

**DISCRIMINATION AGAINST  
ABORIGINALS AND ISLANDERS  
IN QUEENSLAND**

**A Report by  
the Commissioner for Community Relations  
on complaints of racial discrimination and enquiries  
under the Racial Discrimination Act 1975 for the period  
October 31, 1975 to August 26, 1981.**

**Community Relations Paper No. 17  
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## FOREWORD

This is the third in a series of reports on discrimination against Aboriginal people in the States and Territories of Australia.

It follows exactly the same pattern of the already published reports dealing with New South Wales and Victoria.

These reports were described by Bishop Gerald Muston, an Anglican representative on the Australian Council of Churches and the Australian Anglican representative on the World Council of Churches' Central Committee as

*• . a restrained and moderate catalogue of complaints of racial discrimination which the Commissioner has received and dealt with in relation to the media, the police, accommodation, transport, education, government and the community generally.*

*It is a vivid reminder of the varied and humiliating kinds of discrimination which faces Aborigines in this state and city."*

This was a reference particularly to the State of Victoria.

Despite the continuing and rising level of complaints, the past six years have seen a heightening awareness by all sections of the population of the problem of discrimination.

As attitudinal discrimination has emerged as the greatest single problem confronting the Australian community this awareness represents a significant advance. If we can build on this then we can get at the root of racism which lies in the attitudes often inherited and some times absorbed with the 3R's in schools.

Of the 260 cases which have been dealt with in Queensland, five certificates have been issued in five matters following failure of conciliation which enables the aggrieved parties to seek civil remedies in the courts. One of these matters has already been listed in the Supreme Court of Queensland concerning Ministers and officials of the Queensland Government.

The defence of the Queensland Government is based on a challenge to the validity of the Racial Discrimination Act 1975 itself.

I regard the resolution of this challenge as urgent and vital if the continued protection against victimisation is to be provided for all Australians in future.

In the meantime, it is timely to acknowledge the hard and often silent work of the large numbers of people in Queensland who have worked with my Office for the peaceful resolution of complaints and conflict. These have included private citizens, church men and women and public servants of integrity who have responded to the challenges constructively and well. I acknowledge this important help as the key factor in the advances that have undoubtedly been made in public awareness in Queensland.



August 27 1981

(The Hon) A J GRASSBY  
Commissioner for  
Community Relations

## **DISCRIMINATION AGAINST ABORIGINALS AND ISLANDERS IN QUEENSLAND**

The Racial Discrimination Act 1975 came into operation on 31 October 1975 and since then the Commissioner for Community Relations has received 260 complaints of racial discrimination against Aboriginal and Islander people in Queensland. This paper details those complaints and the outcome of the Commissioner's actions.

Of the 260 complaints received, 212 have been concluded. They involve 323 complainants, 497 specifically mentioned aggrieved parties and 285 respondents. These figures exclude numbers involved when entire Aboriginal and Islander communities joined as aggrieved parties in various complaints. In these cases, several thousand people were involved. Complaints came from 59 towns from all over Queensland. Of these 59 towns, 37 were visited by officers on field trips to investigate complaints.

The complaints demonstrate that racial discrimination is widespread throughout the whole of Queensland and that the rights of Aboriginal and Islander persons are infringed extensively in a way which affects many Aboriginal and Islander communities and individuals in practically all aspects of their daily lives. Public facilities and public services are often denied Aboriginal and Islander people.

The purpose of this paper is to present the factual picture of racial discrimination against Aboriginals and Islanders in Queensland as shown in complaints to the Commissioner for Community Relations. From this, a general picture of the position of Aboriginals and Islanders can be drawn. The Commissioner and his officers have travelled to most centres and have dealt with complaints in many. They have observed discrimination within the community and have been confronted with racial prejudice and racial discrimination.

Overall, experience has shown that wherever there is a significant Aboriginal and Islander presence then racial discrimination is almost inevitable.

### *METHODS*

The following methods were employed in dealing with complaints:

- 8 by telephone from Canberra
- 41 were referred to and handled by Consultative Committees on  
Community Relations
- 12 by other organizations and individuals assisting the Commissioner
- 58 by correspondence from the Commissioner
- 74 were handled on the spot by officers during field trips.

In 8 cases, telephone contact with the complainants, respondents and members of the community was sufficient to enable settlement of the complaints.

Consultative Committees on Community Relations and people of goodwill assist the Commissioner from time to time and always participate in cases within their town and district. The Committees achieved settlement in 41 cases referred to them by the Commissioner.

Other organizations and individuals assisting the Commissioner achieved settlement in 12 cases.

In 58 cases correspondence was sufficient to effect a resolution of the complaints following contact with complainants, respondents and people in the community.

Field work was necessary in most cases and is essential in the combat of racial prejudice and racial discrimination. It is the most effective means for educating the community and for settling complaints of racial discrimination. Field work is undertaken whenever possible.

Of the 74 cases handled by officers on field trips, 63 were solved by informal conferences with the parties involved and 11 by compulsory conferences.

Following 5 compulsory conferences, the Commissioner issued certificates to enable the complainants to pursue their complaints in court.

In all, 193 complaints were brought to conclusion by the direct intervention of the Office.

A further 19 cases were pursued by the Office but it was found at some stage in the proceedings that the complainants did not desire to pursue the matter further or had solved the problem by other means.

#### *THE NATURE OF COMPLAINTS*

Complaints of racial discrimination received against Aboriginal and Islander people can be divided into several main areas. They are:

- Queensland Government
- Queensland Reserves
- Land
- Law
- Police
- Health
- Accommodation
- Hotels
- Transport
- Employment
- Media
- Community

#### *BASIS OF SETTLEMENT*

Complaints set out five main bases of settlement:

- public apology
- written apology
- oral apology
- on the spot investigations to validate the complaints
- visits by officers to demonstrate unacceptability of racial

Of these five groups, by far the most common was the desire of complainants to have investigations carried out to validate the complaints and demonstrate that such conduct is unacceptable under the law.

### *SETTLEMENTS ACHIEVED*

As the schedule of complaints shows, numerous apologies and assurances, written and oral, were obtained on behalf of aggrieved parties. Several public apologies have been published in newspapers.

Many Aboriginals and Islanders find the conciliation process unsatisfactory as a form of redress for the humiliation and loss of dignity suffered as a result of racial discrimination. They are now moving to seek stronger action and are insisting upon court action.

There is resentment that under the Racial Discrimination Act 1975 the burden of seeking relief from discrimination and oppression lies with the victim who is often the least equipped to face his oppressors or to cope with courts if conciliation fails.

### *REALITIES OF SETTLEMENT*

The settlements in many cases reflect the lack of vindictiveness by Aboriginal complainants and their modest demands.

There is no doubt that these attitudes arise from the lowly position of Aboriginals in our society. When the Racial Discrimination Act 1975 came into operation in 1975 it was the first time an avenue was available to the oppressed.

Aboriginal complainants had little expectation of justice and the respondents, confronted with Aboriginals seeking even modest apologies and undertakings not to discriminate again, found it difficult in some cases to take the proceedings seriously and in other cases demonstrated arrogance, anger and resentment.

Up until the present time, Aboriginals, in association with the Commissioner for Community Relations, have been pioneering the recognition of basic rights. This has to be kept in mind in recognising that the settlements sought by Aboriginals often seem inadequate for the grave offence which they have suffered and which in the courts of law relating to whites would attract punitive remedies and monetary damages in many instances.

Six years ago it was a revolutionary act to get a white man of power and affluence to say 'I'm sorry' to an Aboriginal even when he knew he had broken the law by discriminating against him.

Today there is a more widespread awareness among Aboriginal and Islander people of their rights and less inclination to accept less than a full measure of justice.

It should be added that the success of conciliation in an individual case does not necessarily reflect success in improving race relations in the town, district or suburb.

It is also relevant to settlement that inadequate resources have not enabled full attention to all matters. Settlement in many cases has not been pressed. For example where a publican has left the establishment in which the alleged act of racial discrimination occurred, the matter has been finalised with only the new publican. In these cases, complainants have not sought to pursue the respondent to the complaint and the Office has not taken the initiative.

Racial prejudice and racial discrimination exist on a wide scale in Queensland against Aboriginals and Islanders who suffer grievously as a consequence.

### *COMPULSORY CONFERENCES*

Compulsory conferences under the Racial Discrimination Act 1975 have been convened throughout Queensland. Compulsory conferences bring complainants and respondents together and afford each a measure of protection not available in informal conferences. They are an effective means for resolving complaints and bringing respondents, often for the first time, to the table with Aboriginal and Islander people. They are a means of educating those with power that they are not above the law and that Aboriginal and Islander people have rights under the law for the first time in 200 years.

### *CERTIFICATES*

If conciliation through compulsory conference fails to settle a complaint, the aggrieved parties may take their complaints to court but this can only be done after receiving a certificate from the Commissioner for Community Relations that at the date of the certificate the matter has not been settled.

In Queensland, the Commissioner for Community Relations has issued five certificates at the request of aggrieved parties. Two of these have been for complainants to pursue civil action against the Queensland Government. One of these matters is presently before the court. The other case against the Queensland Government is proceeding to court. In two further cases, the complainants are proceeding to court, one against a member of the Queensland Police Force and the other against a publican. In another case, the Commissioner issued a certificate but it appears unlikely that the complainants will pursue the matter further.

### *COMMUNITY EDUCATION*

The whole process of complaint investigation and conciliation is part of an overall community education program without which complaint handling becomes merely a band-aid operation.

The cases reported to the Office arise out of general attitudinal discrimination present in the community generally.

The integrated program of casework and community education involves all the opinion makers in the community both in organisations and as individuals.

These community education programs have assumed a new priority with the rise of tension and outbreaks of violence associated with the denial of equal rights to Aboriginal and Islander people.

## THE QUEENSLAND GOVERNMENT

The Queensland Government has adopted a policy and practice of non-cooperation with the Commissioner for Community Relations. Correspondence is not acknowledged and not answered. Directions to attend compulsory conferences under the Racial Discrimination Act 1975 are not complied with by those concerned. These have included Ministers and public servants.

The Queensland Government has stated on many occasions and now as a defence in an action in the Supreme Court of Queensland, that the Racial Discrimination Act 1975 is invalid and unconstitutional.

The Queensland Government does not have legislation or administrative machinery to combat racial discrimination and prejudice, despite the serious infringement of rights and freedoms suffered by Aboriginal people. There is no evidence that the Queensland Government recognises that Aboriginals suffer racial discrimination and racial prejudice.

It has, however, condemned the Commissioner for Community Relations and his officers, churches of Queensland, representatives of the World Council of Churches, Amnesty International, Aboriginal leaders and organisations, and others who endeavour to overcome the discrimination and prejudice within the responsibilities placed upon them by the Commonwealth Government, hierarchies, congregations, communities and organisations.

The Government's approach to Aboriginal affairs is reflected in its lack of real consultation with the Aboriginal and Islander communities and with the community generally upon its intentions and proposed legislation relating to the repeal of the Aborigines and Torres Strait Islanders Acts. At this date (August 27, 1981) parliamentary action is expected day by day yet ignorance within the community is widespread.

The Queensland Government has policies and legislation in Aboriginal affairs inconsistent with those of the Federal Government. This is indicated in the following extract from a circular issued by Queensland Departments.

### Re: COMMONWEALTH/STATE DISCUSSION ON ABORIGINAL MATTERS

*You are advised that on 17th May, 1977, Decision No. 26409, Cabinet decided as follows:—*

*"That prior to any Commonwealth/State Departmental discussions or negotiations taking place on matters involving Aboriginals, the respective State Department concerned is to contact the Queensland Department of Aboriginal and Islanders Advancement in the first instance to arrange for the Director of Aboriginal and Islanders Advancement or his nominee to be present at such discussions or negotiations."*

*Would you please ensure that Officers under your control, who may be involved in such matters, are made aware of this requirement.*

In a recent news item on a national television network the Premier Queensland was seen and heard criticising the benefits which Aboriginals receive. He said in part that Aboriginals are getting too much and more than other people. This is the view propagated by racists who have sought to deny equality and advancement to Aboriginal people.

### **QUEENSLAND RESERVES**

Complaints made under the Racial Discrimination Act 1975 relating to Queensland Reserves give an unique insight into the policies and management practices applied to Aboriginal and Islander residents. The complaints received since October 1975 establish that the Aborigines Act and the Torres Strait Islanders Act, Regulations and By-Laws discriminate against and oppress reserve residents. What emerges also is how the residents of Queensland reserves, which are controlled by these Acts, are disadvantaged and their rights and freedoms curtailed. This is reviewed in a paper produced by the Office entitled "*Queensland Aboriginal Reserves: Policies, Administration and Discrimination*".

Reserves have different administrative arrangements from communities of similar size. For example, in far North Queensland, the licence for telegraph facilities on reserves is held by the Department of Aboriginal and Islanders Advancement. Complaints have been received that such facilities are subject to lack of privacy and interference. Other reserves have inadequate public telephone facilities in comparison with non-Aboriginal communities of similar size.

Similarly an enquiry was made by the Commissioner for Community Relations to determine why Aboriginal and Islander communities do not obtain the same Australia Post services as other communities of similar size. It came to light that the Corporation of the Director of Aboriginal and Islanders Advancement is the Australian Postal Commission's non-official postmaster on Queensland reserves.

Another matter concerned the Department of Children's Services. It was complained that the Department's Family Allowance Benefit was not paid to eligible recipients who were residents of Queensland reserves. Instead, by inter-departmental arrangement, the Department of Aboriginal and Islanders Advancement authorised its reserve managers to make cash payments according to need. This meant that Aboriginals who met the criteria were denied their entitlement and were dependent on the discretion of the manager. As a result of a complaint to the Commissioner for Community Relations, the Parliamentary Commissioner for Administrative Investigations subsequently intervened to bring about change in the administration of the benefit so that all eligible residents on the reserves received it.

The Aborigines and Torres Strait Islanders Acts, Regulations and By-Laws provide administrators with powers to control the daily lives of reserve residents. For instance, control is exercised over entry and continued access to reserves. This power is, on most reserves, vested in the Community Council which consists of elected members. Community Councils are portrayed by the Department of Aboriginal and Islanders Advancement as responsible bodies which work closely with reserve managers with the purpose of assuming greater administrative responsibility for their communities. In practice Community Councils are dependent on Departmental staff and are thwarted from becoming the responsible bodies they are depicted to be. It is apparent that Community Councils are mere fronts for many administrative decisions and actions.

In one case telegrams refusing a request to enter a reserve were sent in the name of the Community Council Chairman. The person who was refused entry complained that the Chairman had no knowledge of the request or the telegram. In another instance, a field officer from a Commonwealth Department was prevented from contacting the Community Council Chairman. Whenever the field officer telephoned and asked for the Chairman, the call was put through to the Department of Aboriginal and Islanders Advancement manager.

Numerous complaints have been made concerning entry and continued access on Queensland reserves. Assistance was sought in the case of one man who because of a misdemeanour had been barred for life from returning to the reserve where he was born. At the instigation of the Commissioner for Community Relations, the Parliamentary Commissioner for Administrative Investigations enquired into the matter. He arranged for the man to return to live on the reserve. However, permission was granted by the Director of Aboriginal and Islanders Advancement on the condition that he stay on a visitor's permit renewable monthly and that he sign an undertaking of good behaviour.

In another instance a non-Aboriginal husband was told by a Department of Aboriginal and Islanders Advancement manager that he could not stay overnight with his family on a reserve. The manager said to the man, "You're white and the reserve is for Aborigines". In reference to the matter, the Minister for Aboriginal and Island Affairs was reported as saying that he had heard of cases of white women being able to live with their black husbands on reserves. "This would occur because the wife assumes her husband's nationality", he reportedly said.

The maintenance of law and order on Queensland reserves is the responsibility of the Queensland Police Force. One or two police officers are stationed in the larger communities. To assist them, each reserve has a number of Aboriginal Community Police who are responsible to the manager and whose jurisdiction is limited to the reserve. They do not have the training, status or powers of Queensland police officers. Complaints against the actions and conduct of police, both Queensland and Community, have been made to the Commissioner for Community Relations.

Residents of one Aboriginal reserve petitioned for the removal of a police sergeant on grounds which included the following incident. A solicitor and an Aboriginal field officer visited the reserve and asked at the Police Station for permission to inspect the watch-house, following complaints by Aboriginal residents locked up over the weekend. Permission was not granted and the sergeant abused and threatened the solicitor who viewed the intimidation seriously as involving not only himself but his clients. He submitted that such intimidation represented a threat to his clients' civil liberties.

In a matter referred to the Commissioner for Community Relations from another reserve, an Aboriginal community police senior sergeant intimidated and issued threats to a reserve resident who subsequently needed Queensland police protection so that he and his family could leave the reserve.

Under the Aborigines and Torres Strait Islanders Acts, Regulations and By-Laws, Community Councils have the power to expel residents from reserves. In some situations the active discouragement of the Community Council and the administration is sufficient to force unwanted residents to leave. On one reserve, a man, his wife and family of young children were ordered in the name of the Community Council to leave the same day. He was employed on the reserve which was acknowledged to be his home. The police supervised and aided his removal. No provision was made for him or his family and he was forced to move in with friends and relatives in a nearby city.

With the announcement by the Queensland Government that the Aborigines and Torres Strait Islanders Acts would be repealed, reserve residents have become concerned that they may not be able to remain in their communities and that their security is threatened. Aborigines born on reserves or those who were forcibly transported to them, have come to regard reserves as their home "towns".

A complaint which originated from one reserve but which holds for all reserves concerned under-award wages paid to Aboriginal employees. This complaint was made to the Commissioner for Community Relations in 1977. With the matter still yet to be resolved, employees from a disadvantaged and oppressed racial group continue to be denied wage justice by bureaucratic procedures and deficiencies in government finance.

The payment of award wages on Queensland reserves has been raised by the Commissioner for Community Relations with the Federal Ministers for Aboriginal Affairs, Industrial Relations, the Attorney-General, the Queensland Ministers for Labour Relations and Aboriginal and Island Affairs, the State Industrial Commissioner and the Australian Workers Union. Although the situation improved last year with the announcement by the Minister for Aboriginal and Island Affairs that Aboriginal employees on Queensland reserves would be paid the guaranteed minimum wage, award rates received by other Australians are not paid. The Queensland Government says that it does not have the money to pay award wages.

## LAND

"Queensland is the only State that hasn't fallen for their soft soap about land rights and mining rights".

The Hon J. Bjelke-Petersen  
Premier of Queensland, August 1981

This statement reflects the position which the Queensland Government has adopted in relation to the acquisition of land by Aboriginal organizations and groups. In the view of the Queensland Government sufficient land in Queensland is already reserved and available for the use and benefit of Aborigines.

The Queensland Government's policy in relation to acquisition of land by Aboriginal and Islander groups has brought itself into conflict with the Racial Discrimination Act 1975 several times. The first instance occurred in 1976 when the Aboriginal Land Fund Commission sought to purchase the Archer River pastoral lease on behalf of the Winchinam Aboriginal group. The transfer of the lease was refused by State Cabinet. Speaking in Parliament about the matter the then Minister for Lands made it clear that a distinction existed between the uses of land for the purpose of Aborigines in the State and the uses of land for the purposes of the community generally.

The Commissioner for Community Relations wrote to the Minister indicating that the refusal to transfer the land contravened the Racial Discrimination Act 1975. No reply was ever received from him or his successor.

The second instance involved a co-operative in North Queensland consisting of Aborigines, Torres Strait Islanders and South Sea Islanders. Negotiations for the development of a caravan park were held with Queensland and Commonwealth authorities and the local Shire Council. Approval was obtained from all, but when the Queensland Department of Aboriginal and Islanders Advancement was consulted, the approval of the lease, foreshadowed by the appropriate authorities, was refused on the Director's advice.

The Commissioner for Community Relations sought again the co-operation of the Queensland Government in relation to this matter. After allowing time for the parties involved to consider their position and avoid confrontation, the Commissioner for Community Relations issued directions for both matters to be dealt with at compulsory conferences.

Those receiving directions were the Minister for Lands, his predecessor, the Director of the Department of Aboriginal and Islanders Advancement and the Chairman of the Land Administration Commission. They failed to attend and the Crown Law Officer tendered the following letter on their behalf:

**"Re: Racial Discrimination Act 1975**

**Re: Aboriginal Land Fund Act 1974**

This letter is submitted to you on behalf of —  
The Hon. N.T.E. Hewitt, M.M., A.F.M., M.L.A., Minister for Lands,  
Forestry and Water Resources  
The Hon. K.B. Tomkins, M.L.A., Minister for Transport (formerly  
Minister for Lands)

Mr B Heffernan, Member of the Queensland Land Court  
Mr P Killoran, Director, Department of Aboriginal and Islanders  
Advancement.

each of whom is cited to appear before you today, under the provisions  
of the first Act mentioned above.

No good purpose would be served by their appearance, as that Act  
does not require them to make any statement or answer any question. As  
they would be obliged to adopt such a stand, it would be unreasonable  
to go through the motions of mere physical attendance.

They wish, however, to make certain points clear, viz.

1. There has been no discrimination as is alleged.
2. The constitutional validity of the Acts is disputed.
3. Any complaint ought to be particularised with identification of the complainant.
4. The Reserve in Ayr is a reserve for Local Government purposes; and it is not such a purpose for the Local Government to lease the same.
5. The Burdel Co-operative Advancement Society Limited is not an Aboriginal, but a corporation with limited powers, which do not include the possession or running of a caravan park.
6. If it were possible to lease the said reserve or part of it for the purpose stated, such leasing would be subject to the calling of tenders or other provision for securing the full economic rental for the same.
7. The Aboriginal Land Fund Commission is not an Aboriginal, but a corporation with no powers to take and operate grazing leases. if is not bound to dispose of such land only to Aboriginals.
8. Steps taken or to be taken in these matters are the subject of appropriate ministerial discretions under laws of the State of Queensland.
9. Absence of discrimination does not mean positive favouritism involving concessions and rights, which in the case of any other person would not be forthcoming, irrespective of race, colour, or national or ethnic origin.

In the circumstances, it is hoped that you will realise the reasonableness of those cited to appear refraining from doing so and the futility of any requirement that they do appear.

Yours faithfully,  
Crown Solicitor  
17th July, 1979."

The Commissioner for Community Relations referred the matter to the Commonwealth Attorney-General and received the following reply:

"I refer to your letter of 18 July 1979 bringing to the Attorney-General's attention the text of a letter handed to you by the Queensland Crown Solicitor. This letter disputed the constitutional validity of the Racial Discrimination Act.

You have asked that the Attorney-General take steps to seek a Declaratory Judgment from the High Court relating to the challenge by the Queensland Government to the validity of the legislation. I should explain that this is not an action that is open under the law.

The High Court has made it clear that it will not give advisory opinions on questions of constitutional validity — see *In re Judiciary and Navigation Acts*, (1921) 29 C.L.R. 257. The matter of the validity of a Commonwealth statute must thus come before the Court as a result of litigation between parties, where the rights or duties of those parties are involved.

At this point of time, while Queensland Government officials have apparently taken the view that the Act is invalid, there is no actual dispute inter partes before a Court in which the question of invalidity might be raised.

Yours sincerely,

R J Ellicott

8 August 1979."

One of these matters concerning the transfer of land is presently before the Supreme Court of Queensland. It is understood that the second matter involving the refusal to transfer a lease to the co-operative is in process of being brought to court. The Racial Discrimination Act 1975 provides for the issue of a Certificate, when conciliation fails, whereby aggrieved parties may seek remedies in civil court action. The Queensland Government has entered a defence which includes a challenge to the Racial Discrimination Act 1975 on the grounds that it is invalid.

As to the present challenge, the Commissioner for Community Relations has written to the Attorney-General as follows:

"Dear Senator Durack,

I have been advised that the Queensland Government has lodged its defence in the Supreme Court of Queensland in the action initiated by the Aborigines and Torres Strait Islanders Legal Service at Cairns on behalf of Johnny Koowarta and the Winchinam Aboriginal group of Cape York.

In essence the defence is a challenge to the validity of the Racial Discrimination Act 1975. I understand that the Legal Service is seeking to have the hearing of this matter before the full Supreme Court of Queensland at the earliest possible date.

Seeing that the Queensland Government has challenged Commonwealth legislation I strongly recommend that you act on behalf of the Commonwealth to have this matter dealt with in the High Court of Australia by the Commonwealth Government.

It is the view of the community, which I support, that the challenge should not be carried by the oppressed Aboriginal community of Cape York.

I would appreciate your urgent attention to this matter.

Yours sincerely

(The Hon) A J GRASSBY

Commissioner for Community Relations

August 25, 1981."

The most recent complaint involved the Rockhampton District Aboriginal and Islander Co-operative Society Limited which sought the lease of two vacant blocks of land in Theodore in 1979 in order to build two houses for Aboriginal families.

At the time, a third of the Aboriginal population of the town was homeless and moving from one relative's house to another. Other families living on the river-side were flooded whenever it rained or the nearby farm was irrigated. Houses had no power or water and the creek which they relied on for bathing and drinking water was also a sewerage outlet.

The Aboriginal Co-operative arranged the finance to buy two building blocks held by the Queensland Housing Commission but surplus to its requirements. The Commission agreed to sell and the co-operative paid an amount agreed. However, necessary approval by the Land Administration Commission was withheld. The local member of the National Aboriginal Conference complained on behalf of the Aboriginal Co-operative seeking the Commissioner for Community Relations to determine why the transfer had not proceeded. When the matter was raised with the Land Administration Commission, it refused to divulge either the grounds for refusal or whether the Director of Aboriginal and Islanders Advancement had been consulted and had advised against the sale.

Inquiries by officers during a field trip revealed that the blocks of land sought by the Aboriginal co-operative were adjoining vacant allotments on either side. Two Department of Aboriginal and Islanders Advancement houses adjoined each vacant allotment. This suggested that the Department had intervened in the transfer to the co-operative to prevent four Aboriginal families living in houses located on six adjoining blocks. Information was obtained that a prominent member of a political party had lodged a complaint against the transfer of the land because it was to be occupied by Aboriginals.

Directions to attend a compulsory conference were issued to Mr L G Lawrence, Chairman of the Land Administration Commission. He replied in similar terms to those used by the Queensland Government when directions were issued to various Ministers and departmental heads previously. The Chairman's letter reads as follows:

"Dear Mr Grassby,

I refer to your letter of 29 May, 1981, and also to a direction for me to attend a compulsory conference at 11.00 a.m. on Monday, 15th June, 1981, for the purpose of enquiring into a complaint by the Rockhampton District Aboriginal and Islander Co-operative Society Limited.

I regret that I am not able to comply with your request for the furnishing of written information.

The land in question was and is currently in the control of the Queensland Housing Commission and, as such, cannot be dealt with as Crown land under the Queensland Land Act 1962-1981.

In the circumstances, I would suggest that no good purpose would be served by my attending any such conference as it is not my intention nor within my power to make any statement or answer any question. Consequently, it would be unreasonable to go through the motions of a mere physical attendance.

However, I would like to emphasise --

- (a) There has been no discrimination as is alleged;
- (b) The constitutional validity of the Act is not admitted;
- (c) The Rockhampton District Aboriginal and Islander Co-operative Society Limited is not an Aboriginal and, consequently, not a member of any race;
- (d) Dealings with Crown Land can only be done in accordance with the relevant Statutes and where provided, with the approval of the Governor in Council, by the exercise of Ministerial directions. I look forward to your early reply.

Yours faithfully,  
L G Lawrence  
Chairman.

3 June, 1981."

The Commissioner for Community Relations sent the following telegram on June 11, 1981, in reply to Mr Lawrence's letter.

"Mr L G Lawrence  
Chairman, Land Administration Commission  
P O Box 168  
BRISBANE. QLD.

Letter 3 June acknowledged. Direction to you to attend compulsory conference 11 am Monday 15 June 1981 stands. Would appreciate your co-operation."

The Chairman attended the compulsory conference presided over by the Commissioner for Community Relations. During that conference he advised that he was present out of courtesy to the Commissioner and reiterated what he had stated in correspondence. The response by the Land Administration Commission was consistent with the Queensland Government's long-standing challenge to the law of Australia in relation to racial discrimination.

Action to prevent Aboriginals and Islanders from acquiring land in Queensland has not been restricted to Government. An Aboriginal and Islander organization wanting to extend an alcohol rehabilitation program sought to buy a small farm to use as a rehabilitation centre. The proposal required Shire Council consent as it was outside the Interim Development By-Laws which specified "rural pursuits". No fewer than 83 objections by local residents were lodged with the Shire Council which refused the application. Among reasons given by the Council for the decision was that such an establishment would be contrary to the interest of existing land holders.

The objections raised by local residents covered a considerable range including risk of attack on residents and children, possible increase in crime, the need for residents to arm themselves in self-protection, reduction in property values, and the presence in the district of "riverbank itinerant drones", visiting Aboriginal and white itinerants, mentally unbalanced inmates and visitors bringing alcohol. Executive members of the Aboriginal organization attended a public meetings called by residents opposed to the proposal. About 100 people were present. The Aboriginal executive reported that the intensity of anti-Aboriginal feeling left them in no doubt that the opposition to the project was because Aboriginals were involved.

A complaint was made by the Aboriginal organization to the Commissioner for Community Relations. Officers convened and chaired conferences between Aboriginal representatives and Shire officials and later representatives of the petitioners. The matter was resolved on the basis of apologies, assurances and understanding that the Council's decision was a lawful decision and a matter of judgment by Council which offered to assist the co-operative to locate and obtain suitable land within its boundaries.

The case demonstrated the hysteria which can arise when communities believe their interests are threatened by Aboriginals. Because of this it mattered little how reasonable or responsible the project might have been. Opposition to Aboriginal programs is one of the most regrettable expressions of racial prejudice because it hinders the development and advancement of Aboriginal communities and the whole community is held back as a result. In such instances the Commissioner for Community Relations acts with the resources available to him to support Aboriginal and Islander groups and to help non-Aboriginals to gain a better appreciation of their needs and aspirations for a better future.

The same Aboriginal organization experienced difficulties in negotiating to purchase another property. While not giving up hope of acquiring a farm in due course, the organization has purchased adjoining houses in town and has commenced successfully the operation of a rehabilitation centre. These houses were owned by the Anglican Diocese which had used them for Aboriginal purposes.

In another city a petition was signed by most residents of a street who had heard that the Department of Aboriginal and Islanders Advancement was negotiating to buy a house for an Aboriginal family. The petitioners stated that the value of their properties would drop considerably. The Department did not proceed with the purchase in the face of these objections. An Aboriginal woman anxiously waiting to be allocated a Departmental house became aware of the petition and complained to the Commissioner for Community Relations.

In the course of enquiring into the complaint, officers personally contacted the petitioners whose statements indicated a prejudice against Aboriginals. The matter was also pursued with the local Manager of the Department of Aboriginal and Islanders Advancement. It is a reflection of the feeling against Aboriginals and Islanders in the community that objections are received to nearly every house purchased by that Department. Depending on the strength and extent of objections, the Department may not proceed with the purchase. This happens in about 20% of cases. In 80% of cases the sale proceeds despite objections. It is regrettable that a Department which has the responsibility to provide housing can be influenced by the racial prejudice of non-Aboriginals and thereby be party to the denial of the right of Aboriginals and Islanders to housing.

Enquiries in relation to other properties sought by Aboriginal organizations and the Department revealed that a number of petitions had circulated. Publicity given by the media to public meetings held by people opposed to property purchases by and for Aboriginals and Islanders brought expressions of prejudice and community relations problems to the fore provoking hostility and resentment.

In response to the specific complaint, a compulsory conference was convened between representatives of the petitioners and of the Aboriginal and Islander community. The Aboriginal representatives expressed concern that attempts were being made to deny them housing. Publicity was given to local media to inform the community that people should not consider themselves free to engage in an activity aimed at denying housing because Aboriginals were involved. There have been no subsequent complaints relating to petitions from that town.

## **LAW**

Complaints received relating to discrimination against Aboriginals under the law have covered a broad spectrum. Complaints were received from Aboriginals in prison that they were suffering maltreatment and victimisation. Others complained that they had been wrongfully placed in prison. An Aboriginal woman complained of the difficulty she had in being recognised under Queensland law as the heir to her deceased uncle's estate. Her mother and father had not married under Commonwealth Law and no birth certificate had been issued. It was reported by a person acting on her behalf that the blood relation of the aggrieved to her uncle was not disputed.

Aboriginals have complained about their treatment by courts, the legal profession and police. Two Aboriginals complained that their solicitors advised them to plead guilty despite their innocence to avoid harsh penalties. They protested but pleaded guilty, were convicted and gaoled. The matter is under appeal.

## **POLICE**

Complaints have been received against the Queensland Police and the Commonwealth Police (now the Australian Federal Police). These complaints were made by individuals and communities.

In a number of cases a series of complaints reflected severe difficulties in Police/Aboriginal and Islander relations in particular cities and towns.

In these instances hostility and tensions in black communities reflected their view that they were being harassed and treated unfairly by individual police officers or by police in general.

Examples of complaints are as follows:

- A visitor to Cairns having witnessed a rape attack reported the matter at the police station. A policewoman on duty asked if those involved were black or white. When told that it concerned an Aboriginal woman, the policewoman on the counter allegedly adopted the attitude that nothing had to be done. Had it been a white woman, the complainant felt that immediate action would have been taken.
- A senior constable on duty allegedly abducted a young Aboriginal woman from town and handcuffed her to a tree and sexually assaulted her.
- A coloured man was taken to a police station for questioning about a fire. A police constable allegedly menaced him with a pistol, fired a blank round at him and used derogatory terms.
- Two Aboriginal boys were questioned by two police constables. Because of the boys' age their parents should have been present. Police allegedly assaulted them.

A complaint was received that a Commonwealth policeman on duty at an airport made derogatory and offensive remarks about Aboriginals in casual conversation with white passengers.

In several instances relations between black communities and police deteriorated as a result of a series of incidents. In one city a police sergeant allegedly tried to force his way past medical staff into the consulting rooms of the Aboriginal and Islanders Community Health Service. He was described as having used threatening and abusive language. The same policeman was involved when an Aboriginal complained of abuse and assault. It was alleged that the sergeant had been drinking while on duty and that he had said "I have got you at last". This particular complaint was one of a number made by members of the Aboriginal and Islander community. Charges were laid against the aggrieved party who successfully defended them.

In a country town, it was complained that police were taking Aboriginals from licenced premises into custody for no apparent reason. Police also allegedly picked up Aboriginals waiting for taxi transport home. It was reported also that because of this community tensions were rising. Some months later a petition was signed by 75 Aboriginals complaining of treatment and conditions at the watch-house. Reference was also made to police action in arresting Aboriginals.

In a large city, two police officers entered an Aboriginal Medical Clinic without permission or warrant to look for a man who had failed to appear in court, and in another case an Aboriginal woman telephoned police about her son who was drunk. Six car loads of police arrived. Police allegedly broke down the door and dragged the son by the hair. When the woman objected she was taken into custody. The only charges preferred as a result of the incident were of obscene language.

Tensions between Aboriginals and police also exist because of the involvement of police in enforcing the Aborigines Act 1971-79 and its Regulations. Complaints relating to police action in this regard have been received both on and off Aboriginal Reserves.

One complaint stated that when an Aboriginal tenant of a Department of Aboriginal and Islanders Advancement house was at the cinema, the local manager entered the house with a sergeant and a constable and inspected it. The sergeant ordered the woman's son out of the house and threatened him with gaol if he did not leave town. Some days later the manager returned without notice and fumigated the premises.

Another complaint concerned a direction given by a sergeant of police and the manager of an Aboriginal reserve to Aboriginal people travelling in a hearse to a funeral. They were ordered to burn their clothes and personal possessions because of possible contact with the deceased who had leprosy. Because of this some relatives missed the funeral causing them further distress. A crowd of angry residents gathered outside the reserve administration building. Police reinforcements were called from nearby towns. When they arrived the crowd dispersed.

Queensland Aboriginal Reserves have special Community Police Forces whose members are Aboriginal and who are responsible to the Department of Aboriginal and Islanders Advancement manager of that reserve. Queensland police are also stationed at reserves and deal with normal police matters. Generally speaking Aboriginal community police enforce the Regulations relating to reserves.

It has been brought to the attention of Community Relations officers that there is a need for more Queensland police to be stationed in reserve communities particularly in regard to the maintenance of law and order. On one reserve with which Community Relations officers are familiar, Queensland police are not on duty after 5p.m. and Aboriginal police, many of whom have no special training to fulfil their duties, are responsible for maintaining the peace.

It is after hours that law and order in the community is most frequently threatened. Aboriginal police, lacking the necessary resources to deal with the problem and having less authority than the Queensland police, are often placed in an invidious position. The result is that members of Aboriginal communities are denied the security and protection afforded to non- reserve communities of comparable size.

In a western Queensland town a complaint related to three Aboriginal boys aged fifteen years questioned at the police station about being out at night. While they were at the police station it was complained they were assaulted by two constables who hit them on the back of the head, pulled one boy from a chair and then pushed him to the ground. The interview continued with the boys sitting on the floor. One boy was twice kicked in the shins. The boys were told that they were not to stay out after dark, not to give cheek to school teachers, to do their homework and not to have anything to do with girls. They were told that they would be in trouble if they did not abide by these suggestions.

The parents and relatives of the boys complained to Community Relations officers about the actions of police in assaulting the boys. Parents- were also concerned that police had not informed them that their children were being held at the police station and were being questioned.

They pointed out their rights as parents and the rights of their children to have a parent present during police interview had been infringed.

Matters involving police have been referred to the Brisbane Consultative Committee on Community Relations which has established liaison with senior officers at Police Headquarters. This procedure has enabled complaints to be dealt with at a local level, involving the Regional Superintendent and senior police in Brisbane.

The result is that matters have been dealt with more expeditiously and effectively and this has helped to overcome past delays.

Close relationship is maintained with senior police of districts and regions who are informed of complaints and action proposed and undertaken to resolve complaints. In this way co-operation of respondents and police generally has been effective in assisting settlement.

Co-operation at all levels has helped to bring about positive improvements and is warmly acknowledged.

Occasionally police have not shown any sensitivity on the fact of the existence of racial discrimination and have disparaged attempts to obtain their assistance. In the main senior police respond positively but some require a gentle persuasive approach to accept that people are discriminated against, and by their own men, because of their race or colour.

## **HEALTH**

Almost half the complaints concerning health related to the provision of hospital and medical care on Queensland reserves. In one such matter a relative complained about the treatment of a patient admitted to hospital with a stab wound. According to the complainant, the patient was placed on a mattress on the floor. By the next evening the patient was still wearing blood stained jeans and had received no food.

In another complaint relating to a Queensland reserve, the public health of an entire community gave rise to concern with the outbreak of a mystery illness. Beginning as a hepatitis-like syndrome, the disease afflicted over 130 children and ten adults. Medical evacuation of the most serious cases to a nearby general hospital became necessary. When the illness was not identified, a complaint was received that insufficient investigation had been made by public health authorities. The Foundation for Aboriginal and Islander Research Action Limited, which made the complaint, also drew attention to the need for a program to ensure that there would be no recurrence.

The outbreak of the illness also focused further attention on the hospital and medical facilities available to community residents. This followed reports that the efficiency of the hospital was affected by high staff turnover of local residents because they were paid underaward wages. Difficulties had also been encountered by health authorities in filling the post of medical officer to supervise the maternal, child welfare and nutrition teams working within the community.

On another reserve relations between non-Aboriginal medical and nursing staff and Aboriginal employees of the community hospital deteriorated. A complaint was made that white staff at the hospital were discouraged from fraternising with Aboriginal employees who were referred to as "cottage staff". It was reported that white staff dined separately from black staff and used different crockery. When one white staff member defied the rule he was reprimanded. This incident, general dissatisfaction with staff procedure and the standard of treatment given to residents, caused resentment towards the hospital to the extent that some residents refused to go there for treatment.

A breakdown in communication led to another complaint which was made by members of an Aboriginal non-reserve community against a Queensland Health Department, Aboriginal Health Team. This situation had developed after non-Aboriginal nursing sisters had, in the eyes of members of the Aboriginal community, conducted themselves improperly. Taken individually the incidents would cause little concern but the Aboriginal people had an underlying belief that the nursing sisters of the health team were not sympathetic to them. Matters were not improved when a non-Aboriginal was appointed to a position for which there were several qualified Aboriginal applicants.

Numerous surveys and reports have shown that Aboriginals and Islanders do not enjoy the same standards of health as other Australians. This is the case in Queensland as in the other States and the Northern Territory. These reports have also shown that health programs and facilities which are directed at improving the standard of health of Aboriginals and Islanders are neither adequate nor sufficiently funded.

One such report released by the Wu Chopperen Medical Service criticised health care available to Aboriginals in far North Queensland and recommended that there be greater Aboriginal participation in the provision of health programs. The report was forwarded to the Commissioner for Community Relations because the deficiencies in the health programs gave rise to discrimination. Aboriginal health remains worse than that of any other section of Australian society.

The Commonwealth Director-General of Health responded to this complaint as follows:

"Dear Mr Grassby,

In reference to your letter of 5 May 1981 dealing with the 1979 Wu Chopperen survey of Aboriginal health needs in North Queensland, your concern is noted on what you see as discriminatory aspects of deficiencies in Aboriginal health care in the area.

Following its release in December 1979 the survey report has been closely studied by both State and Commonwealth authorities concerned with Aboriginal health matters, with their reactions to the findings varying greatly.

While there appears to be general agreement that the methodology used in the survey was unsatisfactory there are vastly differing views as to the value of the report.

The Queensland Department of Health is severely critical of the survey claiming that it served no useful health purpose. They saw the whole exercise as an unnecessary waste of Government funds.

Reviews by the Commonwealth Departments involved, while indicating the methodological problems, pointed out that there was ample evidence in the report to show serious problems with Aboriginal health care in the area. This view was endorsed by the petition on Aboriginal health services in North Queensland forwarded to the World Health Organisation by eleven medical practitioners working in the area.

The attitude of Commonwealth Departments to the report were drawn to the attention of the Queensland Department of Health who has the prime responsibility for health services in the area. Queensland health authorities have advised that they were aware of health service needs and had already established special Aboriginal teams and programs in the area. They drew attention to financial restrictions on developing more adequate programs imposed on them by the present restrictive economic policies of the Commonwealth Government.

As a result of the survey and its report, considerable consultation has occurred between the Department of Aboriginal Affairs and Queensland health authorities in order to determine the most effective way of dealing with the health problems raised in the survey report.

Because many of the problems raised relate to communication and relationships issues this Department and the Department of Aboriginal Affairs have discussed the concept of establishing a liaison or co-ordinating service in the area which would assist Aboriginals and Islanders to make more effective use of existing community health care services.

Advice from the Department of Aboriginal Affairs indicates that the Minister is presently considering a number of proposals for the establishment of further community-based Aboriginal Medical Services of the type envisaged in the Wu Chopperen submission. An early decision on this matter is expected.

This Department is in favour of a co-operative approach being made on health care needs in the area of both the Wu Chopperen Association and State health authorities and will continue to work to that purpose.

Yours sincerely,

Gwyn Howells  
17 June 1981".

## **ACCOMMODATION**

Complaints have been received of discrimination against Aboriginal people seeking accommodation by private individuals and by government departments.

The complaints against government departments often concerned eviction notices and orders to quit rented premises.

In one of these cases an eviction notice was served because of arrears in rent which the tenant maintained had been paid. Immediately following service of the notice, the roof of the dwelling was taken off. The next day the building was burnt to the ground. A government officer was alleged to have said "that's your problem" in answer to the Aboriginal mother's question as to where she could go. She gathered her seven children, their clothes and bedding and moved to a nearby creek bed. Many of the family's personal possessions were reported to have been destroyed when the home was burnt.

In another case a family with nine children was evicted from a Department of Aboriginal and Islanders Advancement home because of arrears in rent. At the time of the eviction the tenants claimed that their rent had been paid in full. Following their eviction, the family disintegrated leaving nine children fatherless. The Commissioner for Community Relations wrote to the Director of Aboriginal and Islanders Advancement seeking to substantiate the reports and requesting his assistance in inquiring into the matter. No reply was received.

An Aboriginal family of eight asked the Department of Aboriginal and Islanders Advancement for a larger house. The Department agreed. However when a suitable house was found, the prospective neighbours organised a petition to stop the purchase. In this, and several other cases, the objections of neighbours prevented the acquisition of accommodation for Aboriginals. Those opposing the purchase of houses for Aboriginals and Islanders asserted that value of the neighbouring properties would decrease.

In many Queensland communities it is difficult for Aboriginals and Islanders to lease private rental accommodation. A common form of complaint is for an Aboriginal to make telephone contact with the person who advertised premises to rent and be told that they are available. However, as soon as the landlord or agent realises the prospective tenant is Aboriginal, the flat or house becomes unavailable. Subsequent inquiry then reveals the houses or flats are still available.

In another case two cousins were the tenants of a flat. One gave notice that he was transferred in his job and that he would be vacating the flat. He asked the tenancy to be changed in favour of his cousin. The rental manager of the real estate agency refused the request saying that the landlady had given instructions that she did not want coloured people living in any of her units. Both men took offence at the landlady's instructions and were hurt and humiliated that this had been said in reference to them.

The matter was the subject of a compulsory conference to which the principal of the company owning the flats, a principal of the real estate agency and the rental manager and the complainants were directed to attend. The matter was settled by publication of an apology by the landlady in the local press.

Some real estate agents have advised the Commissioner for Community Relations that landlords have instructed them not to let flats or houses to Aboriginals. As a result, prospective tenants have been refused accommodation without inquiry into their ability to pay rent or their history as tenants.

The Racial Discrimination Act 1975 places responsibility on real estate agents not to accept instructions from landlords who seek to exclude prospective tenants because of race or colour. Section 12(1) (d) reads:

*It is unlawful for a person, whether as a principal or agent, to refuse to permit a second person to occupy any land or any residential or business accommodation by reason of the race, colour or national or ethnic origin of that second person or of any relative or associate of that second person.*

## HOTELS

Discrimination against Aboriginals is widespread in hotels throughout Queensland. On the number of complaints received, this is the most common form of discrimination against Aboriginals and Islanders in the State.

The complaints arise from the application of a double standard by publicans. Bad behaviour by white Australians will simply bring a ban on the individual. It is sometimes claimed by publicans that they can recognise disruptive Aboriginals and that they feel compelled, in the interests of maintaining harmony in their hotels, to ban all Aboriginals. This attitude is an indication of the lack of communication between the individual publican and the Aboriginal community. This lack of communication often extends to the attitude of white patrons of the hotel who support discriminatory policies.

The Office of the Commissioner for Community Relations does not attempt to prevent publicans from evicting Aboriginals from their hotels who are disruptive but to ensure that the publicans' policies are applied evenhandedly to both Aboriginal and non-Aboriginal patrons.

In dealings with publicans following complaints, the Office attempts to foster increased communication between publicans and Aboriginals so that greater understanding of the difficulties confronting each of the parties is reached.

Complaints received by the Commissioner for Community Relations demonstrate racial discrimination. The evidence available does not support the view that bans and refusals of service are based only on grounds relating to behaviour or standard of dress. The following are examples.

A complaint by four Aboriginals refused service in an hotel was referred to the Licensing Commission. The Commission report stated that the Aboriginals had been refused service because the barmaid who was serving at the time was of the opinion that the persons in question were of an unruly, and troublesome nature". And yet, in the complaint to the Commissioner for Community Relations, it was reported the barmaid had told the Aboriginals they could not be served because they were not known. A solicitor who spoke with the aggrieved persons shortly after the incident attested to their tidy dress and sobriety.

A Queensland Senator entered an hotel in Mt Ise. He was sitting at the bar reading a newspaper when the barmaid approached him and said, "I cannot serve you because it is the policy of the hotel not to serve dark people in this bar .. my instructions are not to serve darkies". The Senator pursued the matter with the barmaid who eventually served him. Shortly after the manager approached him and the Senator asked him to explain the barmaid's remarks. The manager stated, "Senator, do not blame me, I only work here and act under instructions from the licensee".

In another complaint, Aboriginals who stated that they were dressed in formal evening wear were refused service.

To be refused service on the basis of race or colour is a humiliating and degrading experience. In many Queensland towns, the hotel is an important social meeting place and divisions created in the hotel often reflect throughout the community.

To assist publicans to understand the law and to help them devise conduct which is not racially discriminatory, the Commissioner for Community Relations has prepared a guide which has been distributed through hotel associations throughout Australia.

### **TRANSPORT**

Taxi drivers cannot refuse to drive a person because of race or colour.

In investigation of such actions in the past the drivers have complained of some people refusing to pay. Again the same rule applies as to publicans. Because of one or two offenders it is not permissible for a whole race, whether white or black, to be discriminated against.

### **EMPLOYMENT**

Complaints of discrimination against Aboriginals and Islanders in employment highlights the difficulties which the Aboriginal and Islander people face in gaining jobs.

A Commonwealth Employment Service agent accepted a vacancy from an employer who stipulated that no Aboriginals were wanted. Two Aboriginal men presented themselves in response to telegrams sent to them by the agency. When it was seen that one was obviously an Aboriginal, he was told that he would not be suitable because the employer did not like Aboriginals.

An Islander complained that he had not been considered for a position as a car salesman because of his race or colour. When the complainant visited the showroom after a preliminary telephone interview, a sales manager reportedly said "we don't employ black people". The reason given was that a black man would not be able to make as much sales profit as a white man.

A white girl employed as a casual barmaid complained that her employer had fired her after he found that her fiancée was coloured.

It was complained that Commonwealth Government grants to Town and Shire Councils for Aboriginal employment were being used to complete public works, such as street curbs and footpaths, with no development of skills among Aboriginals and none of the resulting long term benefits.

### **MEDIA**

Most complaints against the media involved newspapers and magazines. In some cases Aboriginal people complained that newspaper reporting unduly highlighted the race or colour of people involved. For example an Aboriginal and Islander community in a provincial city took exception to frequent use of the term 'black' in newspaper headlines.

In another case, complainants felt that newspaper reporting was negative, selective and lacked sensitivity in relation to Aboriginals and Islanders. One country newspaper described a disturbance which led to a number of Aboriginals being arrested and charged with drunkenness and unseemly words. The newspaper report stated that police were subjected to taunts and physical danger.

An editorial in the same edition commented on the incident and suggested that "the black community must realise that it had just as much responsibility to behave itself as anyone else". In a subsequent edition of the newspaper, there was a report of a more serious incident involving visiting white youths and police. As a result police had laid charges of obscene language, drunkenness, drink driving, discharging a firearm and possession of chains and knives. The court hearing of the charges was reported without comment by the newspaper.

In another town, an Aboriginal woman wrote to the local newspaper claiming that an incident at the swimming pool was indicative of prejudice and discrimination which existed in the community. The newspaper responded with an editorial asserting that there were few instances of racial discrimination in the town and that highlighting such matters did not help the situation. The editorial then went on to list the special benefits available to Aboriginal people.

This complaint reflects the theme of many complaints against the media that the widespread discrimination against Aboriginal people is ignored and any special help they receive is highlighted.

Other complaints concerned the reporting of offensive statements. Although frequently these are direct quotations the complainants suggested they were presented in an unbalanced way.

One newspaper reported on the possibility of an international airport being established on a Queensland Aboriginal reserve. A Member of the Legislative Assembly was quoted as saying "Yarrabah is too good for a heap of boongs littering it up and drinking on it".

In other instances, complaints have been made against newspapers for alleged lack of objectivity. One weekly magazine featured a survey of Queensland reserves which caused offence because of racist and inaccurate statements about the conditions, opportunities and lifestyles of residents.

In another case, a metropolitan newspaper claimed that an initiation ceremony held by Aboriginals from a tribal community cost the Queensland Government \$20,000. An accompanying cartoon trivialised Aboriginal culture by depicting the ceremony inaccurately. The matter exemplified how racist attitudes can be expressed by humour which mocks and disparages the people concerned.

Use of derogatory terms and the dissemination of ideas based on racial hatred and superiority are not unlawful under the Racial Discrimination Act 1975. When Australia ratified the International Convention of the Elimination of All Forms of Racial Discrimination it reserved its position on Article 4 of the Convention which urges that States Parties declare such activity as an offence punishable by law.

## COMMUNITY

Complaints received concerning discrimination against Aboriginals and Islanders by people in the community generally, form a large group and the respondents to these complaints ranged from community leaders, such as Members of Parliament, to private individuals.

It was complained by an Aboriginal and Islanders Community Health Service that the Premier of Queensland had been reported in a newspaper as saying that venereal disease among Aboriginal people in the Cairns district may have led to certain findings in the 1978 survey relating to birth defects and the herbicides 24D and 245-T. The complainant concluded, "Can the State Premier continue to make these statements about Aboriginal people, and above all, is he always allowed to get away with it?"

The Commissioner for Community Relations wrote to the Premier setting out the complaint to him, and seeking a response in the following context: "I do not pursue this matter as a complaint within the terms of the Racial Discrimination Act 1975 since statements made from the basis of racial superiority or racial hatred do not come within the scope of the Act ... I pursue the matter with you in the interests of race relations and community relations in North Queensland." No reply was received from the Premier.

Two Aboriginal organisations complained through a Member of Parliament that another parliamentarian had made allegations in the press that a group of Aboriginals had formed a co-operative to steal social security cheques. It was alleged that the group had made their white criminal counterparts look like amateurs. One of the complainants wrote to the Commissioner, "I believe he should have used the correct channels to have the situation dealt with. What he did was an injustice to Aboriginal people because he mentioned 'white counterparts' but chose only to highlight what some Aboriginals had done."

Two Aboriginal families living in Brisbane complained of the constant abuse and racist remarks they received from two of their neighbours. Some of the incidents they cited were as follows:

The woman who complained said she was walking along the footpath in front of a neighbour's house when the neighbour's sister held up a child and pointing at the complainant said, "That's what a big black gin looks like".

The complainant's son was talking to another neighbour, a non-Aboriginal woman, when the respondent called out across the street, "Look at her talking to black men — next thing she'll be going to bed with them".

The situation was reported to have been so distressing for the complainant's daughter who was in a senior year at high school, that she began having difficulties with her studies. The school headmistress expressed concern at the detrimental effect that the incidents were having.

These community incidents reflect attitudinal discrimination which persists as the main problem to be overcome in advancing community relations. The importance of the two towns community education experiment conducted by the Office this year is directly related to this.

The Commissioner for Community Relations has sent the results of the experiment in the Report "*A Tale of Two Towns*" to 830 local government authorities throughout Australia together with a model for action to improve community relations. Already there has been a positive response from some Queensland towns and cities.

### **CONSULTATIVE COMMITTEES ON COMMUNITY RELATIONS**

Every Queensland community has people and organizations of good will and it has been this pool of concerned people which enabled much more work to be done in the combat of racial discrimination than would have been possible if the Commissioner for Community Relations had been forced to rely on the small resources available to him in the past six years.

The involvement of men and women in local communities throughout the State has been a conscious experiment in community participation in the processes of conciliation. It is a unique approach among the various countries in the world and there has been widespread interest in the innovation.

Local people have come together in Consultative Committees on Community Relations which operate in the following places: Cairns, Townsville, Rockhampton, Hervey Bay and Brisbane.

In many other centres contacts have been established during visits which would enable the formation of Consultative Committees on Community Relations in the event that complaints become more numerous.

Although the Office of the Commissioner is instrumental in propagating and encouraging the development of Consultative Committees, they are autonomous. Membership, activities and approach are at their own discretion. Support is given by the Office as desired by the Committees themselves.

Consultative Committees have sought to operate in the interests of the whole community. They have helped to lessen tensions, avert violence and develop communication. The committees have pursued conciliation and education of the community at large. They endeavour to promote understanding among all sections, assist people discriminated against and educate those who have practised discrimination.

Consultative Committees on Community Relations and other organizations and individuals who assist do so without any formal legislative authority. The Commissioner for Community Relations cannot delegate his powers under the Act to them. They respond to requests by the Commissioner for assistance. Being informal groups, the Committees assist the Office in whatever way they can, reflecting the particular interests of their members and the problems of their own communities. Because of this each Committee is different, reflecting the particular needs of its own locality and its own perception of the discrimination that exists.

The very existence of the Committees serves notice on communities that racial discrimination is unacceptable. The Committees necessarily confront those committing unlawful acts and those propagating or practising racial prejudice. By their dialogue they help create a better atmosphere of tolerance and understanding.

In Queensland, Consultative Committees have undertaken enquiries into complaints of racial discrimination and have been active in effecting conciliation. Some committees have developed to the point where they feel able to act on their own initiative.

An example of work undertaken by a Consultative Committee is the matter referred by a National Aboriginal Conference member who is a Torres Strait Islander. He complained that he was with a group of people, most of whom were Aboriginal or Islander, in the bar of an hotel. When a member of the group became involved in a scuffle, the others tried to resolve the problem by taking him outside. Police arrived and directed all black people to leave. They said that they were acting on the request of the publican. Although a white person had been involved in the fight, the bar was not cleared of all people but only black people.

The Consultative Committee on Community Relations made enquiries into the complaint on behalf of the Commissioner for Community Relations. It arranged a meeting between the complainant, the licensee and the hotel manager. The matter was resolved and a procedure was determined whereby future incidents would be dealt with in a way acceptable to the management and patrons.

The actions of the Consultative Committee enabled the complaint to be dealt with promptly, lessened the tensions which had arisen and overcame the sense of injustice that members of the black community felt following the incident.

Other Consultative Committees have worked to alert communities to the existence of racial discrimination and prejudice through media releases, by writing to government authorities and Members of Parliament and by holding seminars and conferences. Members of a Consultative Committee located in a Central Queensland city worked together with a range of groups including the clergy, judiciary, health workers, teachers and businessmen. The aim of the conference was to seek practical plans for improving race relations in the city and to make sure that they happened. The outcome achieved is reported in an Office publication entitled "*A Tale of Two Towns*".

### **CONCLUSION**

The Racial Discrimination Act 1975 has not proved an effective means for combating racial discrimination in Queensland because of the failure of the Queensland Government to co-operate in resolving complaints. Aboriginals and Torres Strait Islanders throughout the State and in particular those on Aboriginal and Torres Strait Island reserves are discriminated against by policies, laws and practices of the Queensland Government.

The Racial Discrimination Act 1975 has proved effective as a means of overcoming racial discrimination within the general community as is shown in the outcomes of many complaints received by the Commissioner for Community Relations.

The Commissioner for Community Relations has had inadequate staff and financial resources and has not been generally equipped to fully implement the Racial Discrimination Act 1975 to the extent that racial discrimination and racial prejudice in Queensland demand.

Extensive community and other educational programs are required to develop community relations awareness in Queensland in view of the serious deficiencies presently existing and as outlined by this report.

Thursday Is

Bamaga

Weipa

Aurukun 0 Arche River

- 0 Towns from which complaint received
- Town visited by officers for purpose of inquiry into complaint

Hopevale 0

Morninton Is

Doomadgee 0

Normanton 0

Georgetown 0

Mt Surprise 0

Cairns 0

Yarrabah 0

Innisfail 0

Tully 0

Cardwell 0

Cordelia 0

Palm Island 0

Camooweal 0

Townsville 0

Charters Towers 0

Ayr 0

Raven 0

Mt Isa 0

Longcurry 0

• Hughenden Mackay

Carmila 0

QUEENSLAND

Clermont 0

Duaringa 0  
Woorabinda 0

• Yeppoon  
• Mackhampton

Theodore 0

• Eidsvold  
• Buena Vista  
• Maryborough

Charleville 0

Mitchell\* 0

Roma 0

Murgojk  
Cherbourg 0  
Wondalinga 0  
Kingaroy 0

Cunnamulla 0

Maroochydore 0  
Bribie Is

Brisbane  
h-  
32

St George 0

Toowoomba 0  
Ipswich 0  
• C R

G o o n d i

• Downe

*TOWNS FROM WHICH COMPLAINTS RECEIVED*

Aurukun	Cunnamulla	Mt Tamborine
Archer River	Duaringa	Murgon
Ayr	Doomadgee	Normanton
Bamaga	Eidsvold	Palm Island
Bowen	Georgetown	Pialba
Bribie Island	Gin Gin	Rockhampton
Brisbane	Gladstone	Rathdowney
Bundaberg	Goondiwindi	Scarness
Burketown	Hope Vale	St George
Cairns	Hughenden	Theodore
Camooweal	Innisfail	Thursday Island
Cardwell	Ipswich	Toowoomba
Carmila	Julia Creek	Townsville
Charleville	Kingaroy	Tully
Charters Towers	Mackay	Weipa
Cherbourg	Maryborough	Wondai
Clermont	Mitchell	Woorabinda
Cloncurry	Mornington Island	Yarrabah
Cordelia	Mooroochydore	Yeppoon
	Mt Isa	
	Mt Surprise	

*TOWNS VISITED BY OFFICERS FOR THE  
PURPOSE OF ENQUIRY*

Ayr  
Bowen  
Brisbane  
Bundaberg  
Cairns  
Cardwell  
Carmila  
Charleville  
Charters Towers  
Cherbourg  
Cloncurry  
Cunnannulla  
Duarina  
Eidsvold  
Gin Gin  
Goondiwindi  
Gympie  
Hervey Bay  
Hughenden

Innisfail  
Ipswich  
Kingaroy  
Mackay  
Maryborough  
Mitchell  
Mt Isa  
Murgon  
Rockhampton  
Roma  
St George  
Theodore  
Toowoomba  
Townsville  
Tully  
Woorabinda  
Yarrabah  
Yeppoon

**A SCHEDULE OF RACIAL DISCRIMINATION  
AGAINST ABORIGINALS AND ISLANDERS  
IN QUEENSLAND**

The schedule contains details of all complaints of racial discrimination by the Commissioner for Community Relations in the period 31 October 1975 and 27 August 1981.

It also shows the results of the Commissioner's enquiries and actions.

AURUKUN and MORNINGTON ISLAND

## LAW 78/5284

Section 32 of Local Government (Aboriginal Lands) Act 1978 seemingly contravenes Racial Discrimination Act 1975.

Matter not pursued owing to lack of staff. It is still under notice.

ARCHER RIVER

## TRANSFER OF LAND 76/6025

Aboriginal Land Fund Commission sought to purchase a pastoral lease on behalf of the Winchinam Aboriginal group. Transfer of lease was refused by Queensland Government, which subsequently declared the area a national park. Aboriginal group complained that refusal of transfer was discriminatory.

Queensland Government refused transfer in accordance with its policy that no more land in Queensland be transferred to Aboriginal interests because of crown land already set aside for Aborigines and Islanders. Commissioner for Community Relations issued directions to Minister for Lands, Minister to Commissioner for Lands, Minister for Aboriginal and Island Affairs and senior state officials to attend compulsory conference. Directions were not abided by. At the request of the complainants certificate was issued under Racial Discrimination Act 1975 to enable matter to be pursued through civil court processes. Matter presently before Supreme Court of Queensland. Queensland Government defence is that Racial Discrimination Act 1975 is invalid.

## TRANSFER OF LAND 76/6024

In reference to the refusal by Queensland Government to allow purchase of a pastoral lease for an Aboriginal group, complainant drew attention to a reply made on behalf of Premier in Parliament that there was no law of Queensland which could debar any person by reason of his race or colour from acquiring and holding freehold or leasehold land in Queensland. Queensland Minister was also reported as saying that there was a threat of a "black state being created across Australia if Queensland approved such a proposal". Remarks were made under parliamentary privilege.

Complainant was advised that dissemination of ideas based on racial superiority or racial hatred are not unlawful under the Racial Discrimination Act 1975.

AYR

COMMUNITY 81/7474

Aboriginals complained that the affairs of their church which had been under trusteeship of coloured people for many years was to be taken out of their control.

The Commissioner for Community Relations wrote to the State Superintendent of the church presenting the complaint to him. Arrangements were made for a conference between the Superintendent and complainants and a formula was devised to satisfy all the parties which is still being considered.

MOTEL 81/5045

An Aboriginal, who for six years regularly attended a dance held at a motel, sought service at the bar. The new proprietor said "You drink this beer and then out you go". When the complainant queried this response he was told, "If I let you in, the rest of the tribe will be in too".

An enquiry into this matter is underway.

TRANSFER OF LAND 78/5264

A Co-operative Society with membership of Aboriginals and Islanders sought to obtain the lease of crown land for use as a caravan park. A Federal government authority supported the venture as did the local Shire Council. The Queensland Government refused to transfer the lease which the Co-operative complained was discriminatory.

Commissioner for Community Relations issued direction to the Minister for Lands, the Minister for Aboriginal and Islanders Advancement and the Chairman of the Land Administration Commission to attend a compulsory conference. When they did not attend a certificate under the Racial Discrimination Act 1975 was issued at the request of the complainants to enable the matter to be pursued through civil court processes.

BAMAGA

QUEENSLAND RESERVE 77/5401

Former employee of Department of Aboriginal and Islanders Advancement was ordered to leave a reserve within three days by DAIA manager. Man referred matter to Community Council. Four community policemen subsequently handed him an order to leave signed by four of the five Councillors. One Councillor said that he had been "under pressure from the DAIA".

Matter referred to DAIA but no reply was received. Matter also referred to Brisbane Consultative Committee on Community Relations which advised it was arranging for one of its members to meet complainant. Information was subsequently received that complainant was not Aboriginal.

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BOWEN

ACCOMMODATION 80/7144

Man with wife who is coloured was told by flat owner that he could not put coloured people into his flats as before long they would have their relatives in with them.

Community Relations officers on a field trip inquired into the matter. Flat owner made written apology which was conveyed to complainants.

COMMUNITY 79/8512

A builder of Aboriginal descent complained that a person had threatened to prevent him from obtaining building work in the town because of his race or colour.

The Commissioner for Community Relations wrote to the complainant and later, officers of the Commissioner visited him. The matter was discussed and the situation was rectified. No further action was required.

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BRIBIE ISLAND

COMMUNITY 78/8140

Proposals for an Aboriginal Vacation Home for the use of Cherbourg Aboriginals were opposed by residents' association of the island on grounds which the complainant stated were racist. (The Shire Council and Minister for Aboriginal and Island Affairs had both approved the home.)

The Commissioner for Community Relations wrote to association opposing the home project to put the complaint to him. His reply was forwarded to complainant who has not responded.

BRISBANE

HEALTH 81/9297

Aboriginal and Islanders Community Health Service purchased a property for use as a medical clinic. City Council refused permit on the basis of insufficient car parking. Council's decision not to involve its discretionary powers to grant a permit threatened continued operation of medical service.

Commissioner for Community Relations telegraphed Lord Mayor whose office advised that Council representatives had met a deputation from AICHS and that Council's Planning Policy Advisory Committee would consider matter further and take all considerations into account. AICHS advised.

HOTEL 81/7575

Five delegates to seminar on racial discrimination were refused service in an hotel. The reason given by the bar attendant was that two black people had created a disturbance on a previous occasion.

The Commissioner for Community Relations sought the assistance of the Brisbane Consultative Committee on Community Relations which is currently enquiring into the complaint.

(ZILLMERE)

POLICE 81/7528

Telephone complaint received that a brawl started following Police attendance at a 21st birthday party being held in a hall. It was complained that police dragged the girl whose birthday it was out of the hall, twisting her arms and striking her with a baton. Complainant stated girl had gone into room where police were to ascertain cause of disturbance. Police officers who took the girl to the watch house were alleged to have abused her, calling her names such as "black trollop". The complainant stated police acted in this manner because the girl was Aboriginal.

Matter referred in the first instance to Brisbane Consultative Committee on Community Relations for its attention. Written complaint has not yet been received by Commissioner for Community Relations. Committee has interviewed Aboriginal girl and is proceeding.

## HOTEL 81/7480

A group of people comprising of 8 Aboriginal persons and two white persons were in an hotel when a scuffle began between one of the Aboriginals and another white person. The publican contacted the police and ordered all black people from the hotel.

The Commissioner for Community Relations wrote to the hotel licensee and the reply was forwarded to the Brisbane Consultative Committee on Community Relations for its attention. Conferences were arranged by the Committee between the parties and it was agreed that the licensee had acted hastily and that he would treat Aboriginals on the same basis as other patrons.

## EDUCATION 81/7413

A newspaper report stated that plans for an Aboriginal school in Brisbane which were drawn up in response to problems Aboriginal children were having with present schooling had been rejected by the State Premier.

The Commissioner for Community Relations wrote to the Department of Education asking for details of the proposed plans and presenting to it sections of the Racial Discrimination Act 1975 which enable measures to be taken for certain disadvantaged groups. At the time of writing, no reply had been received.

## MEDIA 80/9447

Report in metropolitan newspaper claimed that an initiation ceremony held by Aboriginals from Mornington Island cost the Queensland government \$20,000. It was also complained that an accompanying cartoon belittled Aboriginal culture.

Complainant was advised that the dissemination of ideas based on racial superiority and hatred is not unlawful under Racial Discrimination Act 1975. Matter was referred to editor of Newspaper. Report differed from information provided by Minister for Local Government and Main Roads. Newspaper had offered to publish a statement from complainants, however when this was provided nothing was published. Complainants also advised that they were taking other action. Commissioner for Community Relations offered to help further when the outcome of such action is known.

## HOTEL 80/9338

An Aboriginal went into an hotel and asked for a beer. He was refused service and told to see the manager who refused service on the basis that Aboriginals had caused disturbances in his hotel. Aboriginal said that he had not been involved in any disturbances and the manager agreed but said that if he served one Aboriginal he would have to serve the rest. These comments were repeated to an officer of the Aborigines and Torres Strait Islanders Legal Service who rang the manager about the complaint.

The matter was referred to the Brisbane Consultative Committee on Community Relations who replied that the complainant was known to member of the Committee and that he was often troublesome after drinking. The Commissioner for Community Relations wrote to the Committee asking that the hotel manager be confronted with remarks he made to the legal service officer wherein he stated that he excluded Aboriginals because he was trying to raise the standard of the establishment.

## NIGHT CLUB 80/9313

Night club refused entry to Aboriginal woman.

The matter was reported to officers on a field trip. However the complainant did not supply details or indicate that she wanted action under the Racial Discrimination Act 1975.

## (FORTITUDE VALLEY)

## POLICE 80/7037

Eight detectives, four uniformed police and three police vehicles were present at closing time in the vicinity of an hotel frequented by numbers of Aboriginal persons. Police presence of this type occurred often at closing time and eventuated in a complaint by the Aborigines and Torres Strait Islanders Legal Service to the Commissioner of Police. A copy of the complaint was sent to the Commissioner for Community Relations with a request that he act to alleviate the harassment.

The Brisbane Consultative Committee on Community Relations pursued action locally and continued to monitor activities. Commissioner for Community Relations continued his negotiations with police to improve Aboriginal/police relationships. No further difficulties have been reported.

## LAW 79/9281

Community Relations officer on a field trip received a complaint from relatives of a prisoner concerning an appeal he wished to make against his conviction.

The Commissioner for Community Relations wrote to the prisoner. However the letter was returned with the annotation that the prisoner had been discharged. Further contact was not possible.

MEDIA 79/9206

Article in a weekly national magazine about Queensland Aboriginal reserves caused offence because of racist and inaccurate statements.

Dissemination of ideas based on racial superiority and hatred is not unlawful under the Racial Discrimination Act 1975. Commissioner for Community Relations assisted Townsville Race Relations Committee to raise objections with Australian Press Council, magazine and Parliamentarians. Magazine printed a response from Aboriginal Community in a subsequent edition.

(WOODRIDGE)

EDUCATION 79/9205

A mother complained that her daughter was being victimised by the headmaster of a school and several incidents were cited.

The complaint was received by the Brisbane Consultative Committee on Community Relations who pursued it. Although it was not found that racial discrimination was the major factor, discussion with principal and teachers at the school were felt to have been useful to all parties.

RESTAURANT 79/9080

Aboriginal complained that Aboriginals were being refused entry on the basis of their race. The Consultative Committee on Community Relations which had been looking into the complaint reported that they had had no success in persuing the matter with the manager.

The Commissioner for Community Relations wrote to the manager setting out the complaint and seeking his co-operation in resolving the matter. The manager responded that persons were not excluded on the basis of race or colour. His reply was passed on to the Brisbane Consultative Corn mittee on Community Relations.

HOTEL 79/8518

Complaints received by Brisbane Consultative Committee on Community Relations stated that two Aboriginal women had been refused service in an hotel because of their race or colour.

The Consultative Committee visited the manager of the hotel and pursued the complaint with him. A meeting between the manager and the complainants was arranged wherein the manager gave an assurance that racial discrimination was not practised in his hotel. He apologised for the incident and this was accepted by the complainants.

COMMUNITY 79/8505

An Aboriginal couple was refused rental of a television set and they complained that the refusal was based on their race or colour.

The matter was referred to the Brisbane Consultative Committee on Community Relations which approached the respondent. It was ascertained that the premises in which the television was to have been operated were judged as not providing sufficient security against theft. It was on this basis that rental of set was refused.

ACCOMMODATION 79/8401

**The landlord of flats tenanted by Aboriginals complained through the Department of Aboriginal Affairs that the City Council had given him notice to reduce the noise coming from the flats or they would be de-registered. The complainant felt that this direction was impossible to abide by and discriminated against his Aboriginal and Islander tenants.**

The Commissioner for Community Relations took matter up in writing with the Lord Mayor who advised that complaints had been received about excessive noise in the flats and that the Council Ordinances required the action taken irrespective of race. The reply was forwarded to the complainant.

EMPLOYMENT 78/8164

**Aboriginal leader alleged discrimination in employment by the Department of Aboriginal Affairs.**

Specific details were requested but could not be obtained.

(REDCLIFFE)

MEDIA 78/8148

**Offence was taken at selective and insensitive reporting by the media of ethnic or racial origins of people in the news.**

Complainant was advised that Commissioner for Community Relations **had produced a code of ethics for journalists and was promoting it among media organisations. The use of derogatory terms is not unlawful under the Racial Discrimination Act 1975.**

Complaint as Stated

Outcome/Basis of Settlement

HOTEL 77/5439

An Aboriginal woman in the company of another Aboriginal person complained that despite neat dress they were refused service in an hotel. The refusal was conveyed by the barmaid and by the manager.

Aborigines and Torres Strait Islanders Legal Service which had complained also to the Licencing Commission.

HOTEL 77/5379

Four Aboriginals complained to the Aborigines and Torres Strait Islanders Legal Service that they were refused service in an hotel and asked that their complaint be passed on to the Licencing Commission.

Licencing Commission replied that the Aboriginals had been refused service because the barmaid had formed the opinion that the "persons were of an unruly and troublesome nature". Legal Service sought no further action.

HOTEL 75/27

An Aboriginal who went to a night club was refused entry because he was not a member. White people, he observed, were not required to show that they were members. After talking to other people he found that it was only coloured persons who were asked to show membership.

This complaint was received before the Racial Discrimination Act 1975 was proclaimed. The Commissioner for Community Relations did write to the manager of the club setting out the complaint to him but no reply was received. It was later found that the club had changed hands and that no further problems existed.

The matter was resolved to the satisfaction of the complainants by the

(WOODRIDGE)

## ACCOMMODATION 77/5264

An Aboriginal family, given notice to quit rented premises by a real estate agent, complained that this action was discriminatory.

Commissioner for Community Relations wrote to the real estate agent presenting the complaint to him. When no reply was received a second letter was sent but was returned with the notation that the firm was no longer in business. This was communicated to the complainants.

## COMMUNITY 77/5149 / 77/5127

The Aborigines and Torres Strait Islanders Legal Service complained through a Parliamentarian that another Member of Parliament had made allegations that Aborigines had formed a co-operative for the purpose of stealing Social Security cheques. The complainant maintained that the statement was a serious slur against the black community of Brisbane. Another complaint was forwarded by the same Parliamentarian from the Black Community Housing Service (Old.). In this complaint it was charged that the statements were designed to create ill feeling against blacks and to draw public attention away from several important issues concerning Aborigines.

The Commissioner for Community Relations wrote to the respondent Member of Parliament setting out the complaints and seeking his assistance in resolving the matter in a conciliatory manner. The complainants were asked to further support their allegation that the statements contravened the prohibition sections of the Racial Discrimination Act 1975. The reply of one of the complainants was received and although it did not determine that an unlawful act had been committed under the Racial Discrimination Act 1975, it did condemn the manner in which the Member of Parliament had handled the matter. It further stated, "It is hard enough for this and other organisations to try and alleviate the problems of black people .. makes the task all the more difficult because the white public then takes a dislike to all blacks because they do not know which blacks are involved." This reply was passed on to the respondent. Defamation on racial grounds is not unlawful under the Racial Discrimination Act 1975.

## LAW 76/5720

A newspaper item was forwarded to the office which related to a statement by a Judge in the Supreme Court of Queensland who said that in respect to the population a disproportionate number of people appearing before him on robbery charges were Aboriginal.

The Commissioner for Community Relations wrote to the Queensland Justice Department, the Commonwealth Statistician and the Department of Aboriginal Affairs asking if statistics were available which would support such a statement. All three offices replied that such statistics were not available.

COMMUNITY 78/8145

A complaint was received concerning the constant abuse and harassment an Aboriginal family were subjected to by a neighbour. The situation was reported to have got so bad it was affecting the studies of some of the children, particularly one in a senior year at high school.

The matter was referred to the Brisbane Consultative Committee on Community Relations which made several visits to the complainants. The matter had been referred by residents to the State Housing Commission. It was advised that the problem was not confined to actions against members of a particular race.

HOTEL 78/5239

An Aboriginal family went into an hotel and inquired if meals were served. A man came out and said that they could eat there but that they weren't to bring any of their friends along on future occasions.

Matter referred to the Brisbane Consultative Committee. Publican apologised.

ACCOMMODATION 78/5207

A family seeking accommodation responded to an advertisement for a house to let. The wife made the initial contact with the landlord. She was taken to inspect the house but when the landlady saw that she had seven Aboriginal children she said "Black kids, oh no, no, no, no black kids. Black fellows shit and mess every where".

The matter was referred to the Brisbane Consultative Committee on Community Relations which met with the landlady to pursue the complaint with her. The matter continues.

SPORT 76/5469

A complaint was received by telephone that an Aboriginal who was Australian Light Welter-weight boxing champion had been excluded from the Australian Olympic Boxing Team because of his race.

The Commissioner for Community Relations discussed the problem during a meeting with Olympic officials. He was not able to determine that racial discrimination had been a factor in the non-selection. This was communicated to the complainant.

Complaint as Stated

Outcome/Basis of Settlement

BUNDABERG

POLICE 81/7545

An Aboriginal man complained that his son had been harassed by police.

Commissioner for Community Relations Office arranged a meeting between Police Inspector, complainant and Aboriginal community leader. It was found that there were no grounds for police to act against son. Information did not enable action against any police officers. Police Inspector undertook to keep in touch with Aboriginal community on such matters.

HOTEL 81/7471

Complainant stated that Aboriginals drinking in an hotel had to pay a higher price than other patrons.

The Commissioner for Community Relations wrote to the Publican and presented the complaint to him. As yet no reply has been received.

ACCOMMODATION 80/9357

A white girl signed a tenancy agreement for a flat and made arrangements with the landlord to pay the bond. When he realised that a "coloured person" would be occupying the house with her he refused them the accommodation claiming that he previously had difficulties with coloured tenants.

A conference held between the parties was settled on a basis of an oral apology and assurances by the landlord not to discriminate again.

COMMUNITY 80/7190

An Aboriginal woman telephoned a complaint concerning an internal dispute within the Aboriginal Housing Society.

The complainant indicated that the matter is currently under the notice of the Ombudsman.

BURKETOWN

EMPLOYMENT 77/5037

An Aboriginal complained that he had been dismissed from his job with a Shire Council because of his race or colour.

The matter was referred to the National Committee on Discrimination in Employment and Occupation which conducted an enquiry into the complaint. It concluded that racial discrimination was not a factor in the dismissal. The result of the Committee's enquiry was passed on to the complainant and accepted.

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CAIRNS

HOTEL 81/7642

Aboriginal girl in company of complainant was evicted from hotel because she didn't comply with dress standards. Complainant was also evicted when he objected. Complainant stated that a white woman in the hotel was dressed in a similar fashion to his companion but was not evicted.

Community Relations Officer inquired into complaint during field trip. Hotel manager stated that standards of dress and behaviour applicable to all persons were not fulfilled by those evicted. He stated that a white woman was also evicted from hotel. Complainant disagreed with these statements but did not wish further action. He was satisfied that matter had been pursued with manager.

COMMUNITY 81/7572

Aboriginal woman sent her grandson to local shop for loaves of bread. Shopkeeper pushed the bread from the counter onto the floor, called the child and his friends "little boongs" and told them to get out of his shop.

Community Relations Officer on a field trip met the shopkeeper and discussed the complaint with him. Shopkeeper said that he would not serve any member of the family until money owed to him was paid. Complainant and family were advised of position.

COMMUNITY 81/7553

A complaint was received that the operator of a mother ship based in Cairns supplying goods and services to fishermen and Islanders was told by the Government body through which the vessel is chartered, that he is not to supply the Islanders any longer. He felt the basis of this decision was discriminatory.

Further details of the complaint are being sought.

## POLICE 81/7533

A visitor to Cairns witnessed an apparent rape attack on an Aboriginal and reported it at the police station. Policewoman on duty asked if those involved were black or white. When told that it concerned an Aboriginal woman, the policewoman allegedly adopted an off-handed attitude saying they would look into it. Had it been a white woman, complainant felt that immediate action would have been taken, since the incident occurred a short distance away.

Police responses indicate that Aboriginal/police relationships are deficient and position of Aboriginals in community is not appreciated. Inquiry continuing.

## HEALTH 81/7462

The Wu Chopperen Medical Association released a report critical of health care for Aboriginals in Far North Queensland. Report and its recommendations for increased Aboriginal participation in provision of health services was endorsed by a number of church organisations and local medical practitioners. Report detailed deficiencies in health program which gave rise to discriminatory aspects.

Report was sent to Department of Aboriginal Affairs, Department of Aboriginal and Islanders Advancement and Queensland and Commonwealth Departments of Health. Federal Minister of Health announced (May 1981) that the Commonwealth would require greater Aboriginal involvement in health care programs. Department of Aboriginal Affairs advised that funding proposal of the Wu Chopperen Medical Association was being considered.

## HOTEL 81/7304

A person complained that he had been refused entry to an hotel by a doorman who admitted that the refusal was because the complainant's companion was a coloured girl. He had also met with several other persons who stated that they had been refused entry because of their race or colour. The manageress told him that a ban had been initiated because of "trouble with the blacks". An Aboriginal girl was a further complainant on this matter.

Community Relations Officers on a field trip discussed the complaints with the manager and assurances were given that all patrons were treated equally. The manager also offered an apology for any offence which may have been taken. The complainant accepted this as resolving the matter.

HOTEL 80/9311

Aboriginal complained to Consultative Committee on Community Relations that he had been banned for life by an hotel publican. He had intervened on behalf of four other Aboriginals who were visitors to the town and who were being evicted on the basis that the publican did not know them.

A Community Relations officer on a field trip approached the publican and discussed the complaint. The publican stated that the complainant was a person who had given trouble in the past and this is why the ban had been imposed. The complainant indicated that he was mainly interested in enabling Aboriginal visitors to the town to be served without distinction as to their race or colour. The publican gave this assurance and apologised for refusing service to the four visitors.

COMMUNITY 80/7155

Proposed use of land for development of a sports complex for use by Aboriginals met with opposition from a local residents' association. Aboriginals stated this opposition was because of their race or colour.

Community Relations officers met with residents' association and discussed difficulties. Association claimed that objections were based on possible disruption to the peace and quietness of the neighbourhood rather than on race or colour. Consultative Committee on Community Relations undertook to arrange a meeting between residents' association and Aboriginals. The end result is that the complex is established and operating successfully.

MEDIA 78/8171

Service Club produced a satirical newspaper with an article which played on various connotations of the word "gin". Headline read "Huge Gin to be built at Yarrabia". Complainant considered article to be derogatory and unworthy of a service club.

Matter conveyed to Club president who apologised in writing for the offence that had been taken. He advised that Club ideals did not allow discrimination on grounds of race, politics or religion. Apology passed on to complainant and accepted.

Complaint as Stated

Outcome/Basis of Settlement

CAMOOWEAL

COMMUNITY 80/7166

A report was received which said that Aboriginals whose area of habitation is the Lake Nash region moved to the towns of Camooweal and Urandangie because of difficulties with the station owner in their district. Members of the white community and police allegedly harassed the Aboriginals outside these towns in order to get them to leave. In one incident cited, police arrested three Aboriginals for obscene language in their camp — the complainant claimed that the Aboriginals could only speak their native language. In another incident five men were arrested in their camp for "jaywalking".

Enquiry continuing. Matter under active attention of various Aboriginal organisations and government agencies.

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CARD WELL

POLICE 81/7295

Aboriginal woman was charged and convicted in Magistrates Court of driving without a licence. She claimed she was not driving and does not know how to drive.

Legal Counsel advised against appeal on grounds that "it would be a question of police evidence against defendant's evidence". Complainant is Aboriginal community leader not aggrieved person. Further information and advice from complainant and aggrieved person's solicitor has been sought. Inquiry continuing.

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CARMILA

POLICE 76/5421

Coloured man was taken to police station for questioning about a fire. Police constable allegedly menaced him with a pistol and fired a blank round at him. He also allegedly used derogatory terms.

Community Relations Officer on a field trip raised matter with Regional Superintendent of Police and Senior Sergeant, police action resolved matter.

CHARLEVILLE

## GOVERNMENT 80/7263

An Aboriginal complained that a Wild-life Ranger had confiscated his firearms for allegedly shooting kangaroos without a permit. Charges were not preferred until eight months later. This denied the man his livelihood for an undue period.

Enquiry into the matter is continuing.

## LOCAL GOVERNMENT

An Aboriginal stockman complained that the Shire Council refused him permission to graze his horses on Council land when graziers were given permission to graze their stock on similar land.

Community Relations officer on a field trip arranged meeting between stock ranger, Shire Council Chairman, Aboriginal leader and complainant. It was agreed that complainant could graze his horses on land acceptable to him and Council.

## EDUCATION

An Aboriginal parent complained that a high school principal had expelled his daughter without contacting him.

Community Relations officer on a field trip discussed matter with principal who advised that girl had not been expelled but that he wished to see the girl's father about difficulties in which she had been involved at school. Message had been given to girl who had not passed it on. Arrangements were made for father to meet school principal the following day.

CHARLEVILLE

## LOCAL GOVERNMENT 81/7311

Council member telephoned Community Relations Officer to discuss a problem relating to leasing of land. An Aboriginal had sought to lease land controlled by Council. The Council had not approved this lease. The Aboriginal had indicated to the Council his intention of making a complaint of racial discrimination to the Commissioner for Community Relations. The councillor explained that there was no possibility that the lease could be granted since it was one of the few remaining areas available to the Council for use during the drought.

Community Relations officer advised the councillor on the matter and suggested that Council should decide the issue on criteria that did not involve race or colour of applicant. No complaint has been received.

CHARTERS TOWERS

## HOTEL 80/9446

An Aboriginal woman complained that she entered an hotel to purchase some cigarettes and was refused service. When she approached the manager a few days later he told her she was refused service because of a disturbance involving coloured people. She stated that this disturbance had not involved her.

The Commissioner for Community Relations wrote to the hotel manager seeking his response to the complaint. An officer on a field trip ascertained that the respondent was no longer the licensee of the hotel and efforts to contact him were unsuccessful. The matter was discussed with members of the local Aboriginal community who felt that little could be achieved by pursuing the matter further.

## HOTEL 80/9431

An Aboriginal mother complained that her son and his cousin were sitting in the dining room of a tavern when the manager approached them and told her son to leave without giving a reason.

The Commissioner for Community Relations wrote to the hotel manager presenting the complaint to him. Solicitors acting for the manager replied to the complaint. The substance of the reply was that a rule of the tavern, clearly exhibited and applicable to all persons, stated that male persons were not allowed in the dining area unless accompanied by a lady and this was the reason the complainant's son had been excluded. At a subsequent informal conference held by a Community Relations officer the publican apologised to the complainant.

HEALTH 80/9413

Aboriginal complained that non-Aboriginal nursing sister of Aboriginal health team had been acting improperly and that a non-Aboriginal had been appointed to a position for which there were several qualified Aboriginal applicants.

Matter was taken up with Department of Health. Under Secretary suggested that it be referred to Premier's Department. This was done but no response was received. Community Relation officers on a field trip convened a meeting between Aboriginal community representatives and members of health team. Discussion produced greater understanding on both sides and laid basis for health team to continue to relate effectively to Aboriginal community. A committee of Aboriginal persons and community representatives was established to deal with matters of Aboriginal health and to act as a liaison and support group for Government Health team.

RECREATION 80/7278

A complaint was received by telephone that the manager of a picture theatre and his employee patrolled the aisles of the theatre during the screening of films shining a torch into the faces of Aboriginal patrons. It was stated that this was only done to Aboriginal people.

The complainant undertook to provide written details of the incidents and these are awaited.

LOCAL GOVERNMENT 80/7221

Aboriginal woman complained that she had received notice from the Shire Council to leave the Aboriginal Camping Reserve outside the town. She complained that the Council was discriminating against her because she was Aboriginal.

Community Relations officers on a field trip met the Shire President and officials and members of the Aboriginal community to discuss the complaint. Severe shortage of housing for Aboriginals in the town had forced some families to move to the reserve. Council issued notices to quit because of its concern with inadequate water supplies and sanitation facilities. Council agreed not to pursue eviction action and to support a program for proper housing and facilities to be provided. In the meantime, Council agreed to provide emergency sanitation and water services.

HOTEL 80/7165

An Aboriginal couple went into an hotel and the man asked for two drinks. He was refused service on the grounds that a few coloured people had caused a disturbance shortly before.

A Community Relations Officer on a field trip approached the hotel manager in company with the complainant and another member of the Aboriginal community. After discussion, the manager agreed that he had been wrong and that he had mistaken them for other people. He apologised and gave an assurance that the complainants would be served on the same basis as others without distinction as to race or colour.

TRANSPORT 76/5810

An Aboriginal woman complained that a taxi driver refused to carry Aboriginals because he had claimed some did not pay fares.

Shortly after making her complaint the woman wrote to say that she had received an apology and did not require further action on the matter.

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CHERBOURG

QUEENSLAND RESERVE 81/7447

Man admitted to reserve hospital with a stab wound was placed on the floor of ward. By the following evening he had received no meals and was still dressed in blood stained jeans.

Matter taken up in writing with South Burnett Hospitals Board which advised that patient's wound was attended to but it was not possible to bath and redress patient because he was unco-operative. Commissioner for Community Relations is continuing his enquiry.

POLICE 81/7445

Alleged improper conduct by member of Police Force and wrongful dismissal of member of Aboriginal Police unit by Sergeant of Police.

Awaiting report from Regional Superintendent, Gympie. Inquiry continuing.

QUEENSLAND RESERVE 80/7267

Aboriginal resident of reserve was accused of stirring up trouble by Community Council Chairman who threatened him and suggested the matter could be settled by a fist fight. Complainant had accompanied another resident who was seeking clarification about his dismissal from employment.

Community Relations Officers on a field trip arranged a meeting between members of Community Council and residents wishing to raise matters of concern to them. Matter was brought to attention of Councillors and Chairman and efforts were made to effect a reconciliation between Chairman and complainant. Hostility and opposing views prevented a reconciliation.

CHERBOURG  
QUEENSLAND RESERVE

A number of complaints were made by residents to Community Relations Officers on a field trip.

(i) An Aboriginal employee was asked to mow the lawn of a retired Departmental Manager in a nearby town. He refused and was dismissed.

(ii) An occupant of a condemned house was advised by the Community Council that rent did not have to be paid. Subsequently she received advice that action was being taken to obtain payment of rental arrears.

(iii) Several residents complained that on different occasions taxis and private vehicles were stopped and searched by Queensland Police and Aboriginal Community Police.

(iv) Teenage girl detained by police overnight and sent to Brisbane. Having no where to go she returned, was arrested and detained over a weekend. Her mother was not told she was being held until the next Monday. The girls mother was threatened with trouble if she visited the girl in detention. The girl alleged that she was struck by an Aboriginal Community Policeman. Police told her that the Community Council wanted her off the reserve.

(v) Several residents complained that Queensland Police and Aboriginal Community Police had entered peoples homes without permission and conducted searches.

(vi) Queensland Police officer told a young boy that he was not wanted at Cherbourg. The boy alleged that a Sergeant of Police arrested him and threatened him with goal if he did not leave the reserve that afternoon.

Community Relations officer arranged a meeting between members of Community Council, Manager and Assistant Manager of the Department of Aboriginal and Islanders Advancement and complainants. Issues were put by aggrieved parties to the meeting and the Council and management made arrangements to overcome the basis of most of the complaints.

QUEENSLAND RESERVE 80/7266

Two short-term Aboriginal residents of a reserve were asked to leave. They claimed that when they first arrived, Community Council Chairman gave them permission to stay until they had saved enough money to repair their motor vehicle in which they would return home.

Community Relations Officers on a field trip arranged a meeting between members of Community Council and residents wishing to raise matters of concern. At meeting complainants explained their situation and Chairman agreed to their remaining until they were able to move on.

QUEENSLAND RESERVE 80/7265

Resident of Aboriginal reserve said that electric power had been cut off to her home and a number of others as well.

Community Relations Officers on a field trip arranged a meeting between members of Community Council and residents wishing to raise matters of concern. Department of Aboriginal and Islanders Advancement manager and assistant manager also attended. DAIA officers demonstrated to satisfaction of complainant that prior written notice of non-payment of accounts and warnings had been issued.

QUEENSLAND RESERVE 80/7039

Non-Aboriginal overseer was charged with assault of an Aboriginal resident. Charge was dismissed when key witness who was Aboriginal was unwilling to testify for fear of losing his job.

No complaint was made.

QUEENSLAND RESERVE 80/7039

Information was received that white staff at community hospital were discouraged from fraternising with Aboriginal employees who were referred to as "Cottage" staff. It was reported that white staff dined separately from black staff and used different crockery.

Matter referred to South Burnett Hospitals Board. Community Relations officers on a field trip met with Secretary and Chairman of Board and Nursing Superintendent. Arrangements were made for Aboriginal residents to meet with Board representatives accompanied by religious sister to discuss difficulties. It was reported that at meeting understanding created between the parties resolved difficulties.

CLERMONT

HOTEL 78/5226

A complaint was received from a solicitor of Aborigines and Torres Strait Islanders Legal Service concerning an Aboriginal woman who was assaulted and mistreated by a publican when she challenged his policy that Aborigines were only allowed to drink in a back bar.

The solicitor who complained, advised that there was not much hope that an assault charge would be successful in the courts and asked that the Commissioner for Community Relations look into the matter. The complaint was passed on to the Rockhampton Consultative Committee for its attention, members of the Committee's in Rockhampton and Mackay visited the town to enquire into matter. They advised the complainant that legal action covering the whole of the matter should be instituted.

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CLONCURRY

POLICE 80/9343

Parents of young girl killed by motor car felt that police had not investigated the accident expeditiously.

Regional Superintendent of Police reported that a coroner's inquest would be held. Matter pursued further by local District Inspector of Police in consultation with parents and Aboriginal field worker.

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CORDELIA

ACCOMMODATION 78/5255

Published reports about the eviction of Aboriginal families from their houses by the Department of Aboriginal and Islanders Advancement were sent to the Commissioner for Community Relations.

Further information to enable this matter to proceed was not available. The matter was referred to the Director of Aboriginal and Islanders Advancement who did not reply.

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CUNNAMULLA

LOCAL GOVERNMENT 81/7487

Aboriginals living at a former camping reserve complained that the Shire Council made a decision, based on consultation with Aborigines not of their group, to remove them from the reserve. Residents wished measures to be taken to improve conditions on the reserve rather than move.

Commissioner for Community Relations contacted the local National Aboriginal Conference member and a local priest seeking their assistance. Meetings were held between different Aboriginal groups in the town to discuss whether the camp should be developed or removed. The Council agreed to provide basic facilities until a decision was made. The Commissioner wrote to the complainant informing him of these results.

ACCOMMODATION 81/7315

A field officer of the Aborigines and Torres Strait Islanders Legal Service complained that an Aboriginal woman had not received a rental rebate and as a consequence she had rental arrears.

Community Relations officer contacted Queensland Housing Commission which advised that the application for rental rebate had not been correctly made. Arrangements were made to enable the woman to receive her entitlement.

ACCOMMODATION 81/7292

A community worker complained on behalf of an Aboriginal who had problems with the electricity in his rented house. He had contacted the agent for the landlord and several electricians had visited the house but the problem had not been fixed.

A Community Relations officer telephoned the agent and discussed the problem with him. A short time later the Office was advised that the electricity in the house had been repaired.

RECREATION 77/5327

An Aboriginal person complained that a picture theatre discriminated against Aboriginals by confining them to certain section of the theatre.

A Compulsory Conference was convened between the parties. It was stated by the proprietors of the theatre that coloured people were admitted to all sections of the theatre on an equal basis to whites. Aboriginals chose to sit in certain parts of the theatre and this was accepted by the proprietors. The complaint was settled on this assurance.

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DAURINGA

HOTEL 78/5259

Two Aboriginal women complained through the Aborigines and Torres Strait Islanders Legal Service that they had been refused service in an hotel lounge because the publican was prejudiced against Aboriginal women.

The matter was referred to the Rockhampton Consultative Committee. Members of the committee organised a meeting between the complainant and the licensee. They reported that the complainant was satisfied with the outcome and that the situation had improved. Officers and a member of the Committee visited the licensee during a field trip to assist in resolving the matter.

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DOOMADGEE

ENTERTAINMENT 81/7350

Country and Western entertainer sought permission to perform at Mission following requests over a number of years from residents who attended his shows at a town some distance away. Complainant suggested that Manager influenced Aboriginal Council decision.

Matter referred to Community Council Chairman who advised that a firm decision had been made and that complainant had been advised of this on many occasions. Complainant was advised and has sought no further action.

EIDSVOLD

HOTEL 76/6032

A group of six people, two Aboriginal couples and two people of European descent, went to an hotel lounge bar after attending an unlicensed dinner-dance. They were refused service by the bar staff and the management. They were told by the management that "coloured people would not be served in the lounge and that was the law". All six people wrote complaints on the incident.

Officers on a field trip enquired into the matter with the Consultative Committee on Community Relations in company with the complainants. It was agreed that members of the Consultative Committee would approach the hotel manager and present the complaint to him. The Committee sought a public apology from the manager and he agreed to this.

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GEORGETOWN

POLICE 78/5030

Aboriginal was told by a police officer that his wife could stay in the town but not him. He was threatened with being locked up.

Matter was referred in writing to Commissioner of Police and Brisbane Consultative Committee on Community Relations. Aggrieved party had a history of offences and had been warned on one occasion by a senior constable. Aboriginal had stayed in town until he had decided to leave of his own accord.

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GEORGETOWN

HOTEL 77/5383

An Aboriginal person complained through the Aborigines and Torres Strait Islanders Legal Service that a publican maintained separate parts of the hotel for service to Aboriginals and barred them from other parts of the hotel.

The Commissioner for Community Relations wrote to the publican setting out the complaint to him. It was found however that the hotel had changed hands and no reply was received from the original licensee. Telephone discussions were held with the new licensee and it appeared that the situation had improved.

Complaint as Stated

Outcome/Basis of Settlement

GIN GIN

COMMUNITY 80/7008

In publicising a caravan park, billboards, advertisements and tourist mementos depicted young Aboriginal women in a way which related to name of town and caused offence.

Community Relations officer met with proprietor who agreed to consider alternative designs which would overcome offence taken.

GOONDIWINDI

ENTERTAINMENT 81/7351

An Aboriginal woman complained that she had tried four times to obtain tickets for a show to be held at an hotel. On each occasion she was unable to obtain tickets and she felt that she had been refused because of her race or colour.

The licensee of the hotel was informed by letter of the complaint. Directions to attend a compulsory conference were subsequently issued. No settlement was reached during the compulsory conference and at the request of the complainant a certificate was issued.

HOTEL 80/9401

Five Aboriginals, two of whom supplied written complaints to the Commissioner for Community Relations decided to celebrate the New Year by attending a disco being held in an hotel. On their arrival at the door, a man whom they believed was the licensee stepped out onto the foot-path and told them "sorry you're not allowed in". He stated that there was a dress restriction but would give no details as to why he felt their dress was unsuitable. The complainants felt that they were dressed quite respectably as they had dressed for a night out. This view was supported by taxi drivers sitting outside the hotel who said that other people dressed more casually than the complainants had been allowed into the disco.

Officers on a field trip held an informal conference with the complainants and the respondent. One of the complainants later wrote to say that she wished the matter to be dealt with further by compulsory conference. The complainants required an apology from the respondent and this was given.

HOTEL 80/7253

Two Aboriginals sought service in an hotel. After waiting for some time, the barmaid continued to ignore them. When she left the bar, one of the men followed her and asked why they were not being served. The barmaid refused to speak to him.

Compulsory conference held. Matter could not be resolved between the parties. At request of the complainants, Commissioner for Community Relations issued a certificate under Racial Discrimination Act 1975 to enable matter to be pursued through civil court processes.

## MEDIA 78/8370

Senator forwarded a copy of newspaper which reported on an incident involving police and Aboriginals. Actions by Aboriginals were strongly criticised. Minister for Aboriginal Affairs also referred the same matter after receiving complaint from Aboriginal Legal Service field officer who was concerned at the reporting and the actual events. Incident resulted in arrest of Aboriginals for drunkenness and unseemly words. Another incident between non-Aboriginals and police involving obscene language, drunkenness, drink driving, discharging a firearm and possession of knives and chains was reported a week later in same newspaper in a matter of fact way, and without reference to race.

Matter taken up in correspondence with the editor and also referred to the Australian Press Council and the Law Reform Commission. Community Relations officers made enquiries during a field trip and met with police, members of Aboriginal community and editor. Editor advised that his reporting and editorial did not involve prejudice but were written with interest of his readers in mind. Matter settled on basis of discussions between officers and editor and publication of an item on community relations. Interested parties were informed of outcome and sought no further actions.

## HOTEL 78/5111

Three Aboriginal ladies went to an hotel to attend a cabaret but were refused entrance by a man at the door who said, "Sorry, no dark people are allowed, it's the house rules".

The licensee of the hotel was informed of the complaint and a compulsory conference was subsequently convened. At the conference the complainants specified monetary damages as terms of settlement, however the respondent would not agree to this and the conference closed without settlement being reached. Later the complainants advised they did not wish to proceed.

## HOTEL 78/5047

A complaint was received that an Aboriginal man and woman were refused access to an hotel cabaret.

Community Relations officers in company with the two complainants visited the licensee to enquire into the complaint. The licensee gave an assurance that all persons would be admitted to the hotel without distinction as to race or colour and this was accepted by the complainants.

Complaint as Stated

Outcome/Basis of Settlement

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HOTEL 77/5244

Complaints received from seven Aboriginals that three hotels in Goondiwindi regularly refused to serve them because of their colour.

The Commissioner for Community Relations wrote to the licensees of the hotels about the complaints. Subsequently Community Relations officers visited the town and enquired into the matters. The difficulties were resolved in consultation with the licensees, Aboriginal representatives and complainants and police.

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HERVEY BAY

COMMUNITY 80/7220

An Aboriginal community wrote to the Commissioner for Community Relations concerning the remarks of their Mayor — "you don't know whether you will be speared by blacks or what out there".

It is understood that the Mayor gave an explanation for his remark which has discharged the matter for the complainants.

COMMUNITY 79/9143

A telephone complaint was received objecting to remarks by the Mayor — "nigger in the woodpile". The complainant was associated with the Consultative Committee on Community Relations.

Community Relations officers on a field trip met with the Consultative Committee which had pursued the matter itself. Action was not required by the Commissioner for Community Relations.

ACCOMMODATION 78/8144

An Islander complained that he had been refused a flat to rent.

The complaint was made to the Rockhampton Consultative Committee on Community Relations which arranged a meeting between employees of the real estate agency and the complainant. Employees said that the complainant had not met the criteria for renting houses which applied to all persons and that if he met the criteria he would be given every consideration.

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HOPE VALE

## EDUCATION 79/9226

A parent complained that a strike which affected the education of Aboriginal children would not have lasted so long had a Government Department not decided they could afford to take a tough stand "because our children are only Aborigines who are not supposed to advance anyway".

The matter was referred to the Government Department. The Department stated that the duration of the strike had been a matter for the Union involved and that it had not involved an act of discrimination by the Department. Its decisions were made in accordance with Acts and regulations of the State. The reply was forwarded to the complainant.

## QUEENSLAND RESERVE 79/9224

Two complaints were received from residents of a reserve:

(a) Aboriginal couple invited a non-Aboriginal friend to visit them. Community Council did not give permission for the visit. Complainants wrote "It is an intolerable and embarrassing situation where Australian citizens are denied the freedom of inviting another Australian to their home for tea".

Failure of Queensland authorities to respond, difficulties in communicating with complainants and remoteness of reserve impeded processing this matter. Cairns Consultative Committee on Community Relations assisted Commissioner for Community Relations and ultimately advised that matter could not be pursued further.

(b) Aboriginal resident of reserve referred to a newspaper report in which Premier of Queensland was reported as saying that the majority of residents of one reserve had petitioned the State Government to sack the Community Council and his attitude was that he could not go against them. Complainant pointed out that a petition signed by 201 persons out of an adult population of 210 on the reserve where she lived had not stopped the transfer of a teacher against his will and that of the community.

QUEENSLAND RESERVE 79/9186

A school teacher on an Aboriginal reserve who had expressed concern at the welfare of residents was transferred. Fellow teachers went on strike about Department of Education action which they regarded as punitive.

Commissioner for Community Relations advised Director-General of Education of his interest in matter, but withheld direct involvement because of action already in train to resolve issue. At the time of the complaint, negotiations were taking place between Queensland Teachers' Union and relevant Government authorities. Following these negotiations the complainant did not require further action.

ABORIGINAL RESERVE 79/9185

Administraion of a Church Mission refused a Queensland Teacher's Union representative continued access to union members by asking him to leave in the name of the Community Council.

Community Relations officers on a field trip met with complainant and school teachers who were concerned at the incident. Cairns Consultative Committee on Community Relations was informed and kept matters under notice. Officers also met with Chairman of Hopevale Mission Board. Matter pursued with Minister for Aboriginal and Island Affairs and Director of Aboriginal and Islanders Advancement who did not respond. Chairman of Community Council and Manager of Mission wrote that complainant had obtained permission upon arrival. Later he was asked to leave. Complainant has returned to Mission on several occasions on Union business and had not been obstructed.

**QUEENSLAND RESERVE 79/9131**

Member of Parliament complained on behalf of a white agricultural adviser employed on an Aboriginal reserve by a church mission board who was forced to resign after the management and church authorities frustrated his plans to develop a viable farming enterprise.

Community Relations officers on a field trip met with aggrieved person and subsequently met with chairman of church mission board. Conflict between aggrieved party and church and reserve authorities over philosophy and policy regarding administration of reserve was basic to issue. Insufficient evidence and difficulty in maintaining contact with aggrieved person prevented the complaint from being pursued further.

**HUGHENDEN****COMMUNITY 81/7631**

Complaint received that person had made insulting racist remarks which were offensive to both the complainant and her daughter.

Community Relations officer on a field trip visited respondent accompanied by Aboriginal community worker. The complaint was discussed and the respondent stated that his outburst had been provoked by upsetting remarks from the complainants daughter. The complainant was advised of the discussion and no further action was sought.

**HOTEL 81/7570**

Two Aboriginals complained that they were banned from an hotel because of their race or colour following an incident at the hotel which was not their fault.

**Community Relations officers met with one of the complainants during a field trip several months after the complaint had been lodged. The complainant asked that no further action be taken on his complaint as he considered the incident had happened too long ago.**

## COMMUNITY 81/5110

Information received by Commissioner for Community Relations that a petition was organised against erection of two Aboriginal homes.

Initial inquiries have been commenced pending receipt of written complaint. Council advised of community reaction. Arrangements were made for meeting of Shire Clerk and Aboriginal leader and others.

## HOTEL 81/5097

Solicitor of Aborigines and Torres Strait Islanders Legal Service reported incident where an Aboriginal had his arm broken by the publican of an hotel.

A complaint under the Racial Discrimination Act 1975 has not yet been received.

## HOTEL 80/7232

An Aboriginal community leader complained that an altercation in an hotel had been 'set up' in an attempt to dis-credit him. He felt that his eviction from the hotel by the licensee was due to race or colour.

Conference convened by Community Relations officer during field trip. Matter settled on publication of press release by officer countering unfavourable publicity and the removal of ban on complainant by publican.

## HOTEL 80/7061

Four Aboriginal women were refused entry to a disco because of their race or colour, presenting the complaint to him. Later, The Commissioner for Community Relations wrote to the publican, Community Relations officers on a field trip organised an informal conference with the publican and the complainants. Two of the complainants were not available to attend. The publican stated that he had been addressing two men who had accompanied the complainants when he refused entry. These men had been banned for anti-social behaviour. He apologised for the misunderstanding that had occurred and this was accepted by the complainants.

POLICE 79/8312

Senior Constable on duty allegedly abducted young Aboriginal woman from town and handcuffed her to a tree to commit rape.

Community Relations Officers on field trip raised matter with Regional Superintendent. He passed on subsequent correspondence to Commissioner of Police. Brisbane Consultative Committee on Community Relations assisted by raising matter with senior police. Findings of police investigation into incident were passed to Crown Law Office. Commissioner of Police advised that advice of Crown Law Office was that there was insufficient evidence for any charge to be preferred against senior constable. Request made to Commissioner of Australian Federal Police for assistance to undertake expert investigation to obtain evidence. Police Commissioner advised that matter beyond jurisdiction of Federal Police.

A compulsory conference was convened in Townsville in September 1980. The senior constable, Aboriginal girl and her sisters attended. The conference failed to settle complaint. Certificate issued under Racial Discrimination Act 1975 to enable remedies to be obtained through civil court processes.

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INN ISFAIL

HOTEL 77/5379

A solicitor complained that when he was in an hotel with two Aboriginal persons, he was served a drink but the two Aboriginals were refused service.

The matter was initially referred to the Licencing Commission by the solicitor. However he was not satisfied with the reply and passed the matter on to the Commissioner for Community Relations. The publican was contacted by letter and he replied that the Aboriginals who had been refused service had been excluded from the hotel earlier in the day for troublesome behaviour.

IPSWICH

MEDIA 80/9319

Oral complaint by mother of a man charged with murder that television camera crew was at courthouse because an Aboriginal was appearing.

When contacted, television channel advised that all major murder cases were covered by news team and that it had not been previously known that the accused was Aboriginal. Arrangements were made for someone to go to the court to support the woman.

COMMUNITY 80/9294

A member of a hall committee complained that neighbours of a community hall had protested against the use of the hall by Aboriginals. The neighbours had apparently made a point of telling prospective hirers that Aboriginals had used the hall in an effort to discourage them from using it.

The Commissioner for Community Relations wrote to the complainant asking for more details, and suggesting that the hall committee discuss the problem at their meeting with a view to providing these details. A response is awaited.

POLICE 79/9163

Aboriginal community made a number of complaints to Community Relations officers on a field trip against police:

(i) Two police officers entered an Aboriginal Medical Clinic without permission or warrant to look for a man who had failed to appear in court.

(ii) Aboriginal woman telephoned police about her son who was drunk. Six car loads of police arrived. Police allegedly broke down the door and dragged son by the hair. When the woman objected she was taken into custody. The only charges preferred as a result of incident were for obscene language.

(iii) An incident at football match led to the arrest of members of the same family who intervened when they thought police were taking unwarranted action against another Aboriginal.

Community Relations officers met Police Inspector and other senior police. particular incidents were discussed but could not be pursued without full information from Aboriginal complainants which was not readily available. Police agreed to participate in development of Aboriginal/Police Liaison Committee. Senator assisted in the formation of this group to establish and maintain understanding and co-operation.

EDUCATION 79/9162

Aboriginal Teachers Aide complained orally to officers on a field trip that principal senior mistress and school counsellor had directed her not to speak to white children who might bring problems to her.

Officer contacted Secondary Schools Inspector, visited school to hold meeting attended by school principal and Aboriginal Aide. Difficulty related to fact that school counsellor had overall responsibility for counselling students. Effective liaison was established between Aide and principal. No further action was necessary.

ACCOMMODATION 79/9146

The Department of Aboriginal and Islanders Advancement issued a notice to quit to a woman who had rented her house for ten years. She was given no reason for the eviction action.

Community Relations officers made enquiries during a field trip. Conditions of tenancy agreement had not been complied with by tenant who had another family living in the home. There had also been reports of anti-social behaviour. The Department declined to discontinue its eviction proceedings against the tenant. No further action was available under the Racial Discrimination Act 1975.

ACCOMMODATION 79/9100

An Aboriginal woman, tenant of the Department of Aboriginal and Islanders Advancement for more than ten years, complained to Community Relations officers on a field trip that she had received an eviction notice. She attributed this to complaints made about her by police.

It was established that the complainant had already taken action on her own behalf.

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MACKAY

GOVERNMENT 81/7606

South Sea Islanders Community complained that while Aboriginal and Torres Strait Islanders received benefits for a number of projects, its own people received nothing despite evidence that South Sea Island people suffered the same problems.

The complaint was referred to the Department of Aboriginal Affairs for its assistance and advice. A reply has not yet been received. Enquiry continues.

Complaint as Stated

Outcome/Basis of Settlement

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ACCOMMODATION 76/6005

It was complained that an owner of flats had refused tenancy to an Aboriginal on the ground that other tenants might not like coloured people living close by.

The matter was resolved by a field officer of the Aborigines and Torres Strait Islanders Legal Service who went to see the landlord with the complainant. Discussions were also held with the landlord's solicitor. Although the flat in question had been taken, another apartment was offered to the complainant and the landlord apologised to the complainant.

HOTEL 76/5530

A complaint was forwarded by a member of the Consultative Committee on Community Relations that an hotel had placed a ban on all black people following an incident a few days before.

Consultative Committee members visited the hotel manager. The matter was resolved satisfactorily with black people being admitted to all bars on an equal basis.

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MARYBOROUGH

EDUCATION 80/7067

A person conveyed a complaint that an Aboriginal had made to him concerning difficulties between a school principal and the children of the Aboriginal.

Community Relations who contacted the Aboriginal person concerned. The Committee ascertained that the report was a result of a misunderstanding and that no further action was required. This information was conveyed to the complainant.

MEDIA 79/9110

Complainant compiled a report containing newspaper cuttings entitled Frivolous Journalism which can be Discriminatory and an Intrusion of Privacy.

The newspaper articles did not contravene the Racial Discrimination Act 1975. Aggrieved party invited to contact Community Relations officer on a field trip but offer was not taken up.

The matter was referred to a member of the Consultative Committee on

ACCOMMODATION 79/9059

A government employee complained on behalf of a colleague who was refused accommodation because she was Aboriginal. The estate agent had said that the owner had given him directions that Aboriginals were not to be accepted as tenants.

The matter was referred to the local Consultative Committee on Community Relations which contacted principal of the real estate firm. He expressed regret at the incident and undertook to take the matter up with the employee who had given the refusal. Community Relations officers on a field trip visited the complainant and the aggrieved party. The matter was resolved by an apology mutually acceptable.

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MITCHELL

HOTEL 80/9347

Oral complaint that hotel was overcharging Aboriginals and that publican's wife produced a shot-gun in the presence of an Aboriginal patron who reported the incident to police. Aboriginal was charged with obscene language.

Local Catholic Priest and police sergeant assisted Community Relations office to resolve difficulty. Matter is being pursued with Aboriginal community and publican.

HOTEL 80/9346

A solicitor forwarded twelve statements relating to complaints by nine Aboriginals that they were overcharged in an hotel because of their race of colour.

The matter was referred to a local priest who undertook to approach the publican in company with members of the Aboriginal community. He reported that the publican had already been approached by the Licencing Commission, who had informed him of the provisions of the Queensland Liquor Act relating to pricing. The publican later wrote to the Commissioner for Community Relations stating that his pricing policy had been designed to rid the hotel of troublemakers rather than discriminate against Aboriginals. He stated that his pricing policy had now been brought into line with the Queensland Liquor Act. No further action was requested by complainants.

POLICE 80/7258

Complaint was made in writing to Community Relations officers on a field trip that two Aboriginal boys were questioned by two police constables. Because of their age their parents should have been present. Police allegedly assaulted the boys.

Community Relations officers met with local sergeant and District Inspector of Police to discuss matter and contacted Regional Superintendent. A Police enquiry was made into the incident. It was subsequently reported that constables involved had been admonished and that parents required no further action. Matter was resolved largely through local Aboriginal leaders and with police co-operation. As yet confirmation of outcome has not been received from Police Commissioner.

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MORNINGTON ISLAND

LOCAL GOVERNMENT 78/8127

Shire Clerk decided that the canteen would only be re-opened if a white person held the position of canteen manager. The position was previously held by an Aboriginal person.

The Commissioner for Community Relations took matter up with Shire Clerk and Mt Ise Consultative Committee on Community Relations. Subsequently, the complainant asked that no further action be taken following change in occupancy of position of Shire Clerk.

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MOROOCHYDORE

A report was sent anonymously to the Commissioner for Community Relations about plans by a Shire Council to restrict permanent tenants in Council caravan parks. One councillor was quoted as saying "If permanents are moved around regularly it won't allow them to set up these black fella camps".

Dissemination of ideas based on racial superiority or hatred is not unlawful under the Racial Discrimination Act 1975, but action is taken in the interest of community relations wherever possible.

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MT ISA

ACCOMMODATION 80/9345

When a government employee enquired about accommodation on behalf of a fellow employee, the landlord asked, "Are they coloured?" The complainant answered "yes." The landlord refused to let him the flat and said that he had trouble with coloured people before.

The Commissioner for Community Relations took matter up with the landlord seeking his response to complaint. The complaint will be pursued.

COMMUNITY 80/9334

A Mt Isa resident complained about a sign painted on the Electricity Building saying "Boong season opened Monday". She had already contacted the Mayor who had arranged to have the sign painted out. She asked for advice on how to combat prejudice such as this.

The Commissioner for Community Relations outlined the provisions of the Racial Discrimination Act and how it could be invoked to combat racism.

HOTEL 78/8012

Aboriginal went into an hotel and asked for a beer. The manager told him he would not be served because if he served one black person all the others would come in and want to be served.

The complaint was pursued and resolved to the complainants satisfaction by the Mt Isa Consultative Committee on Community Relations. An apology was accepted.

HOTEL 78/5025

Two Aboriginal women went into an hotel for a drink after shopping and both barmaids indicated that they weren't allowed to serve coloured people.

The complaint was forwarded to the Mt Isa Consultative Committee on Community Relations and was pursued and resolved by it. An apology was accepted.

HOTEL 77/5480

A Queensland Senator went into an hotel and asked for a beer. He was told by a barmaid, "We don't serve darkies here". He repeatedly demanded service, and was eventually served.

The matter was referred to the Mt Isa Consultative Committee on Community Relations. Following enquiry with the owner of the hotel and the manager, an apology was conveyed to the Senator along with assurances that racial discrimination would not be practised in the hotel.

## LAW 77/5194

A complaint was received on behalf of an Aboriginal woman which related to difficulties she had experienced in being recognised under Queensland laws as an heir to her uncle's estate. Her mother and father had not been married under Commonwealth Law and no birth certificate had been lodged. She was thus unable to show that she was the lawful niece of the deceased uncle. The complainant asked for assistance in what was seen as a discriminatory situation.

The Commissioner for Community Relations arranged for the complainant to discuss the matter with the Australian Legal Aid Office in Brisbane. A Counsel's opinion was obtained on the case. The opinion was that there were presently no avenues of action available.

## POLICE 77/5161

Aboriginal went to police station to report that his three children had been assaulted by white youths. Policeman on duty reportedly showed little concern. Some weeks later police visited complainant's house because of a complaint that there was a noisy group of people in the street. Complainant felt he was singled out because of animosity between his family and a constable.

Matters referred to Regional Superintendent of Police. Commissioner of Police advised that police enquiry had been made and that complainant had advised in writing that he wished to withdraw complaint. Local Consultative Committee on Community Relations worked with Inspector of Police to clarify situation and to prevent unwarranted police action.

## GOVERNMENT 76/5972

Aboriginal complained that the Department of Aboriginal Affairs would not give assistance to a project which they stated would employ nearly 500 Aboriginal people in the Mt Isa area. The project involved the purchase of 4 pastoral properties and the establishment of an abattoir to process the stock from these properties. Finance for the project had been arranged and the Department of Aboriginal Affairs was asked to support the project by acting as a stand-by guarantor on the finance. The Department's refusal to give this assistance was seen by the complainants as discrimination because of their race.

The Commissioner for Community Relations took up the matter in writing with the Department of Aboriginal Affairs. Its reply stated that the submission on the project had been considered carefully but concluded that the data did not make an adequate case for the viability of the proposed project. This was passed on to the complainant who has not responded.

## HOTEL 76/5909

An Aboriginal and his wife attended a bar which they said was not normally frequented by Aboriginals. After having a few drinks, the manager approached them and told them to go into another bar for service. The manager told them if other Aboriginals saw them drinking there, they would be encouraged to drink there also. Six other Aboriginals were also asked to leave.

The Commissioner for Community Relations wrote to the hotel manager but received no response from him. The matter was referred to the Consultative Committee on Community Relations which reported that the matter did not require action at that stage.

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MT SURPRISE

## POLICE/HOTEL 76/5620

Oral complaint the local police constable had forbidden a publican to serve alcohol to Aboriginals.

Publican was contacted by telephone. He advised that Aboriginals were not barred from the hotel. Allegation referred to a particular incident when an Aboriginal had assaulted publican's wife. Complainant advised of information and of assurances provided by publican.

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MT TAMBORINE

## HOTEL 78/5280

It was complained that an hotel manager had agreed to make conference facilities available until he found that the conference would be attended by Aboriginals.

The complainant requested that the Commissioner for Community Relations seek his permission before giving the information relating to the complaint to any persons. The Commissioner wrote to the complainant asking for this permission but it was not forthcoming.

Complaint as Stated

Outcome/Basis of Settlement

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M U R G O N

POLICE 81/7446

Petition signed by 75 Aboriginals complained of treatment and conditions in relation to Murgon Watch-House. Reference was also made to police action in arresting Aboriginals.

Inquiries continuing with relevant authorities.

HOTEL 81/7408

A person writing on behalf of an Aboriginal person complained that neither male nor female Aboriginal persons were allowed into the lounge bar of an hotel.

The complaint was raised with the publican by letter but at the date of writing no response has been received.

POLICE 80/7156

General complaint that police were taking Aboriginals from licenced premises into custody for no apparent reason. Police also allegedly picked up Aboriginals waiting for taxi transport home. It was reported also that because of this community tensions were rising.

Senior Police of Region were contacted by telephone. Inspector undertook to meet with principal complainants to overcome difficulties and to prevent further incidents. Subsequent complaints resulted in enquiry in Murgon by Community Relations officers, Police Regional Superintendent, Police District Inspector and local Aboriginals.

HOTEL 80/7154

Community Relations officers on a field trip were acquainted with a complaint that a publican in the town was maintaining a white bar.

In accordance with the wishes of the complainants, an officer visited the publican and discussed with him the provisions of the Racial Discrimination Act 1975. Following the discussion, the officer and complainants felt that the publican would avoid future acts of racial discrimination.

COMMUNITY 78/8034

A complaint was received from a Member of Parliament following a report in a newspaper that groups of Aboriginal boys were blindfolded in a boxing ring and allowed to slug it out until only one was left standing.

The Commissioner for Community Relations wrote to various organisations including the Queensland Police Department. A reply was received stating that a Police Constable had been in attendance who was satisfied that the safety and well-being of the contestants had been the first consideration of the promoters. The event had been under the close supervision of three adults in the ring. The Police reply was forwarded to the complainant who did not request further action. The boxing association did not respond to letters from the Commissioner.

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NORMANTON

SPORT 81/7505

Fourteen members of Aboriginal cricket team complained that they were the subject of racial discrimination at a cricket tournament. They were invited to play at the tournament and won all their games up to the final where they were to play against a white cricket team. White team refused to play saying that Aboriginals had not been invited and that they were drunk. The white team took the trophy.

The Commissioner for Community Relations has commenced an inquiry into the matter.

POLICE/GOVERNMENT 80/9318

An Aboriginal tenant of a Department of Aboriginal and Islanders Advancement house complained that when she was away, a Departmental liaison officer and police sergeant entered and asked some non-Aboriginal occupants to leave. The Department's manager told her that legal action would be taken if white people were found there again.

Matter referred to Brisbane Consultative Committee on Community Relations which raised matter with Minister for Aboriginal and Island Affairs. Community Relations officer on a field trip discussed incident with Regional Superintendent of Police. Complainant also corresponded directly with Director of Aboriginal and Islanders Advancement. No further action sought. No further problems encountered.

POLICE/GOVERNMENT 80/9317

An Aboriginal woman renting a Department of Aboriginal and Islanders Advancement house complained that the Department's manager entered her home without permission. He was accompanied by a police sergeant and constable.

Matter referred to Brisbane Consultative Committee on Community Relations which raised matter with Minister for Aboriginal and Island Affairs. Complainant also corresponded directly with Director of Aboriginal and Islanders Advancement. No further action sought no further problems encountered.

QUEENSLAND RESERVE 80/9302

Non-aboriginal husband and Aboriginal wife vacated their Department of Aboriginal and Islanders Advancement home. Wife and children took up residence on nearby Aboriginal reserve. Husband was refused permission to remain on reserve with his family. Manager reportedly said "You're white and the reserve is for Aborigines".

Manager informed Office that his decision was supported by Director of Aboriginal and Islanders Advancement. Media attention focussed on issue and Minister for Aboriginal and Island Affairs was reported as saying that he had heard of the cases of white women being able to live with their black husbands on reserves. "This would occur because the wife assumes her husbands nationality", he was reported as saying. Matter was referred to Brisbane Consultative Committee on Community Relations which held discussion with Minister and Departmental Officers. Complainant continues to live on reserve with his family without official interference.

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PALM ISLAND

QUEENSLAND RESERVES 81/7598

Aborigines and Torres Strait Islanders Legal Service solicitor went to the reserve to interview clients. On arrival he was refused permission to contact clients and was restricted in his movements by the Chairman of Community Council.

The Aboriginal Community Council is a body of Aboriginals elected by reserve community and is empowered to restrict entry to reserve. Councils exercise this power against whites and blacks. The power and actions of Councils and their relevance to the Racial Discrimination Act 1975 is under enquiry.

Complaint as Stated

Outcome/Basis of Settlement

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HEALTH 79/9180

Outbreak of mystery illness which began as a hepatitis-like syndrome, affecting children, raised concern about adequacy of health care available to community residents.

Matter raised by Foundation for Aboriginal and Islander Research Action Limited with Brisbane Consultative Committee on Community Relations. Consultative Committee took matter up in writing with Minister for Aboriginal Affairs and Queensland Minister for Health and also referred it to this Office. Commissioner for Community Relations wrote to Townsville Hospitals which provided details of medical facilities available and outlined action taken to overcome epidemic. He commented that "the lack of a definite cause has led to complaints that not enough was done".

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PIALBA

ACCOMMODATION 78/5096

An Islander woman made a complaint that her son and his wife were refused tenancy of a flat by a landlord who said "no black fellows will be allowed in the flat".

Commissioner for Community Relations took matter up in writing with flat owner. Community Relations officers on a field trip convened meeting between the parties and they resolved the matter on the basis of the explanation that the accommodation was more suited to elderly persons than a family with young children because of occupancy of other flats by elderly persons.

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ROCKHAMPTON

COMMUNITY 81/7287

Aboriginal organisation complained by telephone that since their application for a rural site on which to develop an Alcoholic Rehabilitation Centre had been published in the paper, their telephones had been ringing constantly with people objecting. A typical example was given of a man who rang to ask what the plans for the site were — "I need to find out what's going to happen so I know what to object to".

A Community Relations officer contacted the complainant by telephone. The property had been sold before the Aboriginal organisation could obtain Council approval. Two other houses were acquired to meet the immediate needs of the organisation and the purchase of a rural property was deferred.

HOTEL 80/7176

An Aboriginal person complained that an hotel would not serve black people or new Australians.

A Community Relations officer contacted the hotel by telephone and discussed the complaint and the functions of the Community Relations office with the publican's wife. A letter was later sent setting out the complaint. When no reply was received, the Consultative Committee on Community Relations was asked to make enquiries which are continuing.

COMMUNITY 80/9506

Aboriginal complained that proposals to purchase a farm for rehabilitation of Aboriginal alcoholics was met by 83 objections from Rockhampton residents. The objections were based mainly on fear of harassment by Aboriginals at the centre and decreasing land values in the surrounding area.

Meetings were convened by Community Relations officers on a field trip. Residents and members of the Aboriginal community were in attendance. The matter was discussed and apologies were extended to the Aboriginals for offence taken at points raised in the objections. Assurances that the objections were not made on racial grounds were also conveyed. Members of Council met with members of the Aboriginal organisation. They heard the complaints and offered Council's assistance to locate a suitable site within the Shire.

## HOTEL 80/9487

Four Aboriginal women complained that they were refused service in an hotel lounge. The women were told by the barmaid that she had been directed not to serve coloured women in the lounge. An officer of the Aborigines and Torres Strait Islanders Legal Service who later spoke with the manager heard him say "I will not serve coloured people in the lounge, that's it — finished".

The complainants had referred the matter to the Queensland Licencing Commission who replied that under the Liquor Act, Qld., it was not unlawful to refuse service except in a public bar. A Community Relations officer contacted the publican and a member of the Consultative Committee on Community Relations and discussed the matters with them. The complaint was resolved by members of the local community and the Committee with the publican.

## HOTEL 80/9481

A non-aboriginal person was told by a bar attendant in an hotel that the management had issued instructions that coloured people were to be served beer in warm glasses.

A Community Relations officer accompanied a member of the local Aboriginal community visited the licensee and inquired into the complaint with him. The licensee stated that there had been complaints of warm beer during a period of problems with the chilling equipment. He said that there had been no policy of giving warm beer to Aboriginals however.

## COMMUNITY 80/9459

A complaint was received which detailed problems existing between Aboriginal and Islander communities as a result of historic, selective discrimination by white society, which had fomented divisions.

The Commissioner for Community Relations has been in touch with all the parties and continues efforts to lessen the divisions.

## POLICE 80/7250

Aboriginal man with prior convictions was arrested by police for visiting a prisoner in goal. He alleged he was intimidated and abused because of his race. He was not allowed to telephone his solicitor and was provoked to spar with police but refused. Police joked about the pox and sexual relations with three Aboriginal women friends. They told a grossly offensive and obscene racist joke.

Matter referred to local Consultative Committee on Community Relations. Complaint had also been made directly to police by complainant. Police reported that aggrieved party asked that complaint be withdrawn. Findings conveyed to Consultative Committee. Further advice is awaited.

POLICE/COMMUNITY 80/7042

Statements made by senior police officer and senior representative of the community discriminated against Aboriginals.

Community Relations officer on a field trip discussed matter with chairman of Consultative Committee on Community Relations. He advised that since statements were made there had been positive developments in fostering understanding and co-operation between interested parties. Community Relations officers later met with Acting Superintendent of Police, Consultative Committee chairman and members of Aboriginal and Islander community for further discussions on the impact of public statements on community relations.

COMMUNITY 79/8439

An Aboriginal person complained that after an Aboriginal conference, a priest was heard to say that "the college had to be fumigated after those blacks".

Following action by the Commissioner for Community Relations, the priest-convenor of the conference pursued the matter through his own channels and the complainant expressed satisfaction.

HOTEL 78/8225

An Aboriginal couple went to a hotel for lunch. The husband went to the bar and asked for a drink for himself and his wife. He was told he could only be served in the public bar. He left this hotel and went across the road to another hotel. While he was ordering lunch, the manager came down and told them they could not be served in that bar either. The couple had to go to a third hotel before they got satisfactory service.

The complaint was handled by the Rockhampton Consultative Committee on Community Relations. Complaint concerned incident which occurred nine months prior to its lodgement with Office. Difficulties experienced in the hotels were dealt with generally by the Committee and Community Relations officers and were overcome. Further action was not required by complainant.

## HOTEL 78/8188

An Aboriginal who was a member of a dancing team went to a hotel with his uncle. The barmaid refused to serve him and told him to see the manager. He spoke with her and she told him he was barred for the mess he had made a few nights previously. He had been in the hotel on previous nights but had only had a few beers and there had been no incidents. He felt that her comments had not referred to him personally but had referred to his race in general.

This complaint was referred to the Rockhampton Consultative Committee and was resolved by conferences with the publican and members of the Aboriginal community.

## HOTEL 78/8105

Two Aboriginal men went into an hotel and one of them went to the bar and asked for two drinks. The barman said he could not serve the man's friend because he was coloured. The man declined the offer to be served alone and told the barman that he was an Aboriginal also. They then left the hotel.

The complaint was pursued by the Rockhampton Consultative Committee and was resolved to the satisfaction of the complainants. Publican apologised and assured the Committee and complainants that all persons would be treated on an equal basis.

## COMMUNITY 78/5176

It was complained that a Member of Parliament had made remarks against Aboriginals on the radio — "Never mind the blacks, it's about time white people on the land were given a go".

The Commissioner for Community Relations wrote to the complainant explaining that under the Racial Discrimination Act 1975 such remarks were not unlawful. However, he wrote to the Member of Parliament concerned, presenting the complaint to him and discussing the aims of the International Convention on the Elimination of All Forms of Racial Discrimination and the Racial Discrimination Act 1975.

## HOTEL 78/5086

An Aboriginal man in the company of two friends who were white was refused service in an hotel by a barmaid. The manager subsequently said, "You're not to be served; we get blokes like you who can't handle their drink". The complainant felt that this was a general reference to his race as he had not been in the hotel before.

The complaint was forwarded to the Rockhampton Consultative Committee which pursued the complaint with the hotel. However, the complainant could not be contacted further.

POLICE 76/5703

Four Aboriginal women waiting for a taxi were arrested by police for being drunk in a public place. At police station, constable made disparaging remarks.

Matter referred to local Consultative Committee on Community Relations.

POLICE 76/5702

Four Aboriginal women waiting for a taxi were arrested by police for being drunk in a public place. Disparaging remarks were made to them at police station by a police constable.

Matter taken up with local Consultative Committee on Community Relations, Regional Superintendent of Police and Commissioner of Police. As a result procedures were laid down for the enquiry into complaints against members of the Queensland Police Force. Community Relations officers on a field trip and Consultative Committee worked with police and complainants to resolve difficulties.

HOTEL 76/5418

An Aboriginal woman went into an hotel in the company of her husband and her sister-in-law. The barmaid refused her service. The complainant does not drink alcohol and had asked for a lemonade.

The Rockhampton Consultative Committee visited the hotel accompanied by the complainant and pursued the complaint with the licensee. Action resulted from behaviour and not race.

HOTEL 75/1160

Two Aboriginals were refused service in an hotel. The manager told them that he had placed a ban on all Aboriginals because of a violent incident.

Since the refusal occurred before the proclamation of the Racial Discrimination Act 1975, the Commissioner for Community Relations wrote to the complainant suggesting that if the incidents of refusal of service were not isolated but were ongoing, then he should contact the Commissioner again.

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HOTEL 78/8113

Two white persons complained that the hotel in which they were staying had a policy of not allowing Aboriginal persons to eat in the dining room. Aboriginals were also accommodated in a separate section of the hotel.

Community Relations officers on a field trip visited the owners of the hotel. The owners on being presented with the complaints denied that such a policy existed and maintained that the reports were a result of misunderstanding. They expressed regret that the misunderstanding had occurred. The complainants were informed of this result and although they were dissatisfied with it, they required no further action.

ACCOMMODATION 77/5256

Organisers of a football match in which Aboriginals were competing booked and paid for accommodation in a motel which was to be used as a changing and showering facility for the team. They were later refused use of the rooms because the team was Aboriginal.

Commissioner for Community Relations wrote to the proprietor of the motel about the complaint. He replied that the motel facilities had become over taxed by the large number of people using them and accordingly he had not proceeded with the arrangement. This information was passed on to the complainant who accepted the explanation.

EMPLOYMENT 78/5201

An Aboriginal woman complained that she was dismissed from her job because of her race or colour.

The complainant sought advice from a solicitor and pursued court action.

EMPLOYMENT 78/5175

An Aboriginal teacher received notice from the Department of Education that he was transferred to another town. He complained that this action had been taken because of his active participation in Aboriginal issues.

The Commissioner for Community Relations took the matter up with the Director-General of Education. He replied that the transfer was in accordance with normal departmental procedures, that there were surplus staff at the school and that there was a vacant position for which the complainant was considered suitable. The Director-General's reply was passed on to the complainant who has not responded.

Complaint as Stated

Outcome/Basis of Settlement

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ROTHDOWNEY

HOTEL 78/8059

Three Aboriginals were refused service in an hotel because of their race or colour.

Aggrieved parties could not be contacted. Specific information on the complaint was not supplied by complainant.

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SCARNESS

ACCOMMODATION 79/8572

An Aboriginal woman complained of difficulty in obtaining rented accommodation. The complainant felt that her lack of success was because she was Aboriginal,

The matter was referred to the local Consultative Committee on Community Relations. Further information to enable the matter to proceed was not available.

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SPRING HILL

HOTEL 78/5281

A person complained that a barmaid told him she was not allowed to sell scotch whiskey or gin for consumption by Aboriginals.

The complainant required that his complaint be treated confidentially. The Commissioner for Community Relations wrote to the complainant indicating that he was unable to proceed with an investigation on that basis and requested that specific matter be put to publican.

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ST GEORGE

## HOTEL 80/9378

An Aboriginal complained that he and five other Aboriginal patrons had been barred for life from an hotel simply because they were associated with another person who had exhibited anti-social behaviour.

The Commissioner for Community Relations wrote to the publican setting out the complaint. The publican's response was passed on to the complainant. As a result of discussions with Community Relations officers and a local community worker, the publican agreed to review his decision.

## EMPLOYMENT 80/7259

Community Relations officer on a field trip received information that Commonwealth Employment Service agency had registered several vacant positions from an employer who stipulated no Aboriginals. Two Aboriginals registered for employment were asked to report to the agency. One of them was told that he could not be considered because of employer's stipulation.

Community Relations officer met with principal of firm, CES agent and complainants. Apologies and assurances were made by employer and agent. Arrangement was made for person refused job to begin work the following day.

## COMMUNITY 79/8527

President of an Aboriginal Co-operative complained that the objections of a neighbour had caused a vendor to withdraw from an arrangement to sell a house to the organisation.

At the complainants request, Commissioner for Community Relations wrote to the vendor and the neighbour to inform them of the rights for all people regardless of race, colour or ethnic origin, guaranteed by the Racial Discrimination Act 1975. The Co-operative has not sought further action.

## POLICE

Field officer of Aborigines and Torres Strait Islanders Legal Service complained that police did not cooperate in allowing persons held in custody to receive visits from her. It was also complained that people were questioned by police without a friend or parent present.

Community Relations Officer on a field trip discussed issues with Sergeant of Police and Field Officer. Arrangements to overcome the criticisms were made consistent with the responsibilities of police and the Legal Service. It was agreed Field Officer would be advised when persons in custody requested assistance and where appropriate, when persons were being charge or questioned.

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COMMUNITY

It was complained that a Shire Council employee had tried to persuade a neighbour not to sell his house to an Aboriginal Housing Association. Although the sale had been finalised when the complaint was made, the man's actions caused a six months delay.

Community Relations Officer on a field trip met the man together with the National Aboriginal Conference member and Housing Association employee. Discussion served to inform respondent of right of all people to housing and of the principles underlying the Racial Discrimination Act 1975.

EDUCATION

Aboriginal community raised matter of preschool with Community Relations Officer on a field trip. Efforts to change Aboriginal managed preschool to a general community preschool raised concern in Aboriginal community that Aboriginal access to facility might decrease as a result.

Matter was raised by Community Relations officers and members of Aboriginal community in discussions with prominent townspeople so that Aboriginal viewpoint might be better understood.

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THEODORE

TRANSFER OF LAND 80/7147

Transfer of leases of two allotments of residential land to Aboriginal Co-operative by Queensland Housing Commission not approved by Land Administration Commission because of race of Co-operative members.

Compulsory conference convened, attended by Chairman of Land Administration Commission and presided over by Commissioner for Community Relations. Matter not resolved at conference. Racial Discrimination Act 1975 provides for issue of certificate for remedy to be sought through civil court processes if matter unable to be resolved by conciliation.

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THURSDAY ISLAND

## EMPLOYMENT 80/9578

Cairns Consultative Committee on Community Relations sought advice about complaint it had received from an Islander nursing sister who had unsuccessfully applied for position of nursing superintendent at local hospital.

Consultative Committee on Community Relations was informed of possible course of action. Community Relations officers on a field trip met with Consultative Committee which advised that at its instigation National Committee on Discrimination in Employment and Occupation had taken matter up with Queensland Public Service Board.

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TOOWOOMBA

## EMPLOYMENT 79/9073

Non-Aboriginal complained that a job advertisement which stated a preference for Aboriginal or Islander applicants discriminated against her as did specific benefits available to Aboriginals and Islanders.

Matter referred to Department of Aboriginal Affairs Regional Office with suggestion that details of benefits be provided to complainant. Complainant was advised that Racial Discrimination Act 1975 and International Convention on the Elimination of All Forms of Racial Discrimination provided for special measures to assist groups disadvantaged because of racial or ethnic origins.

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TOVVNSVILLE

## POLICE 81/7611

Parliamentarian wrote detailing numerous incidents of police harassment of Aboriginals and assaults by white people on Aboriginals camped out.

Situation under notice by Commissioner for Community Relations. Officers on field trip contacted Aboriginal leaders and Senior Police. Matter sub-judice.

ACCOMMODATION 81/7571

An Islander complained that a landlord had instructed a real estate agent not to accept Aboriginals or Islanders as tenants.

Compulsory conference held. Matter settled on basis of publication of public apology in local press.

HOTEL 81/7484

A member of Parliament complained on behalf of a group of Aboriginal people who were told by a hotel barmaid that she had been instructed "not to serve blacks". Two white people who saw the incident also complained.

The member of Parliament had also referred the matter to the Queensland Hotels Association. The Association reported that the incident was a misunderstanding and that the manager offered an apology to the aggrieved persons. A conference of the parties chaired by a Community Relations officer settled the matter on the basis of an apology published in the local press.

NIGHTCLUB 81/7301

A white person complained on behalf of Islander friends who were refused entry to a nightclub. She felt that the refusal was because of her friends' race or colour.

A compulsory conference was convened between the parties. The complainant who attended said racial discrimination was not involved.

LAW 81/5115

Aboriginal complained that social discrimination was a factor in the decision of a court where his son and another Aboriginal were convicted of rape.

Appeal in process.

MEDIA 81/5104

Complaint received that a local newspaper published a cartoon which was racist and in bad taste.

Discrimination of racist views not unlawful. Complaint will be referred to newspaper.

## COMMUNITY 80/9585

A church minister telephoned to complain that a neighbour to his church abused and threatened himself and members of his community. He felt that this was done because of his race or colour and that of his community.

Community Relations officer contacted the local Superintendent of Police and asked if there was anything he could do to overcome the problem. The Office was later advised that the abuse and threats had ceased. No further action was requested.

## HOTEL 80/9387

Two Aboriginal men went into an hotel and asked for two beers. The publican refused them service and said "We don't serve your kind here".

The Commissioner for Community Relations wrote to the publican twice but received no reply from him. Finally, Community Relations officers on a field trip visited the publican accompanied by a member of the Aboriginal community. The publican indicated that he had excluded the complainants because he had been worried they might cause trouble. At a late meeting with the complainants in attendance agreement was reached between the parties that the complainants would be allowed service on an equal basis in the future. The complainants required no further action.

## COMMUNITY 80/9307

A community worker complained about a statement made by the Queensland Premier in which he said that findings of a survey into birth defects and the herbicides 24-3 and 245-T were influenced by venereal disease among Aboriginals.

The Commissioner for Community Relations explained to the complainant that statements based on racial superiority of racial hatred do not come within the Racial Discrimination Act 1975. The Commissioner undertook, however, to present the complaint to the Premier and seek his comments on it in the interests of community relations. No response was received from the Premier and the complainant was informed of this.

EMPLOYMENT 80/7283

An Islander complained that when he had applied for a job as a car salesman the sales manager said "We don't employ black people".

Compulsory conference held. Matter settled by public apology in local press by principal of firm.

ACCOMMODATION 79/9266

Couple complained that they were given eviction notice because the wife was an Islander.

The landlord advised that the flat had been advertised for a couple only and that he had discovered his tenants had a child. Landlord stated that tenants had been given notice to vacate the flat which gave them time to find alternative accommodation. This information was forwarded to the complainants who did not respond.

HOTEL 79/9193

Four Aboriginal women were refused admittance to an hotel disco and it was complained that the refusal was on the basis of their race or colour. When they questioned the refusal they were assaulted by employees of the hotel.

The Commissioner for Community Relations wrote to the respondent and a reply was received from solicitors acting on their behalf. The complaint that racial discrimination was a factor was denied. It was stated that the disco was full before the girls arrived and that a sign had been placed in the doorway to this effect. The forcible eviction it was stated, had been occasioned by abusive language from the girls. The complainants did not seek further action.

## POLICE 79/9170

Manager of a bowling club, pointed a revolver at the head of an Aboriginal youth and said "You open this door you black bastard and I'll blow your head off." Police were notified but they said they could do nothing.

Matter referred to Regional Superintendent of Police. Commissioner of Police advised that the incident took place after an athletics function. Because of unruly behaviour police were called to maintain order and the function room closed. Some guests congregated in car park drinking from glasses and jugs belonging to function room. In retrieving this property, the manager was in possession of a revolver, for which he was licensed. Community Relations officers on a field trip met with complainant who disputed aspects of police report. Police Commissioner reaffirmed its validity. Complainant advised that aggrieved parties were satisfied with what had been done and that no further action was required.

## COMMONWEALTH POLICE 79/9056

Police officer on duty at an airport made derogatory and offensive remarks about Aboriginals from Palm Island in casual conversation with white passenger.

in charge. He knew of incident and had issued directions to all his men about such conduct. Sergeant undertook to pursue matter further by identifying the particular officer and disciplining him by reprimand.

## CLUB 79/8558

A complaint was received by telephone concerning the use of a club's facilities for an Aboriginal function. A club director was alleged to have said "If we let them in they will steal the spoons and the salt and pepper shakers."

Community Relations officers on a field trip raised matter directly with Sergeant

Community Relations office arranged a series of discussion with Aboriginal community leaders and the officers of the club. The matter was resolved amicably, the function was held successfully.

## ACCOMMODATION 79/8536

An Aboriginal woman complained that she could not obtain a house big enough for her large family through the Department of Aboriginal and Islanders Advancement. Whenever a suitable house was found, neighbours organised a petition to the Department to stop the purchase.

The Department, she subsequently advised, had allocated a suitable house which satisfied the complainant.

## POLICE 79/8514

During a field trip officers met with Townsville Anti-Discrimination Committee which reported a matter involving an Aboriginal woman and police. Officers understood that complaint was to be lodged but this was not forthcoming.

Correspondence was sent to Committee about this but no formal complaint has been received as yet.

## EDUCATION 79/8501

A mother complained that her Aboriginal son was struck by a teacher and that his shirt was torn. The Inspector of Schools had looked into the matter and apologies and assurances had been given. Also an offer was made to replace the shirt, but it was not replaced.

An officer contacted the Inspector of Schools who undertook to investigate the situation further. Subsequently the complainant contacted the Community Relations office to say that the shirt had been replaced. She required no further action.

## ACOMMODATION 79/8395

City Council forwarded a copy of a letter sent to the Minister for Works and Housing detailing the lack of housing available to Aboriginals and Islanders. It requested some form of short term emergency accommodation and easier access to State housing by homeless persons.

The Commissioner for Community Relations wrote to the Minister for Works and Housing and to the Minister for Aboriginal and Island Affairs, supporting City Council's submission. The Minister for Works and Housing replied that Aboriginals and Islanders were housed in Commission homes on the same basis as other people seeking this type of accommodation. The Minister for Aboriginal and Island Affairs did not reply. The City Council was informed of outcome.

## POLICE 79/8394

Aboriginal complained that a police sergeant abused and assaulted him. It was alleged the sergeant had been drinking while on duty and that he had said "I have got you at last". This particular complaint was one of number made by members of Aboriginal and Islander community. Charges were laid against aggrieved party.

Complaint was made to Commissioner for Community Relations and Commissioner of Police at same time. Matter taken up with Regional Superintendent and also referred to Brisbane Consultative Committee on Community Relations which inquired into matter at Assistant Commissioner level. National Aboriginal Conference member worked with senior police at local level to establish a Police/Aboriginal Liaison Committee. Community Relations officers pursued matter with senior local police during a subsequent field trip. Police action to prevent further difficulties acceptable to Aboriginal leaders and complainant who had also pursued successfully a court action against particular sergeant.

## POLICE 78/8156

Police sergeant allegedly tried to force his way past medical staff into the consulting rooms of the Aboriginal and Islanders Community Health Service. He used threatening and abusive language.

Superintendent of Police and local National Aboriginal Conference member requested to liaise so that matter could be dealt with locally. Commissioner of Police advised that investigation into the complaint did not substantiate allegation of police impropriety. Brisbane Consultative Committee on Community Relations also raised matter with Assistant Commissioner of Police who advised that police duties had been re-arranged to prevent further difficulties. Community Relations officers discussed issue with senior police, complainant and Aboriginal community on a subsequent field trip. No further action was required.

## COMMUNITY 78/8132

Community Relations officers on a field trip received information about conflict between Aboriginals and Islanders within a housing co-operative. An extremely tense situation existed.

The Commissioner for Community Relations supported a request by members of the Aboriginal community for the Minister for Aboriginal Affairs to become involved. The construction of the co-operative empowered the Minister to intervene in the affairs of the organisation.

EMPLOYMENT 78/8070

A white woman complained that she was dismissed from her employment as a casual barmaid after her employer learnt that her fiance was a coloured person.

Community Relations officers on a field trip convened a meeting between hotel manager and complainant. An apology was accepted by the complainant as resolving the matter, although there continued to be some dispute on the reason for dismissal.

HOTEL 78/5130

An Aboriginal man complained that he was refused service by a publican because he was not a regular customer.

A Community Relations officer accompanied by the complainant visited the hotel and found that it had changed hands. The whereabouts of the previous licensee was unknown.

ACCOMMODATION 78/5128

A social worker assisting two Aboriginal women to find accommodation was told by a real estate agent that the owner of flats in which they expressed interest had given instructions not to let to "coloured people".

Commissioner for Community Relations took the matter up with the real estate agent who defended his position. His response was conveyed to the complainants who have not yet responded.

HOTEL 78/5074

Four Aboriginals and a Torres Strait Islander went into a hotel for lunch and few drinks. They were told firstly by the barmaids and then by the manager that they would only be served in the public bar. They were told that this was hotel policy. Three persons in the bar who were witnesses to the incident also complained.

The Commissioner for Community Relations wrote to the licensee presenting the complaint to him. A meeting was later arranged during a telephone conversation with the licensee. Community Relations officers, the licensee and the complainants attended the meeting. The difficulties which the licensee had in his hotel were discussed to the benefit of both parties. The licensee apologised for the incident and gave assurances that racial discrimination would not be practised in his hotel in the future. He also invited the complainants to a dinner at his hotel as a gesture of his goodwill. These terms were accepted by the complainants as settling the matter.

HOTEL 76/5843

Two Islanders went to a night club but were told by a man at the door that they weren't allowed in. The doorman said "You cannot come in because one Islander has made trouble here before and this goes for all of you". In the complaint it was stated that they were both well dressed and sober. This was their first time at the club. Six other people were refused service in a later incident.

This matter was referred to the Townsville Consultative Committee on Community Relations which pursued the matter with the club manager.

HOTEL 76/5824

Aboriginal visited an hotel for the purpose of having lunch. She was approached by the bar manager and was told she would not be served. No reason was given. She was well dressed and was staying in Townsville for only a short time.

The matter was referred to the Townsville Consultative Committee on Community Relations which approached the bar manager and presented the complaint to him. Following discussion, the bar manager agreed to place a public apology in the newspaper.

HOTEL 76/5420

An Aboriginal woman complained that she had been refused service in an hotel during a holiday visit.

No details were provided in the initial complaint and the Commissioner for Community Relations wrote to the complainant requesting further information. The complainant did not wish to proceed.

HOTEL 76/5419

Minutes of a dart club meeting were handed to a Community Relations officer wherein two hotels had indicated their intention to refuse teams of dark people wishing to play darts.

Matter referred to Townsville Consultative Committee on Community Relations. Members of darts club have not reported further difficulty.

TULLY

## RESTAURANT 81/7616

Oral complaint received that three Islanders were refused entry to a restaurant because of their race of colour.

Community Relations officers convened a meeting between a member of the company which operated the restaurant and a representative of the complainant. A lessee of the restaurant who had recently taken over the lease also attended. Member of the company agreed to give a written apology to the complainants and this formed the basis of settlement.

## HOTEL 81/7353

Oral complaints were received at the Office of the Commissioner for Community Relations that Aboriginals were not served in an hotel on the same basis as others.

The Commissioner sent a telegram followed by a letter advising that such actions contravened the Racial Discrimination Act 1975. The complainants undertook to forward complaints in writing. During a field trip the matter was pursued with the local community and a particular complainant. The publican apologised.

## HOTEL 81/7352

Oral complaints received at the Office of the Commissioner for Community Relations that an hotel had introduced a general ban on service to Aboriginals following an altercation.

The Commissioner sent a telegram followed by a letter advising the licensee that such actions would contravene the Racial Discrimination Act 1975. The complainants were asked to forward their complaints in writing. Hotel visited during a field trip but manager out of town. Written complaint received and enquiry continuing.

## COMMUNITY 80/9589

A complaint was passed on by an officer of the Department of Aboriginal Affairs that an Aboriginal person complained of overcharging in a shop.

Community Relations officers on a field trip visited the store in company with the complainants and discussed the matter with the owners of the store. As a result the complainant was satisfied that she had not been overcharged,

HOTEL 80/7106

Two Aboriginal brothers were drinking in an hotel for about an hour when the barmaid said "I can't serve you after this drink". When asked why she said "the publican doesn't like to serve coloured people".

Community Relations officer on a field trip visited the hotel and discussed the complaint with the publican. The matter was looked at both from the point of view of the publican's difficulties and the Racial Discrimination Act 1975. The publican offered an apology for his action in refusing service and undertook to serve people on an equal basis in the future.

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WACOL

LAW 80/9309

A complaint was received that an Aboriginal prisoner was harassed and persecuted by prison officers. The prisoner was also prevented from furthering his tertiary studies.

The Brisbane Consultative Committee on Community Relations visited the prisoner. He sought no action from the Consultative Committee member since his complaints were receiving attention from other authorities.

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WEIPA

EDUCATION 78/8170

A newspaper clipping was passed on by a DAA officer. It stated that Aboriginal children were being placed in separate classes from white children when they graduated to High School.

The Commissioner for Community Relations wrote to the Department of Education raising the matters in the news clipping. The Department of Education replied that the separation of classes was based on educational achievement rather than racial grounds and that the separation did not usually continue into years 9 and 10.

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WOORABINDA

QUEENSLAND RESERVE 81/7302

Local National Aboriginal Conference member referred complaints against the Community Council that his brother had been refused entry to the reserve and that some women had been refused admittance to the Community's wet canteen.

No action could be taken as first matter was being pursued by Aborigines and Torres Strait Islanders Legal Service and second matter had been referred to Director of Aboriginal and Islanders Advancement and subsequently resolved.

QUEENSLAND RESERVE 80/9312

Community Relations officers on a field trip received information about a Department of Aboriginal Affairs field officer's attempts to contact the Chairman of the Community Council. The Manager of the reserve (a government employee) was preventing contact with the Chairman.

Community Relations officer telephoned both the Manager and Chairman to advise of the difficulties. However, when a subsequent attempt by the field officer also failed, a second call from a Community Relations officer was needed before the desired contact was achieved.

QUEENSLAND RESERVE 80/7043

Solicitor of Aborigines and Torres Strait Islanders Legal Service was refused permission to inspect the watch house after he had received complaints by Aboriginal residents locked up over the weekend. Police sergeant allegedly abused and threatened him, thereby it was complained, infringing the civil liberties of his Aboriginal clients. Solicitor called for an independent enquiry into incident and conditions at the reserve.

Matter related to other complaints against police sergeant, offensive statements made by community leaders about Aborigines and possible infringements of the rights of Aboriginal itinerants by Rockhampton City Council and police. Transfer of police sergeant and positive developments encouraged by local Consultative Committee on Community Relations with support of Commissioner for Community Relations resolved matter. Local groups comprising members of Rockhampton community, government departments and community organisations fostered clear contact with and support for reserve community, Community Council and management.

QUEENSLAND RESERVE/POLICE 80/7041

Complaint received that reserve Residents have complaints against a police officer and their desires to have him transferred were ignored.

complainants. It was found that the police officer was due to be transferred and no further action was sought.

Community Relations officer on a field trip discussed matter with one of the

POLICE 78/8072

Sergeant of Police and Manager of Aboriginal Reserve directed Aboriginal people travelling in a hearse to a funeral to burn their clothes and personal possessions because of possible contact with deceased who had leprosy. Because of this some relatives missed the funeral causing them further distress. A crowd of angry residents gathered outside the reserve administration building. Police reinforcements were called from nearby towns. When they arrived the crowd dispersed.

Matter referred to Commissioner of Police and Rockhampton Consultative Committee on Community Relations. Community Relations officers visited settlement to discuss complaint with Aboriginal community and Police Sergeant. Matter also pursued with Regional Superintendent of Police. Effective Police/Aboriginal liaison established. Sergeant counselled by Community Relations officers and senior police to avoid provocative actions in future.

QUEENSLAND RESERVE 76/5730

Aboriginal, banned from reserve where he was born, sought to have ban lifted.

Matter referred to Parliamentary Commissioner for administrative investigations who arranged for aggrieved party to obtain permission of Director of Aboriginal and Islanders Advancement to return to reserve to live, on condition that he remain on a visitor's permit renewable monthly and that he sign an undertaking of good behaviour. Complainant satisfied with outcome.

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YARRABAH

QUEENSLAND RESERVE 79/9188

Community Council sought transfer of responsibility for administration of reserve from Queensland to Commonwealth Government. Commissioner for Community Relations was invited by Community Council to attend a meeting with Minister for Aboriginal Affairs and Minister for Aboriginal and Island Affairs at Yarrabah.

Community Relations officers met with Councillors and local National Aboriginal Conference member and visited reserve at their invitation. As a result of matters discussed and observed at reserve and elsewhere, a report was released by Commissioner for Community Relations entitled "Queensland Aboriginal Reserves: Policies, Administration and Discrimination".

POLICE/QUEENSLAND RESERVE 79/8528

Community Council sought transfer of administration of reserve from Queensland to Commonwealth Government. One difficulty at the time was intimidation and assault by Queensland Police from Cairns. Commissioner for Community Relations was invited by Community Council to attend a meeting at Yarrabah to hear complaints.

Community Relations officers met with Councillors and local National Aboriginal Conference Member and visited reserve at their invitation. Subsequently matters of concern raised by Community were discussed with Regional Superintendent and District Inspector of Police. The community met with Commonwealth Minister for Aboriginal Affairs and proposed certain courses of action. The substance of this issue is the subject of a report by the Commissioner for Community Relations entitled "Queensland Aboriginal Reserves: Policies, Administration and Discrimination.

QUEENSLAND RESERVE 78/8051

Senator for Queensland forwarded a complaint concerning threats and intimidation by Senior Sergeant of the Community Police Force against a reserve resident who subsequently needed Queensland Police protection so that he and his family could leave. Senator had taken matters up in writing with Minister for Aboriginal and Island Affairs who advised that party had left community of own accord after having aroused the hostility of a large section of the community.

Matter taken up with aggrieved party. Attempt by Community Relations officers to make contact during a field trip was not successful and no contact has been possible.

QUEENSLAND RESERVE 78/5283

Newsletter of North Queensland Land Council contained item which referred to a ban placed by Yarrabah Council on certain urban Aboriginals. Article mentioned that telegrams and a letter were sent to various Ministers and Commissioner for Community Relations respectively.

No correspondence received.

QUEENSLAND RESERVE 77/5068

Bank agency on reserve sometimes ran out of cash which prevented residents from cashing Department of Social Security cheques.

Matter referred to Bank's General Manager who advised that agency provided savings bank facilities which did not cater for cashing of cheques. Cheques that were cashed were handled by Department of Aboriginal and Islanders Advancement from its own funds which were occasionally unable to meet the demand. It was further advised that DAIA was encouraging residents to cash cheques in Cairns. Matter brought to attention of Director General of Social Security and also referred to Department of Aboriginal Affairs Area Officer, who confirmed that difficulties existed. Complainants have been asked for information on present position.

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YEPPOON

EDUCATION 80/9330

A member of Parliament passed on documents wherein foster parents of two Aboriginal children complained of treatment their children received from the teacher at the school and cited evidence of general neglect of duties. They wanted the teacher to be transferred.

The Commissioner wrote to the foster parents seeking further clarification of the matter. However they replied shortly afterwards that the teacher had been transferred and that they required no action on the matter.

ACCOMMODATION 80/7153

Aboriginal mother of two children complained of difficulty in obtaining accommodation. She was twice refused rental accommodation.

Community Relations officer on a field trip enquired into matter and met complainant and respondents. Following discussions with respondents, he reported back to the complainant who was satisfied with action taken.

GENERAL

GOVERNMENT 81/7650

Aboriginal and Islanders group complained against Federal and State government racist policies in an open letter.

The Commissioner for Community Relations is considering action available under Racial Discrimination Act 1975.

GOVERNMENT 81/7482

State Chairwoman of the National Aboriginal Conference wrote to Premier seeking assurances that Aboriginals and Islanders would not be disadvantaged by the repeal of the Aborigines Act and the Torres Strait Islanders Act. Copy of the letter was forwarded to Commissioner for Community Relations.

The issue of changes in legislation governing Aboriginal and Islander reserves is current. The relevance of the Racial Discrimination Act 1975 to it is under enquiry. During field trip throughout Queensland in June/July 1981, officers found great ignorance and concern about the Queensland Government's intentions. Although the Government is in consultation with some sections of the community neither it nor those sections have informed the general or particular communities on the issues involved in any meaningful manner.

GOVERNMENT 81/5064

Copy of letter addressed to Minister for Communications was also sent to Commissioner for Community Relations and stated that Aboriginals on reserve had their mail opened before delivery and delayed or misplaced for the purpose of being withheld from the addressee.

The Commissioner will commence an investigation into the complaint.

## QUEENSLAND RESERVES 80/9567

Australian Postal Commission's non-official Postmaster on Queensland Aboriginal Reserves is the corporation of the Director of Aboriginals and Islanders Advancement. Section 21(1) (b) enquiry was conducted by the Commissioner for Community Relations to determine why Aboriginal communities do not have Australia Post services in the same way as other communities of similar size.

Australia Post advised that official post offices could not be established because no reserve had sufficient volume of business. Appointment of non-official postmaster raised practical difficulties such as post office accommodation, which is the responsibility of the appointee. Copy of Australia Post reply was forwarded to all National Aboriginal Conference members in Queensland.

## GOVERNMENT 80/9566

Complaint stated that a Department of Aboriginal Affairs circular relating to grants for work projects did not distinguish Torres Strait Islanders as a group separate from Aboriginals. The complainant wished Torres Strait Islanders to be recognised as a separate identity.

Commissioner for Community Relations referred complaint to Dept. of Aboriginal Affairs for its consideration. The reply stated that the Commonwealth Government provided developmental aid to Aboriginals and Islanders through one body because of the common disadvantage suffered by both groups. It further stated that the Government supported organisations comprised only of Islanders or Aboriginals or both.

## EDUCATION 79/8511

The Catholic Education office complained of the difficulty in getting funding from a Government Department to support employment of Aboriginal teacher aids despite the obvious advantage for Aboriginal children.

The Government Department replied that due to funding restriction it was unable to support a significant increase in the number of aides unless the employing authorities gave a commitment to begin assuming responsibility for these positions.

## GOVERNMENT 78/8094

Two published reports were referred with statements reportedly made by Minister for Local Government that the Queensland Government would take over all Aboriginal and Islander communities in the State and that suitably qualified persons were not attracted by advertisements for Shire Clerk for Mornington Island and Aurukun.

Complainant advised that no action was available to the Commissioner for Community Relations under the Racial Discrimination Act 1975. Commonwealth and State Governments were negotiating on community problems, at the time.

HOTEL 78/5218

(Location not known)

An Aboriginal person contacted the office by telephone and complained of treatment he had received in an hotel. Following the purchase of some drinks, the complainant indicated that he had not received the correct change. The correct change was then given to him. Later in the evening he went to purchase more drinks but was refused service on the grounds that he was a trouble maker.

No action could be taken on this case because of lack of detail in the complaint. The complainant could not be contacted for more information.

QUEENSLAND RESERVES

77/5520

Commissioner for Community Relations asked Minister for Aboriginal and Island Affairs whether by-laws applied to Queensland Aboriginal Reserves.

Minister's Private Secretary acknowledged letter but Minister did not reply. Matter also referred to Parliamentary Commissioner for Administrative Investigations who advised that he was unable to enquire into by-laws applicable on Aboriginal Reserves unless he received a specific complaint.

QUEENSLAND RESERVES 77/5183

Communication for Far North Queensland Reserves restricted to telegraph which was subject to lack of privacy and interference by Department of Aboriginal and Islanders Advancement. For example telegrams refusing permission to enter a reserve were sent in name of Community Council Chairman who had no knowledge of request or refusal. Other reserves had inadequate public telephone facilities in comparison with non-Aboriginal communities of similar size.

Chairman of Australian Telecommunications Commission advised that cost did not justify provision of desired facilities in remote areas for Aboriginal or non-Aboriginal communities. DAIA held a licence for a radio telephone network which it established for its own activities. Although third parties were able to use telegraph facility, licensee was not obliged to handle public telegrams. Upgrading of communication facilities to several reserves was foreshadowed. Information was passed on to complainant, Consultative Committees on Community Relations in Townsville, Mackay and Rockhampton and Aborigines and Torres Strait Islanders Legal Service.

## QUEENSLAND RESERVES 77/5119

Payment of under award wages to  
Aboriginals employed on Queensland  
reserves.

A complaint was taken up with Department of Labour Relations and Consumer Affairs and Parliamentary Commissioner for Administrative Investigations on this subject. Matters also referred to Cairns and Brisbane Consultative Committees on Community Relations which continued to take an active interest. Australian Workers Union commenced proceedings against Director of Aboriginal and Islanders Advancement in Industrial Magistrates Court on behalf of Aboriginal employee who claimed wages owed to him. Case was dismissed but appeal was upheld by President of Industrial Court of Queensland. Negotiations between the parties were subsequently conducted in conferences convened by the Industrial Conciliation and Arbitration Commission.

Commissioner for Community Relations reaffirmed his interest in the matter under the Racial Discrimination Act 1975 and wrote to Minister for Aboriginal Affairs, Minister for Industrial Relations, the Commonwealth Attorney-General, the Australian Workers Union, Industrial Conciliation and Arbitration Commission, Minister for Labour Relations, Minister for Aboriginal and Island Affairs, Trades and Labour Council of Queensland. Advice received that matter was still before Industrial Conciliation and Arbitration Commission. Minister for Aboriginal and Island Affairs was reported as announcing that Aboriginal employees on Queensland reserves would receive wage increases to accord with guaranteed minimum wage rates. Implications of statement are not clear and further enquiry is in progress.

Commissioner for Community Relations adopted approach that while matter was the subject of attention of industrial system of Queensland he would not intervene directly. He is awaiting an opportunity to review actions and present position. A full account of events in this matter is contained in the Commissioner's 1979/80 annual report.

## EMPLOYMENT 76/5624

Various locations: Wondai, South Burnett, Kingaroy.

It was complained that grants allocated to Shire Councils for Aboriginal employment were not being used to benefit Aboriginal communities and in particular to enable the Aboriginals employed to acquire skills useful for long term employment.

The matter was referred to the Department of Aboriginal Affairs which advised that the guidelines of the scheme had been revised so that only projects offering substantial training were funded. The complainant was informed of the Department's response.

## QUEENSLAND RESERVES 76/5539

Office undertook an enquiry into the relevance of Racial Discrimination Act 1975 to Aborigines and Torres Strait Islanders Acts of Queensland. Despite apparent discriminatory provisions contained in Acts, their regulations and by-laws, the matter was not pursued because of lack of information at the time (July '76) from Aboriginal and Islander communities on the application of those discriminatory provisions.

since then. It has also been pursued as particular enquiries resulting in the reports, "Discrimination against Aborigines by the Queensland Government" and "Queensland Aboriginal Reserves: Policies Administration and Discrimination". Laws which discriminate on racial or ethnic grounds are nullified by Section 10 of the Racial Discrimination Act 1975. This act has been reinforced in some respects by the Commonwealth Legislation, the Aboriginal and Torres Strait Islanders (Queensland Discriminatory Laws) Act 1975 and the Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-Management) Act 1978. However, complaints and information continue to come to hand about racial discrimination against reserve residents and other citizens by virtue of discriminatory Queensland legislation. The Queensland Government has espoused the legality of the Aborigines Act 1971-79 and the Torres Strait Islanders Act 1971-79 and has rejected the legality of Commonwealth legislation. The Government of Queensland holds that the Racial Discrimination Act 1975 is invalid. The Queensland Government has announced its intentions to repeal both the Aborigines and Torres Strait Islanders acts during the current parliamentary session (August 1981). As yet its full intentions and the provisions of enabling and other relevant legislation have not been declared.

QUEENSLAND RESERVES 76/5491

(a) Department of Children's Services Family Allowance. Benefit was not paid to residents of Queensland Aboriginal Reserves. Instead the Department of Aboriginal and Islanders Advancement authorised its reserve managers to make cash payment according to need. This was considerably less than the benefit paid by Department of Children's Services.

Matter was referred to Department of Aboriginal and Islanders Advancement which did not reply. Matter was also referred to the Department of Children's Services which advised subsequently that it had made arrangements for family assistance to be paid to eligible women of Aboriginal and Islander reserves.

(b) Complainant subsequently advised that benefit application procedures were different for Aboriginals living on Queensland reserves.

Matter referred to Parliamentary Commissioner for Administrative Investigations who agreed to conduct an enquiry.

QUEENSLAND RESERVES 76/564

Matter raised with Senator by a constituent who sought information on the application of the Aboriginal and Torres Strait Islanders (Queensland Discriminatory Laws) Act 1975, implications of 1968 Referendum empowering the Commonwealth Government to legislate in Aboriginal Affairs and status of Aboriginal and Islander reserves if Aborigines and Torres Strait Islanders Acts were abolished.

Senator for Queensland was advised that Racial Discrimination Act 1975 binds Queensland and action under this Act can be pursued by individuals or organisations.

