| Other | | (28) | (30) | (2) | 7% |
| Net cash provided by (used in) operating activities | | 175 | 228 | 53 | 30% |
| Cash flows from investing activities | | | | | |
| <i>Outflows:</i> | | | | | |
| Payments for plant and equipment | V14 | (30) | (89) | (59) | 197% |
| Net cash provided by (used in) investing activities | | (30) | (89) | (59) | 197% |
| Net increase (decrease) in cash and cash equivalents | | 145 | 139 | (6) | (4%) |
| Cash and cash equivalents at beginning of financial year | | 315 | 166 | (149) | (47%) |
| Cash and cash equivalents at end of financial year | | 460 | 305 | (155) | (34%) |

E4-1 Explanation of Major Variances - Statement of Cash Flows

V12. Demand for education programs was higher than anticipated particularly for the new Unconscious Bias package.

V13. Interest revenue was lower than anticipated with rates continuing to be very low.

V14. The variance is mainly due to delay in finalising the upgrade to the Complaints, Training and Contact Management system (\$0.043 million). The upgrade was expected to be completed in 2014-15.

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

**SECTION 7
OTHER INFORMATION**

F1 KEY MANAGEMENT PERSONNEL DISCLOSURES

Details of Key Management Personnel

The following details for key management personnel include those positions that had authority and responsibility for planning, directing and controlling the activities of the commission during 2015-16 and 2014-15. Further information on these positions can be found in the body of the Annual Report under the section relating to Executive Management.

Anti-Discrimination Commissioner

Accountable officer responsible for leading the commission in performing its functions under the *Anti-Discrimination Act 1991*.

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Current | SES3/ <i>Anti-Discrimination Act 1991</i> | 7 February 2011 | |

Deputy Commissioner

Provide high level advice to enhance the delivery of strategic and operational targets within a human rights framework.

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Current | SO(2)/ <i>Public Service Act 2008</i> | 16 February 2004 | |

State Director, Complaints Management

Strategic management of complaints under a statutory complaints framework.

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Former | SO(1)/ <i>Public Service Act 2008</i> | 23 February 2004 | 18 September 2015 |

Director, Complaint Services

Strategic management of complaints under a statutory complaints framework.

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Current | AO8/ <i>Public Service Act 2008</i> | 24 August 2015 | |

Director, Corporate Services (formerly Manager, Corporate Services)

Provide strategic advice and manage the delivery of corporate services within the commission.

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Current | AO8/ <i>Public Service Act 2008</i> | 30 March 2009 | |

Director, Community Engagement (formerly Manager, Community Relations)

Manage the commission's training and community engagement programs

| Incumbent | Contract Classification and Appointment Authority | Date of Initial Appointment | Date of Resignation or Cessation |
|-----------|---|-----------------------------|----------------------------------|
| Current | AO8/ <i>Public Service Act 2008</i> | 18 April 2011 | |

Remuneration Policies

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

Remuneration expenses for key management personnel comprise the following components:

Short term employee expenses which include:

- salaries, allowances and leave entitlements earned and expensed for the entire year, or for that part of the year during which the employee was a key management person; and
- ◆ Non-monetary benefits - consisting of provision of vehicle together with fringe benefits tax applicable to the benefit, only applicable to SES officers.

Long term employee expenses include amounts expensed in respect of long service leave entitlements earned.

Post employment expenses include amounts expensed in respect of employer superannuation obligations.

Termination benefits are not provided for within individual contracts of employment. Contracts of employment provide only for notice periods or payment in lieu of notice on termination, regardless of the reason for termination.

Performance bonuses are not paid under the contracts in place.

**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

KMP Remuneration Expense

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

2015-16

| Position | Short Term Employee Expenses | | Long Term Employee Expenses | Post Employment Expenses | Termination Benefits | Total Expenses |
|---------------------------------------|------------------------------|------------------------------|-----------------------------|--------------------------|----------------------|----------------|
| | Monetary Expenses \$'000 | Non-Monetary Benefits \$'000 | \$'000 | \$'000 | \$'000 | \$'000 |
| Anti-Discrimination Commissioner | 199 | - | 4 | 21 | - | 224 |
| Deputy Commissioner | 117 | - | 2 | 15 | - | 134 |
| State Director, Complaints Management | 31 | - | 1 | 3 | - | 35 |
| Director, Complaint Services | 94 | - | 2 | 12 | - | 108 |
| Director, Corporate Services | 119 | - | 2 | 15 | - | 136 |
| Director, Community Engagement | 113 | - | 2 | 14 | - | 129 |

2014-15

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

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**Anti-Discrimination Commission
Notes to the Financial Statements**

for the year ended 30 June 2016

F2 FIRST YEAR APPLICATION OF NEW ACCOUNTING STANDARDS OR CHANGE IN POLICY

Changes in Accounting Policy

The commission did not voluntarily change any of its accounting policies during 2015-16.

Accounting Standards Early Adopted for 2015-16

One Australian Accounting Standard has been early adopted for the 2015-16 year as required by Queensland Treasury.

This is:

AASB 2015-2 Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 101

[AASB 7, AASB 101, AASB 134 & AASB 1049]

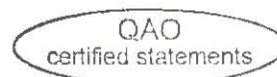
The amendments arising from this standard seek to improve financial reporting by providing flexibility as to the ordering of notes, the identification and location of significant accounting policies and the presentation of sub-totals, and provides clarity on aggregating line items. It also emphasises only including material disclosures in the notes. The commission has applied this flexibility in preparing the 2015-16 financial statements, including co-locating significant accounting policies with the related breakdowns of financial statement figures in the notes.

Accounting Standards Applied for the First Time in 2015-16

No new Australian Accounting Standards effective for the first time in 2015-16 had any material impact on this financial report.

F3 TAXATION

The commission is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Anti-Discrimination Commission. GST credits receivable from, and GST payable to the Australian Tax Office (ATO), are recognised (refer to Note C2).



**Anti-Discrimination Commission
Management Certificate**

for the year ended 30 June 2016

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

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects; and
- (b) the financial statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Anti-Discrimination Commission Queensland for the financial year ended 30 June 2016 and of the financial position of the commission at the end of that year; and
- (c) these assertions are based on an appropriate system of internal controls and risk management processes being effective, in all material respects, with respect to financial reporting throughout the reporting period.



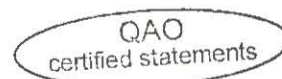
Warren Edwards
Director, Corporate Services

15 August 2016



Kevin Cocks AM
Anti-Discrimination Commissioner

15 August 2016



INDEPENDENT AUDITOR'S REPORT

To the Anti-Discrimination Commission

Report on the Financial Report

I have audited the accompanying financial report of the Anti-Discrimination Commission, which comprises the statement of financial position as at 30 June 2016, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including significant accounting policies and other explanatory information, and certificates given by the Anti-Discrimination Commissioner and the Director, Corporate Services.

The Commissioner's Responsibility for the Financial Report

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

Auditor's Responsibility

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

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

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

Independence

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

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

Opinion

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

- (a) I have received all the information and explanations which I have required
- (b) in my opinion:
 - (i) the prescribed requirements in relation to the establishment and keeping of accounts have been complied with in all material respects
 - (ii) the financial report presents a true and fair view, in accordance with the prescribed accounting standards, of the transactions of the Anti-Discrimination Commission for the financial year 1 July 2015 to 30 June 2016 and of the financial position as at the end of that year.

Other Matters - Electronic Presentation of the Audited Financial Report

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



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

Queensland Audit Office
Brisbane

